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DEVELOPMENT & CONSERVATION

TOWN OF GREENBURGH
PLANNING BOARD MINUTES
GREENBURGH – NEW YORK
Wednesday – October 7, 2026

The Work Session of the Planning Board of the Town of Greenburgh began at 7:06 p.m. on Wednesday, October 7, 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, Edwin Weinberg, Marc Pillinger, Emily Anderson (7:34 p.m. arrival), and Natasha Robinson (Alternate #1, Voting Member)

Absent: Vikash Patel (Alternate #2)

Staff: Garrett Duquesne, AICP, Commissioner, CD&C
Aaron Schmidt, Deputy Commissioner, CD&C
Matt Britton, AICP, Town Planner, CD&C
Amanda Magana, Esq., First Deputy Town Attorney

2. **APPROVAL OF MINUTES**

a. **September 16, 2026**

Chairperson Pyne asked if there were any comments on the draft minutes of the September 16, 2026 Planning Board Work Session prepared by staff. Ms. Robinson noted a couple of minor typographical errors on pages 8 and 9. Mr. Pillinger identified a typographical error in his name at the bottom of page 8. Deputy Commissioner Schmidt stated that the corrections would be made.

On a motion made by Mr. Pillinger and seconded by Ms. Robinson, the Planning Board unanimously voted to approve the minutes of the September 16, 2026 Planning Board Work Session, as amended.

3. **CORRESPONDENCE**

4. **OLD BUSINESS – WORK SESSION**

a. **Case No. PB 26-02** Kim, *18 Joyce Road (P.O. Hartsdale, N.Y.) – Planning Board Steep Slope Permit and Tree Removal Permit*

A work session to consider the issuance of a decision on a Planning Board Steep Slope Permit and Tree Removal Permit application involving a proposal to demolish an existing one-family residence and construct a new one-family residence. The Applicant proposes approximately 2,229 sq. ft. of disturbance to 15-25% slopes (STEEP SLOPES), approximately 543 sq. ft. of disturbance to 25-35% slopes (VERY STEEP SLOPES), and approximately 76 sq. ft. of disturbance to 35%+ slopes (EXCESSIVELY STEEP SLOPES). The project requires approximately 248 cubic yards of excavation and 69 cubic yards of imported fill. The proposed one-family home would be slightly larger than the existing house, and the Applicant proposes an underground closed detention system to handle stormwater runoff from impervious surfaces. The Applicant is proposing the removal of one (1) regulated tree, requiring a Tree Removal Permit, and has prepared a landscaping plan providing for the planting of three (3) trees and 14 shrubs, as replacement. A large tree exists in the right-of-way in front of the house and is proposed to be protected during demolition and construction. The subject property consists of approximately 0.27 acres (11,936 sq. ft.) and is located on the northeasterly side of Joyce Road, approximately 160 feet west of the intersection of Joyce Road and Vista Place. The subject property is located in the R-7.5 One-Family Residence District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.170-105-27.

Chairperson Pyne stated that staff had prepared a draft decision and asked Deputy Commissioner Schmidt to review the draft conditions of approval. Deputy Commissioner Schmidt explained that, following closure of the public hearing, no additional comments were received during the written record period and staff prepared a draft decision for the Board's consideration this evening. He stated that the Applicant and staff had worked cooperatively to address a prior comment concerning installation of a drain at the edge of the driveway and confirm whether the drain could be located within the Town's right-of-way. Deputy Commissioner Schmidt reported that the Commissioner of the Department of Public Works indicated that he would prefer not to have a private drain within the Town's right-of-way. Deputy Commissioner Schmidt stated that the Applicant therefore revised its plans to accommodate a trench drain along the driveway outside of the Town's right-of-way and within the boundary of the Applicant's property. Deputy Commissioner Schmidt indicated that Condition 4.1 had been finalized accordingly, to provide that the Applicant shall install a trench drain on the property within the driveway. He noted that the only other addition since the draft had been circulated was that the Tree Removal Permit Application number has been identified as TP 26-137. Mr. Weinberg asked about Condition 3.5, noting that blasting had not been discussed. Deputy Commissioner Schmidt explained that the condition is a standard condition and that, while blasting may not be necessary in connection with the project, this condition and the conditions outlined in Section 11 of the draft decision were included in the draft decision in the event blasting becomes necessary.

On a motion made by Mr. Pillinger and seconded by Ms. Robinson, the Planning Board unanimously voted to classify the proposed action as a Type II action, under SEQRA.

On a motion made by Ms. Robinson and seconded by Mr. Pillinger, the Planning Board unanimously voted to approve the Steep Slope Permit application, as amended.

On a motion made by Ms. Robinson and seconded by Mr. Pillinger, the Planning Board unanimously voted to approve the Tree Removal Permit application, as amended.

5. NEW BUSINESS – WORK SESSION

a. Case No. PB 24-24 Grishaj, *460 Ridge Road (P.O. Hartsdale, N.Y.) – Wetland/Watercourse Permit and Tree Removal Permit*

A work session to discuss a Planning Board Wetland/Watercourse Permit and Tree Removal Permit application involving the proposed addition to an existing house, a new driveway, and piping of an existing watercourse. The Applicant is proposing a 2-story addition to an existing 2.5-story single-family residence, an attached garage addition, the removal of an existing garage, addition of a new pool and patio area, the removal of an existing driveway on the southerly end of the property, and the addition of a new driveway which will connect to an existing curb cut on Ridge Road. A watercourse enters the property at its southeastern corner and flows in a northwesterly direction through the middle of the property, before going underground. The Applicant is proposing to pipe this watercourse and direct it to a catch basin along Ridge Road. The Applicant is proposing the removal of twelve (12) regulated trees, requiring a Tree Removal Permit, and has prepared a landscaping plan providing for the planting of eight (8) trees, as replacement. The subject property consists of approximately 52,284 sq. ft. (1.2 acres) and is situated on the southerly side of Ridge Road, approximately 200 feet west of the intersection of Ridge Road and Barnaby Lane. The subject property is located in the R-30 One-Family Residence District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.230-174-7.

Following Chairperson Pyne's introduction of the project, Gregory Caccioppoli, P.E., of Caccioppoli Engineering P.C., representing the Applicant, presented the project. He stated that the Applicant is proposing a two-story addition to an existing house, along with a new driveway, a new pool, and associated stormwater management system. He explained that the Applicant received approvals from the Westchester County Department of Health for the proposed septic system. He explained that tree removals would be required for the proposed driveway and stormwater management system. Mr. Caccioppoli also noted that there are wetlands on the property and that a wetlands mitigation plan

had been prepared and submitted. Mr. Caccioppoli stated that there is an existing drainage channel on the property that the Applicant is proposing to pipe. He explained that the Applicant has been working with the Bureau Engineering on this element of the project and is proposing to pipe the drainage channel to a manhole in the street in order to maintain the flow that has historically existed.

Ms. Magana asked whether there is an existing channel in the area of the watercourse and if it was being improved. Mr. Caccioppoli confirmed that there is a channel, describing it as more of a naturally-forming drainage ditch that had developed into a channel over time, with water flowing only during and after rain events, and that it would be improved with riprap and plantings. Chairperson Pyne asked where the drainage currently flows. Mr. Caccioppoli responded that it flows diagonally across the property to a catch basin situated within the neighbor's driveway. Deputy Commissioner Schmidt noted that water flowing through the drainage channel goes underground midway through the property and the proposed system would reroute it. Mr. Caccioppoli confirmed that it would be rerouted because of the required separation between the septic system and the stormwater management system.

Ms. Robinson asked what storm event the stormwater system has been designed to accommodate. Mr. Caccioppoli stated that it has been designed for the 25-year storm and would capture runoff from all impervious surfaces, both existing and proposed. He added that the property has excellent percolation rates. Ms. Robinson asked whether the capacity could be increased. Mr. Caccioppoli responded that he would look into it, as the proposed system may already be sized to accommodate a storm event greater than a 25-year storm. Chairperson Pyne asked whether there is an existing stormwater management system on the property. Mr. Caccioppoli stated that there is not. Deputy Commissioner Schmidt asked about the existing driveway serving the home and the shared driveway that had previously extended around the existing house. He asked whether any pavement associated with the driveway extended onto the subject property and whether it would be removed. Mr. Caccioppoli confirmed that the existing driveway on the Applicant's property is gravel and would be removed as part of the project.

Deputy Commissioner Schmidt noted that the Applicant had met with the Conservation Advisory Council, which issued a recommendation on May 12, 2025, containing four (4) recommendations. The first was that the recommendations in the staff report be adopted. The second was that plantings be installed outside of the pool area fence, which has been accommodated by the Applicant. The third was that shrubs be planted around the buffer area to discourage disturbance of the buffer area and wetland, which has also been accommodated by the Applicant. The fourth was that all existing tree-of-heaven (*Ailanthus altissima*) trees and saplings be removed from the site, as this invasive species of tree harbors the spotted lanternfly. Deputy Commissioner Schmidt asked whether the Applicant was agreeable to removing those trees. Mr. Caccioppoli stated that the Applicant is agreeable. Deputy Commissioner Schmidt stated that it was possible that some of the invasive species were unregulated trees, and it could become a condition of Planning Board approval requiring their removal, and that doing so could benefit the property in the future.

Chairperson Pyne asked when the tree survey had been conducted. Mr. Caccioppoli stated that it had been conducted around 2024. Ms. Robinson explained it was possible that trees that were not regulated at the time of the survey had since grown to a regulated size. Mr. Caccioppoli stated that Tim Miller Associates, the firm that generated the tree survey, may have updated the information, so he would look into this. Chairperson Pyne stated that this matter should be confirmed before the public hearing. Ms. Robinson noted that some of the trees within the area of disturbance are shown to be protected while others are not and stated that all of the trees that are to remain should be protected. Mr. Caccioppoli stated that he would add the appropriate protections to the plan and take a close look to confirm that all trees intended to remain are shown to be protected. Mr. Pillinger referred to a letter from Tim Miller Associates dated August 26, 2026, identifying trees to be removed and planted. He asked for confirmation of the information and asked whether the Conservation Advisory Council's recommendation that the conditions in the staff report be adopted had been

incorporated into the plans. Deputy Commissioner Schmidt stated that those conditions are standard conditions in Wetland/Watercourse Permit approval letters.

Ms. Robinson noted that, according to the mitigation plan, proposed trees are located only within the wetland area, with other plantings proposed around the property shown on a separate plan. Mr. Caccioppoli stated that, as of the time of preparation, the only plantings proposed were the plantings shown on the mitigation plan. Deputy Commissioner Schmidt stated that he recalled seeing a plan showing 49 Arborvitae along the property lines. Mr. Caccioppoli stated that evergreens have been proposed for screening. Deputy Commissioner Schmidt explained that, in order to comply with the replacement requirements of the Tree Ordinance, the Town has species-diversity requirements. He added that he could provide suggestions to the project team on how to comply with such species-diversification requirements.

Mr. Weinberg asked about the history of the property. Mr. Xhevahir Grishaj, property owner, stated that, based on discussions with the seller at the time of purchase, the property had been vacant for approximately 20 years and that no work or upkeep of the property took place during that time. Mr. Weinberg asked whether there is any historical significance to the property. Deputy Commissioner Schmidt explained that, when the project was first brought to the Town, the structure was identified as being more than 50 years old and the project was therefore referred to the Town's Historic and Landmarks Preservation Board (H&LPB). He stated that discussions were held with the H&LPB and a site visit was conducted with the owner. He recalled that, at one point, the plans called for demolition of the entire house, but it was subsequently determined that the center portion of the house was worth preserving, and the owner revised its plans to retain the central portion of the structure and build out from it. Mr. Weinberg asked whether the structural integrity of the building had been evaluated as part of that process. Mr. Caccioppoli stated that the structural integrity had been evaluated and that reinforcement was part of the plan.

Mr. Weinberg asked about the existing septic system. Mr. Caccioppoli stated that there were two (2) existing septic tanks, both made of brick and that they would be abandoned in accordance with Westchester Department of Health regulations, including pumping out the liquids and crushing and removing the systems. Ms. Robinson asked whether the approved septic system was for a four-bedroom or larger house and suggested considering whether it could instead be designed for five (5) or six (6) bedrooms. Mr. Caccioppoli stated that the system had actually been approved for a five-bedroom house. Mr. Weinberg asked if the entire house would have to be sprinklered. Mr. Caccioppoli confirmed that it would. Mr. Weinberg asked about the barn on the property. Deputy Commissioner Schmidt responded that it is a garage which is in very poor condition and was not salvageable. He stated that it would be removed. Mr. Weinberg asked about the newly proposed piping (of the drainage channel) and whether the Applicant would enter into a maintenance agreement to maintain it. Mr. Caccioppoli stated that a maintenance agreement could be prepared.

Chairperson Pyne asked whether there were any other questions. There were none. He stated that a public hearing would be held at the October 21st Planning Board meeting. He requested that the Applicant conduct additional investigation regarding the tree survey and the other items discussed. He stated that staff would coordinate the noticing for the public hearing. Deputy Commissioner Schmidt asked whether there had been any communication with the nearest neighbors. Mr. Grishaj stated that there had been and that one (1) neighbor was hoping the Applicant would start the project soon.

6. <u>OLD BUSINESS – WORK SESSION (continued)</u>

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

A continuation of a work session (May 20, 2026, June 3, 2026, June 17, 2026, July 1, 2026, July 15, 2026, August 5, 2026, September 2, 2026, and September 16, 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. The Planning Board will continue discussing recommendations and reports to be issued to the Town Board in connection with this referral.

Chairperson Pyne stated that the Planning Board has spent a considerable amount of time reviewing and discussing the Chapter 285 amendments and that, at the direction of the Board, staff has prepared a number of documents for review this evening. He identified three (3) items that remained open for discussion: (1) the keeping of chickens; (2)accessory storage of vehicles at self-storage facilities; and (3) cannabis dispensaries.

Regarding the keeping of chickens, Chairperson Pyne summarized that the draft amendments referred to the Planning Board would restrict the keeping of chickens to 10 chickens on lots of 20,000 square feet and greater. He noted that the Board had discussed whether the keeping of chickens was appropriate at all within the Town and whether the proposed conditions were too restrictive. He added that one suggestion had been to establish a sliding scale so that residents with smaller lots could also keep chickens. Ms. Robinson opined that a sliding scale was appropriate, as it would allow residents with smaller lots to also keep chickens, albeit a lesser amount. She noted that people want to keep chickens and that the Town needs to evolve as circumstances and expectations change. Mr. Pillinger stated that he believed there should be a minimum property size that must be met before chickens are permitted. Chairperson Pyne stated that he believed 10,000 square feet is an appropriate minimum lot size. He suggested that the Planning Board recommend reducing the maximum number of chickens by half, to five (5) chickens, on lots of 10,000 sq. ft. and greater, with a sliding scale increasing the number permitted, as lot size increases. He added that the proposed setbacks should be reviewed. Mr. Weinberg asked for confirmation that, as proposed, no more than 10 chickens could be kept, on lots 20,000 sq. ft. and greater, to which staff conformed this as accurate.

Ms. Magana suggested that the Board could consider recommending that the keeping of chickens be permitted on even smaller sized lots, such as 7,500 sq. ft. and greater, subject to increased setbacks. Mr. Weinberg expressed concern about setbacks, noting that on a 1/4-acre property the houses can be quite close together. He stated that setbacks should apply to wherever the enclosure is located and that he would like to see additional diagrams showing what the proposed standards would look like, as lot sizes are reduced. Mr. Weinberg stated that if he were a homeowner who did not want chickens, he would not want to see them and would want them screened. He stated that the first question is whether chickens should be allowed and the second is what parameters should govern them. Ms. Magana stated that draft parameters had been prepared and that the Board can recommend changes. Chairperson Pyne opined that screening is reasonable and that appropriate setbacks are also reasonable. He noted that it would not be possible to anticipate every configuration of every lot, though that is the purpose of setbacks.

Mr. Weinberg asked whether properties that currently have chickens would have to comply with the new requirements. Ms. Magana stated that they would. She referred to a recent case before the Zoning Board of Appeals in which a person had applied for a Use Variance to keep chickens, noting that the variance was denied and the chickens had to be removed. Mr. Pillinger referred to a recent case in which a Planning Board had modified its rules and applied them retroactively. He stated that the matter had gone to the New York State Court of Appeals, which found that applying the change retroactively was reasonable so long as it was not arbitrary. Mr. Weinberg asked whether the proposed requirements would therefore apply retroactively. Ms. Magana confirmed that they would since chickens were not previously permitted all keeping of chickens would be subject to the Code.

Chairperson Pyne stated that there appeared to be general consensus amongst the Board with recommending provisions allowing chickens, as well as with exploring sliding scales and setbacks. He asked whether staff were comfortable preparing draft recommendations. Deputy Commissioner Schmidt stated that staff is comfortable doing so and could prepare examples showing how the setbacks would operate. Mr. Pillinger opined that in no event should the number of permitted chickens exceed 10 chickens. Ms. Robinson requested that 7,500 sq. ft. lots also be examined to see what the proposed requirements would look like. Ms. Magana stated that a building permit would be required for an enclosure containing chickens. Mr. Weinberg asked whether whatever criteria were established for chickens would require a permit. Ms. Magana confirmed that the permit for the enclosure included compliance with all criteria for keeping chickens. Mr. Weinberg asked if standards have been provided for the enclosures. Commissioner Duquesne confirmed that there are standards written in to the draft amendments.

Chairperson Pyne next addressed accessory parking for storage facilities. He noted that staff had presented information at the previous meeting regarding office buildings being converted to self-storage facilities, where the parking requirements for the self-storage use are substantially lower. He also noted that car dealerships have a need for additional vehicle storage and, at present, some facilities are engaging in satellite parking without Town oversight. Chairperson Pyne stated that he would support recommending a Special Use Permit process administered by the Planning Board to allow vehicle storage as an accessory use to a self-storage facility. He explained that, through the Special Use Permit process, the Board would be able to review the location and proposed end user, determine whether vehicles would be driven individually or transported by tractor-trailers, and conduct whatever analysis, such as, but not limited to, whether a traffic study, is deemed necessary to determine whether the Special Use Permit is appropriate and what conditions should be included in an approval.

Ms. Magana stated that, regarding the end user, the proposed regulations address traffic generation and trips. She clarified that the provision would not apply when a self-storage facility has only enough parking for its own use. Deputy Commissioner Schmidt added that recent self-storage facilities designed from the ground up typically have only the number of off-street parking spaces required by Code and have not been designed with additional parking for this purpose. He explained that the proposed use is primarily directed toward conversions of vacant office buildings, which have higher parking requirements and may therefore have excess parking. Mr. Weinberg asked whether the provision would therefore not apply to a new building that was constructed with excess parking. Deputy Commissioner Schmidt stated that the question would then arise as to the purpose for which the additional parking had been created. Mr. Weinberg asked whether the provision would apply if the additional parking had already been approved. Commissioner Duquesne stated that the Board could consider recommending that the Special Use Permit process apply only to adaptive reuse of existing facilities. He explained that, under such an approach, an Applicant could not propose a new self-storage facility with a large amount of excess parking for this purpose. Deputy Commissioner Schmidt stated that the intent and spirit of the provision is not to allow new facilities to construct excess parking for vehicle storage, but rather to provide a mechanism for existing excess parking to be reused.

Chairperson Pyne opined that the adaptive reuse provision makes a great deal of sense. He explained that when vacant office buildings are converted to self-storage facilities, the Town does not have much leverage to encourage an Applicant to reduce impervious surfaces or remove excess parking. He stated that, if the Applicant instead needed a Special Use Permit to allow for accessory vehicle storage, the Board could request the renaturalization of some of the excess parking spaces as part of its review and approval. Mr. Weinberg asked if there should be specific requirements limiting the number of spaces that could be converted to vehicle storage. Ms. Magana stated that setback and impervious surface requirements would apply. Mr. Weinberg asked whether the setbacks would apply specifically to this use. Ms. Magana confirmed that they would. Deputy Commissioner Schmidt stated that the setbacks enforced would be those applicable to off-street parking areas.

Chairperson Pyne stated that it would be helpful for the Board to understand the distinction between the discretion available through environmental permit review and the discretion available through the Special Use Permit process. Ms. Magana explained that an Applicant would have to comply with the Special Use Permit criteria and that the process could be used to improve the project. Mr. Weinberg stated that one of his concerns is that he did not want the Town to become a dumping ground for cars from dealerships located within or outside the Town. He stated that he did not know how many buildings this could apply to or where they are located in the Town and that he believed the use should be tightly controlled, including the amount of spaces that could be converted and potentially requiring some spaces to be converted back to green space. Mr. Weinberg questioned whether the provision should apply only to new cars or whether trucks should be included. Commissioner Duquesne clarified that the use would not be intended to function as a contractor yard and tractor trailer storage would not be permitted. Mr. Weinberg opined that the use should be limited to new cars and should be tightly controlled, with security, separation between the vehicle storage area and the self-storage facility, and separate ingress and egress required. Ms. Magana stated that the purpose of the proposed use is to improve existing areas that are currently large expanses of asphalt and provide an opportunity to reuse them. Mr. Weinberg stated that if the parking spaces are not needed, the owner or Applicant could remove them. Ms. Magana stated that businesses are unlikely to voluntarily remove existing parking spaces. Mr. Weinberg responded that the Town does not have to allow accessory vehicle storage. Ms. Magana agreed.

Mr. Pillinger asked whether there was a way to prevent someone from storing junk in the spaces. Ms. Magana stated that there are ways to address that issue. Commissioner Duquesne stated that he understood that the Planning Board did not want to see a nuisance situation created. He explained that the Building Department has contact information for whoever is operating the lot and that additional screening and a traffic study could be required for any approvals. Chairperson Pyne asked whether staff has enough information to prepare a draft recommendation. Commissioner Duquesne stated that he believed staff has enough information.

Chairperson Pyne then addressed cannabis dispensaries. He stated that one suggestion was to expand permitted dispensaries to the CA, CB, DS, and TR Districts. He reviewed the applicable New York State setback requirements, which require a setback of 1,000 feet from another dispensary, 500 feet from schools on the same street, and 200 feet from houses of worship on the same street. He noted that the State also allows for a municipality to require a 500-foot setback from a public youth facility and noted that the Town would need to establish a definition of such a facility, if it wanted to institute such a setback. Chairperson Pyne stated that the first question for the Board is whether it wanted to expand dispensaries into the CA, CB, DS, and TR Districts, while understanding the limitations imposed by the State setback requirements. He noted that White Plains and Yonkers have dispensaries near their borders with the Town, while certain villages in the Town and communities within Westchester contain such uses. Mr. Weinberg asked which setback would apply if a house of worship also had a school. Commissioner Duquesne responded that the more restrictive setback would apply.

The Planning Board discussed that the New York State legislation appears to have been written with New York City in mind and thus considered recommending that the Town Board ask New York State to modify the setback requirements so that different requirements apply to municipalities outside of New York City. It was noted that there are numerous laws that apply differently to New York City in comparison to everywhere else in the State. Ms. Magana stated that there are already different distance requirements based on population and suggested that density, including population per square mile, be a consideration. Mr. Pillinger stated that his concern is with density of dispensaries, referencing Massachusetts as an example of a State with a high density of dispensaries. Chairperson Pyne stated that Massachusetts was the first state on the East Coast to legalize cannabis and that he believed cannabis had become more normalized.

Mr. Weinberg asked whether the New York State setback requirements apply separately within each municipality. Mr. Britton responded that the State setbacks ignore municipal borders. Chairperson

Pyne noted that one (1) additional restriction the Town could impose would be a setback from a public youth facility. Ms. Robinson asked whether a gymnasium would qualify as a public youth facility. Chairperson Pyne responded that it would have to be municipally-owned and operated property. Ms. Magana advised that the Town could establish a setback measured from property line to property line for public youth facilities, which could result in a greater setback than measuring from door to door. Chairperson Pyne asked whether a public youth facility would have to be an actual facility or whether an open-air park could qualify. Ms. Magana responded that the Town would create a definition.

Chairperson Pyne stated that the Board appears comfortable recommending that dispensaries be expanded to the CA, TR, DS, and CB Districts, with the Town broadly defining a "public youth facility" and imposing appropriate setback restrictions. It was also agreed upon that a recommendation be provided asking the Town Board to petition New York State to modify the State setback requirements. Deputy Commissioner Schmidt thanked the Board and stated that staff had enough information to draft these recommendations and the related Planning Board Report.

Chairperson Pyne stated that the Board would proceed through the draft recommendations circulated by staff section by section and noted that consensus had already been reached on many of the items being reviewed. Regarding the TR District recommendations, he asked whether there were any comments on the draft recommendations. There were none. Chairperson Pyne then asked for comments on the general land use recommendations. Mr. Weinberg referred to recommendation number 10 concerning lot merger and stated that he thought the Board had discussed applying the provision to like uses rather than only residential properties. Ms. Magana replied that the issue had been discussed and that there could be potential issues with split-zoned properties. Mr. Britton added that there could also be issues with merging commercial properties. He stated that the intent is to formalize the common-law lot merger doctrine for residential properties and that he was not aware of a common-law lot merger doctrine for commercial properties. Chairperson Pyne asked what the process would be for merging commercial properties. Mr. Britton advised that a resubdivision process would be required. Mr. Weinberg identified a typographical error in recommendation number 17. Deputy Commissioner Schmidt stated that it would be corrected. Mr. Weinberg asked, with respect to recommendation number 16, how long dumpsters would be permitted on an active construction site. Staff responded that, in these instances, the duration permitted would be tied to the building permit.

Chairperson Pyne asked for comments on the housing and affordability recommendations. Mr. Weinberg asked how the percentages for below market rate housing in recommendation number 2 would be assigned. Commissioner Duquesne responded that the formula would be built into the Chapter 285 amendments. Mr. Weinberg asked whether the amendments would contain sufficient specificity for determining the percentages. Commissioner Duquesne confirmed that they would. Chairperson Pyne asked whether there were any other comments. There were none.

Chairperson Pyne asked for feedback on the environmental recommendations and noted that the comments previously provided by Mr. Patel had been incorporated. There were no further comments. Chairperson Pyne then asked for organizational, grammatical, and consistency feedback. Mr. Weinberg identified a typographical issue in recommendation number 3 concerning the word "planned." Commissioner Duquesne responded that the word "proposed" would be substituted. Mr. Pillinger suggested that wherever the word "church" appears, it should be changed to "religious institution." Commissioner Duquesne stated that the change could be made. Ms. Magana suggested that, rather than "religious institution," the terminology should be "house of worship." Board members agreed. Chairperson Pyne asked for feedback on the longer-term recommendations. Ms. Robinson referred to the recommendation concerning stormwater management and stated that she would prefer for the Board to specify a storm event greater than 25 years rather than simply leaving the number unspecified. She stated that she did not want the standard to be 30 years. Deputy Commissioner Schmidt advised that the design standards do not go in increments of 5 years, and would increase from a 25-year storm to a 50-year storm event.

Chairperson Pyne then addressed the draft Zoning Map Amendment recommendation and stated that there is essentially one (1) recommendation. Commissioner Duquesne explained that these amendments concern the TR District and the M-30 District, replacing the UR District. He noted that the final amendment concerns 61 Grasslands Road and that the documents speak positively about the proposed change. He stated that the caveat is that the Comprehensive Plan identifies the property as PUD on the future land use map. He therefore suggested the Planning Board consider recommending an update to the future land use map. He stated that this builds on a similar recommendation concerning 55 Grasslands Road, where the recommendation is to update the errant PUD designation to a uniform R-30 District. Commissioner Duquesne noted that these recommendations are based on the fact that senior housing and CCRC uses are enabled in the One-Family Residential Zoning Districts but not in the PUD District. He stated that any future development would remain subject to land use review. Chairperson Pyne asked whether there were any additional questions or comments. There were none.

Chairperson Pyne then turned to the draft Planning Board Reports, beginning with the TR Mixed-Use District Report. Commissioner Duquesne explained that the Planning Board Report is multi-faceted because it serves the dual function of addressing Zoning Text Amendments and Zoning Map Amendments. Chairperson Pyne requested that Commissioner Duquesne explain the purpose of a Planning Board Report. Commissioner Duquesne explained that Planning Board Reports are prepared to demonstrate that Zoning Text and Zoning Map Amendments meet the standards contained in Section 285-64B of the Zoning Ordinance. He reviewed the draft TR District Report. Ms. Robinson identified a typographical error. Staff noted that this would be corrected. Ms. Magana asked whether the previous comments regarding mixed-use buildings, which were separate from the regulations under consideration, were included in the Report. Commissioner Duquesne replied that he would check on this and make updates if necessary. Ms. Magana suggested that mixed-use buildings also be considered for specific corridors when future updates to the Comprehensive Plan are undertaken. Commissioner Duquesne stated that he is happy to incorporate that point for the Board.

Chairperson Pyne then turned to the M-30 District Report. Commissioner Duquesne reviewed the draft Report, noting that the proposed M-30 District would function as an intermediate district between the M-25 and M-174 Districts and whereby the density controls are more consistent with neighboring uses. Chairperson Pyne asked whether there was any feedback on the Report. There was none. Chairperson Pyne next addressed the draft Report concerning the proposed change from the PUD District to the R-30 District. Commissioner Duquesne reviewed the draft Report, noting that this Zoning Map Amendment relates to the property at 61 Grasslands Road. Mr. Weinberg identified a typographical error. Commissioner Duquesne responded that he would make the correction.

Chairperson Pyne then turned to the Affordable Housing Report. Commissioner Duquesne reviewed the draft Report related specifically to a Zoning Text Amendment and noted that the recommendation also calls for an update to the intent section of the Zoning Ordinance to make it more specific, particularly with respect to housing. Chairperson Pyne asked if the Board had feedback on the draft Report. Mr. Weinberg identified a typographical error in the report. Ms. Robinson referred to the draft recommendation and noted that it specifies increasing the number of years for which affordable housing must remain affordable, from 50 to 99, but that she did not see the same provision in the draft Report. Commissioner Duquesne responded that while language on this specific topic is included in the Report, it could be updated to more closely align with the draft recommendation. Chairperson Pyne stated that doing so would be helpful. Ms. Robinson also noted that the affordable housing recommendation calls for a 60%-80% range, while the Report refers to 50%-70%. Commissioner Duquesne stated that he would restructure the text of the Report to make it clearer.

Chairperson Pyne next addressed the Food and Beverage Report. Commissioner Duquesne reviewed the draft Report, noting that it follows the same structure as the other draft Reports involving only a Zoning Text Amendment. Mr. Weinberg noted that the proposed regulations distinguish between three (3) types of uses: Incidental Dining, Restaurants, and Quick-Service/Fast-Food establishments

with drive-thrus. He asked whether, if a Quick-Service establishment did not include a drive-thru, there would be any distinction between it and an Incidental Dining use. Commissioner Duquesne responded that the Quick-Service/Fast-Food reference had been removed and that only the drive-thru use now remains. He explained that establishments without drive-thrus function very differently with different potential impacts. He explained that they would be classified as Restaurants if they contained nine (9) or more seats, and Incidental Dining if they provided eight (8) or fewer seats.

Chairperson Pyne then addressed the EV Charging Station Report. Deputy Commissioner Schmidt reviewed the draft Report. Mr. Pillinger asked about the provision requiring a minimum of one (1) parking space per five (5) dwelling units to be EV-ready and asked how that number had been established. Deputy Commissioner Schmidt explained that the section had been developed through various meetings held by the Sustainability and Energy Efficiency Committee over an extended period of time. He stated that the purpose is to have spaces ready to be converted to EV Charging Stations if circumstances warrant. Mr. Weinberg asked whether EV Charging Stations could be a classified as a principal use. Deputy Commissioner Schmidt stated that they could, as an EV Charging Hub, subject to a Special Use Permit through the Planning Board. Mr. Weinberg asked whether staff is comfortable with an EV Charging Hub being the only use on a property. Deputy Commissioner Schmidt stated that he is, noting that it would operate in a manner similar to a gasoline service station, except that it would have EV chargers. Ms. Robinson identified a typographical error. Mr. Pillinger noted that this Report uses the term "church" and referred to the Board's earlier discussion about changing that terminology to "house of worship." Deputy Commissioner Schmidt acknowledged the comments and stated that the Report would be updated accordingly.

Ms. Magana asked about ice cream stands. Chairperson Pyne stated that they are included in the draft recommendation and should be incorporated into a draft Report. Commissioner Duquesne stated that he would appropriately incorporate these into the Food and Beverage Report.

Chairperson Pyne next addressed the CA, CB, DS, and HC District changes. Commissioner Duquesne reviewed the draft Report. Chairperson Pyne stated that there are two (2) items he may want incorporated into the Report. The first is the recommendation to add kennels to the CB District. The second is the longer-term recommendation concerning a new sign code, which would affect the HC and CA Districts and also the TR District. Commissioner Duquesne stated that he would incorporate those items. Chairperson Pyne then addressed the CD Overlay Report. Commissioner Duquesne reviewed the draft Report. Ms. Robinson identified a typographical error, to which Commissioner Duquesne replied that it would be corrected.

Chairperson Pyne next addressed the Organizational and Consistency-based updates. Commissioner Duquesne reviewed the draft Report. Chairperson Pyne noted that there had been some discussion about whether new noticing requirements should be included within Chapter 285 or placed in a separate Chapter of the Town Code. He stated that he would defer to staff to work out the appropriate approach. Commissioner Duquesne stated that the most important consideration is for the noticing requirements to be consistent and easy to understand. He stated that he would review this matter further and report back to the Board.

Chairperson Pyne stated that staff would prepare three (3) additional Reports for the next meeting addressing Cannabis Dispensaries, Accessory Vehicle Storage at Self-Storage Facilities, and the Keeping of Chickens. He asked whether the Board would receive clean documents or redline versions with the revisions. Commissioner Duquesne responded that staff would use the minutes to identify items important to the Board and provide fresh documents ahead of the Board's October 21, 2026 meeting.

Chairperson Pyne stated that the goal is for the Planning Board to be in a position to adopt the Reports and Recommendations at the October 21st meeting and transmit them to the Town Board. He stated that, over the following months, staff would make edits and produce Version 2 of the Chapter 285 amendments for consideration by the Town Board. He thanked the Planning Board members and

staff for their detailed work on the Amendments and stated that a better version would be produced based on the comments received. Mr. Pillinger and Ms. Anderson also thanked staff. Commissioner Duquesne and Deputy Commissioner Schmidt expressed their appreciation for the hard work of the Planning Board members. Mr. Weinberg stated that the Chapter 285 Amendments are an impressive project and that he has been impressed by the amount of effort that has gone into them, noting that substantial work had been done by staff even before the Planning Board began its review.

7. ESTABLISH DATE FOR NEXT MEETING

The next regularly scheduled meeting of the Greenburgh Planning Board will be held on Wednesday, October 21, 2026, and is scheduled to begin at 7:00 p.m.

8. ADJOURNMENT

The October 7, 2026 Work Session of the Town of Greenburgh Planning Board was adjourned at 9:50 p.m.

Respectfully submitted,

Aaron Schmidt
Deputy Commissioner,
Department of Community Development and Conservation