

TOWN OF GREENBURGH
PLANNING BOARD

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1. ROLL CALL
 2. ITEMS FOR DISCUSSION/HEARING
 - a) Case No. PB 18-18
Westchester Hills Cemetery
400 Saw Mill River Road
P.O. Hastings-on-Hudson, New York
 - b) Case No. TB 18-22/PB 18-17
Maria Regina School
500 West Hartsdale Avenue
P.O. Hartsdale, New York



3. ADJOURNMENT

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Greenburgh Town Hall
177 Hillside Avenue
Greenburgh, New York 10607
December 5, 2018

B E F O R E:

WALTER SIMON, CHAIRMAN

HUGH SCHWARTZ, Board Member
THOMAS HAY, Board Member
MOHAMED AYOUB, Board Member
VIOLA TALIA FERROW, Board Member
MICHAEL GOLDEN, Board Member
KIRIT DESAI, Board Member

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

DAVID R. FRIED, ESQ.
First Deputy Town Attorney

BARBARA MARCIANTE,
Official Senior Court Reporter

1 CHAIRMAN SIMON: Good evening and could everyone
2 be seated. You're ready?

3 DEPUTY TOWN ATTORNEY FRIED: Yes.

4 CHAIRMAN SIMON: Okay. Good evening. Welcome to
5 the Public Hearing session of the December 5th Planning
6 Board meeting. Aaron, could you poll the minutes, please.
7 I mean not the minutes, the attendance, please.

8 DEPUTY COMMISSIONER SCHMIDT: Sure. Viola Talia
9 Ferrow?

10 BOARD MEMBER TALIAFERROW: Here.

11 DEPUTY COMMISSIONER SCHMIDT: Kirit Desai?

12 BOARD MEMBER DESAI: Here.

13 DEPUTY COMMISSIONER SCHMIDT: Michael Golden?

14 BOARD MEMBER GOLDEN: Here.

15 DEPUTY COMMISSIONER SCHMIDT: Walter Simon?

16 CHAIRMAN SIMON: Here.

17 DEPUTY COMMISSIONER SCHMIDT: Hugh Schwartz?

18 BOARD MEMBER SCHWARTZ: Here.

19 DEPUTY COMMISSIONER SCHMIDT: Mohamed Ayoub?

20 BOARD MEMBER AYOUB: Here.

21 DEPUTY COMMISSIONER SCHMIDT: Tom Hay?

22 BOARD MEMBER HAY: Here.

23 CHAIRMAN SIMON: Thank you. Okay, so first item
24 on the agenda for public discussion --

25 DEPUTY COMMISSIONER SCHMIDT: Public hearing.

1 CHAIRMAN SIMON: -- and a referral from the Town
2 Board, that is the Westchester Hills Cemetery, PB 18-18.

3 DEPUTY COMMISSIONER SCHMIDT: Just to quickly
4 clarify for this Board, the applicant has moved forward
5 with the Zoning Board of Appeals and the Town Board. It is
6 now back before this Board for the Public Hearing only on
7 the steep slope permit, which is the final land use
8 approval that this applicant requires. So I just wanted to
9 clarify that for this Board and for anyone in the public.
10 Please proceed.

11 MR. CHRIS TRAMUTOLA: Good evening.

12 DEPUTY COMMISSIONER SCHMIDT: Thank you.

13 MR. CHRIS TRAMUTOLA: My name is Chris Tramutola.
14 I'm an architect and a landscape architect. I work for
15 Peter Gisolfi & Associates in Hastings, right near by our
16 Westchester Hills Cemetery site. I'm representing the
17 client, which is Steven Wise Free Synagogue in New York
18 City and the owners of Westchester Hills Cemetery.

19 The cemetery is roughly 17 acres on the east bank
20 of the Saw Mill River right on Saw Mill River Road. When
21 we first have worked with the client, we ended up doing a
22 topographic study of the entire site just to give a sense
23 of the piece of land that we're dealing with.

24 And it's very much indicative of Greenburgh and
25 Westchester as it has an average slope of about 20 percent

1 throughout the entire site, which ends up meaning that no
2 matter what we did on this site, we would end up disturbing
3 some steep slopes.

4 Throughout the site you can see here is the
5 aerial of the site and the overall contour map, which from
6 that distance it would probably be easiest to just to see
7 every gradation of grey there is a ten-foot distance in
8 elevation. So we have about 200 feet of elevation change
9 along the site.

10 The site that we're dealing with is right next to
11 the building, the surrounds of the building here. We kept
12 the disturbance as minimal as possible. We ended up only a
13 couple hundred feet of very steep slopes disturbed and
14 we're mitigating those with a number of retaining walls to
15 prevent future erosion as those steep slopes are throughout
16 the site.

17 We are retaining all the drainage as we presented
18 previously during the Planning Board proceedings and as you
19 can see, the rendering would be to my left is the final
20 project. If there is any questions, please feel free to
21 ask. I'm very versed on the project. Overall we minimized
22 the disturbance surrounding the building as much as
23 possible.

24 CHAIRMAN SIMON: This plan have been before this
25 Board several times and several members actually went out

1 to the site. However, if there are any other questions
2 that Board members might have before we open up to the
3 public?

4 BOARD MEMBER DESAI: Is there any changes to the
5 plans that you originally submitted for previous approval,
6 I mean --

7 MR. CHRIS TRAMUTOLA: Since the Planning Board,
8 no.

9 BOARD MEMBER DESAI: Okay. And so do you have
10 the sort of areas that if you can show that it's most of
11 this steep slope has been disturbed?

12 DEPUTY COMMISSIONER SCHMIDT: Sorry. I think
13 it's to the rear, correct?

14 MR. CHRIS TRAMUTOLA: It would be the L300, which
15 would be next drawing on that. There you go. So you can
16 see the heavy dark lines are our new contours. Mostly that
17 path is where it's currently steep slope. And you can see
18 there that we are actually putting our handicap path there,
19 which means we're reducing that steep slope dramatically.

20 CHAIRMAN SIMON: Are there any other comments
21 from the Board? If not, I will -- Is there anyone from the
22 public would like to speak about this application?

23 (Whereupon, there was no response from the public
24 audience.)

25 CHAIRMAN SIMON: If there is no comments from the

1 public, then I would entertain a motion to close this
2 hearing and keep the record open, what would that be to?

3 DEPUTY COMMISSIONER SCHMIDT: Staff would
4 recommend December 19th.

5 BOARD MEMBER TALIAFERROW: So moved.

6 BOARD MEMBER HAY: Second.

7 CHAIRMAN SIMON: All in favor? Aye.

8 BOARD MEMBER TALIAFERROW: Aye.

9 BOARD MEMBER DESAI: Aye.

10 BOARD MEMBER GOLDEN: Aye.

11 BOARD MEMBER SCHWARTZ: Aye.

12 BOARD MEMBER AYOUB: Aye.

13 BOARD MEMBER HAY: Aye.

14 DEPUTY COMMISSIONER SCHMIDT: You're all set.

15 And we will have a draft decision prepared for the Board's
16 consideration on January 2nd. That's the next Board
17 meeting.

18 MR. CHRIS TRAMUTOLA: Got it. Thank you very
19 much. Have a good evening.

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1 CHAIRMAN SIMON: Okay. The next thing on the
2 agenda is public discussion --

3 DEPUTY COMMISSIONER SCHMIDT: Public Hearing.

4 DEPUTY TOWN ATTORNEY FRIED: It's a Public
5 Hearing.

6 CHAIRMAN SIMON: Public Hearing on Maria Regina
7 School. Do we have -- okay. This is PB 18-22.

8 DEPUTY COMMISSIONER SCHMIDT: Right. So just to
9 clarify for the Board and for the public, this is both a
10 public discussion on the Town Board's referral of an
11 amended site plan. It is also an initial Public Hearing on
12 the Planning Board's steep slope permit. So I just wanted
13 that to be clear. And so moving forward at the end, staff
14 can advise.

15 CHAIRMAN SIMON: Okay.

16 BOARD MEMBER GOLDEN: What do you mean by
17 initial?

18 DEPUTY COMMISSIONER SCHMIDT: Well, this Board,
19 even if it received all comments and perhaps was ready to
20 move forward with a closure of the Public Hearing, it could
21 not do so. You would have to adjourn the Public Hearing
22 anyway because of the way the statute reads. And the last
23 land use decision with respect to the project would be the
24 Planning Board steep slope permit.

25 Very similar to the applicant we just had, that

1 was an amended site plan referral, the Board had an initial
2 discussion on it, but the Public Hearing at the back end
3 was on the steep slope permit.

4 MR. RON TETELMAN: All righty. Thank you. I'm
5 Ron Tetelman. I'm senior managing landscape architect for
6 Barton & Loguidice. And I represent Maria Regina High
7 School, the applicant.

8 CHAIRMAN SIMON: Can you --

9 DEPUTY TOWN ATTORNEY FRIED: I can just shut --

10 DEPUTY COMMISSIONER SCHMIDT: Dim the lights.

11 CHAIRMAN SIMON: So the audience could see.

12 MR. RON TETELMAN: That's fine. That's the
13 existing, Aaron has the --

14 CHAIRMAN SIMON: Could you move this a little bit
15 over.

16 MR. RON TETELMAN: Okay.

17 CHAIRMAN SIMON: Okay, that's fine.

18 MR. RON TETELMAN: Aaron has the drawings anyhow.
19 On Saturday we had a site walk that was attended by about a
20 dozen neighbors. We had sent out about 272 notices to the
21 nearby neighborhood.

22 And I had flagged, previously flagged, out the
23 new tennis courts and the outside perimeter of the 400
24 meter running track. Comments -- are you all familiar with
25 the projects? I don't think you all were here the last

1 time I was.

2 CHAIRMAN SIMON: Yes, we are.

3 DEPUTY COMMISSIONER SCHMIDT: But if you would go
4 through it, that would be helpful.

5 MR. RON TETELMAN: Okay. Next slide if you want
6 to put it up. Do you have the colored rendering, if you
7 could put that up? That would be easier. Okay, there we
8 go.

9 The track itself is a 400 meter track, which will
10 contain a full-sized synthetic turf soccer field in the
11 middle. The synthetic turf's advantage is that we can both
12 use it for soccer and for girls' softball. And those are
13 the activities that will be played on the field. There
14 might be some lacrosse as well.

15 The tennis courts, as you can see, are now
16 located in the front of the school on West Hartsdale
17 Avenue. There are two courts. They go -- they are
18 oriented north to south. And the parking lot has been
19 reconfigured to provide the same number of cars that they
20 currently have.

21 The concerns that, obviously, we received and we
22 understand, and I am not trying to be a wise guy. We are
23 removing 72 trees on site. We determine that 20 of the
24 trees are declining. A lot of the trees are very, very
25 mature and at the end of their life. The rest of the trees

1 are healthy trees.

2 In order to accommodate our new plans, we have
3 encroached towards Keats Avenue with the existing field.
4 The project does expand the existing athletic field towards
5 Keats. In addition, we proposed to add additional
6 landscaped screening, a mixture of deciduous and evergreen
7 trees to help minimize the visual impacts of the new field.

8 There are no lights associated with this project.
9 So the current school activities that occur now will be
10 occurring at the same time and, obviously, will not go past
11 dusk on any given school day. On Saturdays in the fall, we
12 expect about five soccer games to be played on the field.
13 In the springtime, when softball season arrives, again,
14 about five Saturday games.

15 During the summer, there is a camp that uses the
16 field. I know there is issues, but I'm not addressing
17 those issues tonight. The school's aware of the special
18 permit that is needed to be renewed or applied for for that
19 camp and they are working on it. But I am not really
20 prepared to discuss that tonight, but the school's aware of
21 it and they will be dealing with that directly with the
22 Town.

23 So on Saturday, the neighbors who showed up, and
24 I respect them, I understand the issues that they brought
25 up. One of the questions was can we relocate the tennis

1 courts from West Hartsdale to an area just north of the
2 track between the convent and the school building.

3 Although, the footprint of the tennis courts fit
4 into that space, the 10-foot fence would be right up
5 against the school building as well as the convent. And
6 this is not acceptable to the school. So the answer to
7 that question is no, we can't relocate the tennis courts to
8 that little niche between the two buildings.

9 BOARD MEMBER DESAI: Can you elaborate that
10 because of why that you cannot?

11 MR. RON TETELMAN: Because the structure, the
12 10-foot fence that surround a tennis court are only --
13 would only end up being five to 10 feet off the school
14 building blocking the windows and air and access, emergency
15 access, out of those buildings. And it's right up against
16 the patio of the convent and it just doesn't work with
17 their current program.

18 BOARD MEMBER DESAI: Can you provide a drawing so
19 clarifying what you're saying.

20 MR. RON TETELMAN: Yes, I have it. I showed it.
21 I should have brought it with me. I thought my explanation
22 would be good. I will send something to Aaron by Friday.

23 DEPUTY COMMISSIONER SCHMIDT: Please.

24 MR. RON TETELMAN: In addition, the neighbors
25 also asked if we can pull the facility, the track, a little

1 further away from Keats.

2 There is currently no more room to push that
3 track any closer to the school because of the service area
4 that the school gets their deliveries. They get their fuel
5 delivered. They get their food delivered in the area right
6 there, right where Aaron's arrows are, right there. That's
7 as tight as it could be for maneuvering the small trucks.
8 They are not large vehicles, but that is needed to maneuver
9 and make the deliveries that support the school.

10 Previously, you saw a plan that we provided that
11 did show the track a lot closer, about 20, 25 feet closer
12 to Keats. We were willingly made the adjustment and
13 relocated the track further away to accommodate a double
14 row of evergreen screenings in front of the most affected
15 neighbors. And in addition, we infilled the remaining
16 wooded area with evergreen trees that will also help screen
17 the site.

18 We also relocated the tennis courts that were
19 previously located on the Keats side of the property to its
20 current location, now closer to the front of the school.
21 And that's our project.

22 The steep slopes that we're dealing with were
23 constructed steep slopes when they built the original
24 field. You know, when you're doing grading, they pushed a
25 level area out and the steep slopes are now where the field

1 meets existing grade. Those are the only steep slopes that
2 are on site that we are working over. They are manmade
3 steep slopes, not natural steep slopes.

4 And that's about it. We did all SWPPP, the storm
5 water is all designed and ready to be, you know, submitted
6 to engineering when we get the go-ahead.

7 BOARD MEMBER GOLDEN: I have a couple of
8 questions.

9 CHAIRMAN SIMON: Go ahead.

10 BOARD MEMBER GOLDEN: The first question is out
11 of personal curiosity, why is the track 400 meters rather
12 than 440 yards?

13 MR. RON TETELMAN: They are similar. A quarter
14 mile --

15 BOARD MEMBER GOLDEN: Four yards difference, I
16 know but --

17 MR. RON TETELMAN: Right. It's actually 3.28 or
18 something like that.

19 BOARD MEMBER GOLDEN: I was close.

20 MR. RON TETELMAN: But the standard now is 400
21 meters. They don't do quarter mile tracks anymore. All
22 the events are in meters.

23 BOARD MEMBER GOLDEN: Is that right? Okay. The,
24 in a couple of the memos from the neighbors, they suggested
25 that you build a smaller track. Have you considered that

1 and if so, why can't you build a smaller track?

2 MR. RON TETELMAN: The infield, the area within
3 the oval of the track of the 400 meter track can fit a
4 full-sized soccer field. So the idea was the main driving
5 force of this project was to create a multi-used sports
6 field and soccer is, you know, 200 feet by 360 feet. And
7 it can only fit within a 400 meter track.

8 And the benefit of the synthetic turf is that we
9 can get a girls' softball field that has 200 feet down the
10 foul lines to conveniently fit within that turfed area. So
11 that's why we have a 400 meter track.

12 The girls also need this track to practice and
13 it's a paved rubber surface track. It will have the
14 marking, the standard markings and lane events that they
15 would be running on when they go to other schools.

16 This track will generally never be used for a
17 meet because it's too small. Four lanes cannot support a
18 track meet because it would take all day to run all the
19 events.

20 BOARD MEMBER GOLDEN: Last question, did you get
21 an email from Aaron regarding putting up a fence?

22 MR. RON TETELMAN: I saw your email and my
23 answer --

24 BOARD MEMBER GOLDEN: Well, I guess we should,
25 for the sake of the part in listening to the audience, tell

1 them what the email was.

2 MR. RON TETELMAN: Mr. Golden suggested that we
3 provide a more decorative type of fence that possibly could
4 double as the sound barrier or help screen the track from
5 you guys. My suggestion was, we added this fence at the
6 request of the neighbors. I think it was your request to
7 keep the people on and off.

8 CHAIRMAN SIMON: Please address the Board.

9 MR. RON TETELMAN: I'm sorry. We originally
10 didn't have a fence around the track. And there was some
11 concern that the track would be over used at night and at
12 times. So we thought it would be best to install a 42-inch
13 fence around the perimeter of the track. It's a black
14 vinyl fence. It's very -- it fits into the landscape.

15 But it's only there to keep motorized vehicles,
16 skateboarders, bicycles out of the track and would help
17 deter people using it at off hours.

18 A ten-foot fence or higher fence does not support
19 sound barriers. I think the landscape screening that we're
20 offering is more effective, both visually and for sound.
21 And that would be my response to you.

22 BOARD MEMBER GOLDEN: Well, look, I'm not an
23 engineer, but I know that, you know, sound bounces off of
24 solid barriers. So if you have a solid, let's say, wooden
25 fence, I don't know how high it would have to be. I'm sure

1 it would reduce the noise coming over the street south of
2 the school.

3 BOARD MEMBER SCHWARTZ: Where were you proposing
4 the fence?

5 BOARD MEMBER GOLDEN: On the south side. What's
6 that street?

7 MR. RON TETELMAN: That's Keats.

8 BOARD MEMBER GOLDEN: Keats, yeah. You know,
9 just south of the --

10 MR. RON TETELMAN: Well, I am not an engineer
11 either.

12 BOARD MEMBER GOLDEN: I'm just not convinced by
13 your --

14 MR. RON TETELMAN: Right. Well, I'm not an
15 engineer either. But it's my understanding with the sound
16 barriers that you see on highways and stuff, which are
17 30 feet tall, the sound may block the people really close
18 to that barrier, but it does push it off to other
19 neighborhoods.

20 BOARD MEMBER GOLDEN: Look, since neither of us
21 are acoustic engineers, and we readily admit it, could you
22 look into this, please? So that when you appear before us
23 next time, you can tell us if a fence would work, reduce
24 the sound. If so, how high the fence would have to be and
25 whether the applicant is willing to put in a fence. And I

1 think, you know, I would certainly like to hear from the
2 people.

3 MR. RON TETELMAN: Let me discuss the sound.

4 BOARD MEMBER GOLDEN: Yes, sure.

5 MR. RON TETELMAN: First of all, the use on the
6 field is during the day. Like I said there is no lights.
7 So at 5:00, 6:00, it's over, okay, that's Monday to Friday.
8 On Saturdays, if there is a ballgame, there is one game
9 it's two, three hours long maybe, tops, and it's over.

10 You know, it's not a lot of use. There's not a
11 lot of sound, and that's all. But I will -- I just got
12 your question this morning and that was my off the cuff
13 answer.

14 BOARD MEMBER GOLDEN: That's fine.

15 BOARD MEMBER SCHWARTZ: Doesn't need to --

16 BOARD MEMBER GOLDEN: But I do have one comment
17 on that. Look, I know what the current time, because I
18 spoke to one of the security guards there. He told me that
19 during the season, I guess the spring or fall, there is
20 soccer games everyday. There are baseball games everyday.
21 So there is an amount of noise currently being generated.
22 I mean let's face it, it's a school with a playing field.

23 MR. RON TETELMAN: It's practice. It may not be
24 games. But yes, it's going to be used Monday through
25 Friday.

1 BOARD MEMBER GOLDEN: I have no idea how much
2 additional or how much less noise your new facility will
3 generate. It's going to be a beautiful facility. I
4 suppose it's going to be maybe a little more used.

5 But the neighbors are concerned about the noise.
6 So we, on the Board, are trying to address neighbors'
7 concerns while respecting, you know, the project that
8 you're proposing.

9 So we're looking at ways to, you know, kind of
10 compromise and meet halfway or two-thirds of the way or
11 whatever it is. So that's it. So look into it.

12 MR. RON TETELMAN: Understood. I will respond to
13 your question appropriately.

14 CHAIRMAN SIMON: Any other?

15 BOARD MEMBER SCHWARTZ: Yes.

16 BOARD MEMBER AYOUB: Yes, I do. Go ahead.

17 BOARD MEMBER SCHWARTZ: No, go ahead, Mohamed.

18 BOARD MEMBER AYOUB: This two field, you know,
19 the tennis court and the track, you know, and the soccer
20 field. You build the fence around it, are you going to
21 lock this fence at the end of the day or you going to leave
22 it open?

23 MR. RON TETELMAN: We generally provide locked
24 gates and like a maze entrance that could be locked or not.
25 The maze entrance is the entrance where only pedestrians

1 can come through. So you can't really drag a bike or
2 anything else through it.

3 The gates could be locked. I would have to
4 discuss that with the school. We got two members from the
5 school here. If the janitors remember to lock the gates,
6 we can do it. But remember, it's right now, with the
7 42-inch fence, somebody wants to get in, they are going to
8 hop over, but they can't hop over with a bike or some kind
9 of motorized vehicle, which is the idea for the fence.

10 BOARD MEMBER AYOUB: Okay. For the tennis court,
11 the mesh you're going to use is going to be one inch?

12 MR. RON TETELMAN: Yeah, we use one-inch diamond
13 mesh.

14 BOARD MEMBER AYOUB: Once they use that bleacher,
15 if you go behind the fabric, people will sit on that
16 bleacher, they are not going to see anything inside.

17 MR. RON TETELMAN: Well, you see something. It's
18 not the best, but we have to use the one-inch mesh. It's
19 the standard procedure.

20 BOARD MEMBER AYOUB: I know, I know. Listen, I
21 work for the Parks Department. I do that for a living.

22 MR. RON TETELMAN: That's right, yeah.

23 BOARD MEMBER AYOUB: What I'm saying is these
24 bleachers having behind that one-inch fabric, the people
25 can't see it. Honestly, it's not useful. The people will

1 go inside the field in the center to watch the play, if
2 they go.

3 MR. RON TETELMAN: Well, the tennis courts would
4 be an issue. The small fence around the field is not.
5 You're sitting above that.

6 BOARD MEMBER AYOUB: That's for the track?

7 MR. RON TETELMAN: Right.

8 BOARD MEMBER AYOUB: Yeah, that's what I'm
9 talking about that. To be honest with you, I don't see --

10 MR. RON TETELMAN: The bleachers on the tennis
11 courts could come or go. I think we just show that as a
12 convenience. There are three row seats. They are what
13 they have now. We're just relocating the three sets of
14 bleachers that they currently have.

15 DEPUTY COMMISSIONER SCHMIDT: We saw them out
16 during the site visit, they were barely noticeable.

17 BOARD MEMBER AYOUB: Okay. Yes, I have a Master
18 degree from the Stevens Institute of Technology, and I took
19 acoustic, you know. And I don't see any of the fence will
20 stop the noise, but the noise will not really in this area
21 during the day is not going to reach the neighbors. It's
22 an open area.

23 MR. RON TETELMAN: I would say the cars on West
24 Hartsdale would probably be louder than the tennis play.

25 BOARD MEMBER AYOUB: Yeah, but like I say, the

1 fence is not going to stop really this --

2 MR. RON TETELMAN: Absolutely not.

3 BOARD MEMBER AYOUB: -- there's no doubt about
4 it. You understand what I'm saying. The whole idea is,
5 I'm not sure how far, you know, that fence of the tennis
6 court from that, you know, from that the community houses,
7 like 100 feet, 50 feet. What do you think?

8 MR. RON TETELMAN: To Keats?

9 BOARD MEMBER AYOUB: Yes.

10 MR. RON TETELMAN: I would say the track itself
11 is 300 feet. So it's probably 400, 500 feet to the nearest
12 house.

13 BOARD MEMBER AYOUB: I don't think, in my
14 opinion, I don't think anybody would really, unless it's
15 very crowded, really, you know, can hear the noise.

16 BOARD MEMBER HAY: You mean for the tennis
17 courts, yes.

18 MR. RON TETELMAN: I agree. There is backboard.
19 There's no practice board, that's boom, boom, boom. You're
20 not going to hear that --

21 BOARD MEMBER AYOUB: There is no light. There is
22 no --

23 MR. RON TETELMAN: There's no lights.

24 BOARD MEMBER AYOUB: Thank you.

25 BOARD MEMBER SCHWARTZ: I have a couple. You

1 said that the reason you can't move the track closer to the
2 school is because of the needing the delivering access.
3 When, in fact, what's really keeping it there is the fact
4 that you got a bunch of parking spaces up against the track
5 right now.

6 MR. RON TETELMAN: Right. We got a fire hydrant
7 and some existing parking spots.

8 BOARD MEMBER SCHWARTZ: Okay. But I'm looking at
9 the, I'm looking at about, I don't know, 10, 12 parking
10 spaces.

11 MR. RON TETELMAN: Yeah, I see them.

12 BOARD MEMBER SCHWARTZ: Four, five, six, ten. I
13 think it's ten parking spaces there. And those parking
14 spaces are probably 20 feet. You probably, if you move
15 those parking -- if you move the tennis court forward
16 towards Hartsdale Avenue, you could probably get those same
17 parking spaces in where that little indent in the tennis
18 court --

19 MR. RON TETELMAN: No, I can't move the courts
20 any closer. We're right on the property line. We're right
21 on the right of way line.

22 DEPUTY COMMISSIONER SCHMIDT: They need a
23 variance for it.

24 BOARD MEMBER SCHWARTZ: I see it there.

25 MR. RON TETELMAN: Right. And we still need a

1 variance for that, for the tennis courts in the front yard.

2 BOARD MEMBER SCHWARTZ: On the top there, okay.
3 I don't know if there is another place to put -- well, you
4 can put them beyond, I guess you can put those spaces
5 beyond, behind the bleachers, I guess. You can put the
6 same spaces behind the bleachers, possibly, and pick up
7 about probably ten or 15 feet. I don't know if it makes a
8 difference or not.

9 MR. RON TETELMAN: We have two utilities there.
10 We have a sewer line and drainage line that run around the
11 building right there.

12 BOARD MEMBER SCHWARTZ: So the concern --

13 MR. RON TETELMAN: Again, it may pick up five,
14 10 feet. To me, I don't know. I don't know if that's
15 significant.

16 BOARD MEMBER SCHWARTZ: I'm not sure it's worth
17 it. I'm not sure if it's worth it. I'm just saying it
18 wasn't just because of the delivery, the parking spaces
19 were constraining it, too.

20 Go back, Aaron, to the slide you had, please.
21 Now, the majority of the trees taken down on the Keats
22 Avenue side of the facility?

23 MR. RON TETELMAN: You can see that the majority
24 of the trees are sort of on the West Hartsdale side and a
25 little bit of the Keats. However, there is a swath of

1 wooded area that contains shrubbery, vines and maybe 15, 20
2 trees in that shaded, in that hatched area that trees will
3 be coming down, yes.

4 BOARD MEMBER SCHWARTZ: Okay. And if your plan
5 is to replace them in kind or no?

6 MR. RON TETELMAN: Yes, there they are.

7 BOARD MEMBER SCHWARTZ: Okay. They are going to
8 be --

9 DEPUTY COMMISSIONER SCHMIDT: They are not in
10 kind.

11 MR. RON TETELMAN: In numbers only, and more than
12 we've taken down, but there are more evergreen to offer
13 better screening.

14 BOARD MEMBER SCHWARTZ: They would provide
15 better -- are they going to be young evergreens, are they
16 going to be --

17 MR. RON TETELMAN: I think they are eight to
18 10 feet. We show a varied size in that plant list.

19 BOARD MEMBER SCHWARTZ: My eyes are good, but not
20 that good.

21 MR. RON TETELMAN: I see we have Norway Spruces,
22 10 feet, we have varied heights from six to 12 feet.

23 DEPUTY COMMISSIONER SCHMIDT: From six to 10,
24 12 feet.

25 MR. RON TETELMAN: Yeah. It looks more natural

1 that way if we put in different sized plants.

2 BOARD MEMBER SCHWARTZ: They grow in about what a
3 year, six inches?

4 MR. RON TETELMAN: About five to ten.

5 DEPUTY COMMISSIONER SCHMIDT: About a foot, about
6 a foot when they are fully established.

7 BOARD MEMBER SCHWARTZ: And the trees that are
8 coming down are large --

9 DEPUTY COMMISSIONER SCHMIDT: Well, the trees --
10 let me speak to the area of the woodland that's going to be
11 removed. There may be, it's predominantly deciduous trees
12 or non-evergreens in that area. There are some large trees
13 coming out. There is a lot of low-lying vegetation that's
14 coming out.

15 The area where there are, you know, significant
16 evergreens coming out are in the area roughly where the
17 tennis courts are going.

18 BOARD MEMBER SCHWARTZ: Which is close to West
19 Hartsdale not close to the Keats, right?

20 DEPUTY COMMISSIONER SCHMIDT: This is closer to
21 West Hartsdale. In this area here, which is kind of --

22 BOARD MEMBER SCHWARTZ: Where is Keats on that
23 map?

24 DEPUTY COMMISSIONER SCHMIDT: Keats is down here.

25 BOARD MEMBER SCHWARTZ: South, okay.

1 MR. RON TETELMAN: The bottom of the page.

2 BOARD MEMBER SCHWARTZ: I got it.

3 DEPUTY COMMISSIONER SCHMIDT: Right here,
4 actually, you can see the curb.

5 BOARD MEMBER SCHWARTZ: Okay.

6 DEPUTY COMMISSIONER SCHMIDT: So, in this area
7 you've got predominantly Maple species that are, there are
8 some significantly sized trees.

9 BOARD MEMBER SCHWARTZ: That are coming down?

10 DEPUTY COMMISSIONER SCHMIDT: That are proposed
11 for removal. This is in the area of where the track would
12 be --

13 BOARD MEMBER SCHWARTZ: I mean we're going to
14 hear from the community. There seems to be a bunch of them
15 here. I'm sure they would have better things to do on a
16 Wednesday night if they weren't here for this project. We
17 are going to hear from them. My guess is it's going to be
18 concerns from the neighbors from an aesthetic --

19 CHAIRMAN SIMON: Let the neighbors --

20 BOARD MEMBER SCHWARTZ: I understand. I'm
21 speaking for me. The reaction I have is doing the best you
22 can to maintain the aesthetics that looks like a wooded
23 area from the site view from the neighbor, whatever could
24 be done from a density point of view.

25 MR. RON TETELMAN: I think we've improved the

1 screening aspect of it than what they have now because the
2 existing trees now are, you know, they are tall. They
3 don't offer any low screening, just the trunks.

4 We proposed to put back full to the ground a
5 mixture of mostly of Evergreen trees and some deciduous
6 trees that we've taken out. But the result, I think we
7 have a much better screened area than they have now.

8 BOARD MEMBER SCHWARTZ: One last question,
9 obviously you'll be putting in astro turf versus synthetic
10 turf -- excuse me, I dated myself.

11 MR. RON TETELMAN: It's okay. They are still
12 making astro turf.

13 BOARD MEMBER SCHWARTZ: Synthetic turf versus
14 natural, how are you handling the additional runoff?

15 MR. RON TETELMAN: We have a storm water plan,
16 which shows detention and storage under the westerly side
17 of the track.

18 BOARD MEMBER SCHWARTZ: Okay.

19 MR. RON TETELMAN: -- of the field. There is a
20 storm water plan. We did a SWPPP. And so we've got it
21 calculated, all the storage is under the field and it
22 slowly meters out to the existing draining system.

23 BOARD MEMBER SCHWARTZ: They did it taken into
24 account. I mean one thing that I know we had an issue with
25 in a different project years and years ago, is we had taken

1 out that many trees, there was potential lost ability in
2 terms of runoff, too. I'm just concerned about when you're
3 taking down that many trees, too, increasing the runoff
4 from that part of the property, not just the developed part
5 of the property, just taking down the trees.

6 DEPUTY COMMISSIONER SCHMIDT: There would be, I
7 mean there would be some --

8 MR. RON TETELMAN: I think we accounted for --

9 DEPUTY COMMISSIONER SCHMIDT: Go ahead.

10 MR. RON TETELMAN: I think in our formulas for,
11 you know, before and after --

12 BOARD MEMBER SCHWARTZ: Okay.

13 MR. RON TETELMAN: -- we accounted for a wooded
14 area which now is turning into a less wooded area.

15 BOARD MEMBER SCHWARTZ: Okay.

16 MR. RON TETELMAN: There are runoff coefficients
17 that need to be used to develop the storage.

18 BOARD MEMBER SCHWARTZ: Okay, thank you.

19 CHAIRMAN SIMON: Viola, do you have a comment?

20 BOARD MEMBER TALIAFERROW: No. I had a concern
21 about the trees, but I believe you answered that. I know
22 Aaron already taken a look at that in regards to it. So no
23 other comments.

24 CHAIRMAN SIMON: I have a question. I would like
25 to know, do you have a comparison between the amount of

1 activity that's taken place now and the level of activity
2 that will take place after this upgrade of the facility?

3 MR. RON TETELMAN: Can I let the Board answer
4 that if they can tonight?

5 CHAIRMAN SIMON: Because one of the issues that
6 we're talking about noise on the property. So I think the
7 best way, at least in my mind, is to look at what is the
8 differential between what's happening now and what will
9 happen in the future.

10 MR. RON TETELMAN: Understood. I'll let Paul
11 Thomas explain, to answer your question.

12 CHAIRMAN SIMON: Okay, fine.

13 MR. PAUL THOMAS: Thank you. We don't anticipate
14 much over usage from what we're doing now. We have, in the
15 fall, we have just one soccer team. It's a Varsity team.
16 We don't have a JV team. They will practice Monday through
17 Friday; occasionally, if the league schedules game on
18 Saturday. So that usage will not increase.

19 Our cross country team either goes down to
20 Woodlands, runs our property or goes down to Van Cortlandt
21 Park to practice. And all our meets are away down in Van
22 Cortlandt on Saturdays.

23 So there might be a day where if there's not a
24 soccer game, they get a chance to run the track in the
25 fall. So that's our fall. And then in the spring, we have

1 tennis where we've been practicing and playing at
2 Schechter. Actually, I'm sorry, girls sports, it's a fall
3 support.

4 So that will be -- the tennis program will be new
5 to our property, even though we've had a tennis team for
6 years. Softball in the spring, we have two teams. We have
7 a Varsity and a JV. Typically if the JV is home, then the
8 Varsity is on the road on a Saturday or during the week.

9 But we don't anticipate -- right now I can't say
10 if they AD sees a brand new field and wants to add sports,
11 you know, and Ron didn't mention lacrosse or field hockey.
12 I don't know if that's in the works or not. But right now
13 we do not see even a small markup on participation on the
14 fields.

15 BOARD MEMBER GOLDEN: Let me ask a question. Do
16 you have a track team now?

17 MR. PAUL THOMAS: We do.

18 BOARD MEMBER GOLDEN: Well, you didn't mention
19 that.

20 MR. PAUL THOMAS: I'm sorry. I said cross
21 county. Track is off property all the time. They go to
22 the Armory in the wintertime because that's what they call
23 the indoor track season.

24 BOARD MEMBER GOLDEN: But right now, you don't
25 have a track now. And this proposal adds a track and it's

1 a polevault, if I recall correctly, polevault or whatever,
2 so aren't those all going to be new activities?

3 MR. PAUL THOMAS: Yes. They'll practice there.
4 But we will never be able to hold a meet on a four-lane
5 track. You can't hold a sanction meet unless it's six
6 lanes.

7 So it will be purely just a practice venue. They
8 are going to have to split time with softball. They will
9 probably get out of school at 2:30 and do their running and
10 be off the field by the 4:00 o'clock first pitch or again,
11 they will go down to Woodlands or something like that.

12 But yes, they are going to use the track, but
13 we're not going to have meets where we're going to be
14 bringing bus loads of opponents. We're not going to have,
15 you know -- yes, the track program has grown steady over
16 the last five years.

17 CHAIRMAN SIMON: Okay, but to go back to my
18 question, you can anticipate that you, if I hear you
19 correctly, and correct me if I'm wrong, the only difference
20 you say is the fact that you'll be having track practice on
21 your site as opposed to going to Van Cortlandt Park or to
22 Woodlands, is that what you're saying?

23 MR. PAUL THOMAS: Correct. And we're bringing
24 tennis onto the property.

25 CHAIRMAN SIMON: And you're bringing tennis on to

1 the property. The tennis that was being taken, you have
2 tennis across the street --

3 MR. PAUL THOMAS: The Schechter School has given
4 us a time and space for the last couple of years.

5 CHAIRMAN SIMON: Where is that tennis court
6 located in reference to Hartsdale Avenue, is it in the
7 front or?

8 MR. RON TETELMAN: It's towards, I looked at a
9 Google map today to look at where the track was and the
10 tennis courts. The tennis courts are to the southeast of
11 the Schechter building. I believe that's where they are.

12 CHAIRMAN SIMON: I'm just trying to quantitate
13 the differential in sound now and what will anticipate it
14 to be once this facility is built. That's the gist of my
15 question.

16 MR. PAUL THOMAS: I'll be honest, we probably
17 would anticipate. I mean right now I think there is seven
18 or eight girls on the tennis team. So it's not even a loud
19 event when they are practicing or whatever. But I think if
20 we do build two courts on the field, I'm sure that the
21 tennis program will get bigger. And I'm sure the track
22 team will get bigger.

23 So I'm going to be honest with you, but you know,
24 currently we're not adding teams. We're not adding events.
25 It's just going to be the normal, like Ron said, 3:00 to

1 5:00, 3:00 to dusk usage of the field Monday through Friday
2 and probably a single event on a Saturday morning for five
3 or six weekends in both spring and fall.

4 CHAIRMAN SIMON: Thank you.

5 BOARD MEMBER AYOUB: Is the community allowed to
6 use this field, when it is not used by the school?

7 MR. PAUL THOMAS: Currently, we don't -- we do --
8 we talked about the camp, but aside from the camp in the
9 summertime, not to my recollection do we let outside groups
10 come in and use the property.

11 CHAIRMAN SIMON: Let me --

12 BOARD MEMBER TALIAFERROW: I'm sorry.

13 CHAIRMAN SIMON: Okay. Go ahead.

14 BOARD MEMBER TALIAFERROW: Are there longterm
15 arranged plans to put lights. I know there are no lights
16 there now, have not been. But with the improvement is
17 there any longterm arranged plans.

18 MR. PAUL THOMAS: No. There are no discussions
19 at all.

20 CHAIRMAN SIMON: I would like to give members of
21 the community an opportunity to speak on this issue.

22 I ask that you don't repeat what a previous
23 speaker said. If you agree with that speaker, just say,
24 identify yourself and say I agree with the previous
25 speaker, but I would like to add. If you like to add

1 something new, add to that speaker, rather than to repeat
2 the same statement several times.

3 The issue is for us to hear a variety of opinions
4 and that's what we're looking for. So if we do that, we
5 can get everyone to speak and maybe even a second time, if
6 you stick to the point and don't repeat yourself and just
7 say I agree with those factors that was previously said.
8 We have a stenographer, that goes into the record so we
9 would know that.

10 DEPUTY COMMISSIONER SCHMIDT: Can we have a show
11 of hands on those who intend to speak this evening, just
12 for budgeting time purposes?

13 (Whereupon, several individuals raise their
14 hands.)

15 DEPUTY COMMISSIONER SCHMIDT: Would the first
16 individual --

17 CHAIRMAN SIMON: Okay. Come up, come up. Just
18 identify yourself and --

19 BOARD MEMBER HAY: Come on down.

20 CHAIRMAN SIMON: -- speak to the issue. Thank
21 you.

22 MR. RICHARD NEWHOUSE: Good evening,
23 Mr. Chairman, members of the Board, my name is Richard
24 Newhouse. I'm a member of the Poet's Corner Civic
25 Association Board and I live at 119 Keats Avenue in

1 Hartsdale.

2 I would like to thank the members of the Planning
3 Board, first of all, for arranging and attending the
4 on-site visit on December 1st, along with members of our
5 Civic Association and Community residents. As was noted in
6 our December 7th work session comments, it was important
7 for the Board to observe firsthand what was going on at the
8 site. So I appreciate those members who took the time to
9 come out.

10 Having seen the proposed track and soccer field
11 firsthand, and the tennis courts, we can all relate to the
12 updated comments submitted tonight for your consideration.
13 We did submit comments ahead of time to everybody so you
14 would have a chance to look at them.

15 DEPUTY COMMISSIONER SCHMIDT: They were emailed
16 in and I forwarded them out electronically to the Board
17 members.

18 CHAIRMAN SIMON: Okay, it's not what we just --

19 DEPUTY COMMISSIONER SCHMIDT: It's not what I
20 just handed out. That came in, I received that at 7:30
21 this evening.

22 CHAIRMAN SIMON: Yeah.

23 MR. RICHARD NEWHOUSE: Once again, I would like
24 to ask the Planning Board to consider the environmental,
25 the noise and the visual quality of life it impacts on the

1 Poet's Corner Civic Association, neighbors living on Keats
2 Avenue and Spencer Court.

3 Discussed below and require the site plan
4 amendments resulting in a smaller track being constructed
5 much further away from Keats Avenue, which will all but
6 eliminate the removal of the decades old matured trees,
7 which we've been discussing, along Keats Avenue and Spencer
8 Court and significantly reduce the noise and the visual
9 impacts.

10 One of the things that I think is important is to
11 think about the history of the Maria Regina High School at
12 this site. I think this is important for the Board members
13 to consider.

14 First of all, a special use permit was issued for
15 the construction of the original school back in 1957, as
16 far as I can tell. And it was approved, we believe, in
17 part, because it did not have a negative impact on the
18 community. Remember, that this is a special use permit
19 that was issued in a residential neighborhood, which is
20 where the school is now located.

21 Again, in 1982, another special use permit was
22 issued for construction of the gymnasium. And again, it
23 was approved again because it did not have a significant
24 impact on the quality of life for the residential
25 community.

1 We checked the records and this was referenced
2 before by the applicant, but there is no record of a
3 special use permit being issued for a private seasonal camp
4 that currently goes on now at the school. And it's been
5 going on for, I guess, the last two or three years.

6 And it's our understanding, according to the
7 Zoning code, that there is a special use permit that's
8 required, but none is on file. So it's either been
9 misplaced or it's never been applied for. And I think it's
10 something that's important that the Board look into. And I
11 know that the Town is pursuing that.

12 This application for a special use permit to
13 construct a track and the soccer field and the tennis
14 courts does, in fact, negatively impact our community and
15 that's why we are here tonight. We have been meeting and
16 corresponding with both Maria Regina High School and the
17 Town's Commissioner of the Department of Community
18 Development and Conservation over the past several months.

19 We're pleased with the partial site plan
20 revisions to date, certainly relocating the tennis courts
21 away from Keats Avenue. Because the original plan, if you
22 guys recall, the tennis courts were located right on Keats
23 Avenue, directly across from homes, which is kind of
24 ridiculous.

25 There were two other sites proposed. One was

1 discussed tonight and apparently it doesn't look like
2 that's feasible. But there is a second site on the north
3 side of the school that should be looked into as well. The
4 other option is just not to have two tennis courts, but
5 perhaps --

6 CHAIRMAN SIMON: Can I interrupt you for a
7 minute?

8 MR. RICHARD NEWHOUSE: Sure.

9 CHAIRMAN SIMON: Can you point out on the chart
10 what area --

11 DEPUTY COMMISSIONER SCHMIDT: I believe in your
12 handout, it was identified.

13 BOARD MEMBER SCHWARTZ: It's here, Walter.

14 BOARD MEMBER HAY: It's not on the one I have.

15 MR. RON TETELMAN: We didn't take a survey of the
16 other side of the building.

17 MR. RICHARD NEWHOUSE: But there that second
18 site. And the other point I wanted to make was that I
19 believe the applicant is proposing two tennis courts.

20 Perhaps if there was only one tennis court, it
21 might fit in the area by the convent without interfering
22 with the function of the convent or any other emergency
23 access points.

24 CHAIRMAN SIMON: Okay. I just want to get
25 clarification.

1 MR. RICHARD NEWHOUSE: Oh, sure.

2 (Whereupon, the Board members confer.)

3 DEPUTY COMMISSIONER SCHMIDT: The applicant's
4 representative was at the site visit where the potential
5 other location was brought up.

6 BOARD MEMBER SCHWARTZ: Okay. When you get a
7 chance to get back up.

8 DEPUTY COMMISSIONER SCHMIDT: Do you remember
9 what side, on the north side of the building?

10 CHAIRMAN SIMON: Okay, sorry to interrupt you.

11 MR. RON TETELMAN: I never looked into anything
12 over there. I didn't have the information.

13 CHAIRMAN SIMON: I'm sorry, you can continue.

14 MR. RICHARD NEWHOUSE: Just also to be clear, as
15 far as that fence is concerned that was discussed, I don't
16 recall we ever asked for a fence along the track, whether
17 it's a four -- supposed to be a four-foot black fence.

18 I don't recall us ever asking for a fence. It
19 would be pretty ugly looking to have to look at that fence.
20 So I just want to be clear on that.

21 We do happen to have remaining concerns, which we
22 believe the Town must address. One of the things that we
23 wanted to try and locate was, I had mentioned that in 1957,
24 the school received a special use permit to construct the
25 school.

1 We wanted to see if there were any conditions in
2 that special use permit. I know the Town is trying to
3 locate the special use permit. They've been unable to find
4 it to date. I know it wasn't in the Planning Board's files
5 and it wasn't in the Zoning Board files.

6 The Town Clerk is now looking to check and see
7 whether the Town Board possibly took any action on that
8 original special use permit from 1957. So we're still
9 trying to locate that file to see if there were any
10 conditions that were attached to that special use permit.
11 So I know Aaron has been working on that so I really
12 appreciate the Town's help.

13 Those 77 regulated trees, and I think it's
14 important when we talk about these 77 trees, the Town
15 defines a regulated tree as a tree that's only six inches
16 in diameter. But if you think about the total number of
17 trees that are being removed, it's going to be close to 100
18 trees that are coming down in that area, and particularly
19 along Keats Avenue. We're very concerned.

20 And I know the Town is concerned about removing
21 trees. And they are looking for areas where they can, in
22 fact, add more trees. So this just seems to me that this
23 is not consistent with the Town's objective in keeping as
24 many trees as possible and adding trees where ever they
25 can.

1 So here, we're taking old growth trees that have
2 to be, I don't know, decades old. I really don't know how
3 old these trees are. And we're cutting them down in order
4 to put a track and a soccer field in. And we're very
5 concerned about whether or not that really makes sense and
6 it's in keeping with the Town Tree Preservation Ordinance.

7 I think Paul Feiner recently, or during the
8 summer, sent out a memo looking for areas where we can, in
9 fact, add more trees. So I think this is just not in
10 keeping with what the Town is trying to do.

11 The 400 meter track and the soccer field that
12 they are talking about is laid out on an angle. It comes
13 within 45 to 50 feet of Keats Avenue. And that's got to
14 impact our quality of life. And one of the things that
15 we're really saying about this whole project is we know
16 that the school would love to add a track, even though
17 there are facilities available at Solomon Schechter and
18 Woodlands.

19 And one of the conclusions we're coming to, and
20 you'll see as we go through this, is as much as the school
21 would like to have these facilities and the other two
22 special use permits were granted because it didn't impact
23 the quality of life for the residents, maybe what they are
24 proposing here is there just isn't enough land available to
25 do it without negatively impacting the quality of life in

1 the people on Poet's Corner particularly on Spencer and
2 Keats Avenue.

3 That's something that I think the Board really
4 needs to consider. We know the school would like to have
5 it, but with the property that's available, it might just
6 not be something that's feasible, considering that they are
7 asking for a special use permit within a residential area.

8 So the question is, I know that they would like
9 to have a track this big. It would be nice if they can do
10 it. But perhaps there is just not enough property that's
11 available.

12 The other thing is the short environmental
13 assessment form appendix B, item A, incorrectly states that
14 the proposed action will not result in a substantial
15 increase in traffic above the present levels. Despite what
16 the school says, we do see additional traffic coming.
17 Because there will be additional uses of the facility and
18 maybe there will be track meets in the future. I don't
19 really know. I know there's been an increase in traffic
20 since the camp uses the facilities during the summer
21 months.

22 And we've been subjected over the past two, three
23 years because of the camp using the facility to noise all
24 day long. I know that they say they are only going to be
25 using the track during the day, but the school seems to

1 forget that people actual live in the community during the
2 day. It's not just a question where everybody vacates
3 Poet's Corner during the day, and then all of a sudden,
4 everybody returns after they go to work in the evening.

5 People actually live there during the day, women,
6 children, people that are retired, like me, for example.
7 And we're home and we listen to the noise. And when the
8 camp was operating during the summer, they generated an
9 awful lot of noise during the summer. And the noise is
10 only going to increase now with a track and soccer fields
11 going on during the day.

12 So I think it's important to keep in mind that
13 while they are only going to be there during the day and
14 they are only going to operate on Saturday, people live in
15 the community 24 hours a day. And they are here during the
16 day. Everybody doesn't leave to go to work and there is
17 nobody in Poet's Corner during the day.

18 Again, the short environment assessment form,
19 Appendix B incorrectly identifies the habitat, the typical
20 habitat types that occur that are likely to be found on the
21 project, it identifies the area as suburban. It seems to
22 be with all the trees and everything else that it's more
23 like a forest, from our perspective, considering all the
24 old growth trees and the animals that live there.

25 We've seen deer on our property and other types

1 of animals. So it doesn't seem to me that this is a
2 typical suburban setting.

3 So we have those concerns that we think the Board
4 should really look into. And again, I think the general
5 conclusion that we have, really, is that, as I said before,
6 we're looking at either they are using it -- they need to
7 construct a smaller track to meet their needs. And I know
8 that they want to fit in a playing field in the middle of
9 it. I think, you know, it would be nice if they can fit it
10 in.

11 But again, I think the conclusion that we've come
12 to, and we hope the Board comes to the same conclusion, is
13 that as much as they would like to fit all of these
14 facilities in, they just don't have enough property to fit
15 it in. Because again, they are asking for a special use
16 permit in a residential zone and they just don't have
17 enough property to do it.

18 And the past two special use permits they got
19 were approved because it did not impact the quality of life
20 in the residential community. I suspect when they come
21 back before you, they are going to have to come back before
22 you, I suspect for another special use permit because they
23 are operating a camp and they have been doing it without a
24 special use permit, the same kind of questions are going to
25 come up.

1 I thank you, again, for listening to me and I
2 hope you consider the concerns of the Poet's Corner
3 Community. Thank you.

4 DEPUTY COMMISSIONER SCHMIDT: Thank you.

5 BOARD MEMBER GOLDEN: I just have one comment.

6 MR. RICHARD NEWHOUSE: Yes, sir.

7 BOARD MEMBER GOLDEN: We know that an additional
8 use, if this application is going to be approved, is there
9 going to be people running around the track because there
10 is no track now. And with a track, they are going to be --
11 there is going to be new activity.

12 But I got to tell you, I mean, when I was in high
13 school, which was a long time ago, I was on the track team
14 and the soccer team. People running around a track don't
15 make a lot of noise. People running back and forth across
16 the soccer fields do make a lot of noise. It's just a
17 personal observation.

18 MR. RICHARD NEWHOUSE: I agree with you. People
19 cheering them on, people watching them also make a lot of
20 noise. That's our experience in watching the camp
21 operate. So I agree with you.

22 CHAIRMAN SIMON: Okay, thank you.

23 MR. RICHARD NEWHOUSE: Thank you.

24 DEPUTY COMMISSIONER SCHMIDT: Thank you. Next.

25 CHAIRMAN SIMON: Is there another public speaker?

1 MR. WALTER WILLIAMS: Good evening, my name is
2 Walter Williams and I live at --

3 CHAIRMAN SIMON: Can you speak into the mic.
4 You're a tall guy. Just bring it up, there you go.

5 MR. WALTER WILLIAMS: My name is Walter, too.

6 CHAIRMAN SIMON: Oh yeah, all right.

7 MR. WALTER WILLIAMS: My name is Walter Williams.
8 I live at 121 Keats Avenue, which is directly across the
9 street from the Maria Regina Athletic field. And in fact,
10 Richard and his wife and I and my wife are neighbors.

11 So my house is going to be one of the houses
12 that's most directly impacted by this project. And I've
13 taken a tape measure out there and the lower end of that
14 track is going to be 40 feet from the curb, which is
15 directly in front of my house.

16 When I look out my picture window now, I see this
17 idyllic pastoral setting of old matured trees and their
18 athletic field and things like that. Now, it's going to be
19 replaced by a track with a chain-linked fence, I'm not for
20 it.

21 I'm not for this at all. And I agree with most
22 of what Richard said so I am not going to repeat
23 everything. But my question is why wasn't this -- there is
24 other property or other space on this property, why wasn't
25 that looked at before this was the site that was identified

1 as where this track is going to go in.

2 They can build this on the other end of the
3 school, and why wasn't that looked at. Thank you for your
4 time.

5 DEPUTY COMMISSIONER SCHMIDT: The applicant will
6 be given an opportunity to respond to comments following
7 all the public comments. Next to the podium. Please,
8 thank you.

9 MS. MONA FRAYTAG: It gets a little shorter now.
10 Mona Fraytag, 8 Hood Court, Poet's Corner also. I'm the
11 co-president of the Poet's Corner Civic Association.

12 On behalf of the Civic Association, I'm here to
13 tell you that our residents along Keats Avenue and Spencer
14 Court are concerned about this project. Richard Newhouse
15 did a wonderful job isolating all of the different issues
16 that we have with this project. And we would hope that the
17 applicant might consider the other location on, I think
18 it's the northern side of the school, that they haven't
19 previously looked at. That perhaps that might be an option
20 for the tennis courts. So that we don't have to cut down
21 those more mature trees.

22 Richard had also offered some other options that
23 we hope that the applicant might consider in terms of
24 reducing the size of the tennis court so that it might fit
25 in front of the location that we had looked at on the

1 walk-thru. If they were smaller, that might still allow
2 for the access that is needed for the school.

3 We certainly don't want to put any school
4 children in jeopardy where they don't have safe access in
5 case of emergencies. So that would not be our response as
6 a civic association. We're not looking to put the students
7 in any sort of safety issues at all. That's never our
8 response as a civic association. I just want everyone to
9 know, and I want that out there.

10 Other than that, I do completely agree with the
11 comments from the other two neighbors within the
12 association. And I wanted you to know that as an
13 association, that is our stance. Thank you for your time,
14 gentlemen.

15 BOARD MEMBER GOLDEN: I have a question about
16 Spencer Court.

17 MS. MONA FRAYTAG: Yes.

18 BOARD MEMBER GOLDEN: Is Spencer Court down hill
19 from the existing field?

20 MR. RICHARD NEWHOUSE: Yes.

21 MS. MONA FRAYTAG: It's a very steep slope.
22 It's at the very, very steep slope. But just the very
23 steep slope. I'm looking at Aaron.

24 DEPUTY COMMISSIONER SCHMIDT: A little bit of
25 both.

1 BOARD MEMBER GOLDEN: The reason I ask is because
2 I was outside there the other day and I don't recall seeing
3 the street there. Now I'm remembering that there was a
4 fairly steep downhill. This is on the west side of the
5 property.

6 MR. RICHARD NEWHOUSE: Correct.

7 BOARD MEMBER GOLDEN: So that's correct, right?

8 MS. MONA FRAYTAG: Somebody give me directions,
9 yes.

10 MR. RICHARD NEWHOUSE: Yes.

11 BOARD MEMBER GOLDEN: So I understand the impact
12 on Keats because I was there, I got that. What is the
13 impact on Spencer Court? And the reason I ask is because
14 they really can't see the field because they be looking
15 uphill. And second, even if there is more noise, it would
16 generally fly over their homes.

17 MS. MONA FRAYTAG: It doesn't just fly over
18 their homes. And when trees are removed, they'll still be
19 some trees removed all along there, they are going to see
20 more, you know, of what's going on when trees are removed.
21 So they were neighbors along Spencer that were also very
22 concerned of what was going to happen there.

23 So you know, anybody that borders the school
24 wanted to know what's happening. We have neighbors here
25 that are on the opposite side where we're suggesting that

1 possibly the tennis courts could go.

2 So there are neighbors that are concerned over
3 what is going to happen. So the neighbors that are along
4 Shaw are wondering what's going to happen. All of the
5 neighbors that border Maria Regina and Poet's Corner, when
6 they heard this was happening, were like oh, my God, oh, my
7 God, you know, what is going to happen. And that's a
8 natural response, quite frankly, when things happen in the
9 neighborhood. I am not going to be, I am not going to tell
10 you otherwise. Panics burst.

11 BOARD MEMBER GOLDEN: We've seen it before.
12 We've seen it before.

13 CHAIRMAN SIMON: Just for clarity, because it
14 appears to be there's different issues for different
15 neighbors. As Michael pointed out on Spencer Court, which
16 is lower, noise should be a lesser issue. And so for them
17 it's line of sight, would that be correct?

18 MS. MONA FRAYTAG: Yes.

19 CHAIRMAN SIMON: So for people on Spencer Court,
20 it's more an issue of line of sight than noise?

21 MS. MONA FRAYTAG: Correct.

22 CHAIRMAN SIMON: Where some place on Keats, that
23 might not be the case.

24 MS. MONA FRAYTAG: Well, I think on Keats, they
25 are worried about line of sight as well as noise. I think

1 they both come into effect.

2 CHAIRMAN SIMON: Okay. So in order, I think one
3 of the things, in order to figure out the best place to
4 fits any one activity, we have to understand what will be
5 the impact. So it might be a different impact for Spencer
6 Court versus another.

7 So all I'm saying that as you move things around,
8 you have to appreciate the differences that it can have on
9 a neighborhood, okay.

10 MS. MONA FRAYTAG: It was also my impression,
11 and perhaps I misunderstood on the walk-thru, that there
12 was going to be some regrading also along the Spencer Court
13 side.

14 DEPUTY COMMISSIONER SCHMIDT: There will be.

15 MS. MONA FRAYTAG: Okay.

16 DEPUTY COMMISSIONER SCHMIDT: There will be on
17 the outside of the track.

18 MS. MONA FRAYTAG: So some regrading will be
19 done on that side as well.

20 DEPUTY COMMISSIONER SCHMIDT: All these lines are
21 regrading.

22 BOARD MEMBER HAY: It's going to extend further
23 towards Spencer.

24 MS. MONA FRAYTAG: Yes.

25 DEPUTY COMMISSIONER SCHMIDT: Right. So if you

1 look, I tried to color this in so you get a sense. That's
2 the existing field and there is some grading off that. It
3 grades down. That's what is proposed.

4 MS. MONA FRAYTAG: It's not going to be as far
5 down as you think it is because they have to regrade there.

6 CHAIRMAN SIMON: Okay.

7 DEPUTY COMMISSIONER SCHMIDT: Just to try to give
8 it some perspective between the two.

9 MS. MONA FRAYTAG: Again, I'm not the engineer
10 here, and so I was trying to follow along. We were asked
11 to just kind of be on the periphery and it wasn't our job
12 to be asking questions during the walk-thru. We were just
13 kind of in the background.

14 CHAIRMAN SIMON: Okay.

15 MS. MONA FRAYTAG: So is there anything else I
16 can answer?

17 BOARD MEMBER HAY: Sorry. So from walking back,
18 right now the track doesn't extend as far towards Spencer,
19 and there is a slope there. As it extends further, that
20 slope is going to get bigger because it's already downhill.

21 So this is going to extend more, the actual slope
22 is going to be, I think, a bit higher. I don't have the
23 actual elevation. If you're on Spencer, you know, it's
24 going to be closer and a little bigger.

25 MS. MONA FRAYTAG: Correct.

1 BOARD MEMBER HAY: I am not trying to minimize
2 it. I'm just trying to say I think that's what is
3 happening.

4 MS. MONA FRAYTAG: That's what I think also.

5 CHAIRMAN SIMON: Okay.

6 DEPUTY COMMISSIONER SCHMIDT: Thank you.

7 CHAIRMAN SIMON: Thank you.

8 MS. MONA FRAYTAG: You're welcome. Thank you,
9 gentlemen, for your time.

10 CHAIRMAN SIMON: Is there anyone else who would
11 like to speak on the issue?

12 DEPUTY COMMISSIONER SCHMIDT: This is the
13 gentleman that I provided the handout.

14 CHAIRMAN SIMON: Unfortunately, we just got it so
15 we did not have the opportunity to read it.

16 MR. GLEN COTTON: No problem. A lot of the
17 comments are the start of the same of what's been said
18 before. But I'll go through the high points. My name is
19 Glen Cotton. I'm a former resident of Greenburgh and
20 current son-in-law of Nan and Tony Pizza(ph) who live at
21 125 Keats, since 1955 -- 1956 -- 1955.

22 At first, when you first look at the project, it
23 seems like a reasonable idea to do. They put a nice track
24 on the property. But unfortunately, as you just heard from
25 everybody else, it doesn't seem to fit the site because of

1 the restrictions and the slopes and the tree removals it
2 requires.

3 Most of the trees that are being spoken about
4 being removed are very large, old growth trees,
5 irreplaceable. Smaller Evergreens are not going to give
6 you the same kind of aesthetic affect. It's also going to
7 change the natural habitat. Currently, there is a bunch of
8 woodland animals running around through the greenery and
9 the buffer zone there. And they'll have less place to go.
10 They will have a greater slope in front of them and less
11 trees around them.

12 One of the interesting things is that the timing
13 of this proposed tree removal is just about as when
14 Greenburgh, the Town of Greenburgh, I understand, is
15 thinking about upgrading and improving their tree
16 preservation ordinances, which may come into play and the
17 new ordinance may have a greater control over these kind of
18 trees.

19 So that doesn't seem like the right time to be
20 starting a project that will be removing the old growth
21 trees, which should be protected as much as possible. The
22 existence of the trees and the trees and vegetation is one
23 of the main reasons why the property still has a
24 residential look to it as opposed to an urban type school
25 system. They block the school. They provide sort of a

1 park-like atmosphere.

2 The removal of all those large, old-growth trees
3 and vegetation will change that drastically. The trees
4 themselves will also going to provide, and do provide,
5 current noise reduction, which unfortunately, the noise
6 itself has been heard as far away as Carlisle, as said
7 during many of the events, summer camp and even the school
8 events.

9 The trees and vegetation they are talking about
10 removing, besides the aesthetics and the sound, also are
11 absorbing a lot of the runoff from that area. The removal
12 of those trees, the increase in the slope is going to
13 actually contribute to runoff. Their recharge field or
14 discharge field is only dealing with what's inside the
15 track.

16 All the other peripheral area will have less
17 absorption, less ability to absorb and any additional
18 runoff is likely going to land on Keats Avenue, rundown or
19 pocket in a little hollow in the cut out there.

20 The tennis courts, tennis courts where they are
21 right now are going to require the removal of seven, some
22 of the largest of these trees; 30-some odd inch most of
23 them. The para tennis courts, as they are described there,
24 can be moved up towards the north end of the school
25 building as you see on the colored map there. Yeah, there

1 is a little box with an X in it.

2 Given the same exact footprint of the tennis
3 courts, but move it further away from the residential area,
4 making it more neck-tucked in front of the school area; so
5 tucked in between the two wings there.

6 If you take the two tennis courts, instead of
7 making them side by side, and doing end to end, the black
8 and white drawing shows where they can be then situated
9 over the current residency going over to the school, over
10 towards Secor over there, taking the same pair of tennis
11 courts, just end to end instead of side by side.

12 The track itself is going to provide just the
13 drastic change in the appearance, the track, the fence,
14 everything. It takes a natural environment that's there
15 now, and it becomes almost a semi-urban type of
16 environment.

17 The change in topography is also very
18 substantial. They are going to be taking the existing
19 slopes, and because the track is going to be larger,
20 pushing a lot closer to Keats, therefore, increasing the
21 slopes, increasing runoffs that can cause problems.

22 The synthetic turf in the middle is not going to
23 help because it's a runoff. Hopefully, that will be
24 contained by their system. And that system is going to
25 wind up sending the runoff into the storm drain over on

1 Keats, which in heavy rain situations may over flow that
2 drain.

3 The track location is extremely close to Keats
4 Avenue. So you have an aesthetic issue. You'll see a
5 track and fence instead of seeing natural grain. It's
6 going to increase the noise. If there's anybody running
7 around the track and the people related to it are going to
8 be making noise, which like I said has already become an
9 issue.

10 This is going to wind up reducing the quality of
11 life for the people there. Not going to get rest in the
12 afternoon by the yelling and screaming. And the whole
13 change in the appearance is going to wind up reducing the
14 property values in the area. Instead of having a rural
15 park basically in front of them, they'll have the public, a
16 commercial school, the school.

17 Although they say they don't expect to have any
18 additional usage of the area, just the presence of the
19 track is going to bring more time, kids doing the practice,
20 which now were in other schools and out of the area which
21 are further away. Were then secluded, so nobody is going
22 to hear that noise. They are going to practices there.
23 There will be noise associated with that.

24 They'll be increase traffic also because of the
25 track being there. Parents dropping people off, bringing

1 things. Even if they are not running track events, there
2 will be people coming and going, bringing students back and
3 forth from this facility as opposed to picking them up from
4 all the other facilities in the area.

5 There are also some issues, which Richard
6 started, mentioned some of them in terms of the
7 environmental clearance form. The action is well within
8 500 feet of the existing road. It's 40 feet from Keats
9 Avenue. It's within 50 feet, 40 feet of the drainage
10 system.

11 It is not consistent with the character of the
12 land. You're taking a natural setting, removing all the
13 trees, you're totally changing the character of the land.

14 There will be a substantial increase to traffic
15 at many times of the day and, unfortunately, the times of
16 the day when the traffic will increase is when there's
17 already a serious traffic issue, because of after school
18 closings, that whole area of Keats, West Hartsdale,
19 Carlisle. It's a mad house trying to get in and around it
20 because of the concentration of the schools and traffic
21 there.

22 The whole area that's being removed along Keats
23 Avenue, as I mentioned before, is a habitat area, and that
24 would be gone. They considered it suburban whereas they
25 should have check it to forest. It's not suburban, it's

1 not fully forest. It's somewhere in between.

2 CHAIRMAN SIMON: Could you direct your comments
3 to statements that were not only -- that were not
4 previously made.

5 MR. GLEN COTTON: I've been trying. I've been
6 leaving out some of the points as I go through.

7 CHAIRMAN SIMON: Okay.

8 MR. GLEN COTTON: One thing I don't think was
9 mentioned, the runoff from the increased steep slopes. I
10 don't think that has been incorporated in any of the
11 discussions talked about. The increasing of the slopes on
12 Keats Avenue and Spencer Court, they haven't taken into
13 account that runoff, which will wind up on Keats Avenue.

14 And one thing, as I had mentioned, requested back
15 in, I believe it was May 10th meeting we had at the school,
16 for, besides the map that shows the diameters of the trees,
17 there is no listing of what species of trees and what the
18 condition, that should be part of the plan. So we
19 understand exactly what trees are being removed and what
20 condition they are in.

21 One second, I think that's pretty much the same.
22 One thing that's not been discussed is that we're talking
23 about the actual operation of the facility. The
24 construction of these things itself is going to create
25 noise, traffic and other disastrous situations.

1 As I said, I got most of this in in the prior one
2 so I'll keep it as short as possible. Some of this is
3 going to wind up requiring some public services to control
4 it at times when trucks are coming in and going out. And
5 additional trees and vegetation will likely be damaged
6 during this construction, which will increase with the
7 reduction of the natural landscaping to the area.

8 It would be obviously a benefit to the students
9 there to have an additional track, but it's just based on
10 what we've seen walking through, looking at the plans,
11 looking at the maps and things, the track itself, the track
12 and field does not fit.

13 The tennis courts could be managed to fit
14 themselves in there because there is much more footprints
15 of their tracking, but the track and the field with the
16 remaining issues because of the trees that are required to
17 be removed. When the school first got its special use
18 permits back in '57, they understood they were moving into
19 a residential neighborhood. They were going to be limited
20 what they can do with this property. This unfortunately is
21 one of those situations where it would be nice to do this,
22 but it just doesn't fit with the property. I hope you guys
23 will think about all of these features and not allow this
24 to occur. Thank you.

25 CHAIRMAN SIMON: Thank you.

1 DEPUTY COMMISSIONER SCHMIDT: Thank you.

2 CHAIRMAN SIMON: Is there anyone else that would
3 like to speak to this issue? How many more would like to
4 speak?

5 I've been jotting down some of the questions that
6 you have. And I will ask the applicant to respond to all
7 of the questions that you raised this evening. I assume he
8 can -- I don't -- those questions I've missed, I'm quite
9 sure the other Board members will fill in and the applicant
10 will fill in to make sure we address all the questions that
11 you posed this evening.

12 DEPUTY COMMISSIONER SCHMIDT: Just a show of
13 hands on how many additional members of the public, just
14 the one?

15 CHAIRMAN SIMON: Whoever the one was, one more.
16 We want to get these questions in and let the applicant
17 respond to them before. We will let everyone speak at
18 least once. And then we can start answering some
19 questions. Go ahead, sir, please identify yourself.

20 MR. GIDEON VALENTIN: Good evening. My name is
21 Gideon Valentin, I live at 588 West Hartsdale Avenue. I
22 can testify to the concern of the noise level from a track
23 team being at this location.

24 At one point Maria Regina did have their track
25 practice sessions in the main parking lot. My house is the

1 first house next to the parking lot. The blast from the
2 whistle could be heard consistently. And while it wasn't
3 personally annoying to me, if it was something that I
4 didn't want to hear, you could not avoid it.

5 So when they have a concern about noise, the
6 whistle, the atmosphere of students running, if it's one or
7 two guys in a race, you don't hear it, whatever. When it's
8 a team that's in training and you have 20 students, ten
9 students all pounding their feet, I can hear that.

10 So the after-school training session, when they
11 have their practice, it is a valid concern. Because even
12 though the whistle was at the far end of the parking lot,
13 and that's about 150 feet away from me, indoors you can
14 still hear it. So their point is well made.

15 The track and the future intentions of it, while
16 it might not look to increase the number of cars in the
17 area, down the road that can easily change where they can
18 have different events or just parents showing up. Try
19 telling a lovely parent to shut up when their child is on
20 the soccer field, training or not doing their best, they
21 yell. Do better. Run faster. Don't trip.

22 That can be heard, and unless you're that child's
23 parent or godparent, you don't want to hear that when
24 you're watching your Saturday morning or Sunday evening TV.
25 But you can't help but hear it because people are loud.

1 That's their nature when it comes to their kids. They love
2 them. They support them. They yell at them.

3 As another option, the bubble arena that's by the
4 Sprain Brook Parkway. I'm not sure if that's private or if
5 it's opened to being used by schools. That might be
6 another avenue. And also in summary, to help speed up the
7 night also, I do agree with what Richard said so if you
8 could just add his comments to mine. And thank you.

9 DEPUTY COMMISSIONER SCHMIDT: Thank you.

10 CHAIRMAN SIMON: Thank you.

11 BOARD MEMBER AYOUB: I have a question for you.
12 Did you, for how long you've been living where you are now?

13 MR. GIDEON VALENTIN: About 30 years.

14 BOARD MEMBER AYOUB: That mean, you know, you
15 came when the school was there, that mean you know the
16 school is there?

17 MR. GIDEON VALENTIN: Yes.

18 BOARD MEMBER AYOUB: And there is kids?

19 MR. GIDEON VALENTIN: Yes.

20 BOARD MEMBER AYOUB: And as is right now without
21 the track or without anything, do you hear noise or no?

22 MR. GIDEON VALENTIN: The school no longer does
23 the practice session in the parking lot. So I don't hear
24 them. What I do hear are the slamming of doors, which is
25 apropos for the parking lot.

1 BOARD MEMBER HAY: Car doors?

2 MR. GIDEON VALENTIN: Car doors, yeah. Which is,
3 it is what it is. People come to the school. You're going
4 to get in your car, you're going to get out.

5 BOARD MEMBER AYOUB: Having the track far from
6 the parking lot, you don't think that will reduce the noise
7 you hear during the day?

8 MR. GIDEON VALENTIN: In that respect, I do agree
9 with you. This would be in relation to my house, the
10 complete opposite end of the school. So my concern is not
11 for me. It's for my fellow neighbors that took the time to
12 come out tonight and voice their concerns.

13 In that capacity because of personal experience
14 with the school, when they were working to do the practice
15 session in the parking lot, I can vouch for their concern.

16 BOARD MEMBER AYOUB: I don't think this court is
17 gated, right? There is no gate around this, correct? This
18 is all high school, you know. And therefore, before the
19 school started, the students always on the street, you
20 know, they talking, they playing, they make all kind of
21 noise, right. And therefore, that you are using that noise
22 as is.

23 You don't think by having, you know, tennis
24 court, you know, and the track and all of that, that will
25 keep maybe the kids or the students busy and they'll split

1 them, instead of being in one place, they can be in
2 different places, and there will be less noise?

3 MR. GIDEON VALENTIN: If I understand the
4 question, is to see the children --

5 BOARD MEMBER AYOUB: Right now, it's a parking
6 lot, right. They are all, most of them is in the parking
7 lot. Therefore you can hear more noise, you know, than if
8 they have different activities. And if a group goes some
9 other place, I think it would reduce the noise.

10 MR. GIDEON VALENTIN: Well, from my end, yes.
11 But for their end, they are pretty much screwed. Yes, I
12 understand. And you're taking the noise from one end of
13 the school to another.

14 If you want to make the kids quiet, put them
15 inside of the gymnasium. It's quiet in there. And the
16 noise is kept indoors. Once you have an outdoor facility,
17 it's going to automatically lend itself towards increased
18 noise.

19 Also, with the potential for a future activities
20 with the soccer field and the other amenities inside the
21 track, the traffic on weekends or even in the morning is
22 horrendous. So to add another -- and unfortunately, this
23 project came after the building of another church, Solomon
24 Schechter. It's a beautiful idea. I love the idea. I
25 hate the location.

1 CHAIRMAN SIMON: Okay.

2 MR. GIDEON VALENTIN: Because there is so much
3 traffic in the area already. It shouldn't take five
4 minutes for anybody to go down the hill to the Acme Market.
5 There is so many cars coming up and down. It's a bottle
6 neck. It's a gridlock, like Manhattan. It's obscene.

7 CHAIRMAN SIMON: Okay.

8 MR. GIDEON VALENTIN: Any more questions?

9 BOARD MEMBER AYOUB: No.

10 MR. GIDEON VALENTIN: Thank you.

11 BOARD MEMBER HAY: Thank you.

12 DEPUTY COMMISSIONER SCHMIDT: Thank you.

13 CHAIRMAN SIMON: I think there was someone else
14 who wanted to speak in the back.

15 DEPUTY COMMISSIONER SCHMIDT: In the back, yes.

16 MS. REBECCA SUNSHINE: Hi, good evening. My name
17 is Rebecca Sunshine. I'm on the Board of the Poet's Corner
18 Civic Association. And my husband and I live on 8 Rogers
19 Avenue, which is right on the other side and the north side
20 of Solomon Schechter.

21 First, I want to say, for the record, that I
22 agree with Richard, Walter, Mona, Glen and Gideon. I'll
23 try not to be repetitive. I'll try to make it fast. I
24 might be slightly repetitive so just bear with me.

25 First, I would just like to say thank you for

1 letting us speak. I would just like to say that the
2 proposed construction of the track, soccer, softball,
3 lacrosse field, tennis courts may be beneficial to Maria
4 Regina High School, but it will be detrimental to and
5 burdensome for our community.

6 To see the removal of 77 plus trees, including
7 beautiful decades old trees, many of which border
8 Hartsdale, Keats and Spencer Court is just heart breaking.
9 There is absolutely no question that this will negatively
10 impact the environment and greatly diminish the character
11 of our neighborhood. Chain-linked fences or any type of
12 fence sound barriers will still be replacing trees. And
13 that's not acceptable.

14 I was at the site visit and we saw some of the
15 trees that are going to be destroyed, beautiful old apple
16 trees; beautiful blossoms in the summer, change colors in
17 the fall. I live on Rogers Avenue so I can't say I'm
18 directly impacted the way the people on Keats and Spencer
19 Court are, but I still live in the neighborhood and
20 anybody that lives in the neighborhood and walks by or
21 drives by, this would be an immense loss for the community.

22 Also, as was mentioned, the wild life that
23 accompanies it. There was mention there are deer. We see
24 Wild Turkey. We're going to be afraid of loosing all of
25 that beauty.

1 I also want to mention, this isn't related to
2 this project, but just last Friday, and I was talking to
3 Mr. Schmidt about this. Maria Regina cut down several
4 trees on the north side of that property right on the
5 corner of the intersection of Shaw and Rogers Avenue. This
6 included some apparently healthy looking trees, some
7 beautiful pine trees. We don't know why this was done. If
8 they had permits to do so and if they will be replaced. So
9 that's being looked into.

10 This is upsetting, too, because that area, there
11 was a beautiful pine tree. It's in a circle right inside
12 the parking lot. And we don't know why this was removed.
13 I also, the traffic was mentioned about the environmental
14 assessment form. As was mentioned, the traffic is already
15 awful and this will only impact it more.

16 I want to mention the issue of parking. It's
17 already an issue because I, we live, on Rogers Avenue and
18 on Shaw. And parents come to pick up, wait for their
19 children to come home. They park their cars on Shaw Place
20 and Rogers Avenue. And sometimes they wait there for
21 awhile. They are idling. They block the road.

22 It's also a concern to the residents because you
23 see someone sitting in the car for like, when someone is
24 sitting in the car for like a half an hour, we don't know
25 what they are doing, if they are staking out the

1 neighborhood. Until you see, like, later I saw a student
2 come out. But here I was ready to call the police.

3 So this is just another affect of having more
4 people coming and more parents coming and parking in our
5 neighborhood.

6 They don't want to park -- because I know someone
7 who had a daughter who went to Maria Regina High School.
8 She said she knows they park there because they want to
9 avoid the traffic on Hartsdale. It's a lot more convenient
10 to park on, you know, the perimeter of the high school and
11 pick up their children, especially there is a little path
12 that goes from Rogers and Spencer that goes into Maria
13 Regina and that's where they wait for their children.

14 This is a residential neighborhood and it should
15 not be used as Maria Regina's parking lot. I'm afraid this
16 will only get worse. Okay, I am not going to go into again
17 about the noise, which is, obviously, the noise will
18 increase.

19 And there's something else that I want to point
20 out. It wasn't really mentioned. Our community will only
21 be subjected to the negative impacts of this plan. It will
22 have absolutely no benefit from this construction as we
23 will not even be allowed to use these facilities, although
24 they are right next door.

25 The same thing happened to Solomon Schechter.

1 They said, oh, you'll be able to -- I know Maria Regina
2 hasn't said that we would, but we were told by Solomon
3 Schechter said oh, you'll be able to use the tennis courts
4 and track and we weren't allowed to because they are
5 private. So we will have absolutely no benefit from this.

6 Again, it's a little repetitive but after
7 attending the site inspection, it is obvious that the plans
8 proposed cannot be implemented without causing significant
9 damage to the landscape and problems for the homeowners.
10 And again, we hope that Maria Regina can compromise as far
11 as moving the track and the tennis courts, but that was
12 already mentioned.

13 I also wanted to mention something else. As far
14 as the lighting, they said they are not planning anymore
15 lighting. But I don't know, recently within the last year
16 or six months, they put up some bright lights right on the
17 north section of the parking lot, which directly come into
18 Rogers Avenue. And it changes, it makes it look like a
19 more industrial/commercial area.

20 It was usually very pretty. You can see the
21 stars and the moon. And now you see the moon and you see
22 these bright lights, which is not related to this project,
23 but it is also a concern of what's going on. I just wanted
24 to throw that in.

25 Again, I'm all for sports and athletics, but

1 don't believe it's appropriate to cram a sports complex on
2 top of a residential neighborhood. And we understand that
3 Maria Regina is doing what's in their interest, but
4 sincerely hope that the Planning Board will take into
5 consideration the protection of our vanishing and
6 irreplaceable green spaces and the quality of life in our
7 community, and also to offer development, clean up and
8 preservation, but in the process our neighborhoods are
9 being destroyed. Thank you. Good night.

10 CHAIRMAN SIMON: There are several questions,
11 issues raised by the residents. I assume you took some
12 notes. I just took a few myself. I saw Michael taking
13 some. I just want to make sure you have all the questions
14 and you can --

15 BOARD MEMBER GOLDEN: It was a grocery list.

16 CHAIRMAN SIMON: Yes. So get all the questions
17 so you can answer. The few that I just jotted down, one is
18 the relocation of the tennis courts to the north side, why
19 or whether or not that could be done.

20 The other issue is that the tennis courts instead
21 of putting them side by side, putting them back to back was
22 a suggestion.

23 Another point was that I know we do runoff
24 calculation, which is then going to go to the engineering
25 department. There was a question of cutting down the

1 trees, whether or not that's taken into consideration the
2 runoff. So that was a question asked.

3 And another point that was raised was that, which
4 goes to somewhat to the point that I said, that if you look
5 at the current activities and activities in the future, the
6 concern was, yeah, that technically it won't start off that
7 way, but it will grow, and it will be a problem. So that's
8 a concern.

9 Someone talked about the tree protection during
10 construct. But we have standard, we have standard
11 procedures for that in our codes. So I don't think that's
12 an issue that we have to deal or go into.

13 And the other thing is, no, I don't know if
14 that's something that we talk about during this
15 application, but the idea that there was lights put up on
16 the site, whether or not that is the new type of lights.

17 DEPUTY COMMISSIONER SCHMIDT: I'll be speaking
18 with the building department about that.

19 DEPUTY TOWN ATTORNEY FRIED: Yeah. We will look
20 into that.

21 CHAIRMAN SIMON: Because we have a lighting code
22 for special types of lights, LED lights that shine down and
23 don't give much of a cast off. That's a code requirement.
24 So whatever light that was put up should adhere to that.

25 Another question was that if this was approved,

1 will the community have access to the courts. They said
2 they are very disappointed that this was promised to them.
3 When Solomon Schechter was put up, but was never
4 implemented. That was a concern. These are just notes.
5 Michael, I saw you writing so are there any other questions
6 you wish the applicants to answer?

7 BOARD MEMBER GOLDEN: Why don't you let the
8 applicants answer this whole list and I'm sure there is
9 something else.

10 MR. RON TETELMAN: Am I answering them tonight or
11 in the future?

12 CHAIRMAN SIMON: Well, if you have the answers --

13 DEPUTY COMMISSIONER SCHMIDT: We would like it
14 tonight.

15 CHAIRMAN SIMON: If you have answers tonight.

16 MR. RON TETELMAN: Some of them I can answer.

17 CHAIRMAN SIMON: If you have to answer in the
18 future, then we will follow up with another meeting and you
19 can answer it then.

20 MR. RON TETELMAN: Sure. Let me get a crack at
21 it.

22 DEPUTY TOWN ATTORNEY FRIED: May I make one
23 suggestion. We do have another matter that's on for
24 tonight. So I think if he can address a few of the issues,
25 that would be good, but then we can go into the next.

1 CHAIRMAN SIMON: Yes, sure.

2 MR. RON TETELMAN: Quickly. Solomon Schechter
3 School does not have a track. Relocating the tennis court,
4 if the tennis court was the deal breaker, I know the school
5 would be very interested in moving the tennis courts, if
6 that was the only issue. It doesn't appear that it's the
7 only issue.

8 BOARD MEMBER GOLDEN: Let me just comment quickly
9 on that. Where the tennis courts are presently planned,
10 there are probably, I don't know, nine or ten, you know --

11 MR. RON TETELMAN: White pines.

12 BOARD MEMBER GOLDEN: -- very mature 60, 70 years
13 old white pines. So you don't have to tell us now, but let
14 us know next time if they could be moved to another place
15 where fewer trees would have to be cut down and the impact
16 would be less.

17 BOARD MEMBER HAY: Or fewer selected trees.

18 MR. RON TETELMAN: Understood.

19 CHAIRMAN SIMON: The point tonight is that you
20 have your plan. You have some of the concerns of the
21 residents. Look at that and see what you can do and
22 accommodate those plans. These are the issues. So it is
23 to work together and see what type of plan that will fit
24 the needs of the school and the needs of the residents.

25 MR. RON TETELMAN: Okay. Let me go through

1 quickly some of other comments. In terms of runoff, I
2 believe our engineers accounted for the difference in
3 runoff from post to -- preexisting to post.

4 BOARD MEMBER SCHWARTZ: There was a second part
5 of that question.

6 MR. RON TETELMAN: I think I have that written
7 down.

8 BOARD MEMBER SCHWARTZ: It was about the slope.

9 DEPUTY COMMISSIONER SCHMIDT: The slope.

10 MR. RON TETELMAN: Right now, the water flowing
11 off the site to Keats is uncontrolled and it flows directly
12 into Keats. It's not picked up by any storm drainage
13 except for in the parking lot.

14 BOARD MEMBER HAY: All the water from that field.

15 MR. RON TETELMAN: All the water flows. Right
16 now we account for all the parking lot water, all the water
17 that's inside the oval of the track, including the track
18 get picks up and directed directly into a storm sewer.

19 The areas outside of the track do flow in the
20 direction of either Spencer to the west or Keats to the
21 south. But it's a lot less water than we have now. And on
22 Keats side, it's still running through pretty significant
23 wooded buffer. So I'm saying the storm water solution
24 right now post construction be a lot better than it is now.

25 In terms of activities, there are no new

1 activities on this site except for the track and tennis
2 court. So they are still playing softball in the spring.
3 You are still getting that same noise. They are still
4 playing soccer in the fall. So you are still getting that
5 same noise. The addition would be the track and the tennis
6 courts.

7 In terms of traffic, this application, the
8 applicant does not expect an increase in enrollment.
9 Therefore, there will be no increase in traffic during the
10 morning when it's most effective or when the traffic issues
11 are most prevalent and in the afternoon when the kids leave
12 and get picked up.

13 There is no consideration of increasing
14 enrollment due to this application. It's just to keep the
15 enrollment up because other schools are building these
16 facilities. And to be viable, the school needs these
17 facilities on campus.

18 Again, in terms of tennis courts, we're certainly
19 going to look into the north side and if that helps the
20 application approval, we would certainly consider it. I
21 just never looked at the other side of the school.

22 CHAIRMAN SIMON: Okay.

23 BOARD MEMBER DESAI: Next time just provide
24 actual drawings for looking at that location.

25 MR. RON TETELMAN: We don't have a survey. We

1 probably won't be able to get a survey, but I can use
2 Google Maps or that other GIS stuff.

3 DEPUTY COMMISSIONER SCHMIDT: Do a schematic.

4 CHAIRMAN SIMON: There is one other thing that we
5 would like to cover before we close for this evening. So I
6 think the applicant has enough information. I understand
7 the concerns of the residents around. And we will give you
8 time to respond to those questions. And then we can set up
9 another meeting where we can hear your response and we can
10 have the residents respond to that also.

11 I think that's the best way. We can't go and
12 answer all of those questions tonight, some of which you
13 have to do more work and study on. So we recognize that.
14 So I think the best thing is to, you know, you have the
15 record. You will have access to the transcript. And you
16 can if you like, you can go --

17 MR. RON TETELMAN: I'll look it over just to make
18 sure because I only wrote down the questions that I wanted
19 to answer.

20 CHAIRMAN SIMON: You'll have all the information.
21 And then the next time we meet, we don't have a second
22 meeting in December. The next time we meet will be in
23 January.

24 MR. RON TETELMAN: That's fine.

25 CHAIRMAN SIMON: If you feel that you have the

1 opportunity to gather all the information, let Garrett know
2 and we will put you back on the agenda.

3 MR. RON TETELMAN: I would say you can put me on
4 the next available agenda. If you want to keep the Public
5 Hearing open, you should keep it open.

6 CHAIRMAN SIMON: Yes, definitely.

7 DEPUTY TOWN ATTORNEY FRIED: We will definitely
8 keep it open, yes.

9 DEPUTY COMMISSIONER SCHMIDT: The next available,
10 based on current projects that have been scheduled, would
11 be January 16th.

12 MR. RON TETELMAN: That's fine.

13 DEPUTY TOWN ATTORNEY FRIED: The one other note
14 is also because I know there may have been, I know at least
15 one gentleman wished to speak again, the record is open.

16 Please, if there is anything as a result of other
17 comments tonight, continue sending us the information, we
18 will forward. If there are other concerns that were not
19 addressed tonight, we will forward them over.

20 We just ask that you do it promptly so that, you
21 know, that these can be responded to at the meeting, which
22 will probably be January 16th.

23 CHAIRMAN SIMON: Yes. Okay.

24 BOARD MEMBER HAY: Walter, can I? I just have
25 one very quick thing.

1 CHAIRMAN SIMON: Yeah, sure.

2 BOARD MEMBER HAY: In terms of that list, the
3 fence came up a few times. It sounded like you thought
4 maybe it was asked for. I'm hearing from some people they
5 think it makes it worse. I guess I would ask you to
6 consider whether how much they really want the fence.

7 MR. RON TETELMAN: Again, I have, Mr. Golden, I
8 have to respond to Mr. Golden's idea of about sound
9 barriers.

10 BOARD MEMBER HAY: I know. I didn't mean the
11 sound barriers.

12 MR. RON TETELMAN: I understand.

13 BOARD MEMBER HAY: I meant the 42-inch fence --

14 MR. RON TETELMAN: And the fence around the
15 track, yes.

16 BOARD MEMBER GOLDEN: By the way, let me say
17 something to the Public. Don't answer now. Send in your
18 written comments or come next time. I mean look, if I
19 lived there, even if an eight-foot fence would block the
20 noise, I might rather have the noise and the view than be
21 looking at an eight-foot fence. So we on the Board would
22 be interested in what you folks think about a fence or not.
23 Okay.

24 BOARD MEMBER HAY: You're talking more of a wall.

25 BOARD MEMBER GOLDEN: I'm talking about a wall

1 sound barrier.

2 BOARD MEMBER SCHWARTZ: There's one other
3 issue --

4 BOARD MEMBER GOLDEN: The sound barrier.

5 BOARD MEMBER SCHWARTZ: There is one other
6 issue --

7 BOARD MEMBER GOLDEN: I'm talking about the sound
8 barrier.

9 DEPUTY TOWN ATTORNEY FRIED: One at a time.

10 BOARD MEMBER SCHWARTZ: There is one other issue
11 that came up, which is the issue of wildlife. And wildlife
12 displacement is becoming a real big problem in Westchester
13 County and Greenburgh. We have coyotes coming in people's
14 backyards right now. I would like to have a better
15 understanding of what is in those woods right now. And if
16 they are going to be displaced, what the plan is to
17 displace them. Because I'm telling you, it is a big, big
18 issue now in this area.

19 MR. RON TETELMAN: I'll answer that. I don't
20 want to answer it yet, but I suspect --

21 CHAIRMAN SIMON: Any how, we will adjourn this
22 hearing, not closing it. We are adjourning the hearing
23 until the 16th of January. We would encourage members of
24 the residents around who wish to speak, send in their
25 comments, but send it in as quick as possible to give the

1 applicant enough time to research it and have an answer for
2 you on the 16th. So the earlier you can submit your
3 additional questions and concerns, the better chance of
4 them being addressed. Okay, we're going to --

5 MR. RICHARD NEWHOUSE: I just wanted to leave two
6 photographs, if I can, with you.

7 CHAIRMAN SIMON: Oh, sure.

8 (Whereupon, photographs were hand up to the
9 Board.)

10 CHAIRMAN SIMON: So do we have a motion to
11 adjourn the hearing?

12 DEPUTY TOWN ATTORNEY FRIED: Public Hearing and
13 Public Discussion.

14 BOARD MEMBER DESAI: So moved.

15 BOARD MEMBER GOLDEN: Second.

16 DEPUTY TOWN ATTORNEY FRIED: January 16, 2019.

17 CHAIRMAN SIMON: Correct.

18 DEPUTY COMMISSIONER SCHMIDT: Thank you.

19 CHAIRMAN SIMON: All in favor? Aye.

20 BOARD MEMBER TALIAFERROW: Aye.

21 BOARD MEMBER DESAI: Aye.

22 BOARD MEMBER GOLDEN: Aye.

23 BOARD MEMBER SCHWARTZ: Aye.

24 BOARD MEMBER AYOUB: Aye.

25 BOARD MEMBER HAY: Aye.

1 BOARD MEMBER SCHWARTZ: I move to close the
2 Public Hearing portion of tonight's meeting.

3 BOARD MEMBER TALIAFERROW: Second.

4 CHAIRMAN SIMON: All in favor? Aye.

5 BOARD MEMBER TALIAFERROW: Aye.

6 BOARD MEMBER DESAI: Aye.

7 BOARD MEMBER GOLDEN: Aye.

8 BOARD MEMBER SCHWARTZ: Aye.

9 BOARD MEMBER AYOUB: Aye.

10 BOARD MEMBER HAY: Aye.

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12 * * * * *

13
14 C E R T I F I C A T I O N

15
16 Certified to be a true and accurate transcript
17 of the stenographic minutes of proceedings taken by the
18 undersigned, to the best of her ability.

19
20 

21 Barbara Marciante,
22 Official Court Reporter
23
24
25