

**TOWN OF GREENBURGH  
PLANNING BOARD MINUTES  
TOWN HALL – GREENBURGH – NEW YORK  
Wednesday – January 16, 2019**



The Work Session of the Planning Board of the Town of Greenburgh was held on Wednesday, January 16, 2019, in the auditorium of the Greenburgh Town Hall, 177 Hillside Avenue, Greenburgh, New York, and began at 8:00 pm.

**1. ROLL CALL**

Present: Chairperson Walter Simon, Hugh Schwartz, Michael Golden, Thomas Hay and Viola Taliaferrow

Absent: Mohamed Ayoub and Kirit Desai

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

**2. APPROVAL OF MINUTES**

**a. January 2, 2019 Work Session Minutes**

Chairperson Simon asked Planning Board members if there were any comments to the draft Planning Board minutes of January 2, 2019. There were no comments. On a motion made by Mr. Schwartz and seconded by Mr. Golden, the Planning Board voted to approve the January 2, 2019 minutes, as written.

**3. CORRESPONDENCE**

**a. Case No. PB 14-08 Bronxville Development Corp. Subdivision, Findlay Avenue (P.O. Hartsdale, N.Y.) – Planning Board Steep Slope Permit – 2<sup>nd</sup> Extension Request**

Mr. Schmidt noted that, on January 9, 2019, a letter was received from Mr. Eliot Senor, P.E., on behalf of Mr. Brendan Leigh, in relation to Case No. PB 14-08 Bronxville Development Corp. Subdivision and Planning Board Steep Slope Permit. The letter requested a 2-year extension of the Planning Board Steep Slope Permit approval, which is set to expire on March 19, 2019. The letter indicated that Mr. Leigh recently purchased the property, and has now filed a building permit application to develop the site.

On a motion made by Mr. Schwartz and seconded by Ms. Taliaferrow, the Planning Board unanimously voted to grant a 2-year extension of the Planning Board Steep Slope Permit, valid through March 19, 2021.

- b.** Chairperson Simon stated that a number of committees recently have been formed by the Town Supervisor and, that, while the Planning Board strongly encourages public participation in the land use process, the role of the committees as established by the Supervisor is of concern to the Planning Board, which has prepared a draft letter to the Town Board related to this matter. Mr. Schwartz explained that there are two (2) types of committees that recently have been established. With respect to Local Land-Use Committees, Mr. Schwartz noted that this concept was discussed at the last Joint Town Board & Planning Board meeting, where the Planning Board expressed concerns. He explained that these committees would pre-screen land use applications before full vetting by Town staff (Department of Community Development and Conservation) and before review or comment by the appointed boards currently empowered to perform such reviews (Town Board, Planning Board and Zoning Board of Appeals). He added that these committees would be able to review projects before Staff recommendation or screening by existing land use Board(s), have the ability to directly request information from applicants, and have the power to force a supermajority vote from existing review boards in order to overturn committee rulings. He noted that the Conservation Advisory Council (CAC) recently issued a memorandum in support of this proposal.

With respect to RFP Review Committees, Mr. Schwartz stated that Town Supervisor recently established a committee to help develop an RFP for the study of the project at Elmwood Country Club. He noted that it is his understanding that the expectation of some of these committee members is that they will have the final determination on the RFP, after the Town Board and Planning Board's review. Mr. Schwartz explained that New York State Land Use Law specifically authorizes, and defines and circumscribes the authority of Planning Boards (Town Law sec. 271), Zoning Boards of Appeal (Town Law sec. 267) and the Conservation Advisory Council. (General Municipal Law sec. 239-x). He stated that committee members likely will not have had any prior experience in writing or reviewing RFP's, and no formal land-use based training, which is of great concern to the members of the Planning Board.

Mr. Golden requested that the underline under the word "formalize" be removed; that while the letter indicates that it is from all Planning Board members, Mr. Desai has not indicated whether or not he supports

the letter, and he is not present this evening; and, that copies of the finalized letter should be provided to the Town Attorney, Mr. Tim Lewis, the members of the Zoning Board of Appeals, the members of the Conservation Advisory Council, and to the home addresses of the Town Board members. Board members agreed. The Board also agreed to modify the final paragraph of Page 1 to indicate that the committees "should have no approval authority."

On a motion made by Mr. Golden and seconded by Ms. Taliaferrow, the Planning Board unanimously voted to issue the letter to the Town Board, as amended, subject to the review and approval of Mr. Ayoub and Mr. Desai.

c. **Case No. PB 06-25** Chauncey Estates Subdivision, *Ridge Road (P.O. Ardsley, N.Y.)*

Mr. Schmidt informed the Board that a request from representatives for the applicant had been received by staff and placed into the Board members' packages. He noted that the request involves a proposal to amend a subdivision improvement plan associated with the development of four (4) lots off of Ridge Road, in connection with an approved subdivision application, known as the Chauncey Estates Subdivision (PB 06-25). He stated that the applicant is requesting a subdivision improvement plan amendment involving electric service lines, which were placed by Con-Edison above-ground in 2018 to service the four (4) approved lots on Ridge Road, and, therefore were installed contrary to the requirements of the Planning Board's approval and the approved plans, which stipulated that these utilities be provided underground. He noted that this matter has been placed on the February 6, 2019 Planning Board agenda for consideration.

4. **OLD BUSINESS**

a. **Case No. PB 17-13** Eastview Distribution Chamber Water Transmission Line Connection – *Planning Board Steep Slope Permit & Wetland/Watercourse Permit*

A work session to discuss the decision of a project involving the proposed installation of 2,184 L.F. of 30" DIP water transmission main from the Eastview Water Distribution Chamber (owned by Westchester County), connecting to the existing 30" Catskill Aqueduct connection (owned by the Villages) located within Executive Boulevard to the south. This new pipe will bring water to the Eastview Chamber from the NYC Ultra Violet treatment plant. The proposed water transmission main will traverse two parcels in the Town of Greenburgh, south of Route 100C/Grasslands Road: 130 Grasslands Road (Parcel ID: 7.70-5-7) and 1 Center Street (Parcel ID: 7.120-18-8), both of which are owned by New York City. The Proposed action is sponsored by the Villages of Sleepy Hollow, Tarrytown, and Briarcliff Manor as part of their joint long-term plan to consolidate and update their water supply and transmission functions. The project will temporarily disturb a 25' wide area along the path of the proposed water main. A permanent access path, 12-feet in width and constructed of porous materials (item 4 gravel) will be provided. The proposed water line has been routed to avoid as much disturbance of wetlands/watercourses, regulated buffers and steep slopes, as is practically possible. The project, as currently planned, will limit disturbance on the parcel to less than 2% of the total lot area. Steep slope disturbances have been limited to approximately 2,316 sq. ft. (1,878 sq. ft. on 15-25% STEEP SLOPES, 407 sq. ft. on 25-35% VERY STEEP SLOPES, and 31 sq. ft. on 35%+ EXCESSIVELY STEEP SLOPES). Wetland/watercourse and regulated buffer area disturbance has been limited to approximately 26,605 sq. ft. The wetland disturbances are mainly in buffer areas, with only a small portion crossing a minor tributary to the main watercourse, the Mine Brook. The project requires approximately 4,400 cubic yards of excavation. The project proposes the removal of 55 regulated trees, requiring a tree removal permit from the Town Forestry Officer. The applicant proposes 107 trees, and 34 shrubs, as replacement. Parcel ID: 7.70-5-7 consists of approximately 67.38 acres, and is located within the R-20 One-Family Residence District. Parcel ID: 7.120-18-8 consists of approximately 20.59 acres, and is located within the R-20 One-Family Residence District.

Chairperson Simon stated that a draft decision had been prepared by staff and circulated to the Board for comment. Mr. Golden suggested that Condition 8.15 on Page 12 be revised to reflect a 5" minimum caliper size. Board members and staff agreed. On a motion made by Mr. Golden and seconded by Mr. Hay, the Planning Board unanimously voted to approve the Planning Board steep slope permit required in connection with this project, as amended. On a motion made by Mr. Golden and seconded by Mr. Hay, the Planning Board unanimously voted to approve the Planning Board wetland/watercourse permit required in connection with this project, as amended.

**b. Case No. PB 18-30** Rumbrook-Knollwood Interconnection Water Transmission Main – *Planning Board Steep Slope Permit & Wetland/Watercourse Permit*

A work session to discuss the decision of a project involving the proposed construction of an approximately 6,000 linear foot, 24"-30" diameter water transmission main from the Rumbrook Pump Station in East Rumbrook Park eastward, crossing above the Catskill Aqueduct, under the Sprain Brook Parkway, and within and beneath local streets, to the Knollwood Pump Station, where it would connect into the various transmission lines exiting the Knollwood Pump Station to distribute water to the Consolidated Water District #1. Installation of the transmission main will require demolition of the existing chlorine contact tank in the vicinity of the Rumbrook Pump Station. The project, as currently proposed, involves the disturbance of approximately 15,600 sq. ft. of wetland/watercourse adjacent buffer area. There is no direct disturbance to the watercourse (Rum Brook). The project proposes 9,724 sq. ft. of 15-25% (STEEP SLOPES), 1,338 sq. ft. of 25-35% (VERY STEEP SLOPES), and 280 sq. ft. of 35%+ (EXCESSIVELY STEEP SLOPES). The project requires the removal of 21 regulated trees. The proposal provides for the planting of 50 new trees, as replacement.

Chairperson Simon stated that a draft decision had been prepared by staff and circulated to the Board for comment. He recited Condition 8.7 on Page 11, which states, in part, that a total of fifty (50) replacement trees will be purchased and planted on Town-lands, as part of this project. He explained that, recently, the Planning Board has conditioned that applicants purchase and plant trees on Town-owned lands when they are unable to plant trees on-site to mitigate for those approved for removal.

Mr. Schmidt advised that the Conservation Advisory Council issued a positive recommendation, with conditions, to the Planning Board on December 24, 2018. He noted that Condition #1 has been fully incorporated into the draft decision. He noted that, with respect to Condition #2 of the CAC recommendation, Condition 8.17 has been incorporated into the draft decision, which states that the Town shall notify the community and affected neighborhood civic association, at least 10 days prior to commencement of the project. The Board discussed this draft condition and ultimately decided to modify it to indicate that the Town shall notify property owners adjacent to the areas of work associated with the project by mail, and that information concerning the project shall be posted onto utility poles located on the roadways to be affected and on the Town website. Mr. Schmidt stated that, with respect to Condition #3 of the CAC's recommendation, the Town has multiple Certified Arborists on staff, who will collectively oversee the project and conduct any necessary site inspections concerning trees and tree root systems. On a motion made by Mr. Schwartz and seconded by Mr. Hay, the Planning Board unanimously voted to approve the Planning Board steep slope permit required in connection with this project, as amended. On a motion made by Mr. Schwartz and seconded by Ms. Taliaferrow, the Planning Board unanimously voted to approve the Planning Board wetland/watercourse permit required in connection with this project, as amended.

**c. Case No. PB 17-16** 609 Saw Mill Petroleum LLC, 607 Saw Mill River Road (P.O. Elmsford, N.Y.) – *Final Subdivision & Tree Removal Permit*

A work session to discuss the decision of a final subdivision and tree removal permit application consisting of the renovation of one (1) existing on-site commercial building to a gasoline service station/convenience store, demolition of an existing on-site gasoline service station building, and the construction of one (1) new, three-story, 55,380 sq. ft. self-storage facility, with related site improvements. The project involves the subdivision of three (3) existing tax lots to create two (2) buildable lots – one for the gasoline service station and associated convenience store use, and one for the self-storage use. An existing on-site commercial building is to be renovated and converted into a gasoline service station/convenience store approximately 2,915 sq. ft. in size, and is shown to be located on proposed Lot A (52,278 sq. ft.). The project involves the construction of a new, three-story, 55,380 sq. ft. self-storage facility on Lot B (63,411 sq. ft.). The project involves approximately 2,000 cubic yards of cut and approximately 500 cubic yards of imported fill, requiring a fill permit from the Bureau of Engineering. The project requires the removal of 67 regulated trees, requiring a tree removal permit from the Planning Board. The applicant has prepared a landscaping plan which calls for the planting of: twenty (20) Green Giant Arborvitae trees, six (6) 'Autumn Brilliance' Serviceberry trees, four (4) Greenspire Littleleaf Linden trees, nine (9) London Plane trees, eight (8) American Sycamore trees, four (4) Neon Flash Spirea shrubs, ninety-seven (97) Green Gem Boxwood shrubs, ten (10) Sea Green Juniper shrubs, fifteen (15) Bar Harbor Creeping Juniper shrubs, eleven (11) Lily of the Valley Bushes, fifteen (15) Mountain Fire Pieris shrubs, twenty-two (22) Leatherleaf Viburnum shrubs, sixteen (16) Hamelin Dwarf Fountain Grass, twenty-four (24) Blue Wonder Catmint perennials, and thirteen (13) Christmas Ferns. On October 18, 2017, the Planning Board voted to approve Landscaping Buffer Waivers in connection with this project. On December 14, 2017, the

Zoning Board of Appeals granted area variances in connection with this project. On January 10, 2018, the applicant obtained a special permit from the Town Board in connection with this project, for a proposed gasoline service station convenience store, exceeding 800 sq. ft. in size. On January 17, 2018, the Planning Board granted preliminary subdivision, site plan, and steep slope permit approvals in connection with the project. On April 18, 2018, the Planning Board granted amended site plan approval which involved the relocation of a curb cut on Lot B (self-storage facility) from Saw Mill River Road to Old Saw Mill River Road. On July 18, 2018, the Planning Board granted a 180-day extension of the preliminary subdivision approval. The properties consist of approximately 115,689 sq. ft. (2.65 acres) and are situated on the west side of Saw Mill River Road, approximately 450 feet south of the intersection of Grasslands Road (NYS Rt. 100C) and Saw Mill River Road (NYS Rt. 9A). The property is located in the LI - Light Industrial District, and is designated on the tax map of the Town of Greenburgh as Parcel ID: 7.060-3-7, 8, & 9.

Mr. Marc Pilotta, PE, Engineer on behalf of the applicant, identified various modifications, including, but not limited to, sidewalks, driveway details, utility connections, and the relocation of a trash enclosure, to the final subdivision plat which were made since the Planning Board issued preliminary subdivision approval. He noted that these changes were coordinated with the New York State Department of Transportation (NYSDOT). The Board discussed these modifications. Mr. Schwartz asked if these modifications were minor enough in nature for the Board to waive the holding of a public hearing on the final subdivision application. Mr. Fried advised that they were. Chairperson Simon asked for confirmation that these modifications were driven by the NYSDOT, upon its further detailed review of the project. Mr. Pilotta confirmed this as accurate.

On a motion made by Mr. Golden and seconded by Mr. Schwartz, the Planning Board unanimously voted to waive the public hearing on the final subdivision application. On a motion made by Ms. Taliaferrow and seconded by Mr. Hay, the Planning Board unanimously voted to grant final subdivision approval. On a motion made by Mr. Hay and seconded by Mr. Schwartz, the Planning Board unanimously voted to issue a tree removal permit in connection with the project.

d. **Case No. PB 18-11** Mohamed, 85 Highpoint Road (P.O. Scarsdale, N.Y.) – Preliminary Subdivision

A continuation of a work session (December 5, 2018) to discuss a preliminary subdivision application involving the proposed subdivision of one (1) existing lot, approximately 43,562 sq. ft. in size, into two (2) buildable lots, for the purpose of constructing one (1) new single-family residence. Proposed lot 1, which contains an existing single-family residence to remain, would total approximately 23,553 sq. ft. Proposed lot 2 would total approximately 20,009 sq. ft., and would be improved with one (1) new single-family residence. An existing tennis court, retaining walls, and frame shed located on proposed Lot 2, would be removed as part of the project. One new curb cut is required along Highpoint Road. No regulated trees are proposed for removal as part of the project. New landscaping has been proposed, which includes the planting of four (4) White Spruce trees, eleven (11) Mountain Laurel shrubs, two (2) Pink Dogwood trees, (4) White Fir trees, three (3) Purple Lovegrass groundcover, and two (2) Pinxter Azalea shrubs. Area variances from the Zoning Board of Appeals are required in connection with the project. The property consists of approximately 43,562 sq. ft. and is situated on the north side of High Point Road, at the intersection of High Point Lane and High Point Road. The property is located in the R-20 One-Family Residence District, and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.520-356-61.

Mr. Schmidt noted that the Planning Board, on December 5, 2018, voted to declare its intent to serve as Lead Agency for purposes of SEQRA review of this project. He advised that no objections were received to this declaration and, that, following its discussion of the project, the Planning Board may declare itself Lead Agency, classify the proposal as an Unlisted Action under SEQRA, consider voting on the draft negative declaration provided by staff, and consider issuing its recommendation to the Zoning Board of Appeals (ZBA) on the required area variances.

Mr. Eliot Senor, PE, Engineer on behalf of the applicant, provided an overview of the proposal, which involves the proposed subdivision of one (1) existing lot, approximately 43,562 sq. ft. in size, into two (2) buildable lots, for the purpose of constructing one (1) new single-family residence. He explained that two (2) area variances are required in connection with the project: Lot 1 Driveway Setback (16 ft. required; 0 ft. proposed); and, a variance from Section 285-38(C)(8) of the Zoning Ordinance to subdivide an improved lot in a manner that does not conform to the zoning regulations regarding the existing building and other spaces related thereto (in this case, the driveway). Mr. Senor explained that a small portion of the existing driveway already is proposed

to be removed, however, any further removal would be difficult, due to the location of a retaining wall immediately east of the driveway. Mr. Golden added that the turning radius of the driveway to the garage already is tight. Board members agreed. Mr. Golden asked if the proposed landscaping was sufficient. Mr. Schmidt advised that he had provided comments on the original landscaping proposal, and that the revised proposal met his satisfaction. Chairperson Simon asked if the sight distance associated with the proposed driveway was sufficient. Mr. Schmidt confirmed that the Town Police Department's Traffic and Safety Unit reviewed the proposed layout, and issued no objection or concerns.

On a motion made by Mr. Golden and seconded by Mr. Hay, the Planning Board unanimously voted to declare itself Lead Agency for purposes of SEQRA review. On a motion made by Mr. Golden and seconded by Mr. Hay, the Planning Board unanimously voted to classify the proposal as an Unlisted Action under SEQRA. On a motion made by Mr. Golden and seconded by Mr. Schwartz, the Planning Board unanimously voted to issue a negative declaration under SEQRA.

Mr. Schwartz recommended that the Board consider issuing a positive recommendation to the ZBA on the required area variances. He and Mr. Golden noted that the proposed subdivision line likely cannot be relocated in a way such that the driveway would be compliant, as the proposed lot is only 9 sq. ft. above the minimum lot area required by the district. Mr. Golden further noted that relocating the driveway to make it conforming presents a hardship, in that a retaining wall would have to be dismantled and reconstructed and, further, that the turning radius from the driveway to the garage already presents a difficult maneuver. Lastly, Mr. Golden noted that the proposed landscaping has been reviewed by the Town Forestry Officer, and was deemed satisfactory. Board members agreed. On a motion made by Mr. Schwartz and seconded by Mr. Hay, the Planning Board unanimously voted to issue a positive recommendation to the Zoning Board of Appeals, on the two (2) area variances required in connection with the project.

e. **Case No. PB 16-04** DJF Real Estate, 23-25 Warehouse Lane (P.O. Elmsford, N.Y.) –Site Plan, Planning Board Steep Slope Permit & Wetland Watercourse Permit

A continuation of a work session (January 17, 2018 and November 7, 2018) to discuss a site plan, Planning Board steep slope, wetland/watercourse and tree removal permit application (Town Forestry Officer approval) for a proposal consisting of the demolition of two (2) existing commercial buildings and the construction of one (1) new, three-story 19,200 sq. ft. multi-use automotive and truck repair facility, with related site improvements. The applicant proposes forty-four (44) parking spaces, nineteen (19) light duty and automotive truck repair staging locations, and four (4) heavy duty truck bays, for a total of sixty (67) spaces. The applicant proposes 1,800 sq. ft. of disturbance on 35%+ slopes (EXCESSIVELY STEEP SLOPES). The applicant proposes 19,930 sq. ft. of disturbance within the 23,285 sq. ft. of regulated watercourse and watercourse buffer area on the project site. The project involves approximately 4,013 cubic yards of cut and approximately 1,500 cubic yards of imported fill, requiring a fill permit from the Bureau of Engineering. The project also requires a floodplain development permit from the Town Engineer. The applicant proposes the removal of twenty-nine (29) trees, requiring a tree removal permit from the Town Forestry Officer. Area variances from the Zoning Board of Appeals are required in connection with the project. The property consists of approximately 76,837 sq. ft. (1.76 acres) and is situated on the south side of Warehouse Lane approximately 389 feet from the intersection of Saw Mill River Road. The property is located in the LI Light Industrial District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 7.180-52-17 & 7.180-52-18.

Mr. Schmidt noted that the Planning Board, on December 5, 2018, voted to declare its intent to serve as Lead Agency for purposes of SEQRA review of this project. He advised that no objections were received to this declaration and, that, following its discussion of the project, the Planning Board may declare itself Lead Agency, classify the proposal as a Type I Action under SEQRA, consider voting on the draft negative declaration provided by staff, and consider issuing its recommendation to the Zoning Board of Appeals (ZBA) on the required area variances.

Mr. Paul Petretti, PE, Engineer on behalf of the applicant, provided an overview of the proposal, which involves the proposed demolition of two (2) existing commercial buildings and the construction of one (1) new, three-story 19,200 sq. ft. multi-use automotive and truck repair facility, with related site improvements. He noted that the project was referred to the Westchester County Planning Board for its review, which provided positive feedback concerning the improvements proposed. Mr. Petretti explained that seven (7) area variances are required in connection with the project: Lot Coverage (15% permitted; 25% proposed); One Side Yard

Setback (50 ft. required; 39.16 ft. proposed); Total of Two Side Yards (100 ft. required; 90.57 ft. proposed); Off-Street Parking to Principal Building (25 ft. required; 2 ft. proposed); Off-Street Parking to Side Yard (25 ft. required; 0 ft. proposed); Off-Street Parking to Rear Yard (25 ft. required; 19.11 ft. proposed); and Total Number of Off-Street Parking Spaces (192 required; 67 proposed). Mr. Petretti added that the project will result in a decrease in impervious surface coverage, from 89.1% existing non-conforming, to 76.4%, which is less than the 80% maximum permitted.

On a motion made by Mr. Golden and seconded by Mr. Schwartz, the Planning Board unanimously voted to declare itself Lead Agency for purposes of SEQRA review. On a motion made by Mr. Golden and seconded by Mr. Hay, the Planning Board unanimously voted to classify the proposal as a Type 1 Action under SEQRA. On a motion made by Mr. Golden and seconded by Mr. Schwartz, the Planning Board unanimously voted to issue a negative declaration under SEQRA.

Mr. Golden noted that the LI – Light Industrial District regulations severely limit the options for redevelopment of this site, which is located within the floodway of the Saw Mill River, in a zoning compliant fashion, and should be reviewed and possibly revised. He further noted that the project includes several improvements over existing conditions, including, but not limited to, a reduction in impervious surface coverage, improved setbacks for the building and off-street parking areas, and an increase in the number and an improvement in the layout of off-street parking spaces. He added that Westchester County has reviewed the project and supports the proposed redevelopment and improvements over existing conditions. Lastly, Mr. Golden noted that the project is not anticipated to have any adverse impacts on adjacent properties. Board members agreed. On a motion made by Mr. Golden and seconded by Mr. Schwartz, the Planning Board unanimously voted to issue a positive recommendation to the Zoning Board of Appeals, on the seven (7) area variances required in connection with the project.

## **5. NEW BUSINESS**

### **a. Case No. TB 18-27 Richard Presser Park Ballfield Redevelopment, *Central Park Avenue (P.O. Hartsdale, N.Y.) – Recreation Fee Use Request***

A work session to discuss a recommendation to the Town Board regarding the proposed use of up to \$40,000 of recreation escrow funds for the redevelopment of the ball field at Richard Presser Park.

Mr. Gerard Byrne, Commissioner, Department of Parks and Recreation, provided an overview of the proposed project, involving a request to utilize up to \$40,000 of recreation escrow funds for the redevelopment of the ball field at Richard Presser Park. He noted that, on November 7, 2018, the Greenburgh Parks and Recreation Advisory Board adopted a resolution in support of this project. He explained that, in the 1990s, utilizing in-house staff, an attempt to build a ballfield at Richard Presser Park was made, however, the field was never constructed properly. For many years the area remained unsuitable for competition and remained neglected. He added that the current condition of the skinned infield is not graded properly, causing a standing water problem after it rains and that, furthermore, none of the bases are anchored to the ground and the dimensions do not line up correctly, posing a possible safety hazard as well as not meeting industry standards for these types of fields. Commissioner Byrne explained that there is a shortage of ball fields in the Town's park system, and this project will allow the Town to offer residents another needed field for practices and regulation youth and adult games. He indicated that this project was identified on the list of potential future projects previously provided to the Planning Board. He noted that, while fencing was provided as an option in the estimate prepared by Greener World Landscape Maintenance, LLC, the only fencing that would be provided would be temporary fencing, to protect the infield while the carnival, and other events, are held at the park.

Mr. Golden opined that this proposal appears to be a good project and use of the recreation escrow funds. He noted that the proposal requests \$40,000, yet the proposal is estimated at \$34,700. Commissioner Byrne explained that the request is up to \$40,000, and while the estimate provided totals \$34,700, there generally is a small amount of contingency funds requested in the event of an overage. Mr. Hay asked how people at the park, outside of the ballfield, would be protected in the event of an errant ball. Commissioner Byrne explained that organized group usage of the field would require a permit, whereby a Field Marshal would be assigned. Mr. Schwartz asked if there was a plan to improve the outfield turf. Commissioner Byrne advised that in-house staff would be aerating, fertilizing, and seeding the turf areas around the field, in an effort to upgrade those areas. Mr. Golden asked if competitive bids are required for this project. Commissioner Byrne explained that three (3) bids would be required and, therefore, two (2) additional proposals would be obtained. Ms. Taliaferrow



asked if any additional lighting is proposed. Commissioner Byrne replied that the field and park are primarily used during the daytime, and no additional lighting is proposed in connection with these improvements.

On a motion made by Mr. Schwartz and seconded by Mr. Hay, the Planning Board unanimously voted to recommend the release of up to \$40,000 of recreation escrow funds for the redevelopment of the ball field at Richard Presser Park, to the Town Board.

**b. Case No. PB 18-24 Best Subdivision, 23 North High Street (P.O. Elmsford, N.Y.) – Preliminary Subdivision & Tree Removal Permit**

A work session to discuss a preliminary subdivision application involving the proposed re-subdivision of three (3) existing tax lots in order to create two (2) zoning compliant lots, for the purposes of constructing one (1) new single-family residence. Existing Tax Lots 7.200-90-2 and 7.200-90-3, which consist of 12,338 sq. ft. and 2,430 sq. ft., respectively, currently contain an existing single family residence to remain. Existing Tax Lot 7.200-90-1 consists of 4,395 sq. ft., and currently is vacant. The applicant proposes to resubdivide the lots such that Tax Lots 7.200-90-2 & 7.200-90-3 would be combined into one lot totaling 10,264 sq. ft., and Tax Lot 7.200-90-1 would total 8,899 sq. ft. One (1) new single-family residence is proposed on Tax Lot 7.200-90-1. Two (2) regulated trees are proposed for removal in connection with the project, requiring a tree removal permit from the Planning Board. The properties consist of approximately 19,163 sq. ft. and are situated on the east side of North High Street, approximately 525 feet from the intersection of North High Street and Payne Street. The properties are located in the R-7.5 One-Family Residence District and are designated on the tax map of the Town of Greenburgh as Parcel ID: 7.200-90-1, 2 & 3.

Mr. Emilio Escaladas, PE, engineer on behalf of the applicant, provided an overview of the project, which involves the proposed re-subdivision of three (3) existing tax lots in order to create two (2) zoning compliant lots, for the purposes of constructing one (1) new single-family residence. He explained that the applicant proposes to resubdivide the lots such that Tax Lots 7.200-90-2 & 7.200-90-3 would be combined into one lot totaling 10,264 sq. ft., and Tax Lot 7.200-90-1 would increased in size to total 8,899 sq. ft. One (1) new single-family residence is proposed on Tax Lot 7.200-90-1. He advised that no area variances are required in connection with the proposal. He noted that two (2) regulated trees are proposed for removal, and that landscaping will be provided for on a revised plan to be presented at a future public hearing. Mr. Schmidt advised that a public hearing is scheduled for this project on February 6, 2019.

**6. ITEMS FOR PUBLIC HEARING & PUBLIC DISCUSSION (ITEMS WILL START NO SOONER THAN 8:45 P.M.)**

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

**a. Case No. TB 18-22/PB 18-17 Maria Regina School, 500 West Hartsdale Avenue (P.O. Hartsdale, N.Y.) – Amended Site Plan (Town Board Approval), Planning Board Steep Slope Permit & Tree Removal Permit (Town Forestry Officer Approval)**

A continuation of a public hearing and public discussion (December 5, 2018) to discuss an amended site plan (Town Board approval, referral to Planning Board) and Planning Board steep slope permit application for a proposal consisting of the conversion and expansion of an existing athletic field, the construction of two (2) tennis courts, and the reconfiguration of an existing parking lot, with related site improvements. The applicant proposes to convert an existing grass athletic field into a synthetic turf soccer field with perimeter running track. The applicant also proposes to construct new tennis courts, and to re-configure an existing parking area. The applicant proposes 9,500 sq. ft. of disturbance on 15-25% slopes (STEEP SLOPES), 3,500 sq. ft. of disturbance on 25-35% slopes (VERY STEEP SLOPES), and 3,000 sq. ft. of disturbance on slopes greater than 35% (EXCESSIVELY STEEP SLOPES). The applicant proposes the removal of eighty-five (85) regulated trees from the subject property, requiring a tree removal permit from the Town Forestry Officer. The project involves approximately 1,000 cubic yards of cut and approximately 20,000 cubic yards of imported fill, requiring a fill permit from the Bureau of Engineering. The applicant proposes a subsurface stormwater infiltration system to capture and treat stormwater runoff from impervious surfaces. The property consists of approximately 923,908 sq. ft. (21.21 acres) and is situated on the west side of West Hartsdale Avenue, at the intersection at Keats Avenue and West Hartsdale Avenue. The property is located in the R-20 – One Family Residence District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.130-82-1.

*On a motion made by Mr. Schwartz and seconded by Mr. Hay, the Planning Board unanimously voted to close the public discussion, and to leave the written record open through January 25, 2019.*

*On a motion made by Mr. Schwartz and seconded by Ms. Taliaferrow, the Planning Board unanimously voted to adjourn the public hearing to the March 20, 2019 Planning Board meeting.*

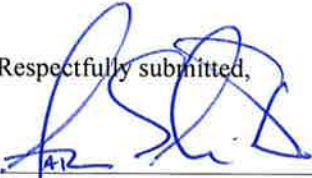
7. **ESTABLISH DATE FOR NEXT MEETING**

The next regularly scheduled meeting of the Greenburgh Planning Board will be held on Wednesday, February 6, 2019, and will begin at 8:00 pm in the Greenburgh Town Hall Auditorium.

8. **ADJOURNMENT**

The January 16, 2019 work session of the Town of Greenburgh Planning Board was adjourned at 10:45 pm.

Respectfully submitted,



Aaron Schmidt  
Deputy Commissioner,  
Department of Community Development and Conservation