



**TOWN OF GREENBURGH
PLANNING BOARD AGENDA
WEDNESDAY, July 17, 2024 – 7:00 P.M.**

Meetings of the Planning Board will be adjourned at 10:00 p.m.

This meeting will take place in the Town Hall Auditorium, located at 177 Hillside Avenue, Greenburgh, NY, and will also take place via Zoom. If you would like to watch the meeting, you may do so via the Town's website at <https://ny-greenburgh.civicplus.com/485/Watch-Live-Board-Meetings>. This meeting will be broadcast live on Cable Television and a recording likely will be available on cable television thereafter. If you would like to participate in one or more of the public hearings via Zoom, you must pre-register through the Department of Community Development and Conservation by emailing publichearing@greenburghny.com or calling 914-989-1530, specifying the application(s) that you would like to speak on. Instructions to participate will then be emailed to you or you will receive a return phone call.

AGENDA

1. **ROLL CALL**
2. **APPROVAL OF MINUTES**
3. **CORRESPONDENCE**
4. **OLD BUSINESS**
 - a. **Case No. PB 22-01** Ries Subdivision, *Beaver Hill Road (P.O. Elmsford, N.Y.) – Final Subdivision*

A work session to discuss the decision of a Final Subdivision application involving the proposed resubdivision of 9 existing tax lots (7.190-68-3, 4, 5, 6, 7, 8, 9, 10 & 11). Tax lot 7.190-68-3, an undeveloped, approximately 57-foot wide by 550-foot-long parcel of land situated to the rear of the developed lots known as 32, 34, 36, 38, 40, 42, 44, 48 & 50 Beaver Hill Road, which had been foreclosed by the Town in the 1950s. In 2018, the property was auctioned off by the Town to a private party, who later submitted preliminary applications with the intent to develop said parcel. A preliminary injunction was issued by the State Supreme Court in 2019 prohibiting the new owner and Town from taking further action in pursuit of a Building Permit. A settlement was later reached whereby neighbors to the property, and the Town, purchased the property back and, in return, the neighbors agreed to seek Subdivision approval from the Town to resubdivide the vacant parcel and add land area to their current, developed properties. It is noted that the undeveloped parcel presently contains many

encroachments from said Beaver Hill Road properties. The Applicants seek to resubdivide the subject lots in order to provide additional land area to each of the Beaver Hill Road properties, thus reducing the overall size of the undeveloped parcel. The properties, in total, consist of approximately 79,994 sq. ft. (1.84 acres) and are situated on the south side of Beaver Hill Road between Eastward Place and Catskill Place. The properties are located in the R-5 One-Family Residence District and are designated on the tax map of the Town of Greenburgh as Parcel ID: 7.190-68-3, 4, 5, 6, 7, 8, 9, 10 & 11.

b. Case No. PB 23-24 Lee & Cheng, 260 South Healy Avenue (P.O. Scarsdale, N.Y.) – Wetland/Watercourse Permit and Tree Removal Permit

A continuation of a work session (March 6, 2024 and July 1, 2024) to discuss a Wetland/Watercourse Permit and Tree Removal Permit application involving the proposed construction of a new single-family residence on an existing lot. The Applicant proposes to remove an existing, burnt-out single-family home and to construct a new home with related improvements. The Applicant proposes to disturb approximately 3,619 sq. ft. of wetland/watercourse buffer area on the property, associated with an on-site watercourse. The Applicant proposes the removal of one (1) regulated tree, requiring a Tree Removal Permit, and has prepared a landscaping plan providing for the planting of four (4) trees, as replacement. The property consists of approximately 23,339 sq. ft. (0.54 acres) and is situated on the easterly side of South Healy Avenue, approximately 500 feet south of the intersection of South Healy Avenue and Elizabeth Street. The property is located in the R-20 One-Family Residence District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.290-224-42.

c. Case No. PB 22-21 Segura, 39 Sprain Valley Road (P.O. Scarsdale, N.Y.) – Planning Board Steep Slope Permit and Wetland/Watercourse Permit

A continuation of a work session (July 1, 2024) to discuss a Planning Board Steep Slope Permit and Wetland/Watercourse Permit application involving the legalization of various residential improvements conducted without required permits. The Applicant installed a concrete patio, gazebo, and above-ground pool at the rear of the property, and front patio pavers at the front of the property. The Applicant's unpermitted work resulted in approximately 1,460 sq. ft. of disturbance to 15-25% slopes (STEEP SLOPES), approximately 545 sq. ft. of disturbance to 25-35% slopes (VERY STEEP SLOPES), and approximately 286 sq. ft. of disturbance to 35%+ slopes (EXCESSIVELY STEEP SLOPES). The Applicant imported approximately 200 cubic yards of fill, requiring a Fill Permit. The Applicant's unpermitted work resulted in approximately 6,040 sq. ft. of disturbance to regulated wetland/watercourse buffer area on the property. The Applicant is proposing six (6) Cultec 330XL units to handle the runoff from impervious surfaces. In a memorandum dated June 25, 2024, the Building Inspector determined that the following Area Variance is required: Minimum setback from pool to side property line, from 15 feet (required) to 13.1 feet (proposed). The property consists of approximately 29,551 sq. ft. (0.68 acres) and is situated on the westerly side of Sprain Valley Road, approximately 1,900 feet from the intersection of

Sprain Valley Road and Ardsley Road. The property is located in the R-20 One-Family Residence District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.520-355-15.

5. ITEMS FOR PUBLIC HEARING & PUBLIC DISCUSSION

Individuals may submit comments on public hearing items via email to publichearing@greenburghny.com, or regular mail to Town of Greenburgh, attn: CD&C, 177 Hillside Avenue, Greenburgh, NY, 10607, within the open written record period and such comments will be made part of the record.

The Planning Board is a group of volunteers appointed by the Town Board to evaluate land use applications in accordance with the Town Code. When property owners seek to develop their land or make improvements via subdivision or if they will be disturbing an area with a steep slope or within a wetland, watercourse or adjacent, regulated buffer area, they must apply to the Planning Board for approval. It is the job of the Planning Board to balance the rights of land owners while ensuring the adverse impacts to the surrounding community are minimized. Decisions on adjustments to the proposed plan are based on factual evidence and reviewed for consistency with our Town code and Comprehensive Plan. This evidence primarily comes from applicants and their advisors, site visits conducted by Planning Board members, and input from Town staff, the appropriate Fire District, and the public as part of the public hearing process. The relative popularity of an application is not a factor in Planning Board decisions. Decisions are based on the facts presented. The Planning Board is a group of volunteers appointed by the Town Board to evaluate land use applications in accordance with the Town Code. When property owners seek to develop their land or make improvements via subdivision or if they will be disturbing an area with a steep slope or within a wetland, watercourse or adjacent, regulated buffer area, they must apply to the Planning Board for approval. It is the job of the Planning Board to balance the rights of land owners while ensuring the adverse impacts to the surrounding community are minimized. Decisions on adjustments to the proposed plan are based on factual evidence and reviewed for consistency with our Town code and Comprehensive Plan. This evidence primarily comes from applicants and their advisors, site visits conducted by Planning Board members, and input from Town staff, the appropriate Fire District, and the public as part of the public hearing process. The relative popularity of an application is not a factor in Planning Board decisions. Decisions are based on the facts presented.

- a. Case No. PB 20-09 Lightbridge Academy, 529 Central Park Avenue South (P.O. Scarsdale, N.Y.) – Amendment to Site Plan and Special Use Permit Approval**
A continuation of a public hearing (July 1, 2024) to consider an amendment to a previously approved Site Plan and Special Use Permit (Child Day-Care Center) which facilitated the opening of a child day-care facility for 105 children, with 22 staff, along with 1,534 sq. ft. of separate office space. The Applicant seeks to increase enrollment beyond 105 children, up to a maximum total of 152 children and 31 staff, and to remove the “Employee Parking Only” designation on the three (3) off-street parking spaces in front of the building, requiring amended Site Plan and Special Use Permit approvals from the Planning Board. The proposal also requires an amended approval from the Zoning Board of Appeals for: Minimum number of off-street parking spaces (68 required; 45 previously approved; 45 proposed). No site work is proposed in connection with the Applicant’s request. The property consists of approximately 70,532 sq. ft. (1.619 acres) and is situated on a flag lot on the westerly side of Central Park Avenue, between Underhill Road and Dromore Road. The property is located in the CA Central Avenue Mixed-Use Impact District and is designated on the tax map of the

Town of Greenburgh as Parcel ID: 8.410-298-6.

6. NEW BUSINESS

**a. Case No. PB 24-14 Dicker, 718 Central Park Avenue South (P.O. Scarsdale, N.Y.) –
*Planning Board Special Use Permit (Small Animal Hospital)***

A work session to discuss a Planning Board Special Use Permit application involving the proposed conversion of a former restaurant space into an animal hospital. The Applicant proposes no outside work with the exception of façade changes to facilitate signage for the hospital and a small outdoor dog run, which will be fenced. The proposed 10,447 sq. ft. animal hospital requires 53 off-street parking spaces, where 75 off-street parking spaces exist on-site. The Applicant is not proposing any overnight boarding of animals, except as medically necessary. In a memorandum dated July 1, 2024, the Building Inspector determined that an area variance is required for the unenclosed exterior dog run. The property consists of approximately 46,950 sq. ft. (1.08 acres) and is situated on the easterly side of Central Park Avenue South, approximately 530 feet north from the intersection of Central Park Avenue South and Mt. Joy Avenue. The property is located in the CA Central Avenue Mixed-Use Impact District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.460-329-1.

7. ESTABLISH DATE FOR NEXT MEETING

The next regularly scheduled meeting of the Greenburgh Planning Board will be held on Wednesday, August 7, 2024 and is scheduled to begin at 7:00 pm.

Information

Text/Header:

Case No. PB 22-01 Ries Subdivision, *Beaver Hill Road (P.O. Elmsford, N.Y.) – Final Subdivision*

A work session to discuss the decision of a Final Subdivision application involving the proposed resubdivision of 9 existing tax lots (7.190-68-3, 4, 5, 6, 7, 8, 9, 10 & 11). Tax lot 7.190-68-3, an undeveloped, approximately 57-foot wide by 550-foot-long parcel of land situated to the rear of the developed lots known as 32, 34, 36, 38, 40, 42, 44, 48 & 50 Beaver Hill Road, which had been foreclosed by the Town in the 1950s. In 2018, the property was auctioned off by the Town to a private party, who later submitted preliminary applications with the intent to develop said parcel. A preliminary injunction was issued by the State Supreme Court in 2019 prohibiting the new owner and Town from taking further action in pursuit of a Building Permit. A settlement was later reached whereby neighbors to the property, and the Town, purchased the property back and, in return, the neighbors agreed to seek Subdivision approval from the Town to resubdivide the vacant parcel and add land area to their current, developed properties. It is noted that the undeveloped parcel presently contains many encroachments from said Beaver Hill Road properties. The Applicants seek to resubdivide the subject lots in order to provide additional land area to each of the Beaver Hill Road properties, thus reducing the overall size of the undeveloped parcel. The properties, in total, consist of approximately 79,994 sq. ft. (1.84 acres) and are situated on the south side of Beaver Hill Road between Eastward Place and Catskill Place. The properties are located in the R-5 One-Family Residence District and are designated on the tax map of the Town of Greenburgh as Parcel ID: 7.190-68-3, 4, 5, 6, 7, 8, 9, 10 & 11.

Fiscal Impact

Attachments

PB 22-01 Ries Subdivision - DRAFT Final Subdivision Decision



TOWN of GREENBURGH

Department of Community Development & Conservation

Paul Feiner
Supervisor

Garrett Duquesne, AICP
Commissioner
Aaron Schmidt
Deputy Commissioner

July 18, 2024

Mr. Phillip Grimaldi, Esq.
245 Saw Mill River Road
Hawthorne, NY 10532

Case No.: PB 22-01 Ries Subdivision – Beaver Hill Road, P.O. Elmsford, N.Y.
Name of Applicants: Mr. Phillip Grimaldi
RE: Letter of Final Subdivision Approval

Dear Mr. Grimaldi,

Attached is a letter of Final Subdivision approval for the above referenced application.

In accordance with Town Law, the plat must be filed with the Westchester County Clerk, Division of Land Records, within 62 days of the date of signing. The approval of any plat not so filed must expire 62 days from the date of endorsement.

Please note that the Final Subdivision approval for the plat is void if revised after signature. No changes, erasures, modifications or revisions must be made to any subdivision plat after approval has been given by the Board and endorsed in writing on the plat excepting only the endorsement of the Westchester County Department of Health or County Clerk's office. In the event that any subdivision plat, when recorded, contains any such changes, the plat must be considered null and void.

Sincerely,

Garrett Duquesne, AICP
Commissioner
Department of Community Development and Conservation

GPD:mb

cc: Planning Board
F. Morabito, Building Inspector
J. Coppola, P.E., Town Engineer
A. Magana, Esq., First Deputy Town Attorney
J. Star, Owner
L. & L. Wallace, Owner
G. & M. Ries, Owner
J. Manimala, Owner
S. & D. Horecky, Owner
A. Mujica, Owner
R. Wan, Owner
R. LaGuardia, Owner
M. & D. Sanchez, Owner

**PLANNING BOARD OF THE TOWN OF GREENBURGH
LETTER OF FINAL SUBDIVISION APPROVAL**

Case No.: PB 22-01 – Ries – Beaver Hill Road, P.O. Elmsford, N.Y.

**Name & Address
of Owner:** CJKRE LLC
Mr. Josh Star
27 North Buckhout Street
Irvington, NY 10533

Mr. Luke & Ms. Laura Wallace
34 Beaver Hill Road
Elmsford, NY 10523

Mr. Gannett & Ms. Mary Ries
36 Beaver Hill Road
Elmsford, NY 10523

Mr. Jimmy Manimala
38 Beaver Hill Road
Elmsford, NY 10523

Mr. Stephen & Ms. Dawn Horecky
40 Beaver Hill Road
Elmsford, NY 10523

Mr. Alexander Mujica
42 Beaver Hill Road
Elmsford, NY 10523

Ms. Rui Wan
44 Beaver Hill Road
Elmsford, NY 10523

Ms. Robyn LaGuardia
48 Beaver Hill Road
Elmsford, NY 10523

Mr. Misael & Ms. Donella Sanchez
50 Beaver Hill Road
Elmsford, NY 10523

**Initial Conference
Date:** January 19, 2022

Work Session Dates: October 3, 2022, November 2, 2022, and July 17, 2024

Public Hearing Date: October 19, 2022

Appearances: Phillip Grimaldi, Esq.
245 Saw Mill River Road
Hawthorne, NY 10532

Zoning District: R-5 – One-Family Residence District

Project: A Final Subdivision application associated with the resubdivision of nine (9) existing tax lots (7.190-68-3, 4, 5, 6, 7, 8, 9, 10 & 11). Tax lot 7.190-68-3, an undeveloped, approximately 57-foot wide by 550-foot long parcel of land situated to the rear of the developed lots known as 32, 34, 36, 38, 40, 42, 44, 48 & 50 Beaver Hill Road, which had been foreclosed by the Town in the 1950s. In 2018, the property was auctioned off by the Town to a private party, who later submitted preliminary applications with the intent to develop said parcel. A preliminary injunction was issued by the State Supreme Court in 2019 prohibiting the new owner and Town from taking further action in pursuit of a Building Permit. A settlement was later reached whereby neighbors to the property, and the Town, purchased the property back and, in return, the neighbors agreed to seek Subdivision approval from the Town to resubdivide the vacant parcel and add land area to their current, developed properties. It is noted that the undeveloped parcel presently contains many encroachments from said Beaver Hill Road properties. The Applicants seek to resubdivide the subject lots in order to provide additional land area to each of the Beaver Hill Road properties, thus reducing the overall size of the undeveloped parcel. The properties, in total, consist of approximately 79,994 sq. ft. (1.84 acres) and are situated on the south side of Beaver Hill Road between Eastward Place and Catskill Place. The properties are located in the R-5 One-Family Residence District and are designated on the tax map of the Town of Greenburgh as Parcel ID: 7.190-68-3, 4, 5, 6, 7, 8, 9, 10 & 11.

Dates of Review and Approval (Preliminary Subdivision)

On January 19, 2022, the Town of Greenburgh Planning Board held an initial conference with the Applicant's representative.

On October 3, 2022, following receipt of a formal Preliminary Subdivision application, the Town of Greenburgh Planning Board held a work session concerning the project.

On October 19, 2022, the Town of Greenburgh Planning Board, on a motion made by Mr. Simon, and seconded by Mr. Hay, unanimously voted to classify the proposal as an "Unlisted" action under SEQRA for Case No. PB 22-01 Ries – Beaver Hill Road, P.O. Elmsford, N.Y.

On October 19, 2022, after review of: (1) the Short Form EAF and supporting information; (2) all submittals for the Planning Board Preliminary Subdivision application; and, (3) comments received from its professional staff, the Planning Board, on a motion made by Ms. Fraitag and seconded by Mr. Hay, unanimously voted to issue a Negative Declaration for the proposed action under SEQRA for Case No. PB 22-01 Ries – Beaver Hill Road, P.O. Elmsford, N.Y.

On October 19, 2022, the Town of Greenburgh Planning Board held a public hearing on the above-referenced Preliminary Subdivision application, and related actions.

On October 19, 2022, the Town of Greenburgh Planning Board closed the public hearing on the Preliminary Subdivision application and related actions, and kept the written record open through October 26, 2022.

On November 2, 2022, on a motion made by Mr. Snaggs and seconded by Mr. Desai, the Planning Board, with seven (7) members present, unanimously voted to approve the Preliminary Subdivision for the above-referenced project, subject to the modifications and requirements listed below.

Members Present: Chairperson Hugh Schwartz, Thomas Hay, Walter Simon, Michael Golden, Kirit Desai, Mona Freitag, and Johan Snaggs

Members Absent: Leslie Davis

Voting: Chairperson Hugh Schwartz – Aye, Thomas Hay – Aye, Walter Simon – Aye, Michael Golden – Aye, Kirit Desai – Aye, Mona Freitag – Aye, Johan Snaggs – Aye.

Findings (Preliminary Subdivision):

The Applicant has submitted documentation that illustrates how the proposed project meets the Planning Board’s review criteria for a project involving a Preliminary Subdivision approval. The Applicant has also met with Town staff and incorporated all suggestions and revisions into the project plans.

Dates of Review and Approval (Final Subdivision)

On July 17, 2024, the Town of Greenburgh Planning Board held a work session, in-person and via Zoom-enabled videoconferencing, regarding the above-referenced Final Subdivision application and related actions.

On ~~July 17, 2024~~, on a motion by ~~Mr. Hay~~ and seconded by ~~Mr. Simon~~, the Planning Board ~~unanimously~~ voted to ~~waive~~ the public hearing on the Final Subdivision application as the Final Subdivision Plat is substantially the same as the approved Preliminary Plat and complies with all conditions required by the Planning Board set forth in the Preliminary Subdivision approval.

On ~~July 17, 2024~~, on a motion by ~~Mr. Hay~~ and seconded by ~~Mr. Simon~~, the Planning Board, with ~~seven (7)~~ members present, ~~unanimously~~ voted to ~~grant~~ Final Subdivision approval for the above-referenced project, subject to the modifications and requirements listed below.

Members Present: ~~Chairperson Hugh Schwartz, Tom Hay, Kirit Desai, Michael Golden, Walter Simon, Johan Snaggs, Leslie Davis, and Aisha Sparks (Alternate Non-Voting Member)~~

Members Absent:

Voting: ~~Chairperson Hugh Schwartz – Aye, Tom Hay – Aye, Kirit Desai – Aye, Michael Golden – Aye, Walter Simon – Aye, Johan Snaggs – Aye, Leslie Davis – Aye.~~

Findings (Final Subdivision)

The Applicant has submitted documentation that illustrates how the project meets the Planning Board’s review criteria for a project involving a Final Subdivision approval, pursuant to Chapter 250 of the Town Code. The Applicant also has met with Town staff and incorporated all suggestions and revisions into the approved plans. The proposed action is consistent with the surrounding area and will not negatively impact the environment.

1. FINAL SUBDIVISION APPROVED DRAWINGS

I. Approval is given to the Preliminary Subdivision Plat as follows:

- A) a. Entitled: Subdivision Map
- b. Dated: 03/03/22
- c. Last Revised: 06/04/24
- d. Date Stamped Received: 07/08/24
- e. Prepared by: William H. Free, Jr., LLS, NYS Lic. No. 49970

f. Page number: -

2. ENVIRONMENTAL REVIEW PER SEQRA (6 NYCRR PART 617)

2.1. In accordance with Article 8 of the NYS Environmental Conservation Law and 6 NYCRR Part 617, as well as Chapter 200 Environmental Quality Review of the Greenburgh Town Code, the Town of Greenburgh Planning Board, as Lead Agency, on October 19, after review of the Short Form EAF and supporting information, and comments received from the Town’s professional staff, determined that the Proposed Action is an “Unlisted” action under SEQRA and that there will be no significant impact upon the environment. The Negative Declaration is attached (Appendix A).

3. GENERAL REQUIREMENTS AND CONDITIONS

3.1. The Applicant must obtain all necessary approvals and file same with the Building Department.

3.2. The Town of Greenburgh reserves the right to withhold the issuance of any Building Permit or Certification of Occupancy upon failure of the Applicant to comply with any requirements of the final approval given to the Final Subdivision Plat.

4. SITE SPECIFIC REQUIREMENTS

4.1. There shall be no future residential development on Tax lot 7.190-68-3, which is to be a Town owned parcel.

4.2. No future or further subdivisions of the residential lots, for the purpose of creating any additional buildable lots, shall be permitted.

5. EASEMENTS

5.1. All existing and proposed easements must be shown on the final plan. Easements for public improvements shall be subject to the approval of the Town Engineer, the Commissioner, Department of Community Development and Conservation, and the Town Attorney. All approvals contained herein are subject to any existing rights that have been created as a result of easements on the lots that are subject to this application.

6. RESERVATION OF RIGHTS

6.1. The Town of Greenburgh reserves the right to withhold the issuance of any Building Permit or Certification of Occupancy upon failure of the Applicant to comply with any requirements of this decision. Any violation of § 285-62 is subject to the same penalties as set forth in § 285-47 of the Town Code.

PLANNING BOARD OF TOWN OF GREENBURGH

Garrett Duquesne, AICP
Commissioner
Community Development and Conservation
Date: July 18, 2024

Information

Text/Header:

Case No. PB 23-24 Lee & Cheng, 260 South Healy Avenue (P.O. Scarsdale, N.Y.) –
Wetland/Watercourse Permit and Tree Removal Permit

A continuation of a work session (March 6, 2024 and July 1, 2024) to discuss a Wetland/Watercourse Permit and Tree Removal Permit application involving the proposed construction of a new single-family residence on an existing lot. The Applicant proposes to remove an existing, burnt-out single-family home and to construct a new home with related improvements. The Applicant proposes to disturb approximately 3,619 sq. ft. of wetland/watercourse buffer area on the property, associated with an on-site watercourse. The Applicant proposes the removal of one (1) regulated tree, requiring a Tree Removal Permit, and has prepared a landscaping plan providing for the planting of four (4) trees, as replacement. The property consists of approximately 23,339 sq. ft. (0.54 acres) and is situated on the easterly side of South Healy Avenue, approximately 500 feet south of the intersection of South Healy Avenue and Elizabeth Street. The property is located in the R-20 One-Family Residence District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.290-224-42.

Fiscal Impact

Attachments

PB 23-24 Lee and Cheng 260 S Healy Ave Cover Letter 7-10-24

HARTLAND

GEOTECHNICAL + SITE/CIVIL ENGINEERING

10 July 2024

Mr. Aaron J. Schmidt
Deputy Commissioner, CD&C
Town of Greenburgh
177 Hillside Ave
White Plains, NY 10607

RECEIVED
Matt Britton , 7/10/2024, 2:14:51 PM

**Re: Planning Board – Submission 3
260 South Healy Avenue
Scarsdale, New York 10583
Project No.: 1008230301**

Dear Chairperson Hugh Schwartz & Members of the Planning Board:

This letter transmits the revised site plan application for the new single-family home with the above referenced address. Per the meeting held on July 1, 2024, see stormwater management summary of the project along with the review status of the town engineer.

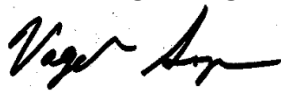
The new drainage system will collect the new roof area and a portion of the driveway and convey it to a stormwater detention system that will slowly release the stormwater. The detention tank detail along with the outflow and overflow is provided on sheet C502. The volume of stormwater detention system is sized for a 50-year storm event. The remaining driveway will be directed to a stone drainage swale along the edge of the driveway with a catch basin at the property line.

The new drainage system was reviewed by the Town Engineer where they have no further comments to the plans. In order for them to issue the approval they have requested two additional drawings sets and the revised SWPPP to include the latest design. It was our understanding the planning board staff was going to reach out to the Town Engineer to confirm they are no further comments.

Please note there no further revisions to the plans at this time.

Thank you for your timely review. If there are any questions or comments, please call me at 201-446-5533 or email me at vageles@hartlandengineering.com.

Sincerely,
Hartland Engineering, DPC



Vageles Sophias
Principal

Meeting Date: 07/17/2024

Information

Text/Header:

Case No. PB 22-21 Segura, 39 Sprain Valley Road (P.O. Scarsdale, N.Y.) – Planning Board Steep Slope Permit and Wetland/Watercourse Permit

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Fiscal Impact

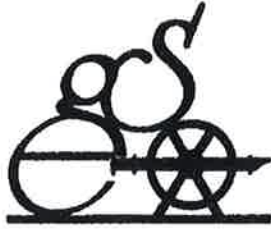
Attachments

PB 22-21 Segura, 39 Sprain Valley Rd - Cover Letter 7-10-24

PB 22-21 Segura, 39 Sprain Valley Rd - Landscape Plans 7-10-24

PB 22-21 Segura, 39 Sprain Valley Rd - Revised Plans 7-10-24

PB 22-21 Segura, 39 Sprain Valley Road summonses



Since 1954

Gabriel E. Senor, P.C.

Engineers Planners Surveyors

90 N Central Park Avenue

Hartsdale, NY 10530

Tel: (914) 422-0070

Fax: (914) 422-3009

E-Mail: info@gesenor.com

July 10, 2024

RECEIVED

Matt Britton , 7/10/2024, 12:41:47 PM

Matthew Britton

Planner

Department of Community Development and Conservation

Town of Greenburgh

177 Hillside Avenue

Greenburgh, NY 10607

RE: Pb 22-21 Segura Property
Steep Slope and Wetlands Clearance from improvements performed without a permit.
Parcel ID: 8.520-355-15

Dear Mr. Britton:

The project is the submission of a Steep Slope and Wetlands/Watercourse Clearance application to legalize various improvements without permits. Some of these items include patio, pavers, pools and a gazebo. The property is located in the R-20 Single Family residence and will require variances and a fill permit. As the result of a recent Planning Board Work Session, we are submitting a revised Site Plan and Landscape Plan with the following revisions:

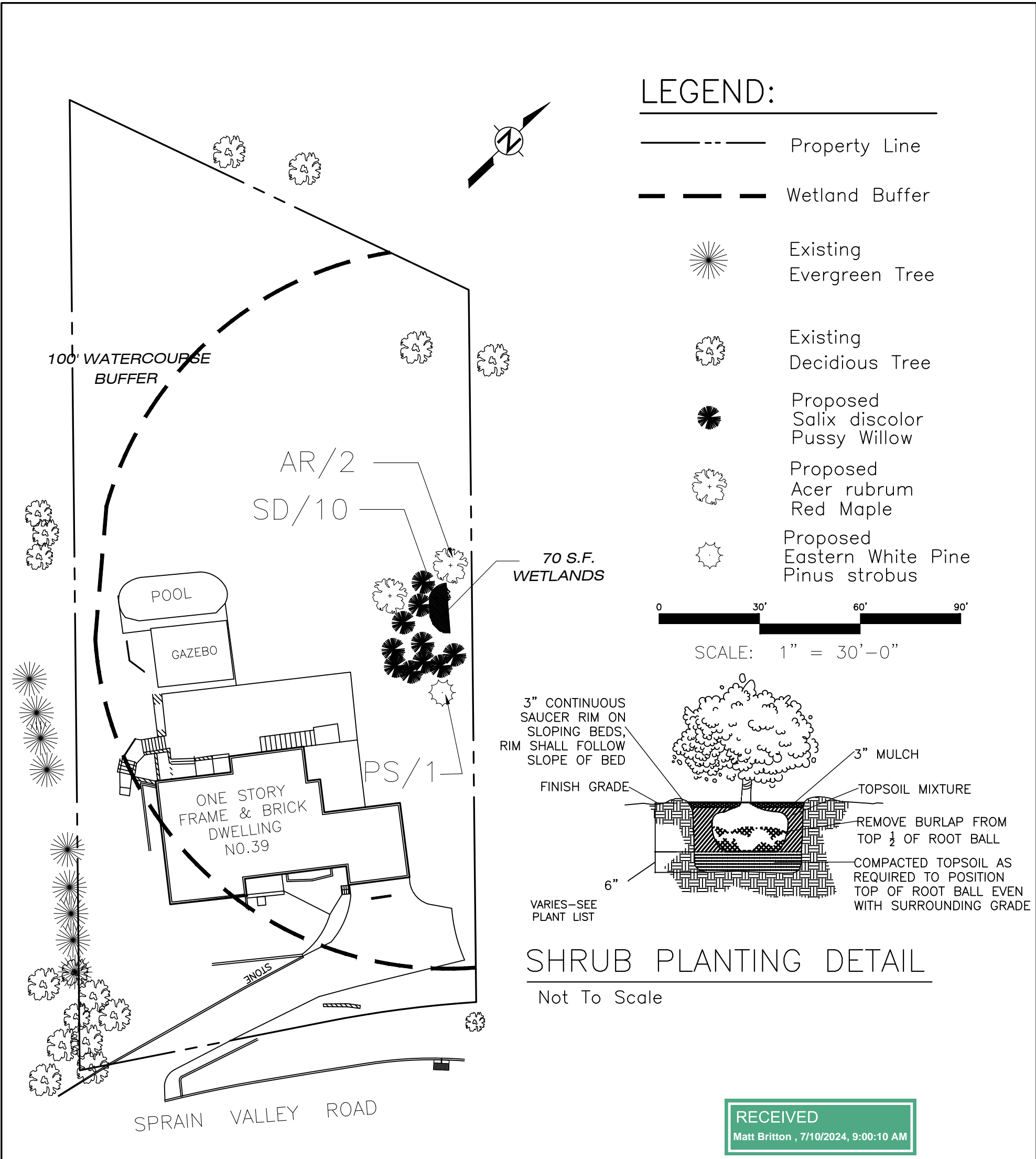
- Revised calculation for stormwater retention for a 50-year storm.
The number of Cultecs does not change.
- Required fencing and alarms notes as required by New York State for pool barrier requirements.
- Landscape plan showing wetlands plantings..

Thank you for your consideration.

Regards,

Stephen Anderson

Project Manager



RECEIVED
Matt Britton, 7/10/2024, 9:00:10 AM

PROPOSED PLANT LIST – Wetland Planting						
Sym.	Qua.	Botanical Name	Common Name	Size	Spacing	Remarks
SD	10	Salix discolor	Pussy Willow	5 gal.	4'	Mult-stem Low branched & full to grade
PS	1	Pinus strobus	Eastern White Pine	3" cal		
AR	2	Acer rubrum	Red Maple	3" cal		

WALTER G. NESTLER P.C.
 LANDSCAPE ARCHITECT ASLA
 ISA CERTIFIED ARBORIST

511 BOLTON AVENUE
 BRONX, NEW YORK 10473-2901
 VOICE & FAX: (718) 842-5356
 e-mail: wgnestler@aol.com

WETLAND PLANTING PLAN

Residence
 39 Sprain Valley Road
 Scarsdale, New York 10583

July 9, 2024 Sheet: 1 of 1

GENERAL NOTES

- 1. Gabriel E. Senor, P.C. is not responsible for construction supervision unless retained under separate contract.
2. Gabriel E. Senor, P.C. must be notified prior to backfilling any storm water system for inspection if The Engineering Dept. will require a final letter or certification from the design engineer for the storm water approval, site work and drainage installation.
3. Any changes made to these plans shall be approved by Gabriel E. Senor, P.C. Any changes must be filed and approved by the appropriate Department as amendments.
4. Gabriel E. Senor, P.C. is not responsible for damages if changes are made and not approved as in item 1 above.
5. All conditions, locations, dimensions, and elevations shall be verified by the Contractor or Owner and must report all discrepancies to the Design Engineer prior to the start of construction.
6. All work and materials shall comply with all applicable codes including, but not limited to the following: NYS Building Code, Local Zoning Code, ACI and AISC.
7. The Contractor is responsible for all construction means and methods to implement the designs shown.
8. Safety during construction is the responsibility of the Contractor and shall conform to all Local, State and Federal Agencies' requirements.
9. The Contractor shall apply for and receive all necessary permits to perform the work shown on these plans prior to the start of construction.
10. If imported fill material is required, it shall be certified in writing by a New York State licensed Professional Engineer as non-contaminated, clean fill suitable for the intended use. Percolation tests shall be performed by the Design Engineer to demonstrate that the stormwater management practice will draw down the entire water quality volume within 48 hours. The results of the percolation test (s) shall be submitted to the Village Engineer for review and approval.
11. Orange Construction Fence to be installed along the limits of the proposed disturbance limits line.
12. Final grading shall be sloped away from the building and foundations.
DUST MITIGATION
18. All earthmoving or excavation activities shall be discontinued during periods of winds greater than 25 miles-per-hour (mph) to prevent excessive amounts of fugitive dust generation
19. Contractor is required to cover all stockpiles with tarp or plastic.
20. Apply wood chips to disturbed areas.
21. All construction areas shall be sufficiently dampened to control dust caused by construction and hauling, and always provide reasonable dust control of areas subject to windblown erosion.
22. All loads shall be secured by covering or use of at least 2 feet of freeboard to avoid carry-over.
23. All materials transported off-site shall be either sufficiently watered or securely covered.

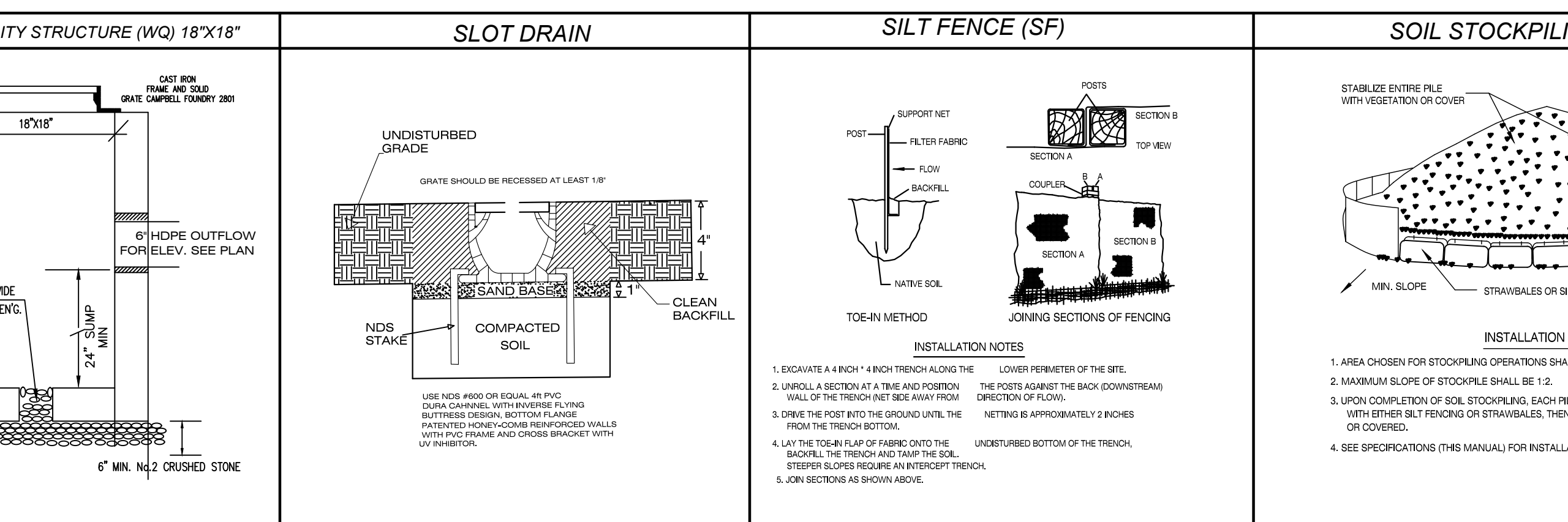
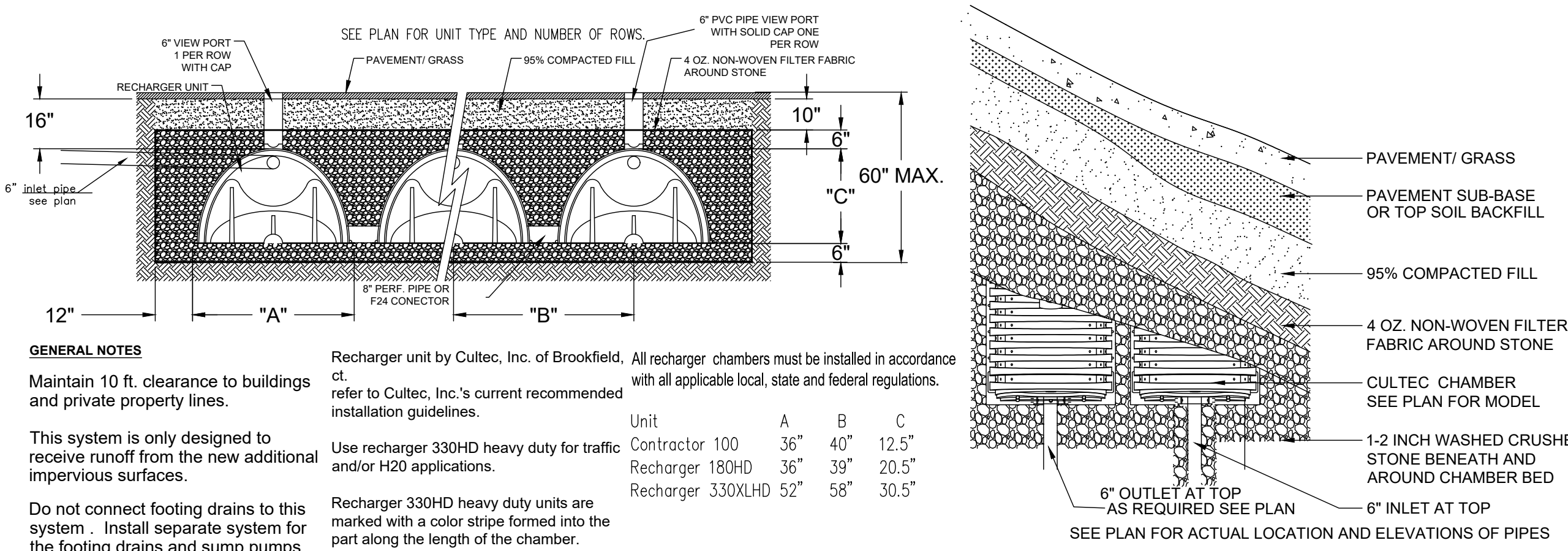
- PERMITS
24. The Contractor and all Sub-Contractors must submit a "Contractor Certification Statement" as per section 294-8 of the NYSDEC "Stormwater Pollution Prevention Plan" manual prior to the start of construction.
25. Connection permits are required from the Department of Public Works for Sewer, Water, and Storm Water System overflows.
26. Curb cut permit is required from the Department of Public Works. Curb cut maximum width is 18 feet.
27. A street opening permit must be obtained from the municipality for all work in the Right of Way and a municipal inspection performed prior to back filling and final approvals.
28. The contractor shall secure a Street Opening Permit with the Municipality for all work to take place on the right of way including construction of a new driveway apron, and installation of new service laterals.
29. If necessary, the Contractor shall secure a Tree Removal Permit with the Municipality prior to the commencement of construction activities.
30. Contractor is required to provided Dig safe NY ticket prior to issuance of permits.
CURBS AND ROADS
31. Curb cut permit is required from the Department of Public Works. Curb cut maximum width is 18 feet.
32. All trenches in Village Right of Way must be backfilled with controlled density fill (k-crete).

- 33. Replace or re-lay curb as directed by Municipal Engineer.
34. All sidewalks damaged due to construction activities.
35. A non-conversion agreement for the basement must be signed and filed prior to the issuance of a C. of O. as required for properties in a 100 yr. flood zone.
EROSION CONTROL
36. The contractor shall schedule with the Municipality a rough grading inspection prior to any framing of a building above the first-floor braced decking. Excess soils of significance shall be removed and disposed of upon completion of the rough grading.
37. The structures for the storm water management system shall be installed at the earliest date possible when the structure's roof is complete. The Contractor shall consult with the Municipality and schedule this work upon completion and inspection of the rough grading activities.
38. All proposed temporary seeding mixture shall be in accordance with the New York State Standards and Specifications for Urban Erosion Control, dated August 2005.
39. Excess soil stockpile areas shall be confined to the front portion of the property to the extent practical.
40. The contractor shall schedule with the Municipal Engineer a rough grading inspection prior to any framing new dwelling above the first-floor braced decking. Excess soils of significance shall be removed and disposed of upon completion of the rough grading.
41. The structures for the storm water management system shall be installed at the earliest date possible when the structure's roof is complete and/or patio installed. The contractor shall consult with the Village and schedule this work upon completion and inspection of the rough grading activities.
42. The contractor shall install new or restore and/or replace all curbing as required by the Village under Village Code 256-8.
43. Silt Fence to be installed along existing and proposed contours on the down hill side of the property.

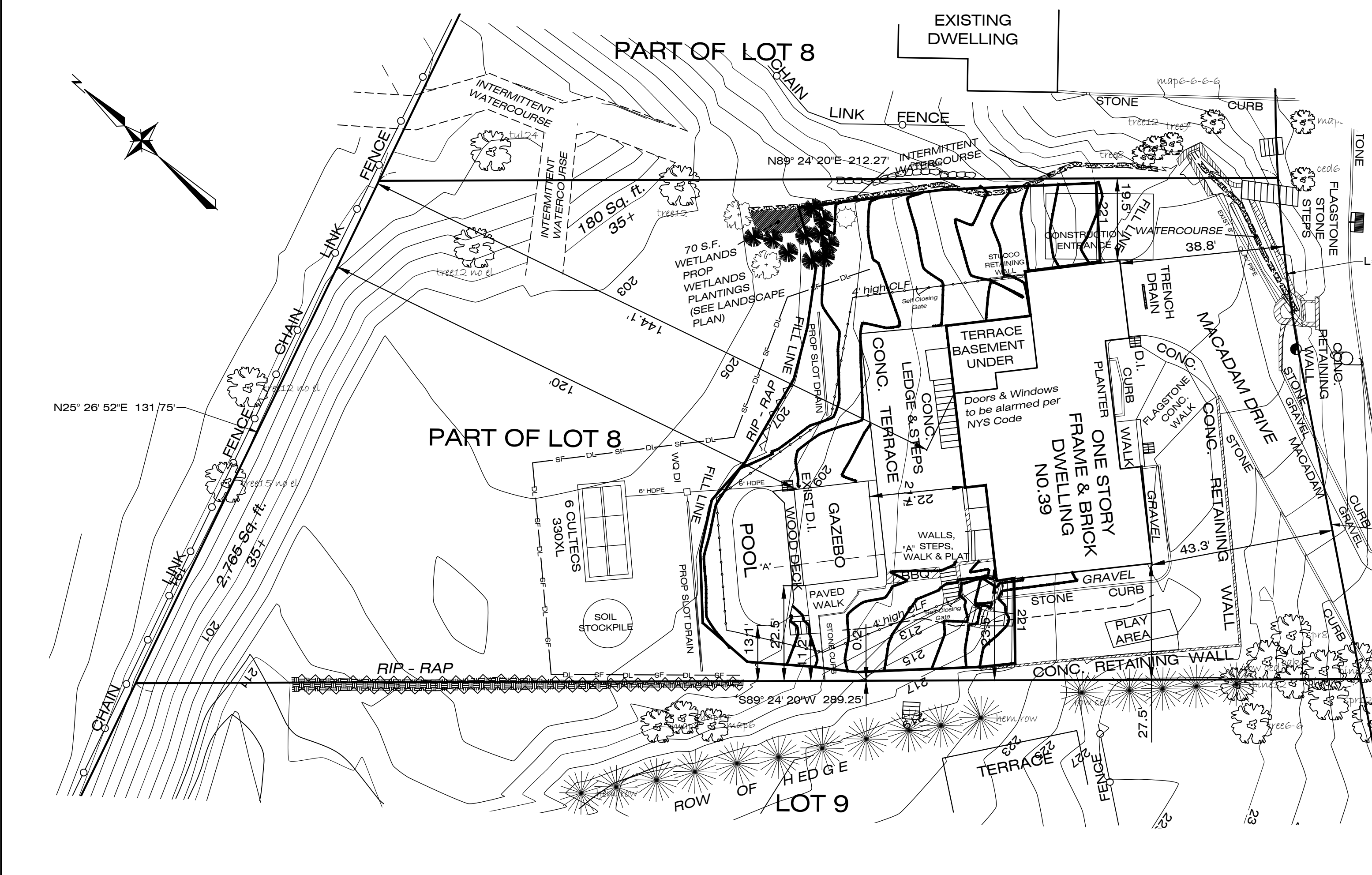
- INSTALLATION & MAINTENANCE OF EROSION CONTROL CONSTRUCTION SCHEDULE
Notify appropriate municipal agency having jurisdiction at least 5 days prior to start.
EROSION CONTROL MEASURES
1. Install all erosion control measures prior to start of construction.
2. Call for inspection from the appropriate Municipal Agency having jurisdiction at least 2 Days prior to finish.
INSPECTION BY MUNICIPALITY
Maintenance to be performed during all phase of construction
1. After any rain causing runoff, Contractor to inspect silt fences, etc. and remove any excessive sediment and inspect stockpiles and correct and problems with establishment.
2. Inspections shall be documented in writing and submitted to the appropriate Municipal Agency having jurisdiction.
Stock Piling of Excavation Material
1. Strip Topsoil and Stockpile.
2. Stockpile Excavation Subgrade.
3. Seed piles with 1 lb. total annual eye remove from site within two days.
INSPECTION BY MUNICIPALITY FINAL GRADING
1. Remove unneeded subgrade from side.
2. Call for inspection from the appropriate Municipal Agency having jurisdiction at least 2 days prior finish.
INSPECTION BY MUNICIPALITY LANDSCAPING
1. Spread topsoil over areas to be seeded. Hand rake level.
2. Broadcast 1 25lb. bag of Jonathan Green "Fastgrov" mix or equal over areas to be seeded.

- POST CONSTRUCTION MAINTENANCE
1. Landowner to visually inspect all stormwater structures for silt and debris during May and November of each year. Any silt and debris to be removed by jet vacuum if within 12" of lowest pipe invert (min 24" sump required).
2. De-compaction of soils following construction is recommended. This will not only aid in the re-establishment of vegetation following construction but will help to ensure that lawn area is pervious in the future.
3. Verification of the ownership of any tree designated to be removed near the property line prior to the tree removal.
DRAINAGE AND PIPING
Unless noted, all drainage piping on this plan is to be 6" Rigid SDR 35 or better.
1. This storm water design plan is not designed to accept footing drains. Refer to Architectural plans for footing drain design. Do not connect footing drains or sump pumps to this surface water drainage system. Additional culices can be added separately to accept sump pumps.
2. If the drainage system is to be built in a filled area, the fill should be well drained material with a settling period of one to three months prior to the system installation. Additional percolations are required after the settling period and the system design will be revised, as necessary.
3. All roof areas to be connected to onsite drainage system via roof gutters and leaders 6" rigid SDR 35 pipes at 2% min. slope or as shown Proposed plan.
4. If new sewer laterals are required for all new construction. Laterals must be extra heavy cast iron or ductile iron pipe.
DEWATERING FOUNDATION EXCAVATION
1. If groundwater is encountered pump ground water to a Ditchbag® or approved equal.

CULTEC CHAMBERS



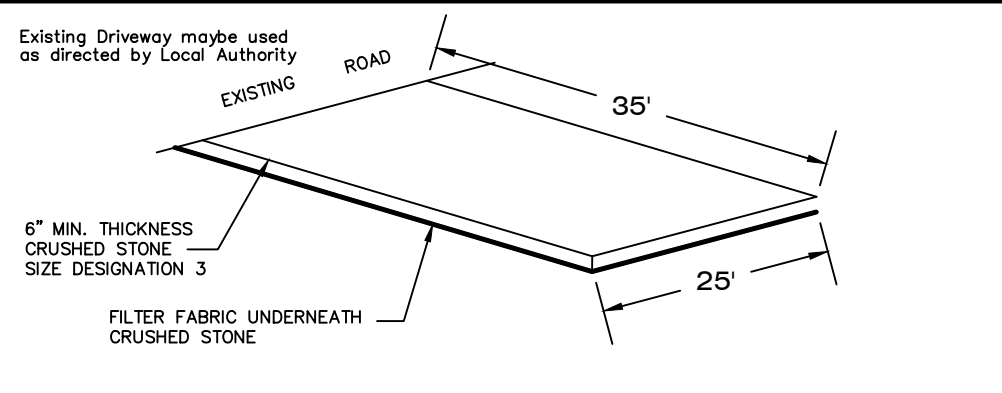
- Notes:
Stormwater Management:
1. The Applicant shall be required to obtain a Stormwater Management Permit from the Bureau of Engineering, and comply with the provisions of the Town of Greenburgh Code S 246 scc Stormwater Management, prior to obtaining a Building Permit.
2. The Applicant shall be required to establish written procedures for operation and maintenance, and training new maintenance personnel, for all permanent stormwater management practices and facilities. Additionally, the Applicant shall be required to provide the Town a maintenance schedule to ensure continuous and effective operation of each post construction stormwater management practice.
3. Prior to and during construction, the Applicant shall be required to employ the necessary personnel and resources to provide all proposed Stormwater system design documents; to provide all required construction compliance, inspection and testing resources, including production of as-built drawings of the completed stormwater utilities (signed and sealed by a NYS licensed professional engineer), for obtaining final Town approval of the completed stormwater utilities.
Erosion Control:
1. The Applicant shall be required to clean existing downstream areas from all siltation and construction debris as required, and upon completion of the work. The Applicant shall take special care to prevent construction activities from impacting downstream watercourses.
2. The Applicant shall be required to comply with all applicable provisions of the "NYS Standards and Specifications for Erosion and Sediment Control".



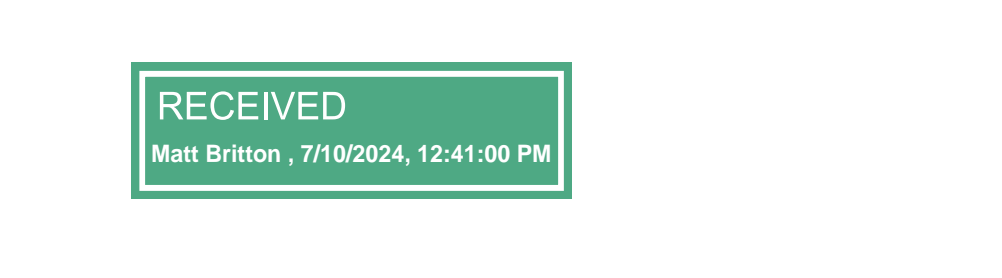
DRAINAGE CALCULATION

SOIL: CsD—Chattfield-Charlton complex HYDROLOGIC GROUP B
Soil Percolation Rate
Soil Percolation Tests were done at the site and performed in accordance with the procedure outlined in the "Stormwater Management" Westchester County Stormwater Best Management Practices Manual Series. The rate on the tests performed were as follows:
Percolation Test H: 36 inch deep, Rate: 12 min/3" DROP
Design Criteria
The impervious surface = 2393 S.F.
1. Use the design storm criteria of 30 Year Storm, 24 Hour, Zero net increase in runoff
2. Provide subsurface disposal system consisting of Cultec Recharger 330XL embedded in 1.5' to 2' crushed stone as per detail.
3. Determine Soil Percolation Rate.
A. Area of Soil Percolation (Ap)
Surface Area of Cylinder (Ac)
Ac = π x Da x H (Avg depth of water)
Ac = 3.14 x 12 x 0.83 = 3.14 x 9.96 = 31.27 S.F.
Bottom Area of Cylinder
Ab = π x r^2
Ab = 3.14 x 6^2 = 3.14 x 36 = 113.04 S.F.
Ap = Ac + Ab = 31.27 + 113.04 = 144.31 S.F.
B. Volume of Percolation (Vp)
Vp = Ab x H
Vp = 113.04 x 0.25 = 28.26 C.F.
C. Soil Percolation Rate (Sr)
Sr = (Volume/Vp) / Area (Ap) (Time Rate PER 3" DROP) X 60 min. X 24hr.
Sr = (28.26 / 144.31) / 144 = 0.00131 / 144 = 9.1 x 10^-6
Using Table 3-2 on Page 3-7: Loss with 75% Grass Cover in fair condition, and Hydrologic CB for soils of this type: The exist: 74. The CN number for pavement is 98.
Using Table 3-4 on Page 3-10 for a 30 Yr. Storm the depth of runoff
CN= 98 runoff is 7.49 inch 0.62 ft.
Volume of Storage R (Vs)
Vs = A x Volume x Area of Impervious Surface
Vs = 14.9 C.F./L.F. x 2393 = 35657.07 C.F.
Vs = 1494 C.F.
5. Calculate Volume of Cultec Chamber (Vc) per L.F. (Vv)
Vv = Volume of Chamber + Volume of Gravel
Vv = 14.9 C.F./L.F. + 8.95 C.F. = 23.85 C.F./L.F.
6. 24 Hour Percolation Rate Volume Per Cultec Chamber (Vp) (per L.F.)
Vp = bottom Surface Area of Gravel x Soil Perc Rate (Sr)
Vp = 11 x 9.1 x 10^-6 = 1.001 x 10^-4
7. 24 Hour Volume per Cultec Chamber (Vc) (per L.F.)
Vc = Vv + Vp
Vc = 23.85 C.F./L.F./Day + 0.0001 C.F./L.F./Day = 23.85 C.F./L.F./Day
8. Required Number of Cultec Chambers
Dv = Required Volume of Storage/ Total Volume per Cultec Chamber (L.F.)
Dv = 1494 C.F. / 23.85 C.F./L.F./Day = 62.64 L.F.
Dv = 18.48 L.F.
Dv = Number of Units Required
Dv = 18.48 L.F. / 7 L.F. per unit = 2.64 units
Dv = 2.64 Cultec Chamber Units USE
use 3.0 units (two per row)
PRESOAK DATE: 2-22-22
PERCOLATION TEST DATE: 2-23-22
FRONT YARD PERCOLATION PIT DATA: 12" dia. 42" deep
TEST DATA: 4 MININ
DEEP TEST TO BE DONE AT TIME OF CONSTRUCTION

CONSTRUCTION ENTRANCE DETAIL (CE)



VICINITY MAP



- LEGEND
UTILITY POLE
SIGN POST
HYDRANT
WATER VALVE
GAS VALVE
LIGHT POLE
GUY WIRES
TELE. MANHOLE
SEWER MANHOLE
WATER MANHOLE
ELECTRIC MANHOLE
DRAIN MANHOLE
MANHOLE
ELECTRIC BOX
EXISTING GRADE
PROPOSED GRADE
14" TREE
SILT FENCE / AREA OF DISTURBANCE & CHAIN LINK FENCE (AS REQ'D BY MUNICIPALITY)
TREE TO BE REMOVED

Table with 4 columns: NO, DATE, DESC, BY. Row 1: 1, JULY 10, 2024, PLANNING&CAC, SGA.

SITE PLAN
TAX LOT 15
BLOCK 355
No. 39 SPRAIN VALLEY ROAD
LOCATED IN THE
TOWN OF GREENBURGH
WESTCHESTER COUNTY, NEW YORK.
NOTE: CONTOUR ELEVATIONS ARE IN NAVD DATUM.
COPYRIGHT GABRIEL E. SENOR, P.C. 2022

Professional Engineer information for Gabriel E. Senor, P.C., including contact details (914) 422-0070, FAX 422-3009, and a table with columns for Zoning, Permitted, and Existing values for various site features like Lot Area, Front Yard, One Side, Two Side, Rear Yard, Lot Width, Pool, Patio, Paved walk area, Lot Coverage, and Zoning.



Town of Greenburgh
Building Department
 177 Hillside Ave.
 White Plains, NY 10607
 914-989-1560

RECEIVED
 Aaron Schmidt, 7/8/2019, 3:58:15 PM

Summons No. 19-11531

ISSUED TO: SEGURA, WILLIAM
 39 SPRAIN VALLEY RD

SCARSDALE NY 10583

SECTION.SHEET-BLOCK-LOT #: 8.520-355-15

REGISTERED MAIL #: 70161370000112340868

YOU ARE HEREBY DIRECTED TO APPEAR BEFORE THE PRESIDING JUSTICE OF THE TOWN COURT, OF THE TOWN OF GREENBURGH ON

7/11/2019 AT 9:30 AM

188 TARRYTOWN ROAD, WHITE PLAINS, NY

TO ANSWER THE CHARGE THAT ON 6/26/2019 AT 39 SPRAIN VALLEY RD, SCARSDALE, TOWN OF GREENBURGH, YOU DID COMMIT A VIOLATION(S) OF:

TWN 100-10C - VIOLATION OF STOP WORK ORDER, TOWN OF GREENBURGH

A stop work order was posted on 4/22/19 due to construction without the benefit of a permit
 No permits have obtained as of 6/26/19
 A new wood frame structure has been erected in the rear yard
 Men could be seen working on the property
 The Stop work order previously posted has been removed from the residence

TWN 100-10B - STOP WORK ORDER, TOWN OF GREENBURGH

A stop work order was posted on 4/22/19 due to construction without the benefit of a permit
 No permits have obtained as of 6/26/19
 A new wood frame structure has been erected in the rear yard
 Men could be seen working on the property

TWN 100-7A - BUILDING PERMIT, TOWN OF GREENBURGH

A stop work order was posted on 4/22/19 due to construction without the benefit of a permit
 No permits have obtained as of 6/26/19
 A new wood frame structure has been erected in the rear yard
 Men could be seen working on the property

TWN 110-4A - Electrical Permit, TOWN OF GREENBURGH

Electrical throughout residence without the benefit of a permit

TWN 120-2A - PLUMBING WITHOUT PERMIT, TOWN OF GREENBURGH

Plumbing in kitchen / bath renovations without a permit



Town of Greenburgh

Building Department

177 Hillside Ave.

White Plains, NY 10607

914-989-1560

Summons No. 19-11531

YOUR FAILURE TO APPEAR MAY RESULT IN A WARRANT FOR YOUR ARREST

DATED: 6/27/2019

Jon Farrell, Assistant Building Inspector
Complainant

**TOWN COURT: Town of Greenburgh
COUNTY OF Westchester**

PEOPLE OF THE STATE OF NEW YORK
-against-

SEGURA, WILLIAM
39 SPRAIN VALLEY RD
SCARSDALE NY 10583

INFORMATION
SUMMONS NO. 19-11531

Defendant.

STATE OF NY
COUNTY OF Westchester
Town of Greenburgh

BE IT KNOWN THAT, Town of Greenburgh by, Jon Farrell , Assitant Building Inspector as the Complainant herein, accuses the above named Defendant of being in violation of the below mentioned section(s), committed on 6/26/2019 at 39 SPRAIN VALLEY RD, SCARSDALE (8.520-355-15)

Violation Description

A stop work order was posted on 4/22/19 due to construction without the benefit of a permit
No permits have obtained as of 6/26/19
A new wood frame structure has been erected in the rear yard
Men could be seen working on the property
The Stop work order previously posted has been removed from the residence

Code Description TWN 100-10C

Any person who shall continue any work in or about a building or premises after having been served a Stop-Work order, except such work which is directed by the Building Inspector to be performed in order to remove a violation or unsafe condition, shall be liable to a fine as prescribed in 100-26.

Corrective Action:

CEASE ALL WORK

Violation Description

A stop work order was posted on 4/22/19 due to construction without the benefit of a permit
No permits have obtained as of 6/26/19
A new wood frame structure has been erected in the rear yard
Men could be seen working on the property

Code Description TWN 100-10B

100-10. Stop-Work orders.

B. Upon receipt of a Stop-Work order, all work on any building or structure or any excavation, grading or filling operation referred to therein shall be immediately stopped. The Stop-Work order shall be in writing and shall be given to the owner of the property involved or to the owner's agent, the occupant of the premises, or to the person doing the work, and shall state the conditions under which work may be resumed. Receipt of such Stop-Work order by any of the persons or entities listed shall be deemed receipt by all.

Corrective Action:

IMMEDIATELY CEASE ALL WORK

Violation Description

A stop work order was posted on 4/22/19 due to construction without the benefit of a permit
No permits have obtained as of 6/26/19
A new wood frame structure has been erected in the rear yard
Men could be seen working on the property

Code Description TWN 100-7A

A. Building permits required. Except as otherwise provided in Subsection B of this section, a Building Permit shall be required for any work which must conform to the Uniform Code, the Energy Code and/or this Chapter, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid-fuel-burning heating appliance, chimney or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Building Inspector. Any question regarding the need for a Building Permit should be referred to the Building Department.

Corrective Action:

Immediately cease all construction/renovations, submit all required Building Department permit applications and obtain all required permits.

Violation Description

Electrical throughout residence without the benefit of a permit

Code Description TWN 110-4A

IT SHALL BE UNLAWFUL TO INSTALL ELECTRIC DEVICES OR WIRING FOR LIGHT, HEAT OR POWER OR TO EXTEND AN EXISTING ELECTRIC DEVICE OR WIRING SYSTEM UNLESS A PERMIT HAS BEEN ISSUED THEREFOR BY THE BUILDING INSPECTOR, EXCEPT THAT NO PERMIT SHALL BE REQUIRED FOR ELECTRICAL WORK FOR THE GENERATION AND PRIMARY DISTRIBUTION OF ELECTRICAL CURRENT OR THE SECONDARY DISTRIBUTION SYSTEM AHEAD OF THE METER WHERE SUCH WORK IS AN INTREGAL PART OF THE SYSTEM OWNED AND OPERATED BY AN ELECTRICAL LIGHT AND POWER COMPANY IN RENDERING ITS DULY AUTHORIZED SERVICE. NO PERMIT SHALL BE ISSUED TO ANY PERSON FIRM, OR CORPORATION OTHER THAN AN ELECTRICIAN LICENSED BY WESTCHESTER COUNTY, EXCEPT THOSE NOT REQUIRED TO BE LICENSED BY THIS CHAPTER.

Corrective Action:

IMMEDIATELY FILE ELECTRICAL PERMIT.

Violation Description

Plumbing in kitchen / bath renovations without a permit

Code Description TWN 120-2A

SECTION 120-2A OF THE CODE OF THE TOWN OF GREENBURGH BEFORE COMMENCING ANY NEW PLUMBING WORK OR THE REPAIR OF ANY OLD PLUMBING WORK, A PLUMBER LICENSED BY WESTCHESTER COUNTY SHALL APPLY TO THE BUILDING INSPECTOR FOR A PERMIT TO DO SAID WORK. NO PERMIT SHALL BE ISSUED TO ANY PERSON, FIRM OR CORPORATION OTHER THAN A PLUMBER LICENSED BY WESTCHESTER COUNTY.

Corrective Action:

IMMEDIATELY HAVE LICENSED PLUMBER APPLY FOR PLUMBING PERMIT.

That SEGURA, WILLIAM , according to the records maintained in the Town Assessor's Office, was at the time the violations were observed, the owner of 39 SPRAIN VALLEY RD, Town of Greenburgh, New York

On April 22nd, 2019, I , Jon Farrell did a respond to a complaint of building without a permit at the residence located at 39 Sprain Valley Rd, Scarsdale, NY.

At this time, several men were working on masonry in the rear yard and the land at the rear of the house had been clear cut and excavated.

The owners of the residence were present at this time and they did acknowledge construction was taking place at this time. Upon my questioning of what construction had taken place at this time , they did dislose that interior work had also take place including kitchen , bathroom and basement renovations.

At this time on 4/22/19, I did advise the owner they need to acquire the proper permits for building plumbing and electrical and I posted a STOP WORK ORDER and explained that all work must cease until the proper permits had been acquired.

On June, 26th , 2019, I , Jon Farrell was driving by the residence located at 39 Sprain Valley Rd, Scarsdale, NY.

At this time I observed a large wooden structure has been constructed in the rear of main house.

Men could be seen working around the property and

The STOP WORK ORDER has been removed that was posted on 4/22/19

The investigation has determined after checking the records contained at the Town of Greenburgh Buiding Department, no records or permits are present for any construction as of 6/26/19

NOTICE: PURSUANT TO THE PENAL LAW, SECTION 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR, TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN.

DATE: 6/27/2019

Jon Farrell
Assitant Building Inspector
Complainant



Town of Greenburgh

Building Department
177 Hillside Ave.
White Plains, NY 10607
914-989-1560

Summons No. 19-11597

ISSUED TO: SEGURA, WILLIAM
39 SPRAIN VALLEY RD

SCARSDALE NY 10583

SECTION.SHEET-BLOCK-LOT#: 8.520-355-15

REGISTERED MAIL #: 70191120000052324731

YOU ARE HEREBY DIRECTED TO APPEAR BEFORE THE PRESIDING JUSTICE OF THE TOWN COURT, OF THE TOWN OF GREENBURGH ON

7/22/2019 AT 9:30 AM

188 TARRYTOWN ROAD, WHITE PLAINS, NY

TO ANSWER THE CHARGE THAT ON 7/18/2019 AT 39 SPRAIN VALLEY RD, SCARSDALE, TOWN OF GREENBURGH, YOU DID COMMIT A VIOLATION(S) OF:

TWN 100-10C - VIOLATION OF STOP WORK ORDER, TOWN OF GREENBURGH

A stop work order was posted on 4/22/19 due to construction without the benefit of a permit

A new wood frame structure has been erected in the rear yard

No permits have obtained as of 7/18/19

On 6/27/19 a new stop work order was posted on the residence

Between 6/27/19 and 7/18/19 plywood has been added to the structure in the rear yard violating the stop work order for again

ZON 285-47A - Violations, ZONING - TOWN OF GREENBURGH

FAILURE TO ABATE VIOLATIONS DULY ISSUED IN VIOLATION NOTICE 19-11531 ON 6/26/19.

VIOLATIONS HAVE CONTINUED FROM 6/26/19 THROUGH AND INCLUDING 7/18/19.

TWN 100-7A - BUILDING PERMIT, TOWN OF GREENBURGH

Construction of large wooded framed structure in rear yard

YOUR FAILURE TO APPEAR MAY RESULT IN A WARRANT FOR YOUR ARREST

DATED: 7/18/2019

Jon Farrell, Assitant Building Inspector
Complainant

**TOWN COURT: Town of Greenburgh
COUNTY OF Westchester**

PEOPLE OF THE STATE OF NEW YORK

-against-

INFORMATION

SUMMONS NO. 19-11597

SEGURA, WILLIAM
39 SPRAIN VALLEY RD
SCARSDALE NY 10583

Defendant.

STATE OF NY
COUNTY OF Westchester
Town of Greenburgh

BE IT KNOWN THAT, Town of Greenburgh by, Jon Farrell , Assitant Building Inspector as the Complainant herein, accuses the above named Defendant of being in violation of the below mentioned section(s), committed on 7/18/2019 at 39 SPRAIN VALLEY RD, SCARSDALE (8.520-355-15)

Violation Description

Code Description TWN 100-10B

100-10. Stop-Work orders.

B. Upon receipt of a Stop-Work order, all work on any building or structure or any excavation, grading or filling operation referred to therein shall be immediately stopped. The Stop-Work order shall be in writing and shall be given to the owner of the property involved or to the owner's agent, the occupant of the premises, or to the person doing the work, and shall state the conditions under which work may be resumed. Receipt of such Stop-Work order by any of the persons or entities listed shall be deemed receipt by all.

Corrective Action:

IMMEDIATELY CEASE ALL WORK

Violation Description

A stop work order was posted on 4/22/19 due to construction without the benefit of a permit
A new wood frame structure has been erected in the rear yard
No permits have obtained as of 7/18/19
On 6/27/19 a new stop work order was posted on the residence
Between 6/27/19 and 7/18/19 plywood has been added to the structure in the rear yard violating the stop work order for again

Code Description TWN 100-10C

Any person who shall continue any work in or about a building or premises after having been served a Stop-Work order, except such work which is directed by the Building Inspector to be performed in order to remove a violation or unsafe condition, shall be liable to a fine as prescribed in 100-26.

Corrective Action:

CEASE ALL WORK

Violation Description

FAILURE TO ABATE VIOLATIONS DULY ISSUED IN VIOLATION NOTICE 19-11531 ON 6/26/19.
VIOLATIONS HAVE CONTINUED FROM 6/26/19 THROUGH AND INCLUDING 7/18/19.

Code Description ZON 285-47A

Any person or corporation, whether as owner, lessee, architect, contractor or builder, or the agent or employee of any them, who violates or is accessory to the violation of any provision of this chapter or any rule or regulation made under the authority conferred by this chapter, or who shall erect, construct, alter, enlarge, convert or move any building or structure or any part thereof without a building permit or in violation of any statement or plans submitted and approved under the provisions of this chapter, or who shall use any building, structure or land in violation of this chapter or any rule or regulation made under the authority conferred by this chapter, or in violation of the provisions of any building permit or change of occupancy permit or certificate of occupancy or without a building permit, change of occupancy permit or certificate of occupancy where one is required by this chapter, and who fails to abate said violation within the time period specified on the violation notice and after written notice has been served upon him either by mail or personal service, shall be liable to a fine not exceeding \$ 500 or imprisonment for a period not to exceed 15 days, or both, for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine of not less than \$ 500 nor more than \$ 1,500 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine of not less than \$ 1,500 nor more than \$ 2,500 or imprisonment for a period not to exceed six months, or both, to be reconvered with costs. Each and every day a violation continues to exist shall constitute a separate additional offense. Nothing in this chapter shall be construed as depriving the Town of the Town Board of any official thereof of the right to apply for an injunction to prevent any violation of this chapter or of the right to employ any other available remedy. {Amended 8-12-1987; 9-29-1987; 7-20-1994 by L.L. No. 4-1994}

Corrective Action:

Immediately correct all violations and pay fines and/or serve imprisonment as required.

Violation Description

Construction of large wooded framed structure in rear yard

Code Description TWN 100-7A

A. Building permits required. Except as otherwise provided in Subsection B of this section, a Building Permit shall be required for any work which must conform to the Uniform Code, the Energy Code and/or this Chapter, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid-fuel-burning heating appliance, chimney or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Building Inspector. Any question regarding the need for a Building Permit should be referred to the Building Department.

Corrective Action:

Immediately cease all construction/renovations, submit all required Building Department permit applications and obtain all required permits.

Violation Description

Code Description

Corrective Action:

That SEGURA, WILLIAM 39 SPRAIN VALLEY RD, Town of Greenburgh, New York

On April 22nd, 2019, I, Jon Farrell did a respond to a complaint of building without a permit at the residence located at 39 Sprain Valley Rd, Scarsdale, NY.

At this time, several men were working on masonry in the rear yard and the land at the rear of the house had been clear cut and excavated.

The owners of the residence were present at this time and they did acknowledge construction was taking place at this time. Upon my questioning of what construction had taken place at this time, they did disclose that interior work had also take place including kitchen, bathroom and basement renovations.

At this time on 4/22/19, I did advise the owner they need to acquire the proper permits for building plumbing and electrical and I posted a STOP WORK ORDER and explained that all work must cease until the proper permits had been acquired.

On June, 26th, 2019, I, Jon Farrell was driving by the residence located at 39 Sprain Valley Rd, Scarsdale, NY.

At this time I observed a large wooden structure has been constructed in the rear of main house.

Men could be seen working around the property and

The STOP WORK ORDER has been removed that was posted on 4/22/19

A new stop work order was posted on 6/27/19

As of 7/18/19 new plywood has been added to the structure in the rear yard

The investigation has determined after checking the records contained at the Town of Greenburgh Buiding Department, no records or permits are present for any construction as of 7/18/19

NOTICE: PURSUANT TO THE PENAL LAW, SECTION 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR, TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN.

DATE: 7/18/2019



Jon Farrell
Assitant Building Inspector
Complainant



Town of Greenburgh
Building Department
177 Hillside Ave.
White Plains, NY 10607
914-989-1560

Summons No. 19-11794

ISSUED TO: SEGURA, WILLIAM
39 SPRAIN VALLEY RD

SCARSDALE NY 10583

SECTION.SHEET-BLOCK-LOT #: 8.520-355-15

REGISTERED MAIL #:

YOU ARE HEREBY DIRECTED TO APPEAR BEFORE THE PRESIDING JUSTICE OF THE TOWN COURT, OF THE TOWN OF GREENBURGH ON

9/30/2019 AT 9:30 AM

188 TARRYTOWN ROAD, WHITE PLAINS, NY

TO ANSWER THE CHARGE THAT ON 9/27/2019 AT 39 SPRAIN VALLEY RD, SCARSDALE, TOWN OF GREENBURGH, YOU DID COMMIT A VIOLATION(S) OF:

TWN 100-7A - BUILDING PERMIT, TOWN OF GREENBURGH

Construction of rear structure and finishing of roof after stop work-

ZON 285-47A - Violations, ZONING - TOWN OF GREENBURGH

FAILURE TO ABATE VIOLATIONS DULY ISSUED IN VIOLATION NOTICE 19-11597 ON 7/18/19. VIOLATIONS HAVE CONTINUED FROM 7/18/19 THROUGH AND INCLUDING 9/27/19.

TWN 100-10C - VIOLATION OF STOP WORK ORDER, TOWN OF GREENBURGH

violation of a stop work order

YOUR FAILURE TO APPEAR MAY RESULT IN A WARRANT FOR YOUR ARREST

DATED: 9/27/2019

Jon Farrell, Assitant Building Inspector
Complainant

That SEGURA, WILLIAM , according to the records maintained in the Town Assessor's Office, was at the time the violations were observed, the owner of 39 SPRAIN VALLEY RD, Town of Greenburgh, New York

A new stop work order was posted on 6/27/19

As of 7/18/19 new plywood has been added to the structure in the rear yard

As of 9/27/19 , Work has continued at the residence , A large pile of dirt is present in the driveway. The structure in the rear yard has been further completed since 7/18/19 by the installation of roofing throughout the structure. The Stop work order issued on 4/22/19 remains in effect as of 9/27/19.

The investigation has determined after checking the records contained at the Town of Greenburgh Buiding Department, no records or permits are present for any construction as of 9/27/19

NOTICE: PURSUANT TO THE PENAL LAW, SECTION 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR, TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN.



DATE: 9/27/2019

Jon Farrell
Assitant Building Inspector
Complainant

Code Description ZON 285-47A

Any person or corporation, whether as owner, lessee, architect, contractor of builder, or the agent or employee of any them, who violates or is accessory to the violation of any provision of this chapter or any rule or regulation made under the authority conferred by this chapter, or who shall erect, construct, alter, enlarge, convert or move any building or structure or any part thereof without a building permit or in violation of any statement or plans submitted and approved under the provisions of this chapter, or who shall use any building, structure or land in violation of this chapter or any rule or regulation made under the authority conferred by this chapter, or in violation of the provisions of any building permit or change of occupancy permit or certificate of occupancy or without a building permit, change of occupancy permit or certificate of occupancy where one is required by this chapter, and who fails to abate said violation within the time period specified on the violation notice and after written notice has been served upon him either by mail or personal service, shall be liable to a fine not exceeding \$ 500 or imprisonment for a period not to exceed 15 days, or both, for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine of not less than \$ 500 nor more than \$ 1,500 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine of not less than \$ 1,500 nor more than \$ 2,500 or imprisonment for a period not to exceed six months, or both, to be reconvered with costs. Each and every day a violation continues to exist shall constitute a separate additional offense. Nothing in this chapter shall be construed as depriving the Town of the Town Board of any official thereof of the right to apply for an injunction to prevent any violation of this chapter or of the right to employ any other available remedy. {Amended 8-12-1987; 9-29-1987; 7-20-1994 by L.L. No. 4-1994}

Corrective Action:

Immediately correct all violations and pay fines and/or serve imprisonment as required.

Violation Description

violation of a stop work order

Code Description TWN 100-10C

Any person who shall continue any work in or about a building or premises after having been served a Stop-Work order, except such work which is directed by the Building Inspector to be performed in order to remove a violation or unsafe condition, shall be liable to a fine as prescribed in § 100-26.

Corrective Action:

That SEGURA, WILLIAM , according to the records maintained in the Town Assessor's Office, was at the time the violations were observed, the owner of 39 SPRAIN VALLEY RD, Town of Greenburgh, New York

On April 22nd, 2019, I , Jon Farrell did a respond to a complaint of building without a permit at the residence located at 39 Sprain Valley Rd, Scarsdale, NY.

At this time, several men were working on masonry in the rear yard and the land at the rear of the house had been clear cut and excavated.

The owners of the residence were present at this time and they did acknowledge construction was taking place at this time. Upon my questioning of what construction had taken place at this time , they did disclose that interior work had also take place including kitchen , bathroom and basement renovations.

At this time on 4/22/19, I did advise the owner they need to acquire the proper permits for building plumbing and electrical and I posted a STOP WORK ORDER and explained that all work must cease until the proper permits had been acquired.

On June, 26th , 2019, I , Jon Farrell was driving by the residence located at 39 Sprain Valley Rd, Scarsdale, NY. At this time I observed a large wooden structure has been constructed in the rear of main house.

Men could be seen working around the property and

The STOP WORK ORDER has been removed that was posted on 4/22/19

**TOWN COURT: Town of Greenburgh
COUNTY OF Westchester**

PEOPLE OF THE STATE OF NEW YORK

-against-

SEGURA, WILLIAM
39 SPRAIN VALLEY RD
SCARSDALE NY 10583

INFORMATION
SUMMONS NO. 19-11794

Defendant.

STATE OF NY
COUNTY OF Westchester
Town of Greenburgh

BE IT KNOWN THAT, Town of Greenburgh by, Jon Farrell , Assitant Building Inspector as the Complainant herein, accuses the above named Defendant of being in violation of the below mentioned section(s), committed on 9/27/2019 at 39 SPRAIN VALLEY RD, SCARSDALE (8.520-355-15)

Violation Description

Construction of rear structure and finishing of roof after stop work-

Code Description TWN 100-7A

A. Building permits required. Except as otherwise provided in Subsection B of this section, a Building Permit shall be required for any work which must conform to the Uniform Code, the Energy Code and/or this Chapter, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid-fuel-burning heating appliance, chimney or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Building Inspector. Any question regarding the need for a Building Permit should be referred to the Building Department.

Corrective Action:

Immediately cease all construction/renovations, submit all required Building Department permit applications and obtain all required permits.

Violation Description

FAILURE TO ABATE VIOLATIONS DULY ISSUED IN VIOLATION NOTICE 19-11597 ON 7/18/19.
VIOLATIONS HAVE CONTINUED FROM 7/18/19 THROUGH AND INCLUDING 9/27/19.



Town of Greenburgh
Building Department
177 Hillside Ave.
Greenburgh, NY 10607
914-989-1560

Summons No. 20-12844

ISSUED TO: SEGURA, WILLIAM
39 SPRAIN VALLEY RD

SCARSDALE NY 10583

SECTION.SHEET-BLOCK-LOT #: 8.520-355-15

REGISTERED MAIL #:

YOU ARE HEREBY DIRECTED TO APPEAR BEFORE THE PRESIDING JUSTICE OF THE TOWN COURT, OF THE TOWN OF GREENBURGH ON

12/7/2020 AT 9:30 AM

188 TARRYTOWN ROAD, WHITE PLAINS, NY

TO ANSWER THE CHARGE THAT ON 12/2/2020 AT 39 SPRAIN VALLEY RD, SCARSDALE, TOWN OF GREENBURGH, YOU DID COMMIT A VIOLATION(S) OF:

TWN 100-10C - VIOLATION OF STOP WORK ORDER, TOWN OF GREENBURGH

A stop work order has issued on the property on 7/18/19 and is a active stop work order as of 12/2/20. A rear structure, a pool and a pool deck have been constructed since 7/18/20 in violation of the stop work order

TWN 100-7A - BUILDING PERMIT, TOWN OF GREENBURGH

Construction of a pool and pool deck completed between 9/27/19 and 12/2/20

ZON 285-47A - Violations, ZONING - TOWN OF GREENBURGH

FAILURE TO ABATE VIOLATIONS DULY ISSUED IN VIOLATION NOTICE 19-11794 ON 7/18/19. VIOLATIONS HAVE CONTINUED FROM 7/18/19 THROUGH AND INCLUDING 12/2/20.

YOUR FAILURE TO APPEAR MAY RESULT IN A WARRANT FOR YOUR ARREST

DATED: 12/2/2020

Jon Farrell, Assitant Building Inspector
Complainant

3104288596

**TOWN COURT: Town of Greenburgh
COUNTY OF Westchester**

PEOPLE OF THE STATE OF NEW YORK
-against-

SEGURA, WILLIAM
39 SPRAIN VALLEY RD
SCARSDALE NY 10583

INFORMATION
SUMMONS NO. 20-12844

Defendant.

STATE OF NY
COUNTY OF Westchester
Town of Greenburgh

BE IT KNOWN THAT, Town of Greenburgh by, Jon Farrell , Assitant Building Inspector as the Complainant herein, accuses the above named Defendant of being in violation of the below mentioned section(s), committed on 12/2/2020 at 39 SPRAIN VALLEY RD, SCARSDALE (8.520-355-15)

Violation Description

A stop work work has issued on the property on 7/18/19 and is a active stopo work order as of 12/2/20. A rear structure , a pool and a pool deck have been constructed since 7/18/20 in violation of the stop word order

Code Description TWN 100-10C

Any person who shall continue any work in or about a building or premises after having been served a Stop-Work order, except such work which is directed by the Building Inspector to be performed in order to remove a violation or unsafe condition, shall be liable to a fine as prescribed in § 100-26.

Violation Description

Construction of a pool and pool deck completed between 9/27/19 and 12/2/20

Code Description TWN 100-7A

A. Building permits required. Except as otherwise provided in Subsection B of this section, a Building Permit shall be required for any work which must conform to the Uniform Code, the Energy Code and/or this Chapter, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid-fuel-burning heating appliance, chimney or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Building Inspector. Any question regarding the need for a Building Permit should be referred to the Building Department.

Violation Description

FAILURE TO ABATE VIOLATIONS DULY ISSUED IN VIOLATION NOTICE 19-11794 ON 7/18/19. VIOLATIONS HAVE CONTINUED FROM 7/18/19 THROUGH AND INCLUDING 12/2/20.

Code Description ZON 285-47A

Any person or corporation, whether as owner, lessee, architect, contractor of builder, or the agent or employee of any them, who violates or is accessory to the violation of any provision of this chapter or any rule or regulation made under the authority conferred by this chapter, or who shall erect, construct, alter, enlarge, convert or move any building or structure or any part thereof without a building permit or in violation of any statement or plans submitted and approved under the provisions of this chapter, or who shall use any building, structure or land in violation of this chapter or any rule or regulation made under the authority conferred by this chapter, or in violation of the provisions of any building permit or change of occupancy permit or certificate of occupancy or without a building permit, change of occupancy permit or certificate of occupancy where one is required by this chapter, and who fails to abate said violation within the time period specified on the violation notice and after written notice has been served upon him either by mail or personal service, shall be liable to a fine not exceeding \$ 500 or imprisonment for a period not to exceed 15 days, or both, for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine of not less than \$ 500 nor more than \$ 1,500 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine of not less than \$ 1,500 nor more than \$ 2,500 or imprisonment for a period not to exceed six months, or both, to be recovered with costs. Each and every day a violation continues to exist shall constitute a separate additional offense. Nothing in this chapter shall be construed as depriving the Town of the Town Board of any official thereof of the right to apply for an injunction to prevent any violation of this chapter or of the right to employ any other available remedy. {Amended 8-12-1987; 9-29-1987; 7-20-1994 by L.L. No. 4-1994}

That the Defendant was served by US Register Mail and failed to comply with a written order to remedy the violation within the time allotted for compliance.

On April 22nd, 2019, I, Jon Farrell did a respond to a complaint of building without a permit at the residence located at 39 Sprain Valley Rd, Scarsdale, NY.

At this time, several men were working on masonry in the rear yard and the land at the rear of the house had been clear cut and excavated.

The owners of the residence were present at this time and they did acknowledge construction was taking place at this time. Upon my questioning of what construction had taken place at this time, they did disclose that interior work had also take place including kitchen, bathroom and basement renovations.

At this time on 4/22/19, I did advise the owner they need to acquire the proper permits for building plumbing and electrical and I posted a STOP WORK ORDER and explained that all work must cease until the proper permits had been acquired.

On June, 26th, 2019, I, Jon Farrell was driving by the residence located at 39 Sprain Valley Rd, Scarsdale, NY.

At this time I observed a large wooden structure has been constructed in the rear of main house.

Men could be seen working around the property and

The STOP WORK ORDER has been removed that was posted on 4/22/19

A new stop work order was posted on 6/27/19

As of 7/18/19 new plywood has been added to the structure in the rear yard

As of 12/2/20, Work has continued at the residence, A large pile of dirt is present in the driveway. a structure in the rear yard has been further completed since 7/18/19 by the installation of roofing throughout the structure. As of 12/2/20, upon my inspection of the site a large pool and deck have been constructed on the property. The Stop work order issued on 4/22/19 remains in effect as of 12/2/2020.

The investigation has determined after checking the records contained at the Town of Greenburgh Buiding Department, no records or permits are present for any construction as of 12/2/2020

NOTICE: PURSUANT TO THE PENAL LAW, SECTION 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR, TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN.

DATE: 12/2/2020

Jon Farrell
Assitant Building Inspector
Complainant



Town of Greenburgh
Building Department
177 Hillside Ave.
Greenburgh, NY 10607
914-989-1560

Summons No. 21-13319

ISSUED TO: SEGURA, WILLIAM
39 SPRAIN VALLEY RD

SCARSDALE NY 10583

SECTION.SHEET-BLOCK-LOT #: 8.520-355-15

REGISTERED MAIL #:

YOU ARE HEREBY DIRECTED TO APPEAR BEFORE THE PRESIDING JUSTICE OF THE TOWN COURT, OF THE TOWN OF GREENBURGH ON

5/17/2021 AT 12:00 PM

188 TARRYTOWN ROAD, WHITE PLAINS, NY

TO ANSWER THE CHARGE THAT ON 5/17/2021 AT 39 SPRAIN VALLEY RD, SCARSDALE, TOWN OF GREENBURGH, YOU DID COMMIT A VIOLATION(S) OF:

TWN 100-10C - VIOLATION OF STOP WORK ORDER, TOWN OF GREENBURGH
Grading and filling rear yard

YOUR FAILURE TO APPEAR MAY RESULT IN A WARRANT FOR YOUR ARREST

DATED: 5/17/2021

Jon Farrell, Assitant Building Inspector
Complainant

**TOWN COURT: Town of Greenburgh
COUNTY OF Westchester**

PEOPLE OF THE STATE OF NEW YORK
-against-

SEGURA, WILLIAM
39 SPRAIN VALLEY RD
SCARSDALE NY 10583

INFORMATION
SUMMONS NO. 21-13319

Defendant.

STATE OF NY
COUNTY OF Westchester
Town of Greenburgh

BE IT KNOWN THAT, Town of Greenburgh by, Jon Farrell , Assitant Building Inspector as the Complainant herein, accuses the above named Defendant of being in violation of the below mentioned section(s), committed on 5/17/2021 at 39 SPRAIN VALLEY RD, SCARSDALE (8.520-355-15)

Violation Description
Grading and filling rear yard

Code Description TWN 100-10C

Any person who shall continue any work in or about a building or premises after having been served a Stop-Work order, except such work which is directed by the Building Inspector to be performed in order to remove a violation or unsafe condition, shall be liable to a fine as prescribed in 100-26.

Corrective Action:

CEASE ALL WORK

On 4/22/19 , a stop work order was issued at the residence for all construction. On 5/11/21, it was note that several large piles of dirt had been dumped in the driveway. On 5/17/21, It was observed that several large dirt piles from the driveway had been relocated and graded in the rear yard. It was also observed that a large skidsteer machine was present in the driveway. At this time no permits have been issued for any exterior work included no permits for fill and grading. The stop work order for exterior work remains in affect at this time as of 5/17/21

NOTICE: PURSUANT TO THE PENAL LAW, SECTION 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR, TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN.

DATE: 5/17/2021

Jon Farrell
Assitant Bulking Inspector
Complainant

Information

Text/Header:

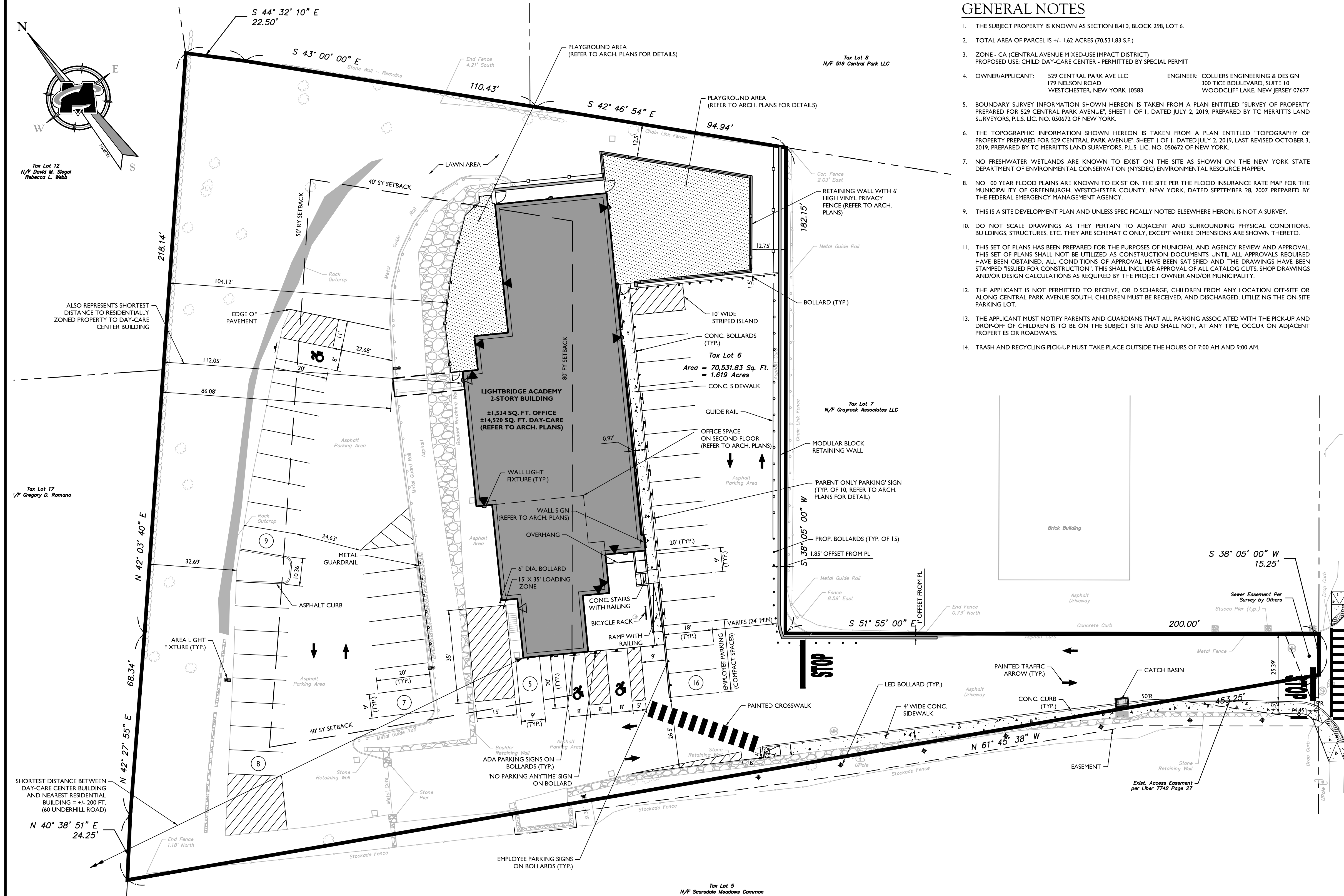
Case No. PB 20-09 Lightbridge Academy, 529 Central Park Avenue South (P.O. Scarsdale, N.Y.)
– *Amendment to Site Plan and Special Use Permit Approval*

A continuation of a public hearing (July 1, 2024) to consider an amendment to a previously approved Site Plan and Special Use Permit (Child Day-Care Center) which facilitated the opening of a child day-care facility for 105 children, with 22 staff, along with 1,534 sq. ft. of separate office space. The Applicant seeks to increase enrollment beyond 105 children, up to a maximum total of 152 children and 31 staff, and to remove the “Employee Parking Only” designation on the three (3) off-street parking spaces in front of the building, requiring amended Site Plan and Special Use Permit approvals from the Planning Board. The proposal also requires an amended approval from the Zoning Board of Appeals for: Minimum number of off-street parking spaces (68 required; 45 previously approved; 45 proposed). No site work is proposed in connection with the Applicant’s request. The property consists of approximately 70,532 sq. ft. (1.619 acres) and is situated on a flag lot on the westerly side of Central Park Avenue, between Underhill Road and Dromore Road. The property is located in the CA Central Avenue Mixed-Use Impact District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.410-298-6.

Fiscal Impact

Attachments

PB 20-09 Lightbridge Academy - Layout Plan REVISED 7.10.24



- ### GENERAL NOTES
- THE SUBJECT PROPERTY IS KNOWN AS SECTION 8.410, BLOCK 298, LOT 6.
 - TOTAL AREA OF PARCEL IS +/- 1.62 ACRES (70,531.83 S.F.)
 - ZONE - CA (CENTRAL AVENUE MIXED-USE IMPACT DISTRICT)
PROPOSED USE: CHILD DAY-CARE CENTER - PERMITTED BY SPECIAL PERMIT
 - OWNER/APPLICANT: 529 CENTRAL PARK AVE LLC
179 NELSON ROAD
WESTCHESTER, NEW YORK 10583
ENGINEER: COLLIER ENGINEERING & DESIGN
300 TICE BOULEVARD, SUITE 101
WOODCLIFF LAKE, NEW JERSEY 07677
 - BOUNDARY SURVEY INFORMATION SHOWN HEREON IS TAKEN FROM A PLAN ENTITLED "SURVEY OF PROPERTY PREPARED FOR 529 CENTRAL PARK AVENUE", SHEET 1 OF 1, DATED JULY 2, 2019, PREPARED BY TC HERRITTS LAND SURVEYORS, P.L.S. LIC. NO. 050672 OF NEW YORK.
 - THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS TAKEN FROM A PLAN ENTITLED "TOPOGRAPHY OF PROPERTY PREPARED FOR 529 CENTRAL PARK AVENUE", SHEET 1 OF 1, DATED JULY 2, 2019, LAST REVISED OCTOBER 3, 2019, PREPARED BY TC HERRITTS LAND SURVEYORS, P.L.S. LIC. NO. 050672 OF NEW YORK.
 - NO FRESHWATER WETLANDS ARE KNOWN TO EXIST ON THE SITE AS SHOWN ON THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC) ENVIRONMENTAL RESOURCE MAPPER.
 - NO 100 YEAR FLOOD PLAINS ARE KNOWN TO EXIST ON THE SITE PER THE FLOOD INSURANCE RATE MAP FOR THE MUNICIPALITY OF GREENBURGH, WESTCHESTER COUNTY, NEW YORK, DATED SEPTEMBER 28, 2007 PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
 - THIS IS A SITE DEVELOPMENT PLAN AND UNLESS SPECIFICALLY NOTED ELSEWHERE HEREON, IS NOT A SURVEY.
 - DO NOT SCALE DRAWINGS AS THEY PERTAIN TO ADJACENT AND SURROUNDING PHYSICAL CONDITIONS, BUILDINGS, STRUCTURES, ETC. THEY ARE SCHEMATIC ONLY, EXCEPT WHERE DIMENSIONS ARE SHOWN THERETO.
 - THIS SET OF PLANS HAS BEEN PREPARED FOR THE PURPOSES OF MUNICIPAL AND AGENCY REVIEW AND APPROVAL. THIS SET OF PLANS SHALL NOT BE UTILIZED AS CONSTRUCTION DOCUMENTS UNTIL ALL APPROVALS REQUIRED HAVE BEEN OBTAINED. ALL CONDITIONS OF APPROVAL HAVE BEEN SATISFIED AND THE DRAWINGS HAVE BEEN STAMPED "ISSUED FOR CONSTRUCTION". THIS SHALL INCLUDE APPROVAL OF ALL CATALOG CUTS, SHOP DRAWINGS AND/OR DESIGN CALCULATIONS AS REQUIRED BY THE PROJECT OWNER AND/OR MUNICIPALITY.
 - THE APPLICANT IS NOT PERMITTED TO RECEIVE, OR DISCHARGE, CHILDREN FROM ANY LOCATION OFF-SITE OR ALONG CENTRAL PARK AVENUE SOUTH. CHILDREN MUST BE RECEIVED, AND DISCHARGED, UTILIZING THE ON-SITE PARKING LOT.
 - THE APPLICANT MUST NOTIFY PARENTS AND GUARDIANS THAT ALL PARKING ASSOCIATED WITH THE PICK-UP AND DROP-OFF OF CHILDREN IS TO BE ON THE SUBJECT SITE AND SHALL NOT, AT ANY TIME, OCCUR ON ADJACENT PROPERTIES OR ROADWAYS.
 - TRASH AND RECYCLING PICK-UP MUST TAKE PLACE OUTSIDE THE HOURS OF 7:00 AM AND 9:00 AM.

PARKING CALCULATIONS

REQUIRED:
FOR DAY-CARE CENTER USE:
ONE (1) FOR EACH STAFF MEMBER,
PLUS ONE (1) FOR EACH FACILITY VEHICLE,
PLUS ONE (1) FOR EACH FIVE (5) FACILITY CHILDREN OR CLIENTS

31 PROPOSED STAFF MEMBERS = 31 SPACES
NO PROPOSED FACILITY VEHICLES = 0 SPACES
152 PROPOSED FACILITY CHILDREN / 5 = 31 SPACES
TOTAL = 62 SPACES REQUIRED

FOR TYPE I OFFICE USE:
ONE (1) SPACE PER 300 SF GROSS FLOOR AREA (GFA)
1,534 SF / 300 SF = 6 SPACES REQUIRED

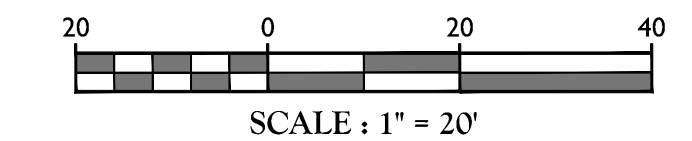
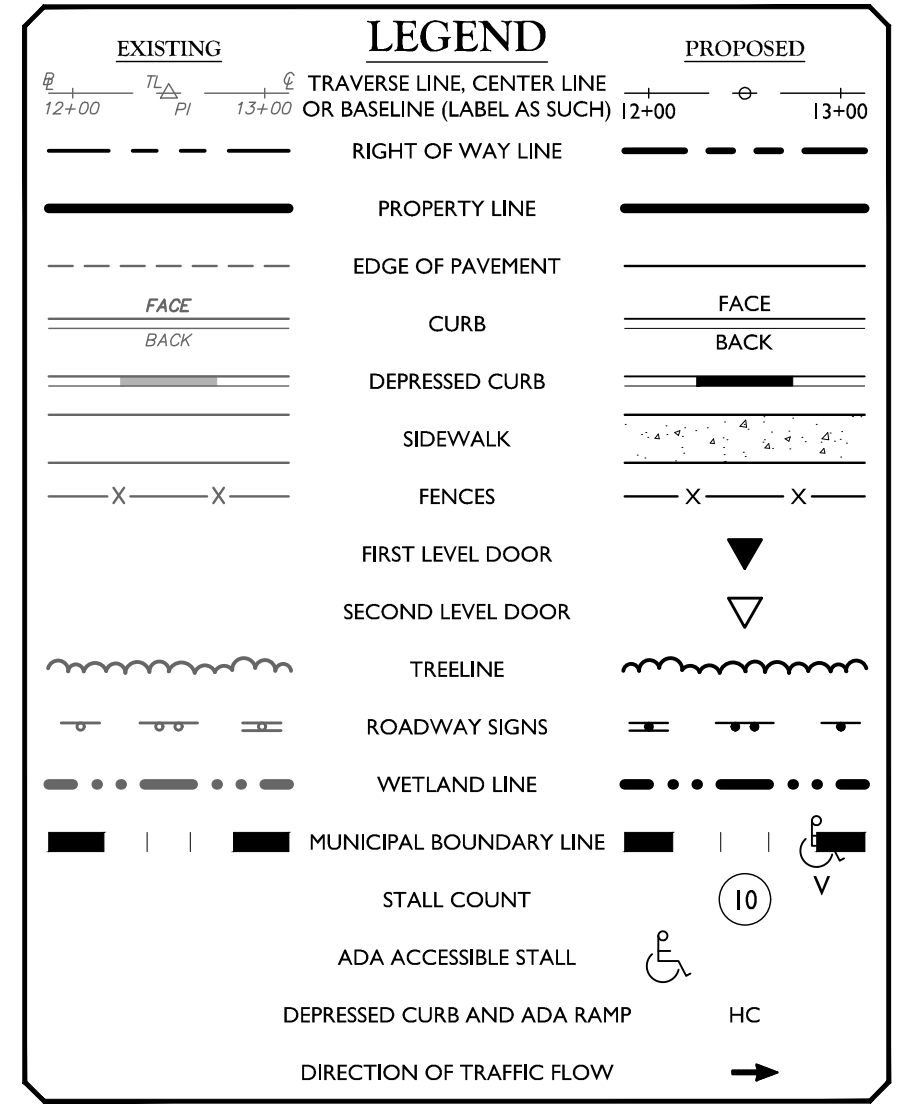
TOTAL REQUIRED SPACES:
62 SPACES FOR DAY-CARE CENTER
6 SPACES FOR TYPE I OFFICE
68 TOTAL REQUIRED SPACES

PROVIDED:
39 REGULAR SPACES
3 COMPACT SPACES
3 ADA ACCESSIBLE SPACES
45 TOTAL SPACES (VARIANCE REQUESTED)

PARKING STALL SIZE:
REQUIRED: 9' X 20'; WHERE PARKING SPACES ARE DEFINED BY CURBS PROVIDING SPACE FOR OVERHANG OF VEHICLES. DEPTH MAY BE REDUCED TO 18'; PROVIDED VEHICLES DO NOT OVERHANG SIDEWALK/PEDESTRIAN AREAS PER TOWN CODE § 285-38D.(1)
PROPOSED: 9' X 20'
9' X 18' EMPLOYEE SPACES (COMPACT)

LOADING CALCULATIONS

NO LOADING REQUIREMENTS ARE SPECIFIED FOR CHILD DAY-CARE CENTER IN ORDINANCE §285-38G. HOWEVER, TYPICAL PACKAGING TRUCKS CAN USE STRIPED AREAS BY THE SOUTHWEST CORNER OF THE BUILDING FOR DELIVERY PURPOSES.



ALL CONDITIONS OF APPROVAL AS NOTED IN FORMAL LETTERS OF APPROVAL OR FINDINGS ARE A PART OF THE APPROVED SITE PLAN, SUBDIVISION OR VARIANCE PLATS, DRAWINGS OR PLANS, AND ARE HEREBY REFERRED TO FOR ADDITIONAL APPROVAL DETAILS.

VARIANCES/WAIVERS

- A VARIANCE IS REQUIRED FOR THE NUMBER OF TOTAL PARKING SPACES (49 SPACES REQUIRED, 45 PROPOSED) (PREVIOUSLY GRANTED)
- A VARIANCE IS REQUIRED FOR THE MIN. DISTANCE FROM OFF-STREET PARKING AREA TO PRINCIPAL BUILDING (10' REQUIRED, 0' PROPOSED) (PREVIOUSLY GRANTED)
- A WAIVER IS REQUIRED FOR THE MINIMUM DISTANCE BETWEEN PAVED AREA/IMPERVIOUS SURFACES ASSOCIATED WITH OUTDOOR ACTIVITY AREAS TO ALL PROPERTY LINES
- NORTH SIDE YARD PROPERTY LINE: 20 FT. REQUIRED, 12.5 FT. PROVIDED
FRONT YARD: 20 FT. REQUIRED, 12.75 FT. PROVIDED (PREVIOUSLY GRANTED)
- A WAIVER IS REQUIRED FOR THE MINIMUM DISTANCE BETWEEN OUTDOOR ACTIVITY AREAS AND ALL OFF-STREET PARKING AREAS:
FRONT YARD PARKING AREA: 10 FT. REQUIRED, 0 FT. PROPOSED (PREVIOUSLY GRANTED)

CHILD DAY-CARE CENTERS ADDITIONAL REQUIREMENTS

- A MINIMUM DISTANCE SHALL BE PROVIDED BETWEEN ANY PAVED OR IMPERVIOUS SURFACE BEING A PORTION OF THE OUTDOOR ACTIVITY AREA AND ALL LOT LINES, SAID DISTANCE BEING EQUAL TO THE MINIMUM DISTANCE OTHERWISE REQUIRED BETWEEN OFF-STREET PARKING AREAS AND LOT LINES (20' TO FRONT AND SIDE LOT LINES; 25' TO REAR LOT LINE). (WAIVER PREVIOUSLY GRANTED)
- A MINIMUM DISTANCE OF 10' SHALL BE PROVIDED BETWEEN ALL PORTIONS OF THE OUTDOOR ACTIVITY AREA AND ALL OFF-STREET PARKING AREAS. (COMPLIES)
- A LANDSCAPED BUFFER AREA WITH A MINIMUM WIDTH OF 10' SHALL BE PROVIDED BETWEEN ALL PORTIONS OF THE OUTDOOR ACTIVITY AREA AND ALL LOT LINES. (COMPLIES)

TABLE OF BULK REQUIREMENTS			
ZONE: CA - CENTRAL AVENUE MIXED-USE IMPACT DISTRICT			
ITEM	REQUIRED	PROVIDED	COMPLIES
MAX. F.A.R.	0.135	0.238	NO (E)
MIN. FRONT YARD	80'	52.11'	NO (E)
MIN. SIDE YARD	40'	27.62'	NO (E)
MIN. REAR YARD	50'	86.08'	YES
MIN. DISTANCE FROM DETACHED ACCESSORY STRUCTURE OR USE OR OFF-STREET PARKING AREAS TO: PRINCIPAL BUILDING	10'	0' (PARKING) 0' (PLAYGROUND)	NO (V)
MIN. DISTANCE FROM DETACHED ACCESSORY STRUCTURE OR USE OR OFF-STREET PARKING AREAS TO: FRONT LOT LINE	20'	0'	NO (E)
MIN. DISTANCE FROM DETACHED ACCESSORY STRUCTURE OR USE OR OFF-STREET PARKING AREAS TO: SIDE LOT LINE	20'	0'	NO (E)
MIN. DISTANCE FROM DETACHED ACCESSORY STRUCTURE OR USE OR OFF-STREET PARKING AREAS TO: REAR LOT LINE	25'	32.69'	YES
BLDG. HGHT. MAX	2 STORIES, NOT TO EXCEED 24 FEET	28'-9 1/2"	NO (E)
MAX. IMPERVIOUS COVERAGE	60%	65.09%	NO (E)

(E) = EXISTING NON-COMPLYING
(V) = VARIANCE GRANTED AT 1/11/2020 ZBA MEETING.
UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY OR ENGINEERING MAP BEARING A LICENSED LAND SURVEYOR OR PROFESSIONAL ENGINEER IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW. ONLY MAPS WITH THE LAND SURVEYOR OR PROFESSIONAL ENGINEER'S SEAL ARE GENUINE TRUE AND CORRECT COPIES OF THE LAND SURVEYOR OR PROFESSIONAL ENGINEER'S ORIGINAL WORK AND OPINION.

APPROVED BY THE PLANNING BOARD OF THE TOWN OF GREENBURGH AT THE REGULAR MEETING OF _____ DATE _____

PLANNING BOARD SECRETARY _____ DATE _____

BUILDING INSPECTOR _____ DATE _____

TOWN ENGINEER _____ DATE _____

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FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT: WWW.CALL811.COM

REV.	DATE	DESCRIPTION	DRAWN BY
6	11/20/20	REVISED PER 1/11/2020 ZBA PLANNING BOARD COMMENTS	SF
7	5/28/21	ISSUED FOR BID	SF
8	10/21/21	REVISED PER NYSDEC SPECIFICATIONS	SF
9	3/1/22	REVISED PER GRADING AND RETAINING WALL REVISIONS	JAG
10	3/13/24	REVISED FOR ENROLLMENT TO 159 STUDENTS	DJG
11	5/25/24	REVISED PER GUARDRAIL HEAD LOCATION	NJ
12	7/9/24	REVISED PER PLANNING BOARD COMMENTS	CMA

JESSE B. COKELEY
NEW YORK LICENSED PROFESSIONAL ENGINEER - LICENSE NUMBER: 090987

FINAL SITE PLAN
FOR
529 CENTRAL PARK AVE LLC
SECTION 8.410
BLOCK 298
LOT 6
TOWN OF GREENBURGH
WESTCHESTER COUNTY
NEW YORK

Colliers
Engineering & Design
HOLMDEL (Headquarters)
101 Crawford's Corner Road,
Suite 3400
Holmdel, NJ 07733
Phone: 732.383.1950
COLLIERS ENGINEERING & DESIGN
ARCHITECTURE, LANDSCAPE ARCHITECTURE
SURVEYING, CIVIL, PE, CIVIL ENGINEERING AS MANDATED
CONSULTING ENGINEERING FIRM & LAND SURVEYING

SCALE: AS SHOWN DATE: 4/7/2020 DRAWN BY: SF CHECKED BY: JBC
PROJECT NUMBER: 19001328A DRAWING NUMBER: C-LAY1
SHEET TITLE: LAYOUT PLAN
SHEET NUMBER: 3 of 10

Information

Text/Header:

Case No. PB 24-14 Dicker, 718 Central Park Avenue South (P.O. Scarsdale, N.Y.) – *Planning Board Special Use Permit (Small Animal Hospital)*

A work session to discuss a Planning Board Special Use Permit application involving the proposed conversion of a former restaurant space into an animal hospital. The Applicant proposes no outside work with the exception of façade changes to facilitate signage for the hospital and a small outdoor dog run, which will be fenced. The proposed 10,447 sq. ft. animal hospital requires 53 off-street parking spaces, where 75 off-street parking spaces exist on-site. The Applicant is not proposing any overnight boarding of animals, except as medically necessary. In a memorandum dated July 1, 2024, the Building Inspector determined that an area variance is required for the unenclosed exterior dog run. The property consists of approximately 46,950 sq. ft. (1.08 acres) and is situated on the easterly side of Central Park Avenue South, approximately 530 feet north from the intersection of Central Park Avenue South and Mt. Joy Avenue. The property is located in the CA Central Avenue Mixed-Use Impact District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.460-329-1.

Fiscal Impact

Attachments

PB 24-14 Dicker, 718 Central Park Ave South - Plans 7-8-24

PB 24-14 Dicker, 718 Central Park Ave South - Application Materials 7-8-24



EXISTING SIGNAGE



NEW LOGO ON EXISTING SIGNAGE



NEW SIGNAGE AT MAIN ENTRY ON EAST FACADE

GENERAL NOTES

1. RE: CIVIL AND LANDSCAPING PLANS FOR ADDITIONAL INFORMATION.
2. EXISTING SITE LANDSCAPING, PARKING AREA, PARKING STRIPING, BUILDING ENVELOPE TO REMAIN AS-IS UNLESS OTHERWISE NOTED.
3. EXISTING DRIVES TO BE REUSED. DRIVES TO BE MODIFIED AS INDICATED IN THE CIVIL DRAWINGS TO MEET CURRENT REQUIREMENTS.

LEGEND

SYMBOL	DESCRIPTION
---	PROPERTY LINE
- - - -	EASEMENT / RIGHT OF WAY
---	BUILDING SETBACK
✕ --- ✕	FENCE

KEYNOTES

SYMBOL	DESCRIPTION

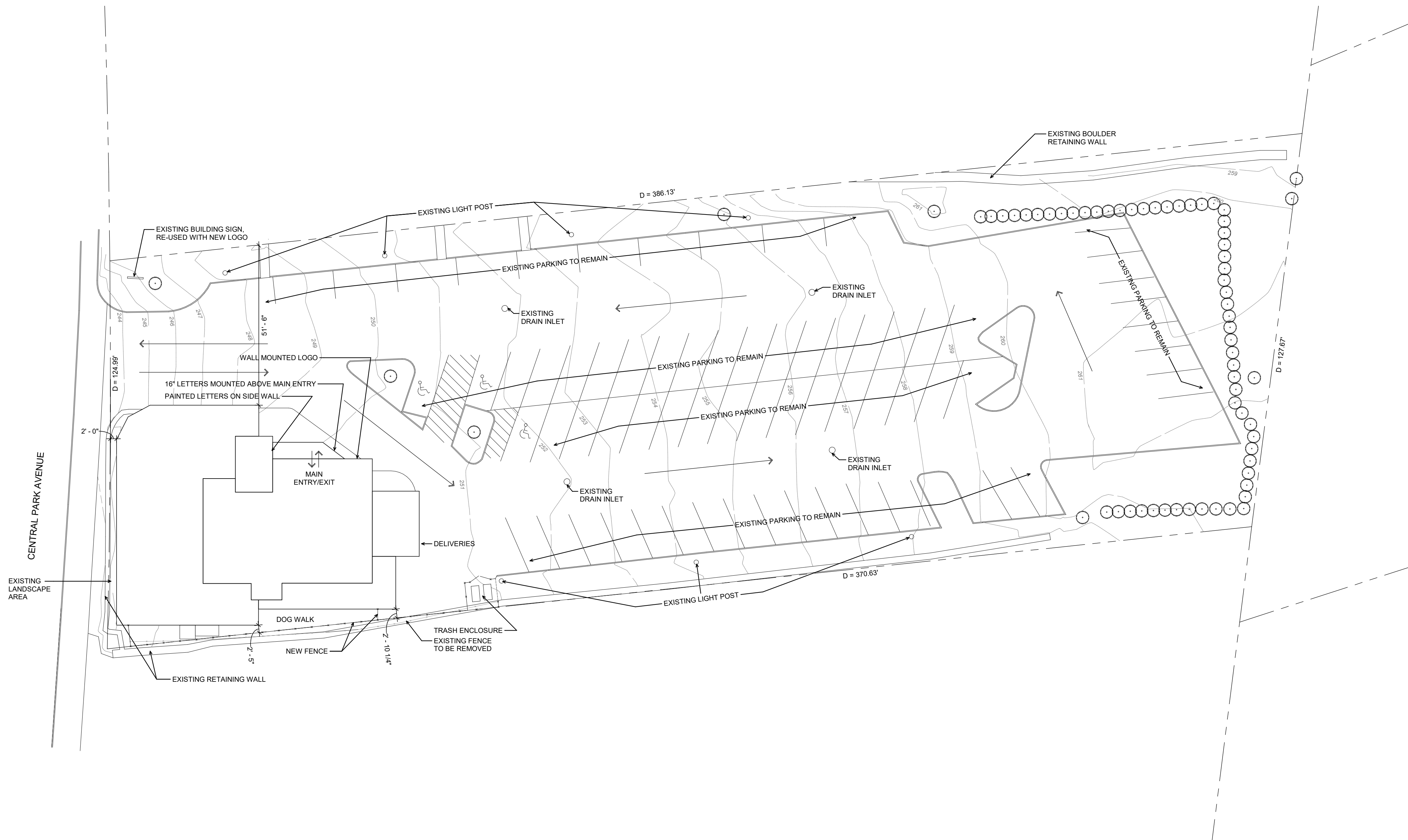
WORK NOTES

SYMBOL	DESCRIPTION

PROJECT NAME: VETERINARY EMERGENCY & SPECIALTY CENTER
ADDRESS: 718 CENTRAL PARK AVE. SCARSDALE, NY 10853
PROPOSED USE: VETERINARY HOSPITAL PER SPECIAL PERMIT USE (TC&ZO 285-29.1.B.5.1.b.3)
ZONING DISTRICT: CA CENTRAL AVENUE MIXED-USE IMPACT DISTRICT
APPLICABLE CODES: GREENBURGH TOWN CODE & ZONING ORDINANCE
 2020 BUILDING CODE OF NEW YORK STATE
 2020 FIRE CODE OF NEW YORK STATE
 2020 ENERGY CONSERVATION CONSTRUCTION CODE OF NEW YORK STATE
 2020 EXISTING BUILDING CODE OF NEW YORK STATE
 2020 PLUMBING CODE OF NEW YORK STATE
 2020 MECHANICAL CODE OF NEW YORK STATE

CONSTRUCTION TYPE: TYPE 5A
 NONCOMBUSTIBLE, FULLY SPRINKLERED
INITIAL ALLOWABLE AREA: .40 RATIO (TC&ZO TABLE I - TYPE V(c))
 46,950.06 * .40 = 18,780.02 SQ. FT.
ACTUAL BLDG. AREA: 10,447 SQ. FT. TOTAL
 BASEMENT: 3,802 SQ. FT.
 FIRST FLOOR: 4,839 SQ. FT.
 SECOND FLOOR: 2,009 SQ. FT.
TOTAL LOT SIZE: 46,950.06 SQ. FT.
MAX. LOT COVERAGE: 60% (285-29.1.C.7.a)
ACTUAL LOT COVERAGE: 31,224.38 SQ. FT.
EXISTING IMPERVIOUS AREA: 66.50%
REQUIRED PARKING: 1 PER 200 SQ. FT. (TC&ZO TABLE I - TYPE V(c))
 10,447 / 200 = 53 SPACES
REQUIRED ACCESSIBLE PARKING: MINIMUM 3 FOR TOTAL WITHIN 51-75 RANGE (BC - TABLE 1106.2)
PARKING PROVIDED: 75 SPACES
PROVIDED ACCESSIBLE PARKING: 3 SPACES
SPECIAL PERMIT USE - FREESTANDING ANIMAL HOSPITAL (TC&ZO 285-29.1.B.5.1.b.3)
 A) ALL OPERATIONS, INCLUDING ANIMAL RUNS, WILL BE WITHIN A TOTALLY ENCLOSED, FULLY SOUNDPROOFED, MECHANICALLY VENTILATED, AIR-CONDITIONED BUILDING.
 B) ALL OPERATIONS WILL BE CONDUCTED AND THE STRUCTURE MAINTAINED IN SUCH A MANNER THAT THEY ARE NOT OFFENSIVE/OBNOXIOUS OR DETRIMENTAL TO ADJOINING PROPERTIES BY REASON OF NOISE OR ODORS.
 C) OPERATIONS WILL NOT INCLUDE THE BOARDING OF ANIMALS OR THE OPERATION OF A KENNEL, EXCEPT THAT THE BOARDING OF ANIMALS RELATED TO A COURSE OF MEDICAL TREATMENT DURING THE PERIOD OF SUCH TREATMENT.

2 EXISTING AND PROPOSED SIGNAGE
 SCALE: 12" = 1'-0"



1 SITE PLAN - SPA
 SCALE: 1" = 20'-0"

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 4520 BROADWAY, SUITE E
 BOULDER CO, 80304
 1.800.332.4413
 FAX 303.444.1759

Veterinary Emergency & Specialty Center
 718 Central Park Ave.
 Scarsdale, NY 10853

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REVISIONS

APPROVALS

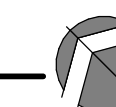
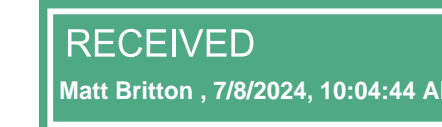
SEAL

DRAWING TITLE
 SITE PLAN

DATE: 05/06/16

A-1.00

SPECIAL PERMIT APPLICATION




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GENERAL NOTES

1. RE: DOOR & WINDOW SCHEDULE A-8.0 FOR SIZES AND TYPES.
2. RE: CS-01 FOR CODE, OCCUPANCY AND TYPICAL MOUNTING HEIGHTS.
3. RE: A-5.8 FOR MILLWORK DETAILS.

LEGEND

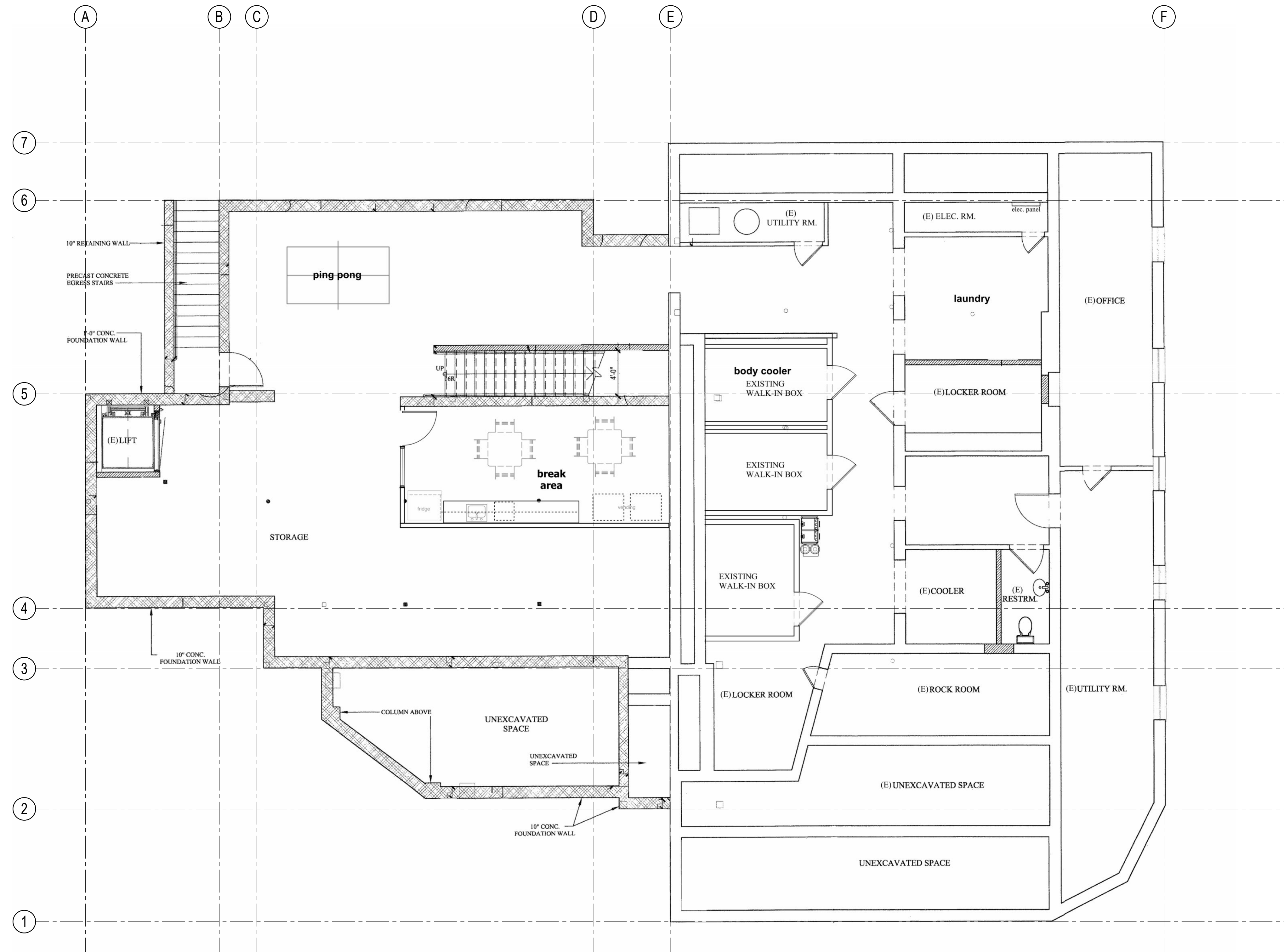
SYMBOL	DESCRIPTION
	INDICATES CAGE LOCATIONS

KEYNOTES

SYMBOL	DESCRIPTION
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WORK NOTES

SYMBOL	DESCRIPTION
--------	-------------



1 BASEMENT - SPA
SCALE: 3/16" = 1'-0"

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718 Central Park Ave.
Scarsdale, NY 10853

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APPROVALS

SEAL

DRAWING TITLE
BASEMENT FLOOR PLAN

DATE: 05/06/16

A-2.00

SPECIAL PERMIT APPLICATION

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5/25/2024 9:30:31 AM

GENERAL NOTES

1. RE: DOOR & WINDOW SCHEDULE A-8.0 FOR SIZES AND TYPES.
2. RE: CS-01 FOR CODE, OCCUPANCY AND TYPICAL MOUNTING HEIGHTS.
3. RE: A-5.8 FOR MILLWORK DETAILS.

KEYNOTES

SYMBOL	DESCRIPTION
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WORK NOTES

SYMBOL	DESCRIPTION
--------	-------------

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REVISIONS

APPROVALS

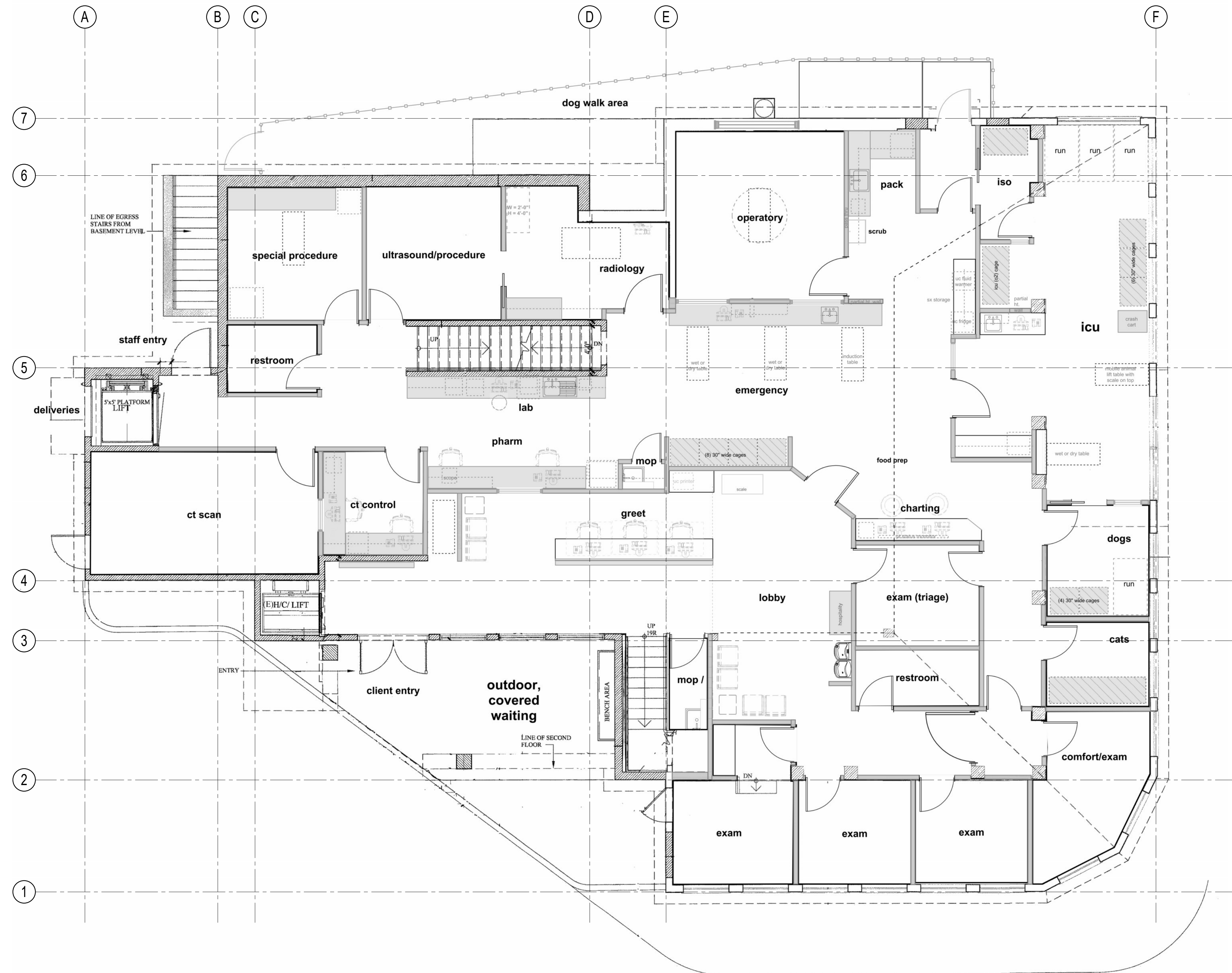
SEAL

DRAWING TITLE
 1ST FLOOR PLAN

DATE: 05/15/24

A-2.01

SPECIAL PERMIT APPLICATION



1 1ST FLOOR PLAN - SPA
 SCALE: 3/16" = 1'-0"

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5/25/2024 9:30:32 AM

GENERAL NOTES

1. RE: DOOR & WINDOW SCHEDULE A-8.0 FOR SIZES AND TYPES.
2. RE: CS-01 FOR CODE, OCCUPANCY AND TYPICAL MOUNTING HEIGHTS.
3. RE: A-5.8 FOR MILLWORK DETAILS.

KEYNOTES

SYMBOL	DESCRIPTION
--------	-------------

WORK NOTES

SYMBOL	DESCRIPTION
--------	-------------

ANIMAL ARTS
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 4520 BROADWAY, SUITE E
 BOULDER CO, 80304
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Veterinary Emergency & Specialty Center
 718 Central Park Ave.
 Scarsdale, NY 10853

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REVISIONS

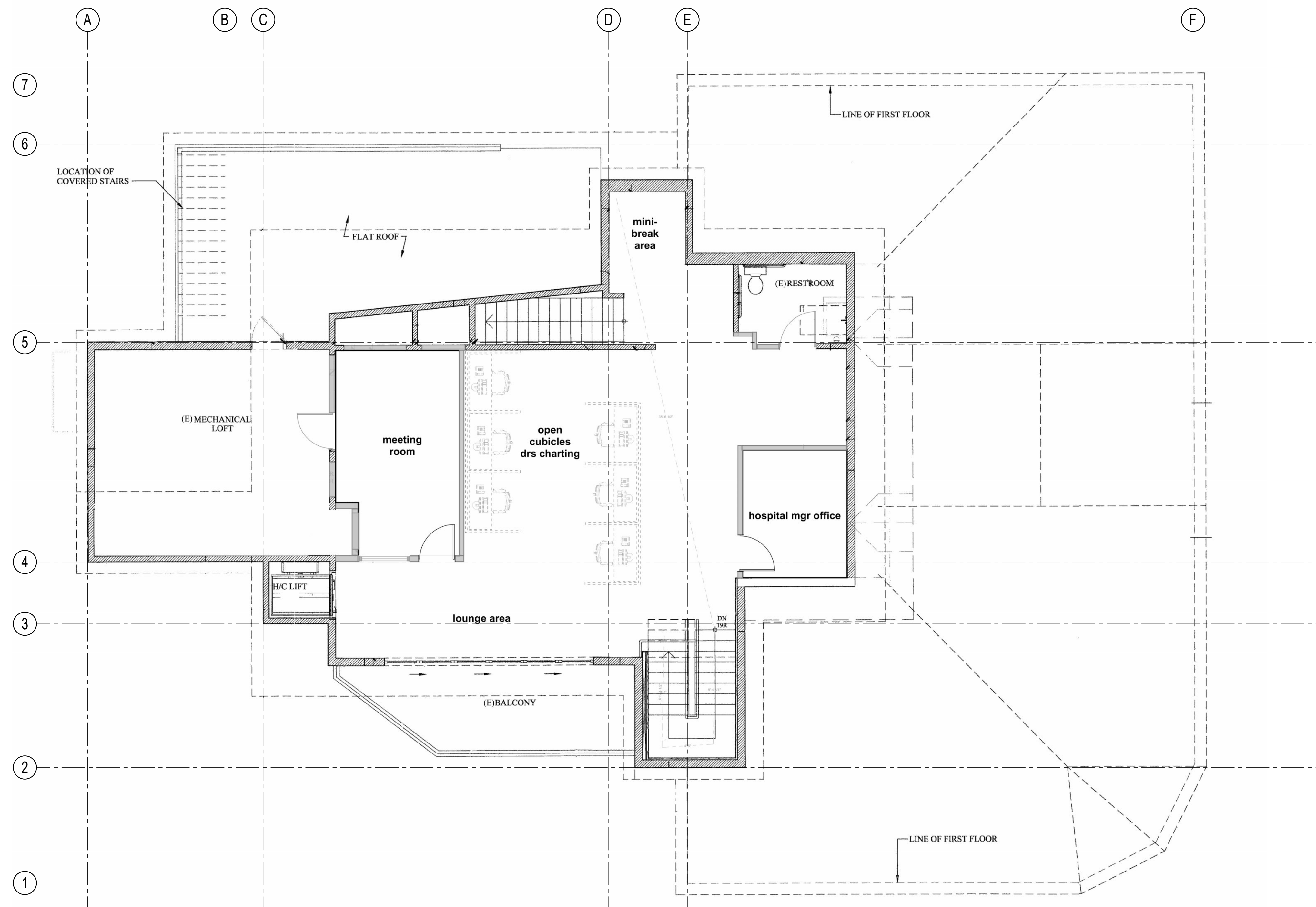
APPROVALS

SEAL

DRAWING TITLE
 2ND FLOOR PLAN

DATE: 05/15/24

A-2.02



1 2ND FLOOR - SPA
 SCALE: 3/16" = 1'-0"

SPECIAL PERMIT APPLICATION

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July 5th, 2024

From:
Samuel Dicker, DVM, DACVECC
Veterinary Emergency & Specialty Center, P.C.
VESC Holdings, L.L.C.
4705 Center Blvd, Apt 2010
Long Island City, NY 11109
dicker.sam@gmail.com
(516) 312-6407



To:
Planning Board
Town of Greenburgh, NY
177 Hillside Ave
Greenburgh, NY 10607

Dear Planning Board,

We have received comments from the Building Inspector, Town Attorney, and Fire Chief regarding the Special Permit application for 718 Central Park Ave South for a Small Animal Hospital.

The Building Inspector and Town Attorney's office commented that an area variance would be required for the proposed outdoor, enclosed dog relief area for hospitalized pets. This is in response to Ordinance Code 285-B(5.1)(b)[3]:

“All operations shall be conducted and the structure maintained in such a manner that they are not offensive, obnoxious or detrimental to adjoining properties by reason of noise or odors.”

We are in the process of submitting an area variance to the Zoning Board, and we look forward to working with them. The proposed area would benefit the safety and wellbeing of the dogs in our care, as well as benefit the neighbors of the property.

We have made the necessary changes to the application as noted by the Town Attorney's Office.

Responding to the Fire Chief's comments, reporting and storage of hazardous materials will be done according to code.

Thank you for your timely preliminary review of the application, and we look forward to continuing to work with the town during this process.

Sincerely,

A handwritten signature in black ink, appearing to be "SD" followed by a flourish.

Samuel Dicker, DVM, DACVECC
Diplomate, American College of Veterinary Emergency & Critical Care
Veterinary Emergency & Specialty Center, P.C.
VESC Holdings, L.L.C.

June 13th, 2024

From:

Samuel Dicker, DVM, DACVECC
Veterinary Emergency & Specialty Center, P.C.
4705 Center Blvd, Apt 2010
Long Island City, NY 11109
dicker.sam@gmail.com
(516) 312-6407

To:

Planning Board
Town of Greenburgh, NY
177 Hillside Ave
Greenburgh, NY 10607

Dear Planning Board,

Please see the attached special permit application for Veterinary Emergency & Specialty Center, P.C., a proposed 24/7 Emergency and Specialty Animal Hospital, at 718 South Central Ave, Scarsdale, NY. The clinic will employ specialist veterinarians and emergency veterinarians, such as those with advanced training in emergency & critical care, surgery, internal medicine, and other specialties. The facility will be staffed by other veterinary professionals including licensed veterinary technicians, veterinary assistants, and office staff. The facility is being designed by Animal Arts, an architecture firm specializing in designing veterinary and animal housing facilities.

The facility will, by nature, comply with all requirements in the town code for Special Permit Use per § 285-29.1B(5.1)(a). My comments are in *blue italics*.

(a) General standards.

[1] Each special permit use shall be reasonably necessary for the public health or general interest or welfare.

An animal hospital is in the general interest of the public and pet owners in the community. Veterinary facilities promote public health as some animal diseases are communicable to people.

[2] Each special permit use shall be of such character, intensity, size and location that, in general, it will be in harmony with the orderly development of the district in which the property concerned is situated and will not be detrimental to the orderly development of adjacent districts.

The use will not alter the footprint of the pre-existing building and will not affect negatively impact the district. The location on a busy public road well suits an emergency animal hospital. The use will not be detrimental to adjacent districts.

[3] Each special permit use shall be so located in order to be adequately serviced by transportation facilities, water supply, waste disposal, fire and police protection and similar services.

All of the aforementioned services previously serviced this location without issue. Vehicular traffic will likely be less than the pre-existing restaurant and will primarily consist of pet owner and employee personal vehicles. Delivery truck access is not impaired. Routine and medical waste will be removed by the appropriate services.

[4] Each special permit use sought which adjoins or abuts a residence district shall be so located in the lot involved that it shall not impair the use, enjoyment and value of adjacent residential properties.

The east side of the property abuts a residential area. The animal hospital will be located well away from the residential area on the west side of the property. The animal hospital will be quiet, and will care for ill animals. This is not a boarding facility, and the animals being cared for will not generate noise or odor. Staff members will ensure cleanliness, and waste will be properly disposed. All animals will be contained within the building except for brief, supervised relief walks with a staff member in an enclosed area adjacent to the hospital. The use, enjoyment, and value of adjacent residential properties will not be affected.

[5] Each special permit use shall not create pedestrian or vehicular traffic hazards because of its location in relation to similar uses, necessity of turning movements in relation to its access to public roads and intersections, or its location in relation to other buildings or proposed buildings on or near the site and the traffic patterns from such buildings.

The use will not create any pedestrian or vehicular traffic hazards. There is a traffic light in close proximity to the property and there is a left/right turning lane to access the property.

[6] Each special permit use shall not include the display of signs, noise, fumes or lights that will hinder normal development of the district or impair the use, enjoyment and value of adjacent land and buildings.

Signage will be similar to the previous Ben's deli sign facing Central Park Ave. Signage will be appropriately lit and not obnoxious or hindering to the district. The animal hospital will be quiet, and will care for ill animals. This is not a boarding facility, and the animals being cared for will not generate noise or odor. Staff members will ensure cleanliness, and waste will be properly disposed. All animals will be contained within the building except for brief, supervised relief walks with a staff member in an enclosed area adjacent to the hospital. Once animals are well enough to go home, they will be discharged to the care of their owners.

In addition, the facility will, by nature, comply with all requirements in the town code for free standing hospitals in the CA district:

[3] Fully enclosed freestanding animal hospitals, provided that:

[a] All operations, including runways, shall be within a totally enclosed, fully soundproofed, mechanically ventilated or air-conditioned building.

[b] All operations shall be conducted and the structure maintained in such a manner that they are not offensive, obnoxious or detrimental to adjoining properties by reason of noise or odors.

[c] Permitted operations shall not include the boarding of animals or the operation of a kennel, except that the boarding of animals related to a course of medical treatment shall be permitted during the period of such treatment.

Enclosed is the Permit Fee schedule, Affidavit of Ownership, Disclosure form, Special Permit Application form, and Environmental Clearance form. Also enclosed are Drawings of the proposed floor plan and a site plan from the architect including signage.

Per a previous conversation with Commissioner Garret Duquesne and Planner Matthew Britton, the Steep Slopes Clearance form and Wetlands Clearance Form were not required, and a fee for each parking space was not required.

Enclosed is payment for the Special Permit, Environmental Clearance form, and legal fee (\$1900), public hearing notice (separate check for \$200), and public hearing transcript (separate check for \$200), totaling \$2300.

If you have any questions associated with this application, please feel free to email or call.

Sincerely,

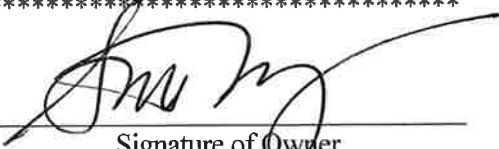
A handwritten signature in black ink, appearing to read 'S. Dicker', with a stylized flourish extending to the right.

Samuel Dicker, DVM, DACVECC
Diplomate, American College of Veterinary Emergency & Critical Care
Veterinary Emergency & Specialty Center, P.C.
VESC Holdings, L.L.C.

AFFIDAVIT OF OWNERSHIP

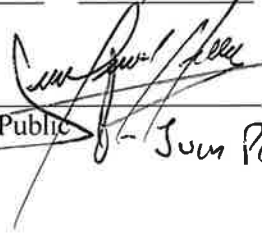
State of ^{Connecticut} ~~New York~~)ss. Normalic
County of ~~Westchester~~ ^{Fairfield} member 718 Central Avenue Land Company, LLC

Scott Singer, a being duly sworn, deposes and says that (s)he resides at
20 CAVRA Y RD. in the Town of NORMALIC in the County
of FAIRFIELD in the State of CT that (s)he is the
owner in fee of all that piece or parcel of land situated and lying in the Town of Greenburgh
aforesaid and known and designated Parcel ID number 8.460-329-1,
and that (s)he hereby authorizes Samuel Dicker to make application in his/her
(its) behalf and that the statement of facts contained in said application is true.

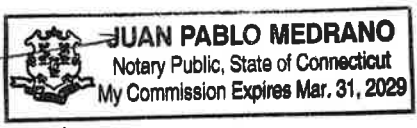


Signature of Owner

Sworn to me before this 20th
Day of May 20 24



Notary Public Juan Pablo Medrano.





TOWN of GREENBURGH

Community Development & Conservation

Paul Feiner
Supervisor

Garrett Duquesne, AICP
Commissioner

Aaron Schmidt
Deputy Commissioner

Planning Board Members

Hugh Schwartz, Chair	Walter Simon
Thomas Hay, Vice Chair	Mona Fraitag
Michael Golden	Johan Snaggs
Kirit Desai	Leslie Davis

TOWN AND PLANNING BOARD APPLICATION FOR

SPECIAL PERMIT

Application Contents

- **Instructions to Applicants**
- **Application Submission Checklist**
- **Engineering Notes**
- **Fee Schedule**
- **Affidavit of Ownership**
- **Disclosure Form**
- **Special Permit Application Form**
- **Environmental Clearance Form**
- **Slope Clearance Form**
- **Wetlands Clearance Form**
- **Environmental Assessment Form**

INSTRUCTIONS TO APPLICANTS

TOWN OF GREENBURGH
INSTRUCTIONS FOR SPECIAL PERMIT APPLICANTS

All applications can be filed with the Department of Community Development and Conservation in Town Hall from 9:00 am to 5:00 pm Monday through Friday.

BACKGROUND

PRELIMINARY SUBMISSION - Preliminary submissions are the first step in processing an application for special permit. Preliminary submissions are filed with the Department of Community Development and Conservation and distributed for internal Departmental Review of a proposed special permit. These Departments (Planning, Legal, Building, Engineering, Fire and Police) then provide their comments on the proposed special permit possibly resulting in a request for revisions of the initial proposed special permit application and plans. If revisions are required, applicant is responsible for making the proper revisions and resubmitting materials addressing all concerns/ requests for revisions. The revised application/plans are again distributed to the Departments to confirm that the applicant has properly addressed all concerns. If there are no comments by staff, the applicant will be instructed via letter that they may resubmit the revised application to the Department of Community Development and Conservation who will then transmit the application to the Planning Board for consideration at a work session.

1) **Cover Letter and Fees**

A cover letter should be submitted indicating the special permit requested, noting the enclosures per the submission requirements, and noting the fee amount being transmitted.

2) **Special Permit Application Form**

The special permit application form must be filled out in its entirety noting relevant town zoning code references, and reasons the applicant has that support the application. The application must be signed by the property owner.

3) **Town Environmental Clearance Form**

This two page form must be filled out on both sides. The applicant signs the form on page 2 where noted. Town staff sign the form as "authorized agency."

4) **State Environmental Form**

The full Environmental Assessment Form (EAF) must be filled out and signed.

5) **Drawing(s)**

Required drawings include, at a minimum:

- a) a floor plan of the proposed use; and,
- b) a site plan including all parking spaces, loading docks, dumpster and/or compactor areas, and location of all buildings, for the site.

Additional drawings may include landscape plans, building elevation(s) and signage. Please note that the Central Avenue Mixed Use Impact District has unique special permit requirements.

6) **List of Owners/Owner Maps**

All owners within five hundred (500) feet of the perimeter of the site must be identified, and their names and addresses must be submitted on mailing labels (typed). An area map from the town assessor's office must be submitted indicating the five hundred (500) foot radius.

7) **Legal Documents**

Any legal documents of particular concern, e.g., deed restrictions, easements, etc. should be submitted with the application or may be requested by the Town Attorney as supplementary to the application materials.

ENGINEERING NOTES

TOWN OF GREENBURGH ENGINEERING NOTES
FOR SITE PLANS

NOTES TO BE PUT ON CONSTRUCTION DRAWINGS:

1. All work and materials to conform to Town of Greenburgh specifications.
2. Upon request, the Town Water Department shall locate existing water mains and services but shall not guarantee locations.
3. Provide designed retaining walls on all slopes exceeding (1) foot vertical on two (2) feet horizontal.
4. Underground electric shall be encased in rigid casing for a minimum of six feet (2-4-2) across all water mains.
5. The builder shall furnish and install 6" perforated pipe encased in crushed stone in back of curb wherever directed by the Engineer.
6. The Town Highway Department shall regulate and order what obstructions must be removed by builder for sight distance.
7. The Applicant /Contractor shall be required to comply with all rule and regulations of the Town of Greenburgh Consolidated Water District No. 1.
8. The contractor shall be required to backfill utility trenches in the public right of way with 50 psi controlled density backfill (k-crete).
9. The Applicant/contractor shall be responsible for the proper removal/disposal of existing subsurface structure (i.e. oil tanks, septic fields, fields, etc.), their contents and any remedial measures that may be required.
10. It shall be the responsibility of the Applicant/Contractor to call in Code %#. No work shall commence until a Code 53 field mark out has been performed.

GRADING PLANS:

1. Existing and proposed contours must be shown with spot elevations.
2. All lots must have positive drainage.
3. Provide drain inlets, if low spots cannot be eliminated by positive drainage.
4. Driveways must be shown on grading plans with turnarounds and proper offsets from property line.
5. House leaders must tie into dry wells.

NOTES TO BE PUT ON GRADING PLANS:

1. Provide retaining walls on all slopes exceeding (1) foot vertical on two (2) feet horizontal.
2. Owner must guarantee positive drainage on all lots.
3. Swales may be required along all property lines to minimize rain run-off.
4. All driveways sloping down to garage or house shall have a drain inlet with pipe connected to approved drainage system.
5. All driveways sloping down shall rise 6" the first 5' and then slope down. (Label the driveway slope on the plan.)

NOTES TO BE PUT ON EROSION CONTROL PLANS:

1. The applicant shall be required to clean roadways and existing downstream drainage utilities from all siltation and construction debris as required, and upon completion of the work.
2. All plans should fully incorporate the appropriate recommendations from New York State Department of Environmental Conservation's Standards and Specifications for Erosion and Sediment Control dated August 2005, or the most current version or its successor. The plan and its implementation shall be subject to the approval of the Town Engineer.
3. All storm water control measures for this project are to be consistent with the New York State's Stormwater Design Manual Dated August 2004, or the most current version or its successor.
4. Plans shall note, "*The measures for the control of erosion and sedimentation are undertaken consistent with the New York State's Stormwater Design Manual, dated August 2004, or the most current version or its successor, satisfactory to the Town.*"

FEE SCHEDULE

TOWN OF GREENBURGH SPECIAL PERMIT FEE SCHEDULE

This form is to be included in the Application Package

Special Permit Fees	Fee		Totals
Special Permit	\$1,500		\$1,500
Parking Fee Per Space for proposed use	\$25	X _____ Number of Spaces	_____
Environmental Clearance Form	\$150		\$150
Wetlands/watercourse Clearance Form	\$100		\$100
Legal	\$250		\$250
Public Hearing Notice (Escrow) (separate check)	\$200		\$200
Public Hearing Transcript (Escrow) (separate check)	\$200		\$200
		Subtotal	\$2300

Escrow Review

Site Plan Review (separate check)	\$1,500 or 2% of the total cost of all site improvements, exclusive of the cost of construction of all buildings, whichever is greater		
SEQR	(per NYC RR Part 617)		
		Subtotal	\$0

Please include a separate check for each subtotaled portion of the application.

All fees must be made payable to the "Town of Greenburgh"

Town of Greenburgh, Department of Community Development and Conservation – File Use

	Date Received	Total	Staff initials
Special Permit Fees			
Escrow Review			

AFFIDAVIT OF OWNERSHIP

Please see the attached PDF copy of the Affidavit of Ownership

AFFIDAVIT OF OWNERSHIP

State of New York)ss.
County of Westchester)

_____ being duly sworn, deposes and says that (s)he resides at
_____ in the Town of _____ in the County
of _____ in the State of _____ that (s)he is the
owner in fee of all that piece or parcel of land situated and lying in the Town of Greenburgh
aforesaid and known and designated Parcel ID number 8.460-329-1,
and that (s)he hereby authorizes Samuel Dicker to make application in his/her
(its) behalf and that the statement of facts contained in said application is true.

Signature of Owner

Sworn to me before this _____

Day of _____ 20_____

Notary Public

DISCLOSURE FORM

TOWN OF GREENBURGH
DISCLOSURE FORM TO ACCOMPANY CERTAIN APPLICATIONS*

1. This form relates to property located within the Town of Greenburgh. The street address of the property which is the subject of this application is:

718 South Central Park Ave, Scarsdale, NY 10583

Name of Applicant: Samuel Avram Dicker

Address of Applicant: 4705 Center Blvd, Apt 2010, Long Island City, NY 11109

Date(s) of Application(s): 5/28/2024

Type(s) of Application(s): Special Permit - Animal Hospital

Project Name: Veterinary Emergency & Specialty Center, P.C.

2. Name and address of Owner(s) if different from Applicant: 718 Central Ave Land Co, LLC

209 West 38th Street, New York, NY 10018

3. Do any officers or employees of the State of New York, County of Westchester, Town of Greenburgh and/or Town of Greenburgh Agency have an interest** in the applicant or owner of the property? No

If the answer is "yes", please identify the person(s) by name, residence and the nature of extend of such interest.

4. If the application is for a project involving site plan approval of five acres or more and/or for a change of zoning, and either or both the applicant or the owner, if different from the applicant, is not an individual or individuals, list the owners and officers of the corporation, limited liability corporation, partnership or other legal entity.

Name of Applicant Legal Entity: N/A

Name(s) and Addresses of Applicant Owners*** and Officers:

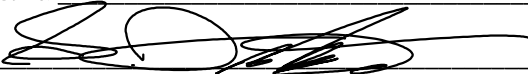
N/A

*Every application, petition, or request submitted for a variance, amendment, change of zoning, site plan approval, approval of plat, exemption from a plat or official map, license, special permit or permit pursuant to the provisions of any ordinances, local law or rule constituting the zoning and planning of the Town of Greenburgh.

**For the purpose of this paragraph, an officer or employee shall be deemed to have an interest in an applicant when s/he, his or her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them (a) is the applicant or (b) is an officer, director, partner of the applicant, or (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or (d) is a party to an agreement with such applicant, express or implied, whereby he or she may receive payment or other benefit whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

***With respect to any corporation traded on the New York, American or other stock exchange, any person who is the owner of more than 5% of the outstanding shares of stock or any class of such a corporation, and with respect to other than a publically traded corporation, a limited liability company or other legal entity, any person who is an owner of more than 2% of the equity of such legal entity.

Name of Applicant: Samuel Dicker

Signature: 

Date: 7/5/2024

**SPECIAL PERMIT APPLICATION
FORM**



Paul J. Feiner
Supervisor

**TOWN of GREENBURGH
DEPARTMENT OF COMMUNITY
DEVELOPMENT AND CONSERVATION**

177 Hillside Avenue, Greenburgh, NY 10607

Office: (914) 989-1530

Web Site <http://www.greenburghny.com>

Garrett Duquesne, AICP
Commissioner
Aaron Schmidt
Deputy Commissioner

SPECIAL PERMIT APPLICATION FORM

Subject Property:

Street Address:

718 South Central Park Ave, Scarsdale, NY 10583

Parcel ID: 8.460-329-1

Property Owner:

Name: 718 Central Ave Land Co, LLC

Street: 209 West 38th Street

City: New York

State: NY Zip: 10018

Telephone: Cell Phone : 203-866-3755 Fax: Email: ssinger1@optonline.net

Representative:

Name: Scott Singer

Street: 209 West 38th Street

City: New York

State: NY Zip: 10018

Telephone: Cell Phone : 203-866-3755 Fax: Email: ssinger1@optonline.net

List specific special permit(s) requested (attach additional sheets if necessary), include the Sections of Town of Greenburgh Zoning Code for each special permit, including chapter, section, subsection or paragraph.

§. 285-29.1 (b) [3] Special Permit Request: Free standing animal hospital

§. Special Permit Request:

§. Special Permit Request:

Describe use(s) for which Special Permit(s) is/are sought:

The property will be used as a free standing, 24/7 Emergency & Specialty Animal Hospital for domestic animals, mainly dogs and cats.

Overnight boarding of pets will only occur for those in need of hospitalization (treatment, monitoring, and advanced care).

Routine boarding of healthy animals will not occur.

State how use(s) meet Special Permit criteria:

All operations, including runways, will be within a totally enclosed, fully soundproofed, mechanically ventilated or air-conditioned building.

All operations will be conducted and the structure maintained in such a manner that they are not offensive, obnoxious or detrimental to adjoining properties by reason of noise or odors.

Operations will not include the boarding of animals or the operation of a kennel, except that the boarding of animals related to a course of medical treatment during the period of such treatment.

State name and residence, nature and extent of the interest of any state officer or employee of the Town of Greenburgh, pursuant to the provisions of § of the General Municipal Law of the State of New York.

7/5/2024

Date

Signature of Applicant or Representative

Samuel Dicker

Print or type name

**ENVIRONMENTAL CLEARANCE
FORM**



TOWN of GREENBURGH

Community Development & Conservation

Paul Feiner
Supervisor

ENVIRONMENTAL CLEARANCE FORM

Garrett Duquesne, AICP
Commissioner
Aaron Schmidt
Deputy Commissioner

Name of Application: Veterinary Emergency & Specialty Center, P.C.

Applicant:

Name: Samuel Dicker Street: 4705 Center Blvd, Apt 2010
City: Long Island City State: NY Zip: 11109
Telephone: (516) 312-6407 Email: dicker.sam@gmail.com

Subject Property:

Name or other identification of site: 718 South Central Park Ave, Scarsdale, NY 10583
Streets which site abuts: South Central Park Ave
Parcel ID#: 8.460-329-1 Zoning District: CA Total site area (sq. ft.): 49,950

Proposed Action:

A. State Type I Actions - This Type I list, is not an exhaustive list of those actions that an agency determines may have a significant effect on the environment and may require the preparation of an EIS. Therefore, the fact that an action or project has not been listed as a Type I action does not carry with it the presumption that it will not have a significant effect on the environment. This list is provided as a convenience. Please check 6 NYCRR Part 617 for further information on classifying the type of action. **(Please check all items that apply)**

1. The following changes in the allowable uses within any zoning district, affecting 25 or more acres of the district:
 - (a) Authorizing industrial or commercial uses within a residential or agricultural district; or
 - (b) Authorizing residential uses within an agricultural district.
2. The granting of a zoning change at the request of an applicant for an action that meets or exceeds one or more of the thresholds given in other sections of this list.
3. Construction of new residential units which meet or exceed the following thresholds:
 - (a) Fifty units not to be connected (at commencement of habitation) to community or publicly owned utilities.
 - (b) In a city, town or village having a population of less than 150,000, 200 units to be connected (at the commencement of habitation) to community or publically owned utilities.
4. Construction of new nonresidential facilities which meet or exceed any of the following thresholds; or the expansion of existing nonresidential facilities by more than 50% of any of the following thresholds:
 - (a) A project or action which involves the physical alteration of 10 acres.
 - (b) A project or action which would use ground or surface water in excess of 2,000,000 gallons per day.
 - (c) In a city, town or village having a population of 150,000 persons or less, parking for 500 vehicles.
 - (d) In a city, town or village having a population of 150,000 persons or less, a facility with more than 100,000 square feet of gross floor area.
5. Any structure exceeding 100 feet above original ground level in a locality without any zoning regulation pertaining to height.
6. Any action (unless the action is designed for the preservation of the facility or site) occurring wholly or partially within or contiguous to any facility or site listed on the National Register of Historic Places or any historic building, structure or site or prehistoric site that has been proposed by the Committee on the Register for consideration by the New York State Board on Historic Preservation for a recommendation to the State Historic Officer for nomination for inclusion in said National Register.
7. Any project or action, which exceeds 25% of any threshold in this section, occurring wholly or partially within or substantially contiguous to any publicly owned or operated parkland, recreation area or designated open space.
8. Any action which exceeds the locally established thresholds or, if no such thresholds are established, any action which takes place wholly or partially within or substantially contiguous to any critical environmental area designated by a local agency pursuant to Section 617.4

B. Local Type I – Activities located in: (Please check all items that apply)

- 1. Floodplains, as defined in Article 36 of the Environmental Conservation Law.
- 2. Tarrytown Lakes, watershed area.

C. Unlisted Action. Unlisted actions that do not meet the Type I thresholds, however some actions may still require an EIS. Some examples: nonresidential projects physically altering less than 10 acres of land, adoption of regulations, ordinances, local laws and resolutions that may affect the environment.

D. State Type II actions. Action will in no case have a significant effect on the environment based on the criteria contained in section 617.11 and any additional criteria contained in its procedures adopted pursuant to Section 617.4. This list is provided as a convenience. Please check 6 NYCRR Part 617 for further information on classifying the type of action. **(Please check all items that apply)**

- 1. The granting of individual setback and lot line variances.
- 2. Construction or placement of minor accessory or appurtenant residential structures, including garages, carports, patios, home swimming pools, fences, barns or other buildings not changing land use or density.
- 3. Construction or expansion of a single-family, two-family, or three-family residence on an approved lot.
- 4. Construction or expansion of a primary or accessory, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance.
- 5. Street openings for the purpose of repair or maintenance of existing utility facilities
- 6. Agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures and land use changes consistent with generally accepted principles of farming.
- 7. Repaving of existing highways not involving the addition of new travel lanes.
- 8. Installation of traffic control devices on existing streets, roads and highways.
- 9. Public or private forest management practices other than the removal of trees or the application of herbicides or pesticides.
- 10. Minor temporary uses of land having negligible or no permanent effect on the environment.
- 11. Replacement of a facility, in kind, on the same site unless such facility meets any of the thresholds in Section 617.12.
- 12. Other Type II actions (specify). Reuse of a commercial structure

Involved Agencies

- 1) Is the action located on property within 500 feet of:
 - a) The boundary of an adjoining city, town or village Yes No
If yes, which municipality? _____
 - b) The boundary of an existing or proposed state or county park, recreation area or road right-of-way Yes No
If yes, who has jurisdiction? Westchester County NYSDOT NYSOPRHP
 - c) An existing or proposed county drainage channel line Yes No
 - d) The boundary of state- or county-owned land on which a public building/institution is located Yes No
 - e) The boundary of a farm located in an agricultural district Yes No
- 2) Will a sewer district have to be expanded for the project? Yes No
If yes, which district? _____

Relationship to other actions:

1) List any related action that may be undertaken as a result of this proposed action:

N/A

2) List any actions, which are dependent upon this proposed action, and therefore should be reviewed as part of this action (e.g., house construction in the case of a residential subdivision):

N/A

Samuel Dicker

7/5/2024

Signature of Applicant

Print Applicant's Name

Date

NOTE: The completion of this Environmental Clearance Form does not confer any rights, privileges, licenses, permits or other entitlement upon the applicant and does not relieve the applicant from compliance with all other applicable laws, rules and regulations of the Town of Greenburgh.