



TOWN of GREENBURGH

Zoning Board of Appeals

177 HILLSIDE AVENUE, GREENBURGH, NY 10607

Telephone: 914-989-1531



MEETING RESULTS

May 16, 2019

The Hearing of the Zoning Board of Appeals (ZBA) of the Town of Greenburgh was held on May 16, 2019, in the Greenburgh Town Hall, 177 Hillside Avenue, White Plains, New York. Acting Chairperson Harrison called the meeting to order at 8:00 P.M.

Members Present: Acting Chairperson Eve Bunting-Smith, William Bland, Barbara Brenner (alternate), Louis Crichlow, Rohan Harrison, Bill Losapio, Daniel Martin

Absent: Kristi Knecht

Staff: Ed Lieberman Esq., Deputy Town Attorney
Carole Walker, Secretary to the Zoning Board of Appeals
Anthony Zacarolli, Deputy Building Inspector

1. **Case No. 18-33 – Marco Persichillo Trust**, for property located at 70 Abbeville Lane, (PO White Plains, NY). Applicant is requesting an area variance from Section 285-10(3)(J) of the Zoning Ordinance to increase the number of vehicle spaces from 3 (permitted) to 8 (proposed), in order to enlarge the garage on the property. The property is located in an R-7.5 One-Family Residence District and is designated on the Town Tax Map as Parcel ID: 7.470-288-11.

THE ZONING BOARD OF APPEALS VOTED TO DENY THE REQUESTED VARIANCE. VOTING WAS AS FOLLOWS: MS. BUNTING-SMITH: AYE, MR. BLAND: AYE, MS. BRENNER: ABSTAIN, MR. CRICHLLOW: AYE, MR. HARRISON: AYE, MR. LOSAPIO: AYE, MR. MARTIN: AYE

2. **Case No. 19-02 – DJF Real Estate Holding Corp.**, for property located at 23 & 25 Warehouse Lane, (PO Elmsford, NY). Applicant is requesting area variances from Section 285-32(B)(3) of the Zoning Ordinance to increase the maximum building coverage from 15 % (permitted), 18.4 % (existing) to 25 % (proposed), from Section 285-32(B)(4)(b) to reduce the one side yard setback from 50 ft. (required), 19.86 ft. (existing) to 39.16 ft. (proposed); from Section 285-32(B)(4)(c) to reduce a total of two (2) side yard setbacks from 100 ft. (required), 69.7 ft. (existing) to 90.57 ft. (proposed); from Section 285-32(B)(5)(a) to reduce the distance from off-street parking to the principal building from 25 ft. (required) to 2 ft. (proposed); from Section 285-32(B)(5)(b) to reduce the distance from off-street parking to the side lot line from 25 ft. (required) to 0 ft. (proposed); from Section 285-32(B)(5)(c) to reduce the distance from off-street parking to the rear lot line from 25 ft. (required) to 19.11 ft. (proposed); and from Section 285-38 to reduce the off-street parking spaces from 192 (permitted) to 67 (proposed), in order to construct a new building. The property is located in an LI-Light Industrial District and is designated on the Town Tax Map as Parcel ID 7: 180-52-17 & 7.180-52-18

ZBA Case No. 19-02 has been adjourned to June 20, 2019

3. **Case No. 19-05 - Maria Regina High School (Squire Camp)**, for property located at 500 W. Hartsdale Avenue (PO Hartsdale, NY). Applicant is requesting a special permit pursuant to 285-10(A)(2)(i) of the Zoning Ordinance to operate a private camp. The property is located in an R-20 One-Family Residence district and is designated on the Town Tax Map as Parcel ID: 8.130-82-1

THE ZONING BOARD OF APPEALS VOTED TO GRANT THE SPECIAL PERMIT AND REQUESTED VARIANCES. VOTING WAS AS FOLLOWS: MS. BUNTING-SMITH: AYE, MR. BLAND: AYE, MS. BRENNER: ABSTAIN, MR. CRICHLow, MR. HARRISON: AYE, MR. LOSAPIO: AYE, MR. MARTIN: AYE

4. **Case No. 19-07 – Solomon Schechter School of Westchester**, for property at 555 W. Hartsdale Avenue (Hartsdale, NY). Applicant is requesting a special permit pursuant to 285-10(A)(2)(i) of the Zoning Ordinance to operate a private camp; from Section 285-10(A)(2)(i)(2) to reduce the distance from a tennis court to the side lot line from 200 ft. (required) to 59.2 ft. (proposed); and to reduce the distance from the south lot line to a recreation area from 200 ft. (required) to 165.1 ft. (proposed), in order to operate a private seasonal camp. The property is located in a R-20 One-Family residential District and is designated on the Town Tax Map as Parcel ID: 8.141-94-25.

THE ZONING BOARD OF APPEALS VOTED TO GRANT THE SPECIAL PERMIT AND THE REQUESTED VARIANCES. VOTING WAS AS FOLLOWS: MS. BUNTING-SMITH: AYE, MR. BLAND: AYE, MS. BRENNER: ABSTAIN, MR. CRICHLow: AYE, MR. LOSAPIO: AYE, MR. MARTIN: AYE

5. **Case No. 19-08 ZBA – Nesto’s (One-O-One Realty)**, for property at 24 Tarrytown Road (P.O. White Plains, NY). Applicant is requesting area variances from Section 285-28(B)(4)(b) of the Zoning Ordinance to increase the maximum impervious coverage from 80 % (permitted) to 83.2 % (proposed); from Section 285-28(B)(6)(c) to reduce the distance from the off-street parking area to the eastern side lot line from 10 ft. (required) to 1.4 ft. (proposed) and to the west side lot line from 10 ft. to 3 ft. (proposed); and from Section 285-28(B)(6)(b) to reduce the distance from off-street parking to the front lot line from 10 ft. (required) to 2 ft. (proposed), in order to provide additional parking. The property is located in a DS-Design Shopping District and is designated on the Town Tax Map as Parcel ID: 7.500-310-1

THE ZONING BOARD OF APPEALS VOTED TO GRANT THE REQUESTED VARIANCES. VOTING WAS AS FOLLOWS: MS. BUNTING-SMITH: AYE, MR. BLAND: AYE, MS. BRENNER: AYE, MR. CRICHLow: AYE, MR. LOSAPIO: AYE, MR. MARTIN: AYE

6. **ZBA Case No. 19-09 – Angel Santos**, for property at 35 Maple Avenue, (P.O. Tarrytown, NY). Applicant is requesting area variances from Section 285-16(B)(4)(c) of the Zoning Ordinance to reduce a total of two side yards from 18 ft. (required) to 16.89 ft. (proposed); from Section 285-42(C)(1) to enlarge a nonconforming structure so as to increase such nonconformance, in order to construct an addition. The property is located in an R-5 One-Family Residence District and is designated on the Town Tax Map as Parcel ID 7.160-37-5.

THE ZONING BOARD OF APPEALS VOTED TO GRANT THE REQUESTED VARIANCES. VOTING WAS AS FOLLOWS: MS. BUNTING-SMITH: AYE, MR. BLAND: AYE, MS. BRENNER: AYE, MR. CRICHLow: AYE, MR. LOSAPIO: AYE, MR. MARTIN: AYE

7. **ZBA Case No. 19-10 – Maria Regina High School**, for property located at 500 W. Hartsdale Avenue (PO Hartsdale, NY). Applicant is requesting area variances from Section 240-3(D)(1)(b) of the Sign & Illumination law to increase the number of yard signs from 1 (permitted), 2 (existing) to 8 (proposed); and to increase the size of the yard signs from 6 sq. ft. (required) to 8 sq. ft.

(proposed) in order to create new yard signs. The property is located in an R-20 One-Family Residence district and is designated on the Town Tax Map as Parcel ID: 8.130-82-1

ZBA Case No. 19-10 has been adjourned to June 20, 2019

8. **ZBA Case No. 19-11** – **Northamerican Terminals Management, LLC**, for property located at 4 & 5 Warehouse Lane, (P.O. Elmsford, NY). Applicant is requesting variances from Section 285-32(B)(3)(a) of the Zoning Ordinance to increase the maximum building coverage of the principal building from 15 % (permitted), 12.83 % (existing) to 22.5 % (proposed); from Section 285-32(B)(3)(c) to increase the maximum total building coverage from 20 % (permitted), 17.7 % (existing) to 31 % (proposed); from Section 285-32(B)(5) to reduce the distance from the off-street parking area to the side lot line from 25 ft. (required), 3 ft. (existing) to 2 ft. (proposed); and from Section 285-39(C)(8) 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 connection with a proposed two-lot subdivision. The property is located in an LI-Light Industrial District and is designated on the Town Tax Map as Parcel ID: 7.180-52-20..SE and 7.180-52-20..SP.

ZBA Case No. 19-11 has been adjourned to June 20, 2019

9. **ZBA Case No. 19-12** – **Fred Astaire Dance Studio**, for property located at 611 W. Hartsdale Avenue (P.O. Hartsdale NY). Applicant is requesting a variance from Section 285-27(B)(3) of the Zoning Ordinance to increase the maximum Floor Area Ratio (F.A.R.) from .30 % (permitted) to .39 % (proposed) in order to occupy the basement floor. The property is located in an LOB-Limited Office Building District and is designated on the Town Tax Map as Parcel ID: 8.141-94-22.

ZBA Case No. 19-12 has been Closed for Decision Only to June 20, 2019

Respectfully Submitted,

CAROLE WALKER

Secretary to the Zoning Board of Appeal