



# TOWN of GREENBURGH

## Zoning Board of Appeals

177 HILLSIDE AVENUE, GREENBURGH, NY 10607

Telephone: 914-989-1531

FILED  
DEC 18 2019

### MEETING RESULTS December 12, 2019

The Hearing of the Zoning Board of Appeals (ZBA) of the Town of Greenburgh was held on December 12, 2019, in the Greenburgh Town Hall, 177 Hillside Avenue, White Plains, New York. Acting Chairperson Bunting-Smith called the meeting to order at 8:00 P.M.

**Members Present:** Acting Chairperson Eve Bunting-Smith, Rohan Harrison, Kristi Knecht, Daniel Martin

**Absent:** William Bland, Barbara Brenner (alternate), Louis Crichlow, Bill Losapio,

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

1. **ZBA Case No. 19-21 – Michael Teverbaugh**, for property located at Van Cott Avenue (P.O. White Plains, NY). Applicant is applying for variances from Section 285-39(C)(9)(b) of the Zoning Ordinance to decrease required street frontage from 25 ft. (required) to 0 ft. (proposed) on each of the three (3) lots in connection with a proposed three (3) lot subdivision. The property is located in an R-10 One-Family Residence District and is designated on the Town Tax Map as Parcel IDs: 7.520-316-11,12,13,14,& 15.

**ZBA CASE NO. 19-21 HAS BEEN ADJOURNED TO JANUARY 16, 2020**

2. **ZBA Case No. 19-28 – Ferncliff Cemetery**, for property located at 280 Secor Road (P.O. Hartsdale, NY). Applicant is applying for area variances from Section 285-36(B)(1) of the Zoning Ordinance to increase the maximum building height from 28 ft. (permitted), 43.9 ft. (existing) to 43.9 ft. (proposed); from Section 285-36(B)(3) to increase the maximum building coverage from 5 % (permitted), 6.93 % (existing) to 7.03 % (proposed); from 285-36(B)(6) to increase the maximum building footprint from 5,000 sq. ft. (permitted), 91,587 sq. ft. (existing) to 94, 512 sq. ft. (proposed); from Section 285-36(B)(6) to increase the maximum building length from 100 ft. (permitted), 347.2 ft. (existing) to 347.2 ft. (proposed) and to increase the maximum building depth from 100 ft. (permitted), 295.8 ft. (existing) to 295.8 ft. (proposed); and from Section 245-42(C)(1) to enlarge a nonconforming structure so as to increase such nonconformance, in order to build an extension to the existing second floor of a mausoleum. The property is located in an R-30 One-Family Residence District and is designated on the Town Tax Map as Parcel ID: 8.171-123-1.

**THE ZONING BOARD OF APPEALS VOTED TO GRANT THE REQUESTED VARIANCES AS CONDITIONED. VOTING WAS AS FOLLOWS: MS. BUNTING-SMITH: AYE, MS. KNECHT: AYE, MR. HARRISON: AYE, Mr. Martin: AYE**

3. **ZBA Case No. 19-29 - Jose Bejar**, for property located at 8 Lark Avenue (P.O. White Plains, NY). Applicant is applying for area variances from Section 285-40(C)(5) of the Zoning Ordinance to increase the maximum height of an arch wall in the south side yard from 6 ft. (permitted) to 11 ft. (proposed) and to increase the maximum height of an arch wall in the north side yard from 6 ft. (permitted) to 10.083 ft. (proposed) in order to legalize a combination of wall and fence. The property is located in an R-10 One-Family Residence District and is designated on the Town Tax Map as Parcel ID: 7.520-319-33.

**ZBA CASE NO. 19-29 HAS BEEN ADJOURNED TO JANUARY 16, 2019**

4. **ZBA Case No. 19-31** – **Scott Krady**, for property located 16 Mulligan Lane (P.O. Irvington, NY). Applicant is applying for an area variance from Section 285-12(B)(3)(d) of the Zoning Ordinance to increase the maximum impervious surface from 29 % (permitted) to 31.6 % (proposed), in order to construct a patio. The property is located in an R-20 One-Family Residence District and is designated on the Town Tax Map as Parcel ID: 7.370-188-29.

**THE ZONING BOARD OF APPEALS VOTED TO GRANT THE REQUESTED VARIANCE. VOTING WAS AS FOLLOWS: MS. BUNTING-SMITH: AYE, MS. KNECHT: AYE, MR. HARRISON: AYE, Mr. Martin: AYE**

5. **ZBA Case No. 19-34** – **Clearbrook Cross, LLC**, for property located at 1-3-5 Westchester Pl. (P.O. Elmsford, N.Y.). Applicant is applying for area variances from Section 285-34(B)(4)(a) of the Zoning Ordinance to increase the maximum building height from 6 ft. (permitted) to 18.25 ft. (proposed); from Section 285-34(B)(3)(a)(5) to increase the maximum impervious surface from 70 % (permitted), 82.01 % (existing) to 82.09 % (proposed); from Section 285-34(B)(9)(f) to reduce the minimum rear yard setback from 100 ft. (required), to 10.58 ft. (proposed) and to reduce the minimum side yard setback from 100 ft. (required) to 17.31 ft. (proposed), in order to construct a new storage building. The property is located in a PD-Planned Development District and is designated on the Town Tax Map as Parcel ID: 7.120-19-8

**ZBA Case No. 19-34 has been adjourned to January 16, 2019**

6. **ZBA Case No. 19-35** – **Columbia/Wegman Hartsdale, LLC, Assisted Living Facility**, for property located at 202 W. Hartsdale Avenue (P.O. Hartsdale, N.Y.). Applicant is applying for an area variance from Section 285-10(A)(4)(f)(11) of the Zoning Ordinance to increase the maximum building length from 300 ft. (permitted) to 423 ft. (proposed), in order to construct an assisted living facility. The property is located in an R-20 One-Family Residential District and is designated on the Town Tax Map as Parcel ID: 8.200-150-7

**ZBA Case 19-35 is adjourned to February 13, 2020**

7. **ZBA Case No. 19-36** – **Joshua Giardina**, for property located at 8 Hawthorne Way (P.O. Hartsdale, N.Y.). Applicant is applying for an area variance from Section 285-11(B)(5)(b) of the Zoning Ordinance to reduce the distance from the driveway to the side lot line from 18 ft. (required), 13.83 ft. (existing) to 13.83 ft. (proposed), in order to construct a driveway. The property is located in an R-30 One-Family Residential District and is designated on the Town Tax Map as Parcel ID: 8.280-214-33.2

**THE ZONING BOARD OF APPEALS VOTED TO GRANT THE REQUESTED VARIANCE. VOTING WAS AS FOLLOWS: MS. BUNTING-SMITH: AYE, MS. KNECHT: AYE, MR. HARRISON: AYE, Mr. Martin: AYE**

8. **ZBA Case No. 19-37** – **Ivana Greenfield**, for property located at 36 Manitou Train, (P.O. White Plains, N.Y.). Applicant is applying for an area variance from Section 285-15(B)(5)(b) of the Zoning Ordinance to reduce the distance from a driveway to the side lot line from 10 ft. (required) to .6 ft. (proposed), in order to legalize the driveway. The property is located in an R-7.5 One-Family Residence District and is designated on the Town Tax Map as Parcel ID: 7.350-182-15

**ZBA Case 19-37 is adjourned to February 13, 2020**

Respectfully Submitted,



CAROLE WALKER

Secretary to the Zoning Board of Appeal