

**TOWN OF GREENBURGH  
PLANNING BOARD MINUTES  
TOWN HALL – GREENBURGH – NEW YORK  
Tuesday – November 20, 2018**

The Work Session of the Planning Board of the Town of Greenburgh was held on Tuesday, November 20, 2018, in the auditorium of the Greenburgh Town Hall, 177 Hillside Avenue, Greenburgh, New York, and began at 8:00 pm.

**1. ROLL CALL**

Present: Chairperson Walter Simon, Mohamed Ayoub, Michael Golden, Thomas Hay, and Hugh Schwartz

Absent: Kirit Desai and Viola Taliaferrow

Staff: Aaron Schmidt, Deputy Commissioner, CD&C  
David Fried, Esq., 1<sup>st</sup> Deputy Town Attorney  
Garrett Duquesne, AICP, Commissioner, CD&C

**2. APPROVAL OF MINUTES**

**a. November 7, 2018 Work Session Minutes**

Chairperson Simon asked Planning Board members if there were any comments to the draft Planning Board minutes of November 7, 2018. On a motion made by Mr. Hay and seconded by Mr. Ayoub, the Planning Board voted to approve the November 7, 2018 minutes, as written. There were none. Mr. Schwartz abstained from the vote.

Mr. Schwartz raised a question pertaining to item 5a of the draft minutes. Mr. Schmidt recited Section 285-40c(6) of the zoning ordinance. Mr. Schwartz expressed his concern with what this section of the zoning ordinance permits. Mr. Fried advised that this section could be explored and brought to the attention of the Town Board, for a potential amendment.

**3. OLD BUSINESS**

**a. Case No. TB 18-20/PB 18-16 Crossroads Joint Venture, 367-399 Tarrytown Road (P.O. White Plains, N.Y.) – Amended Site Plan (Town Board approval) & Planning Board Wetland/Watercourse Permit**

A continuation of a work session (November 7, 2018) to discuss an amended site plan (Town Board approval, referral to Planning Board) and Planning Board wetland/watercourse permit application for a proposal consisting of the construction of additional parking spaces spanning over an existing concrete-lined watercourse (Manhattan Brook), on the subject property. The applicant is proposing to add sixty (60) new off-street parking spaces to the Crossroads Shopping Center by constructing a raised concrete platform over an existing, on-site watercourse. The applicant proposes 22,265 sq. ft. of wetland/watercourse buffer area disturbance within the 323,237 sq. ft. of regulated buffer area on the project site, associated with a watercourse (Manhattan Brook) situated within a concrete lined channel on the subject property. No direct impact to the watercourse is proposed. There currently are 1,568 off-street parking spaces provided on-site, with 1,628 proposed. It is noted that a similar concrete parking deck was constructed over a separate portion of the Manhattan Brook, along the northeasterly section of the property, sometime after 1992. The property consists of approximately 1,283,084 sq. ft. (29.46 acres) and is situated on the south side of Tarrytown Road (NYS Route 119), opposite the intersection of Manhattan Avenue and Tarrytown Road (NYS Route 119). The property is located in the UR – Urban Renewal District (Planned Commercial Development Sub-district), and is designated on the tax map of the Town of Greenburgh as Parcel ID: 7.480-295-1, 2 & 3.

Mr. Schmidt advised that, following the Planning Board's last work session where this project was discussed, the Planning Board directed staff to prepare a draft recommendation to the Town Board on the amended site plan referral, which had been prepared and was circulated in the Board's packages.

Mr. Michael Thompson, PE, of JMC, PLLC, advised that, following the November 7, 2018 Planning Board work session, he informed the client of the Planning Board's comments, which would likely be included as part of its recommendation to the Town Board. He explained that the project team would be meeting with the client in the near future, at some point after the Planning Board issues its recommendation, so that those items may be followed up on. Mr. Schwartz asked why additional parking is being requested at this time. Mr. Thompson explained that the shopping center is anticipating that a major tenant will not be renewing its lease, and the center is therefore seeking additional on-site "prime" parking spaces, to appeal to a potential future tenant. Mr. Schwartz opined that the proposed parking area is distant from the main building on the site. Mr. Thompson explained that the shopping center proposes these parking spaces, as they would be in a more visible and

accessible area of the site, in an effort to attract a new, large scale tenant, which may have specific requirements related to parking.

Mr. Golden asked if there is any designated employee parking on the site. Mr. Thompson replied that there is none, though it can be looked into. Mr. Golden suggested that the draft recommendation be amended to include language that the property owner be urged to encourage employees to utilize the rear parking areas, through lease provisions or otherwise. Mr. Schwartz further suggested that language be provided to recommend that direct access to the rear parking areas be explored. Mr. Hay questioned whether the Board should be recommending that a maintenance plan for the stream channel be provided, or if the area should just be cleaned prior to construction, and be maintained according to best management practices in the future. Mr. Schmidt advised the Board members that a condition of any wetland/watercourse permit approval of the project, could detail a maintenance plan requirement. Mr. Golden requested a language change from “allow for” to “conduct” in point 4 on Page 2 of the draft recommendation. Mr. Fried clarified that point 5 would be modified to include, “direct access to, the parking areas at the rear of the site...”

On a motion made by Mr. Golden, and seconded by Mr. Hay, the Planning Board unanimously voted to issue a positive recommendation to the Town Board on the amended site plan application referral, with the additional recommendations, as amended.

Chairperson Simon requested that modifications to the draft recommendation be emailed to all Board members for review, prior to transmission to the Town Board.

**4. ITEMS FOR PUBLIC HEARING & PUBLIC DISCUSSION (ITEMS WILL START NO SOONER THAN 8:15 P.M.)**

*Full transcripts of the items on for public hearing and public discussion are available through the Department of Community Development and Conservation, and are posted on the Town of Greenburgh website.*

**a. Case No. PB 17-14 Piekarski, Vacant Lot - South Healy Avenue (P.O. Scarsdale, N.Y.) – Planning Board Steep Slope Permit & Tree Removal Permit (Town Forestry Officer approval)**

A public hearing to discuss a Planning Board steep slope permit and tree removal permit (Town Forestry Officer approval) application involving the proposed construction of a single family residence with related improvements, on an existing, vacant lot. The applicant proposes 474 sq. ft. of disturbance on 15-25% slopes (STEEP SLOPES), 954 sq. ft. of disturbances on 25-35% slopes (VERY STEEP SLOPES) and 1,914 sq. ft. of disturbances on 35%+ slopes (EXCESSIVELY STEEP SLOPES). The project requires approximately 340 cubic yards of cut and 40 cubic yards of imported fill. The applicant proposes the removal of eighteen (18) regulated trees, requiring a tree removal permit from the Town Forestry Officer. The applicant has prepared a Landscaping Plan which calls for the planting of: two (2) Black Tupelo trees, three (3) Skyrocket Juniper trees, seven (7) White Spruce trees, one (1) Snow Goose Cherry tree, two (2) Sugar Maple trees, and two (2) Eastern Redbud trees. The property consists of approximately 9,997 sq. ft. and is situated on the east side of South Healy Avenue approximately 200 feet from the intersection of Stephanie Drive and South Healy Avenue. The property is located in the R-10 One-Family Residence District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.350-253-11.

*On a motion made Mr. Golden, and seconded by Mr. Hay, the Planning Board unanimously voted to close the public hearing, and to leave the written record open through November 29, 2018.*

**b. Case No. PB 18-19 Brewer, 16 Wyndham Road (P.O. Scarsdale, N.Y.) – Planning Board Steep Slope Permit**

A public hearing to discuss a Planning Board steep slope permit application for a proposal to construct an approximately eighty (80) linear foot retaining wall, ranging in height from six (6) feet to fourteen (14) feet, a 229 sq. ft. expansion to an existing stone patio, and related site improvements. The applicant proposes to construct a reinforced, segmented retaining wall on its property, in order to create a level rear yard area for recreational use. The applicant proposes 763 sq. ft. of disturbance on 15-25% slopes (STEEP SLOPES) and 4,574 sq. ft. of disturbance on 25-35% slopes (VERY STEEP SLOPES). The project involves approximately 40 cubic yards of cut and approximately 250 cubic yards of imported fill, requiring a fill permit from the Bureau of Engineering. The property consists of approximately 14,782 sq. ft. (0.34 acres) and is situated on the easterly side of Wyndham Road at the intersection of Overton Road and Wyndham Road. The property is situated in

the R-15 One-Family Residence Zoning District, and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.600-417-12.

*On a motion made Mr. schwartz, and seconded by Mr. Golden, the Planning Board unanimously voted to close the public hearing, and to leave the written record open through November 29, 2018.*

**5. NEW BUSINESS**

**a. Case No. PB 18-25 Dom's Pizza and Pasta, 444 Saw Mill River Road (P.O. Elmsford, N.Y.) – Planning Board Shared Parking Reduction Request**

A work session to discuss a shared parking reduction of eight (8) spaces (Planning Board approval), pursuant to Section 285-38D(5), in order to accommodate a new 2,005 sq. ft. 44-seat restaurant (formerly a portion of NBB Office Furniture) within an 135,703 sq. ft. building. There currently are five (5) businesses located within the building. The restaurant space requires twenty-seven (27) off-street parking spaces. The total parking required for the site, with the proposed conversion, is 188 spaces. There currently are 180 parking spaces on the site. In order to facilitate the proposed change in use, the applicant is requesting a shared parking reduction of eight (8) parking spaces from the Planning Board, as set forth in Section 285-38D(5) of the Zoning Ordinance. The restaurant use is a permitted use in the PD Nonresidential Planned Development District. The property consists of approximately 9.03 acres and is situated on the west side of Clearbrook Road approximately 410 feet from the intersection of Hunter Lane. The property is located in the PD Nonresidential Planned Development District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 7.120-17-1.

*Full transcripts of this agenda item discussion are available through the Department of Community Development and Conservation.*

*On a motion made by Mr. Schwartz, and seconded by Mr. Golden, the Planning Board unanimously voted to classify the project as an "Unlisted" action, under SEQRA. On a motion made by Mr. Golden, and seconded by Mr. Schwartz, the Planning Board unanimously voted to adopt a Negative Declaration in connection with this project, under SEQRA. On a motion made by Mr. Hay, and seconded by Mr. Ayoub, the Planning Board unanimously voted to grant the shared parking reduction request of eight (8) parking spaces, from 188 to 180.*

**b. Case No. PB 18-26 Dalewood Shopping Center, 353-425 Central Park Avenue North (P.O. Hartsdale, N.Y.) – Planning Board Shared Parking Reduction Request**

A work session to discuss a shared parking reduction of two (2) spaces (Planning Board approval), pursuant to Section 285-38D(5), in order to accommodate (4) electric car charging stations, with related improvements (where 6 standard parking spaces exist). The total parking required for the site is 303 spaces. There currently are 286 parking spaces on the site. A previous shared parking reduction was granted by the Planning Board in connection with a restaurant special permit (So Gong Dong Tofu House). The property consists of approximately 131,551 sq. ft. and is situated on the west side of Central Park Avenue North approximately 500 ft. from the intersection of Fieldstone Drive and Central Park Avenue North. The property is located in the CA Central Avenue Mixed-Use Impact District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.150-96-5.

*Full transcripts of this agenda item discussion are available through the Department of Community Development and Conservation. This matter is next scheduled to be on the Planning Board agenda on December 5, 2018.*

**c. Case No. TB 18-08 Hartsdale Four Corners Redevelopment Initiative (Town Board Referral)**

A work session to discuss a land-use study associated with the 4 Corners Study Area, which was referred by the Town Board for recommendation on October 24, 2018. The Study contains revitalization-based goals, objectives and policies related to a unified vision for the subject area. The study area plan is the first of several planning phases to address known challenges in the area, such as commercial vacancies, parking, stormwater, and traffic; through a planning and rezoning process to create a vibrant neighborhood center and gateway to the Hartsdale Train Station and surrounding residential communities.

*Full transcripts of this agenda item discussion are available through the Department of Community Development and Conservation. This matter is next scheduled to be on the Planning Board agenda on January 2, 2019.*

**6. ESTABLISH DATE FOR NEXT MEETING**

The next regularly scheduled meeting of the Greenburgh Planning Board will be held on Wednesday, December 5, 2018, and will begin at 8:00 pm in the Greenburgh Town Hall Auditorium.

**7. ADJOURNMENT**

The November 20, 2018 work session of the Town of Greenburgh Planning Board was adjourned at 11:00 pm.

Respectfully submitted,

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Aaron Schmidt  
Deputy Commissioner,  
Department of Community Development and Conservation