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JUN 18 2026



TOWN OF GREENBURGH
PLANNING BOARD MINUTES
GREENBURGH – NEW YORK
Wednesday – June 3, 2026

TOWN OF GREENBURGH
DEPARTMENT OF COMMUNITY
DEVELOPMENT & CONSERVATION

The Work Session of the Planning Board of the Town of Greenburgh began at 7:08 pm on Wednesday, May 20, 2026, and was held in-person at Town Hall, located at 177 Hillside Avenue, Greenburgh, New York, and online via Zoom-enabled videoconference. It was also simulcast over cable television and on the Town of Greenburgh website.

1. **ROLL CALL & ANNOUNCEMENTS**

Present: Chairperson Dylan Pyne, Emily Anderson, and Natasha Robinson (Alternate #1, Voting Member)

Absent: Edwin Weinberg, Marc Pillinger, and Vikash Patel (Alternate #2)

Staff: Aaron Schmidt, Deputy Commissioner, CD&C
Amanda Magana, Esq., First Deputy Town Attorney

2. **APPROVAL OF MINUTES**

a. **May 20, 2026**

Chairperson Pyne asked if there were any comments on the draft minutes of the May 20, 2026 Planning Board Work Session prepared by staff. There were none.

On a motion made by Ms. Anderson and seconded by Ms. Robinson, the Planning Board unanimously voted to approve the minutes of the May 20, 2026 Planning Board Work Session, as written.

3. **CORRESPONDENCE**

4. **OLD BUSINESS – WORK SESSION**

a. **Case No. PB 26-03** *Matanzas Cuban Café, 17 East Hartsdale Avenue (P.O. Hartsdale, N.Y.) – Special Use Permit (Restaurant) and Shared Parking Reduction*

A work session to discuss the decision of a Special Use Permit (Restaurant) application and Shared Parking Reduction Request involving the proposed conversion of a current retail bakery and retail space into a restaurant. The Applicant is proposing to convert approximately 588 sq. ft. of retail bakery and approximately 588 sq. ft. of vacant retail space into a 1,176 sq. ft. restaurant space with a total of 33 seats. The Applicant is requesting a Shared Parking Reduction for the additional 13 required off-street parking spaces. The project site currently provides zero (0) spaces. No exterior site work is proposed. The subject property consists of approximately 7,405 sq. ft. (0.17 acres) and is situated on the northeasterly side of East Hartsdale Avenue, at the northwest corner of the intersection of East Hartsdale Avenue and Wilson Street. The subject 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: 8.250-190-1.

Chairperson Pyne stated that a draft decision had been prepared and distributed by staff, and asked if there were any questions or comments. There were none. Mr. Schmidt stated that the conditions in the draft decision were the standard conditions associated with a Restaurant Special Use Permit and for a Shared Parking Reduction request.

On a motion made by Ms. Robinson and seconded by Ms. Anderson, the Planning Board unanimously voted to classify the proposed action as an *Unlisted* action, under SEQRA.

On a motion made by Ms. Anderson and seconded by Ms. Robinson, the Planning Board unanimously voted to issue a Negative Declaration for the proposed action, under SEQRA.

On a motion made by Ms. Robinson and seconded by Ms. Anderson, the Planning Board unanimously voted to approve the Special Use Permit (Restaurant) application.

On a motion made by Ms. Anderson and seconded by Ms. Robinson, the Planning Board unanimously voted to approve the Shared Parking Reduction request.

5. PUBLIC HEARINGS AND PUBLIC DISCUSSION

Full transcripts of the items on for public hearing and public discussion will be made available through the Department of Community Development and Conservation and will be posted on the Town of Greenburgh website.

- a. **Case No. PB 25-33** Addeo, 18 Old Farm Lane (P.O. Hartsdale, N.Y.) – Wetland/Watercourse Permit
A public hearing to discuss a Wetland/Watercourse Permit application involving the proposed construction of a new pool and patio area, with associated installation of a bioretention basin for managing stormwater runoff. A watercourse exists along the Applicant’s northern property line, approximately 19 feet from the closest area of disturbance related to the project. The watercourse buffer area on the Applicant’s property consists of most of the existing residence and driveway, and the project involves approximately 2,874.6 sq. ft. of disturbance and 37.22 cubic yards of excavation within the regulated buffer area associated with the proposed pool, patio, and bioretention basin. No direct disturbance to the watercourse is proposed. The subject property consists of approximately 31,669.7 sq. ft. (0.73 acres) and is situated on the northern end of the Old Farm Lane cul-de-sac. The property is situated in the R-30 One-Family Residence District and is designated on the tax map of the Town as Parcel ID: 8.180-133-4.

On a motion made by Ms. Robinson and seconded by Ms. Anderson, the Planning Board unanimously voted to close the public hearing and to keep the written record open through June 10, 2026.

6. NEW BUSINESS – WORK SESSION

- a. **Case No. PB 26-04** Greenville Shopping Center EV Chargers, 799-855 Central Park Avenue South (P.O. Scarsdale, N.Y.) – Planning Board Shared Parking Reduction Request
A work session to discuss a Shared Parking Reduction request involving the proposed installation of electric vehicle (EV) charging stations. The Applicant is proposing to install ten (10) EV charging stations and related equipment within seventeen (17) existing off-street parking spaces. The parking spaces involved are located along Central Park Avenue, between the existing outbuilding and main shopping center building. The proposal would result in a net loss of five (5) off-street parking spaces, from 463 parking spaces (existing) to 458 parking spaces (proposed), and the Applicant is requesting a Shared Parking Reduction of five (5) parking spaces. The Applicant has submitted a parking analysis to support its request. The subject property consists of approximately 7.05 acres (306,967 sq. ft.) and is located approximately 400 feet north of the intersection of Central Park Avenue and Ardsley Road. The subject 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: 8.460-328-1.

Following Chairperson Pyne’s introduction of the project, Mr. Dean Apostoleris, of Kimley-Horn, representing the Applicant, provided a presentation of the project involving the proposed installation of electric vehicle (EV) charging stations and associated electrical equipment. He clarified that the Applicant is proposing a total of five (5) dual-port DC fast chargers to service ten (10) off-street parking spaces. Mr. Apostoleris stated that a net reduction of five (5) parking spaces is proposed due to the inclusion of electrical and power equipment for the EV chargers and the addition of an ADA-compliant parking space. He indicated that the typical dwell time is 30 to 60 minutes, depending on the vehicle. Mr. Apostoleris stated that existing EV chargers and related equipment in the area of the proposed work would be removed. Mr. Schmidt asked if the proposed EV chargers would be universal or specific to a brand. Mr. Ryan Gram, of Kimley-Horn, representing the Applicant,

explained that six (6) stalls would have CCS charging ports and four (4) would have NACS charging ports, serving all electric vehicles. Mr. Schmidt reported that the Deputy Building Inspector, on May 14, 2026, issued a memorandum recommending approval of the Shared Parking Reduction request of five (5) off-street parking spaces, citing adequate documentation of underutilized parking spaces and sufficient parking capacity to serve the site.

Chairperson Pyne requested that the Applicant review the proposed site improvements related to the EV chargers, noting that there were multiple proposed options. Mr. Gram reviewed the site improvement options, with the preferred option connecting the proposed ADA parking space to the existing sidewalk along Central Park Avenue; Alternative route one would connect the ADA space to the outbuilding via an existing ADA space but would result in the removal of two (2) additional off-street parking spaces; and Alternative route two would connect the ADA space to the nearby outbuilding with a striped, diagonal crosswalk. Chairperson Pyne asked where the nearest crosswalk across Central Park Avenue was relative to the project site and asked if the curb cuts associated with this shopping center included pedestrian crosswalks. Mr. Gram responded that the curb cuts include concrete sidewalks across them, though they are unpainted. Chairperson Pyne asked if the crossings could be painted. Mr. Gram responded that he would review this and report back to the Board. Chairperson Pyne strongly recommended that the crosswalks be painted.

Ms. Robinson noted that a pet waste station is proposed on the plans and asked who would be maintaining the station. Mr. David Lane, of Ionna, representing the Applicant, stated that the Applicant has contracts with local maintenance partners that will service the trash receptacles. Ms. Robinson asked if the pet waste station area would remain grassed. Mr. Gram responded that it would remain grassed and two (2) existing trees in the landscaped island would remain. Ms. Anderson requested that the Applicant review the lighting plan. Mr. Gram presented the proposed lighting plan, stating that the proposed lights would be shielded. Chairperson Pyne asked if the EV chargers would be available 24/7 with lights on 24/7. Mr. Gram responded that they are proposed to be. Mr. Schmidt stated that he would check with the Building Department on the proposed 24/7 lighting.

Ms. Anderson asked if there were any opportunities to increase the capacity of the stormwater management system on-site, noting that Central Park Avenue can be susceptible to flooding. Mr. Gram responded that the Applicant is proposing to add just 100 sq. ft. of impervious surface coverage and, to help offset this, is proposing for two (2) parking stalls to include pervious pavers. Chairperson Pyne noted that pervious pavers are not credited as pervious surfaces under Town Code. Mr. Schmidt indicated that a Stormwater Management Control Permit likely will not be required due to the increased impervious surface area of only 100 sq. ft., though he would confirm with the Town Engineer. Mr. Schmidt asked if a maintenance manual would be provided for the pervious pavers. Mr. Gram responded that one could be provided.

Chairperson Pyne asked who the typical clientele would be for the EV chargers. Mr. Gram responded that it would likely be people already using the area for shopping, with some passing drivers stopping for 30 minutes to charge, shop, and use a restroom. Mr. Schmidt asked if the EV chargers would be pay-per-use. Mr. Lane confirmed that they would be pay-per-use. Chairperson Pyne asked what restrooms would be open to the public. Mr. Lane responded that it depends on the user visits and what stores or restaurants they go to. Chairperson Pyne scheduled the project for a SEQRA determination and decision for the June 17, 2026 Planning Board meeting and directed staff to prepare a draft determination and draft decision.

- b. **Case No. PB 26-05** Barakat, 8 Willow Lane (P.O. Irvington, N.Y.) – Preliminary Subdivision
A work session to discuss a Preliminary Subdivision application involving the proposed resubdivision of 8 Willow Lane to include a portion of 165 Taxter Road. The Applicant proposes to expand 8 Willow Lane to include approximately 2,357 sq. ft. of what is now the 165 Taxter Road property. The area proposed to be annexed is vacant lawn area, and no improvements are proposed. Both lots involved would remain zoning compliant following the transfer of property. The 8 Willow Lane property consists of approximately 0.20 acres (8,622 sq. ft.) and is situated on the easterly side

of Willow Lane, approximately 250 feet north of the intersection of Willow Lane and Taxter Road. The 165 Taxter Road property consists of approximately 0.26 acres (11,158 sq. ft.) and is situated on the north northwesterly side of Taxter Road, approximately 150 feet east of the intersection of Taxter Road and Willow Lane. The subject properties are located in the R-7.5 One-Family Residence District, and are designated on the tax map of the Town of Greenburgh as Parcel ID: 7.370-190-44.1, 44.2, and 49.

Following Chairperson Pyne's introduction of the project, Mr. Michael Barakat, Applicant and owner of the 8 Willow Lane property, presented the proposed lot line shift for 8 Willow Lane to acquire a portion of the 165 Taxter Road property. He stated that the intention of the proposal is to increase the amount of yard and play space. Mr. Schmidt asked if any grade changes would be involved as part of expanding the yard space. Mr. Barakat responded that no alterations are proposed. He stated that existing fencing demarcating the property line would be relocated to demarcate the proposed property line. Ms. Anderson asked if the title and deed history of 165 Taxter Road could be provided. Mr. Barakat responded that it could be. Chairperson Pyne asked about the history of the right-of-way on the plat. Mr. Barakat responded that he has been working with Mr. Britton on the history of the right-of-way and he has been unable to find detailed history for it. Mr. Barakat added that portions of the right-of-way have been parceled off to neighboring property owners. He stated that he has documentation related to the half of right-of-way the 8 Willow Lane property owns and can seek to provide documentation for 165 Taxter Road showing similar ownership. Chairperson Pyne noted that the Board needs to understand if the 165 Taxter Road property has the right to sell this portion of right-of-way.

Ms. Anderson asked if there is a lender that needs to provide consent for the transfer of land. Mr. Barakat responded that there is a lender for 165 Taxter Road that he has been working with concurrently with the Planning Board application, noting that the lender has indicated there should not be an issue with the transfer of land. Ms. Anderson asked if there is an accessory structure on the 165 Taxter Road property. Mr. Schmidt stated that a shed is located on the property, however, a variance was not deemed necessary by the Building Inspector's office.

Chairperson Pyne stated that he would like more clarity on the matter of the right-of-way and asked if that could be obtained before June 17th. Mr. Barakat asked about next steps if 165 Taxter Road does not have the same documentation that he has for 8 Willow Lane. Ms. Magana stated that, historically, it appears that an old right-of-way existed and was parceled off to neighboring properties except for this small portion, so a deed history of 165 Taxter Road would be needed to see if ownership extends to the right-of-way. Ms. Magana noted that a title report could provide the information. Chairperson Pyne scheduled the project for a public hearing at the June 17, 2026 meeting.

c. **Case No. PB 22-24** Hart Hills Hospitality, 45 North Washington Avenue (P.O. Hartsdale, N.Y.) – *Amendment to Previously Approved Site Plan (Pre-Submission Conference)*

A pre-submission conference to discuss a potential future amendment request to a previously approved Site Plan, to increase the height and number of units of a previously approved multifamily building. The Applicant previously obtained approval from the Planning Board on December 7, 2023 (Site Plan, Planning Board Steep Slope Permit, Tree Removal Permit, Planning Board Landscape Waivers), and approval from the Zoning Board of Appeals related to necessary Area Variances on October 19, 2023, for the construction of a two-story, eight (8) unit multifamily building with related improvements. The Applicant is seeking to increase the height of the multifamily building to three (3) stories, not to exceed 40 feet, and to increase the number of units to twelve (12) apartments. These modifications would require additional Area Variances from the Zoning Board of Appeals, as well as an Area Variance for off-street parking from 24 spaces (required), to 18 spaces (proposed/previously approved). The Applicant is not seeking to modify the extent of disturbance or footprint of the previously approved building. The subject property consists of approximately 27,378 sq. ft. (0.63 acres) and is situated on the northwesterly side of North Washington Avenue, approximately 400 feet from the intersection with West Hartsdale Avenue. The subject property is

located in the M-14 Multifamily Residence District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.250-183-3.

Chairperson Pyne introduced the project. Vincent Pedone, Esq., of Zarin and Steinmetz, representing the Applicant, provided background of the previously approved two-story, eight-unit multi-family residence. He stated that the Applicant is seeking feedback from the Board regarding a potential increase in height to three (3) stories and increase in unit count to twelve (12) units. He indicated that a potential zoning change was explored but the Applicant deemed that seeking Area Variances would be most appropriate. Mr. Pedone stated that the anticipated required Area Variances include: (1) height of the building, from 2 stories/38 feet (permitted) to 3 stories/40 feet (proposed); (2) lot area, from 36,000 sq. ft. (required) to 22,912 sq. ft. (proposed); (3) open space, from 2,250 sq. ft. (required) to 1,500 sq. ft. (proposed), though the Applicant may be able to expand the open space provided; (4) off-street parking spaces, from 24 spaces (required) to 18 spaces (proposed), though the Town is considering zoning amendments which would reduce the required off-street parking to one (1) space per unit when located near multimodal transit; and (5) affordable housing units, from 1.2 units (required) to 1 unit (proposed), though the Town is considering zoning amendments which would reduce the required affordable housing unit to one (1) unit for a multi-family building with 6-14 units.

Mr. Schmidt noted that 1,500 sq. ft. of open space was provided as part of the previously approved project and recommended that the Applicant take a hard look at the possibility of increasing the amount of open space, due to a potential 50% increase in unit count. Ms. Magana reported that the Building Inspector has recommended that the electric vehicle charging stations (EVCS) be relocated out from under the building, due to the risk of fire. Mr. Schmidt noted that more safety information has become available in the time since the project was originally approved. Chairperson Pyne suggested the installation of sprinklers for the under-building parking area.

Chairperson Pyne asked if decks would be proposed for the third story units. Brian Sinsabaugh, Esq., of Zarin and Steinmetz, representing the Applicant, responded that plans are not fully developed though it is likely that decks would be proposed at the rear of the third story units. Mr. Schmidt asked about the relative elevation difference between the subject site and neighboring properties. Mr. Sinsabaugh responded that the properties to the north and west are at higher elevations. Chairperson Pyne requested that the Applicant provide a rendering of the proposed building from the most impacted neighboring property/properties. Ms. Robinson asked if the off-street parking spaces in front of the building would be too close to the building for the EVCS, and if the trash receptacle space should be swapped with the parking spaces. Mr. Sinsabaugh responded that the location of the trash receptacle was reviewed at length as part of the prior approved project, and is located on the site to allow for vehicles to enter and exit the under-building parking while trash is being picked up, while also serving as a temporary loading zone, so relocating the trash receptacle would block the garage.

Chairperson Pyne asked for clarification on the affordable housing requirements and proposed changes to requirements. Mr. Schmidt explained that, under prior Building Inspectors, Applicants were allowed to round down the number of required affordable housing units in certain situations and that, under the current Building Inspector's interpretation, affordable housing unit requirements must be rounded up to be compliant with the 10% requirement. Mr. Schmidt stated that the proposed zoning amendments would clarify the requirements for affordable housing units, with one (1) affordable housing unit required for a 6-14 unit multi-family building, two (2) affordable housing units required for a 15-25 unit multi-family building, etc.

Mr. Schmidt asked the Board for feedback on the five (5) Area Variances identified by the Applicant. He noted that the Board indicated it desires a rendering from the neighboring property with respect to the height variance. Chairperson Pyne asked how many Area Variances were required previously. Mr. Sinsabaugh responded that he was not sure. Mr. Schmidt stated that new Area Variances would only need to be obtained for new conditions and previously granted Area Variances would still be applicable. Chairperson Pyne asked if a variance for off-street parking was required for the previous application. Mr. Schmidt responded that it was not, and a variance would be required with the

proposed increase in units, though zoning amendments are being considered which may eliminate the need for this variance.

Ms. Magana asked if blasting is being considered for rock removal. Mr. Pedone responded that it is not, as the rock is too close to neighbors. Mr. Schmidt requested that the Applicant review the stormwater management design of the approved design and see if the system can be increased in size to handle a greater storm event. Chairperson Pyne thanked the Applicant for its presentation.

7. OLD BUSINESS – WORK SESSION (continued)

a. Case No. TB 25-04 Comprehensive Chapter 285 Amendments – *Zoning Text and Zoning Map Amendments (Referral from Town Board)*

A continued work session (May 20, 2026) to discuss the Zoning text and Zoning map amendments referral from the Town Board related to Chapter 285 of the Code of the Town of Greenburgh (the Zoning Ordinance). The proposed Zoning text and Zoning map amendments align with several policies and principles of the Town's Comprehensive Plan, including, but not limited to: (1) Advancing affordable housing initiatives; (2) Providing for a good mix of uses in the Town's mixed-use districts; (3) Promoting open space and compact land development; (4) Supporting the mobility needs of a range of users; (5) Providing clear and consistent regulations; (6) Advancing sustainability initiatives; (7) Removal of the UR Urban Renewal District; (8) Creation of a M-30 Multifamily Residence District; and (9) Creation of a TR Tarrytown Road Mixed-Use District.

Chairperson Pyne noted that this is the second of several Town staff presentations to the Planning Board focusing on the Chapter 285 Zoning Ordinance and Zoning Map Amendments proposed by the Town Board. He indicated that the Planning Board will discuss the various amendments and provide a recommendation to the Town Board.

Commissioner Duquesne thanked the Board for again for allowing him the time to present various aspects of the Chapter 285 Zoning Ordinance and Zoning Map Amendments. Last meeting we had a good discussion with respect to the proposed TR - Tarrytown Road Mixed-Use District, the proposed M-30 Multi-Family District, and the proposed removal of the Urban Renewal District.

Chapter 285 Zoning Ordinance Updates – Affordable/Workforce Housing

Commissioner Duquesne started with an overview of the Zoning Ordinance changes that pertain to the manner in which affordable housing is regulated in the Town.

Let's start with some baseline statistics, there are 18,000+ housing units in unincorporated Greenburgh, 784 of which are reduced rate affordable units, meaning rented or sold to occupants that do not exceed 80% area median income. This represents almost 4.5% of the Town's housing stock, which I believe is actually a high number compared to other municipalities in the County. Staff are working on data on that.

Of these 784 affordable units, 58 of them are a result of the Town's existing Inclusionary Zoning Ordinance Requirement which requires that 10% of new multi-family housing developments proposals be rented or sold below market rate, to occupants that do not exceed 80% area median income. Of these 58 units created from the 10% requirement, 56 are rental units (3 developments in yellow), and 2 are for sale units (Preserve at Greenburgh 18-unit Townhouse development).

The remainder of 784 affordable housing units outside of the 58 from the 10% requirement, or 726 units, came in as voluntary 100% affordable housing units in multi-family developments. Some examples are those managed or developed by the Greenburgh Housing Authority, or from private affordable housing developers or providers such as Westhab and Marathon Wilder Balter Partners.

The 58 units from the 10% requirement are a small percentage of the total 784 housing units, mainly because of the fact that there has not been a significant number of new market rate multi-family buildings built since the time that the 10% provision came into effect in 1996.

Had the 10% requirement existed towards the beginning of the Town's significant development growth patterns and had it historically applied to single and multi-family developments, the Town would be expected to now have closer to the 10% of its total housing units be affordable, which would have equated to approximately 1,820 units, however, all things considering, 784 units is significant and a testament to present and past Town leadership through its Boards, policies and those that have invested in the Town.

In preparing updates to Chapter 285 with regards to affordable housing considerations, staff were guided by the Comprehensive Plan, the Town's Greenburgh Against Systemic Racism group led by Councilwoman Gina Jackson, comments from residents, the Planning Board and from past affordable housing committees, as well as from best practices from an inclusionary housing Planning perspective.

In preparing the amendments, gaps in zoning ordinance were identified. The 10% reduced rate affordable housing provision that exists in the Town does not include applicability within all zoning districts that permit multi-family zoning. By adding this requirement to the Planned Unit Development, TR District, and M-30 District, and when approved, the Four Corners Overlay District, this gap will be closed.

In addition, there is no requirement for a 10% set-aside in the Town's One-Family Residence Districts. The Chapter 285 amendments rectify this gap. In terms of Area Median Income applicability, the Town presently has a requirement that; whether deemed workforce or affordable housing units, the eligible occupants shall not have an income or combined income that exceed 80% AMI.

Let's briefly dive in to 2026 area median income (AMI) figures in Westchester County. 100% County AMI is approximately \$170,000 for a family of four. – for a 1-person household 100% AMI is \$118,000. 80% AMI for a family of 4 is \$136,000 – for a 1 person household 80% AMI is \$95,000. 60% AMI for a family of 4 is \$101,000 – for a 1 person household 60% AMI is \$71,000.

Recall the 10% set-aside requirement in Greenburgh defaults to a not to exceed 80% AMI. In addition to extending the 10% requirement to all applicable zones in the Town, the other significant proposed Chapter 285 update was to slide the requirement in a way deemed more inclusionary. Meaning, update the requirements to have new set-aside units available also to those with incomes not exceeding 70% and 60% AMI. This was achieved by a proposed elimination of the terms affordable and workforce housing (which both focus up to 80% AMI) and replacement with 3 tiers of Workforce housing that cap at 60%, 70% and 80%.

I believe these amendments would position the Town as one of the more progressive communities in the County, with regard to inclusionary zoning.

Of note, Westchester County in reviewing the amendments, commented that it appreciated the zoning district eligibility updates the Town seeks to make, particularly with adding to one-family residential zones and projects. It also appreciated the eligibility requirement to begin at 5-unit projects.

Westchester County recommended that Greenburgh consider having a uniform 60% AMI cap for rentals and define it as "Affordable Housing." It noted that the term workforce housing is generally associated with 80%-120% AMI maximums.

Before I give my assessment on these County comments, I'd like to pause here for questions or comments from Board members.

Chairperson Pyne suggested including language to allow developers to provide more affordable housing at lower tiers than required. Commissioner Duquesne stated that the language could be revised and clarified, and noted that if a developer provides 20% affordable housing units, they would be eligible for a density bonus. Ms. Magana advised that if the Town Board declined to include the recommendations issued by the Westchester County Planning Board, it would require a supermajority vote.

Commissioner Duquesne indicated that adhering to the County-recommended minimum of 60% for all set-aside rental units could have the effect of being too limiting for certain professionals in the 65% - 80% AMI range and that the Town's draft which incorporates tiers may be preferable. Board members agreed. Commissioner Duquesne noted that he believes the Tier system is, at a minimum, an incremental and very positive step in the direction of the County Model Ordinance and that the one update he has recently considered, is to move away from the term "Workforce", which typically connotes 80% to 120% plus, and utilize the terminology "below market rate / or [BMR-units]". Commissioner Duquesne noted that the Town could keep the framework of its Tiers, but instead refer to BMR-1, BMR-2, and BMR-3, as opposed to the workforce housing tiers; Planning Board members concurred with this approach.

Commissioner Duquesne reviewed the proposed addition of the 10% requirement for the one-family residential districts and projects, noting that to the extent the below market rate units are for sale, those would be sold to occupants that do not exceed 80% AMI, which is proposed to mimic the County model ordinance for the treatment of for-sale units.

Commissioner Duquesne also noted that the Chapter 285 amendments do provide a developer with the option of providing 10% of the project as below market rate, or alternatively, the proposed amendments allow for an optional inclusion of accessory dwelling units (ADU) to comply. This would be achieved by designing those units into the project and having approved two (2) ADU units for every one (1) affordable housing unit, which would not have income-based requirements.

Ms. Robinson asked if there was an age requirement for occupying an ADU. Ms. Magana responded that no age component was considered. Chairperson Pyne stated that it could be worth considering an age requirement. He felt that it is important not to conflate the purpose of the ADU law that the Town Board recently passed with the purpose of the affordability requirements and the alternative option that would be granted to developers should they choose the ADU option. He indicated that the goal is to provide affordable housing to those who meet the AMI requirements and he feared that, although unlikely, without some parameters, someone may purchase a home in a subdivision that has an ADU but use the ADU for a purpose that does not provide housing, such as extra storage. Chairperson Pyne opined that it is important that while the ADU law that was passed was not explicitly meant to be an affordable housing measure, this Zoning Text Amendment is meant to be an affordability measure. Chairperson Pyne asked staff to explain how the Town ensures compliance for set-aside below market rate units. Commissioner Duquesne responded that the Town Board approved a resolution to go into contract with Westchester County, for the purpose of the County annually monitoring the Town's 58 Below Market Rate units, which has been a very helpful service and been applicable to all rental and for-sale units.

Chairperson Pyne stated that the Board should further explore if there is a way to create affordability requirements around these ADUs and incorporate the oversight into the affordable ADUs. He noted that ADUs are typically rented to a third party or to a family member, and he was unsure how the County program would satisfy that use of an ADU, but he felt that there should be some oversight so that the goal of providing affordable housing is not lost if a developer goes the ADU route. Chairperson Pyne indicated that flexibility should be considered to allow a developer to do combinations of set-asides to, for example, build one for sale below market unit, and provide two

below market rate ADUs in a 20-lot subdivision. Commissioner Duquesne stated that he would work this recommendation in to the Zoning Text Amendment.

Commissioner Duquesne stated that he had received an email from a Board member expressing concern with the 50-year time requirement for a unit to be workforce-restricted. He stated that his understanding is that after the 50-year mark the unit is no longer restricted. He noted that the model law from the County recommends at least 50 years, and additional research in what other communities do for potentially longer terms is warranted. Ms. Robinson expressed concern that if there is only a 50-year requirement tied to units being affordable or workforce, the stock of affordable units could decrease over time. Deputy Commissioner Schmidt stated that he believed the affordable units in the Avalon Green project were stipulated for a period of 99-years. Commissioner Duquesne stated that he would review this and report back to the Board.

Chapter 285 Zoning Ordinance Updates – Cannabis Retail Sales

Commissioner Duquesne stated that, at present, the Town of Greenburgh allows Cannabis Retail Dispensaries in the PD Non-Residential Planned Development District which is in the north part of the Town and is a mix of research and development, warehousing, office building, and flex space. Since the approval of the Town's cannabis ordinance, there have been no proposals for a Special Use Permit from the Planning Board for this use, well over a year. Generally the market for cannabis retailers as shown in surrounding communities that allow them such as the Village of Tarrytown and the City of White Plains, these uses have occupied commercial space on their main streets and along their mixed-use corridors. Accordingly, the proposed amendments in this regard in Chapter 285 would expand the zoning districts where cannabis would be subject to a Special Use Permit to the DS Designed Shopping District, CA Central Avenue Mixed-Use District, CB Close Business District, and TR Tarrytown Road Mixed-Use Districts. These uses would be subject to the comprehensive set of criteria that the Town already requires to obtain a special permit in the PD District.

The map on the screen highlights in green the areas these zoning districts would encompass, with a focus on Central Park Avenue, NYS Route 119, Saw Mill River Road, and a few other commercial shopping areas.

Commissioner Duquesne highlighted two setback requirements that are applicable, a 500 ft. minimum distance separation between cannabis retailers, and a 500 ft. minimum distance separation between cannabis retailers and school property. This would be a limiting factor for a like facility in Yonkers or White Plains as example, where these uses are close to the border with the Town. There are schools in the Town whose location would also have a limiting effect on the locations of cannabis retailer.

Chairperson Pyne requested that additional mapping showing the 500-foot setback from schools be provided, and asked if this requirement could be made more stringent. Ms. Magana indicated that, generally, local governments can legislate stricter local requirements, and would check to see if this is precluded by NYS law for cannabis. Chairperson Pyne noted that the Town adopted a restrictive law limiting advertisements for smoke shops a few years ago and asked how that law would apply to cannabis retailers. Commissioner Duquesne stated that it would have to be looked into. Ms. Magana advised that the State cannabis law prohibits restrictions greater than the State provides, and that for smaller municipalities there is a lesser separation distance. Chairperson Pyne noted that licensed cannabis shops have opened just over the border in Yonkers and White Plains, with seemingly no issues. Ms. Anderson requested a buffer analysis of the setbacks from schools, houses of worship, and community centers. She asked if a buffer between cannabis dispensaries and residential areas could be provided. She opined that it would be helpful to understand the economic impact of dispensaries such as if they draw more traffic to surrounding businesses.

Residential Chicken Regulations Discussion

Commissioner Duquesne explained that, with the exception of working farms, the keeping of chickens is prohibited in the Town. The Chapter 285 amendment in this regard is to allow the keeping of chickens in the One-Family residence districts subject to minimum lot size (20,000 sq. ft. or roughly half acre), restrictions on the number of chickens, minimum setbacks, cleanliness provisions etc.

Ms. Robinson asked how cleanliness would be regulated. Commissioner Duquesne responded that it would likely be enforced through complaints, or if an inspector observed an unkempt property or coop while in the field. Ms. Magana noted that this is similar to existing maintenance regulations enforcement. Chairperson Pyne asked if existing chicken coops would be able to be legalized. Commissioner Duquesne responded that they would have a path to legalize an existing chicken coop. Ms. Anderson asked if there was a complaint procedure. Ms. Magana responded that complaints would be handled through the Building Department. Ms. Anderson stated that it would be beneficial to understand how other communities handle the keeping of chickens. Chairperson Pyne added that it would be helpful to know how many complaints the Building Department has received about chickens.

Chairperson Pyne thanked Commissioner Duquesne for his presentation.

8. ESTABLISH DATE FOR NEXT MEETING

The next regularly scheduled meeting of the Greenburgh Planning Board will be held on Wednesday, June 17, 2026, and is scheduled to begin at 7:00 pm.

9. ADJOURNMENT

The June 3, 2026 Work Session of the Town of Greenburgh Planning Board was adjourned at 9:59 p.m.

Respectfully submitted,



Aaron Schmidt
Deputy Commissioner,
Department of Community Development and Conservation



TOWN OF GREENBURGH
PLANNING BOARD

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1. ROLL CALL

5. ITEMS FOR PUBLIC HEARINGS/PUBLIC DISCUSSION

- a. CASE NO. PB 25-33
ADDEO
18 Old Farm Lane
(P.O. Hartsdale, N.Y.)

ADJOURNMENT.

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Greenburgh Town Hall
177 Hillside Avenue
Greenburgh, New York 10607
June 3, 2026

HYBRID PLANNING BOARD MEETING

BARBARA MARCIANTE,
Official Court Reporter

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A P P E A R A N C E S :

DYLAN PYNE, CHAIRPERSON

EMILY ANDERSON, Board Member
MARC PILLINGER, Board Member (Not Present)
EDWIN WEINBERG, Board Member (Not Present)

VIKASH PATEL, Alternate Board Member (Not Present)
NATASHA ROBINSON, Alternate Board Member

AMANDA MAGANA, First Deputy Town Attorney

AARON SCHMIDT,
Deputy Commissioner of The Department of
Community Development and Conservation

MATTHEW BRITTON,
PLANNER of the Department of
Community Development and Conservation

CASE NO. PB 25-33

1 CHAIRPERSON PYNE: Next, we have one item for
2 Public Hearing this evening. So I'll entertain a motion to
3 open our Public Hearing portion of our meeting.

4 ALTERNATE BOARD MEMBER ROBINSON: So moved.

5 CHAIRPERSON PYNE: Moved Ms. Robinson.

6 BOARD MEMBER ANDERSON: Second.

7 CHAIRPERSON PYNE: Second Ms. Anderson. All in
8 favor?

9 BOARD MEMBER ANDERSON: Aye.

10 ALTERNATE BOARD MEMBER ROBINSON: Aye.

11 CHAIRPERSON PYNE: Chair votes aye. Welcome to
12 the Public Hearing. It is Wednesday, June 3rd, 2026 at
13 7:13 p.m. This is the Planning Board Public Hearing.

14 Deputy Commissioner Schmidt, may you conduct the
15 roll?

16 DEPUTY COMMISSIONER SCHMIDT: Chairperson Pyne?

17 CHAIRPERSON PYNE: Present.

18 DEPUTY COMMISSIONER SCHMIDT: Ms. Anderson?

19 BOARD MEMBER ANDERSON: Present.

20 DEPUTY COMMISSIONER SCHMIDT: Our Alternate,
21 Ms. Robinson?

22 ALTERNATE BOARD MEMBER ROBINSON: Here.

23 DEPUTY COMMISSIONER SCHMIDT: Not present this
24 evening are Mr. Weinberg, Mr. Pillinger and Mr. Patel.
25 Therefore, Ms. Robinson will be a full voting member in

1 place of Mr. Weinberg. Thank you.

2 CHAIRPERSON PYNE: Thank you. So our first and
3 only Public Hearing this evening is Case Number PB 25-33,
4 Addeo, at 18 Old Farm Lane, P.O. Hartsdale. The applicant
5 is seeking a Wetland Watercourse Permit.

6 Is the representative on Zoom? All right.

7 MS. REBECCA LURASCHI: Yes, I'm here.

8 CHAIRPERSON PYNE: All right. Good evening.

9 MS. REBECCA LURASCHI: Hello.

10 CHAIRPERSON PYNE: Can you walk us through the
11 application for the record?

12 MS. REBECCA LURASCHI: Yes. We are proposing to
13 do an in-ground pool, 12 by 24 in the rear yard. We have a
14 watercourse in the edge of the property. We are proposing
15 three-foot of hardscape around and the fence surrounding
16 that portion.

17 There were a few revisions that we made from last
18 week where we removed the backflow. We don't require
19 backwash for the filtration. So the engineer did remove
20 that. We also increased the size of the rain garden to a
21 50-year storm.

22 And then we also are proposing to put up
23 temporary construction fencing to protect the septic
24 system, which is in the front yard of the property over in
25 this area here.

1 DEPUTY COMMISSIONER SCHMIDT: Great. And could
2 you speak to the location of the watercourse relative to
3 the proposed pool and related improvements and where the
4 watercourse buffer extends to on the property?

5 MS. REBECCA LURASCHI: Yup. So you see this blue
6 line, that is the watercourse buffer area. So actually
7 most of the house and the project is in the buffer area.
8 We will be about 35 feet from the rear -- the watercourse,
9 which is the brook in the backyard.

10 So you can see this lighter blue line here is the
11 center line of the stream that runs across the back of the
12 property.

13 DEPUTY COMMISSIONER SCHMIDT: Great. And as I
14 recall, two things: One, for the Board's information,
15 pools must be situated in the rear yard otherwise you need
16 a variance.

17 MS. REBECCA LURASCHI: Yes.

18 DEPUTY COMMISSIONER SCHMIDT: So they don't have
19 another location to pull it further away from the
20 watercourse. As I understand it, the nearest area of
21 disturbance in connection with the project related to the
22 bio-retention basin is approximately 19 feet from the
23 nearest edge of the watercourse.

24 And lastly, you did speak to that -- The last
25 thing I was going to say was that the Conservation Advisory

1 Council reviewed the Wetland Watercourse Permit
2 Application, which is a requirement of the Chapter 280 and
3 issued a positive recommendation. Thank you.

4 CHAIRPERSON PYNE: All right. And could you just
5 walk us through, briefly, the measures you will take to
6 protect the watercourse during construction?

7 MS. REBECCA LURASCHI: Yup. We will put up silt
8 fencing all along the bottom here. And we will only have
9 the traffic going into this gravel parking area. We do a
10 lot of the work by hand. We have a very small excavator.
11 So we try to keep our area of disturbance very minimal. We
12 use a very little backhoe for almost all of the work.

13 So we have this gravel parking area that all the
14 construction equipment will be able to park on and it's
15 really a very close access to our project area. So besides
16 the silt fence, we're also just kind of keep our area of
17 disturbance very small.

18 CHAIRPERSON PYNE: Great. And could you walk us
19 through, briefly, the water runoff mitigation that's
20 associated with this project? And specifically, I think
21 there was a question at the last meeting about the rating
22 of the system. So if you can confirm what the rating is.

23 MS. REBECCA LURASCHI: Yes. So we increased the
24 rating of, to contain for a 50-year storm, Greg redid the
25 calculations for that. So we have as a bioretention

1 garden. Here's a detail of it. It will have an overflow
2 pipe at the bottom. There is gravel.

3 And then we have a layer of soil medium that will
4 help percolate the runoff. And then a layer of mulch at
5 the top and then specifically picked plants that will do
6 well. They are all native species, so it will actually
7 help add some biodiversity into the backyard.

8 CHAIRPERSON PYNE: Right. And so a 50-year storm
9 is double what the Code currently requires?

10 MS. REBECCA LURASCHI: Yes.

11 CHAIRPERSON PYNE: Great. Are there any other
12 questions from the Board?

13 ALTERNATE BOARD MEMBER ROBINSON: Not at this
14 time.

15 CHAIRPERSON PYNE: All right. Well, this is a
16 Public Hearing. Is there anyone here from the public who
17 would like to speak?

18 MR. MARK MILLER: Yes.

19 CHAIRPERSON PYNE: All right, please approach the
20 podium and state your name and address for the record.

21 MR. MARK MILLER: Good evening. My name is Mark
22 Miller. I live at 17 Old Farm Lane, across the circle from
23 the Rai's. We've been neighbors for almost 25 years. I
24 find them to be extremely responsible and responsive, good
25 neighbors all and all.

1 And I would also mention that if you look at the,
2 I guess, the smaller scale, larger picture of our
3 cul-de-sac, there are already two in-ground pools in houses
4 that are nearby, if not contiguous.

5 I don't see this pool and the size of it as being
6 anything at all intrusive to the neighborhood at all. As a
7 matter of fact, I'm kind of looking forward to sharing it.
8 I just wanted to speak in favor of it, as a neighbor, and
9 speak to my recommendation to the Rai's, lovely people.

10 CHAIRPERSON PYNE: Thank you.

11 ALTERNATE BOARD MEMBER ROBINSON: Thank you.

12 CHAIRPERSON PYNE: Thank you very much. Is there
13 anyone else here in the room who would like to speak on
14 this application?

15 (Whereupon, there was no response.)

16 CHAIRPERSON PYNE: All right. Is there anyone on
17 Zoom who would like to speak on this application?

18 (Whereupon, there was no response.)

19 CHAIRPERSON PYNE: All right. Seeing none, are
20 there any other final comments from the Board, from staff?

21 ALTERNATE BOARD MEMBER ROBINSON: No.

22 BOARD MEMBER ANDERSON: No.

23 CHAIRPERSON PYNE: All right. Then I will
24 entertain a motion to close the Public Hearing and keep the
25 written record open through June 10th.

CASE NO. PB 25-33

1 ALTERNATE BOARD MEMBER ROBINSON: So moved.

2 CHAIRPERSON PYNE: Moved Ms. Robinson.

3 BOARD MEMBER ANDERSON: Second.

4 CHAIRPERSON PYNE: Second Ms. Anderson. All in
5 favor?

6 ALTERNATE BOARD MEMBER ROBINSON: Aye.

7 BOARD MEMBER ANDERSON: Aye.

8 CHAIRPERSON PYNE: Chair votes aye. Thank you.

9 DEPUTY COMMISSIONER SCHMIDT: Thank you. Have a
10 good evening.

11 MS. REBECCA LURASCHI: Thank you very much.

12 CHAIRPERSON PYNE: I would entertain to close the
13 Public Hearing.

14 ALTERNATE BOARD MEMBER ROBINSON: So moved.

15 CHAIRPERSON PYNE: So moved Robinson.

16 BOARD MEMBER ANDERSON: Second.

17 CHAIRPERSON PYNE: Second Ms. Anderson. Chair
18 votes aye. All right.

19 (Whereupon, the Public Hearing Session was
20 concluded.)

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C E R T I F I C A T I O N

Certified to be a true and accurate transcript of the Public Hearing of the Greenburgh Planning Board Meeting proceedings held on June 3, 2026, taken by the undersigned, to the best of her ability.

Barbara Marciante

Barbara Marciante,
Official Court Reporter