

TOWN OF GREENBURGH
PLANNING BOARD

- X
1. ROLL CALL
 2. ITEMS FOR PUBLIC HEARING/PUBLIC DISCUSSION

- a) Case No. PB 19-28
Sunningdale Country Club
300 Underhill Road
P.O. Scarsdale, N.Y.

3. ADJOURNMENT
- X

Greenburgh Town Hall
177 Hillside Avenue
Greenburgh, New York 10607
January 15, 2020

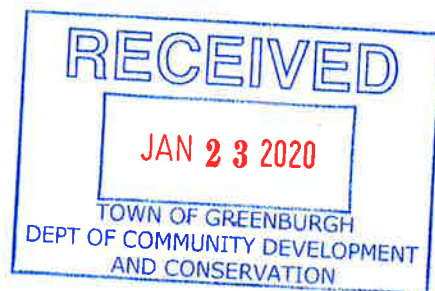
B E F O R E:

WALTER SIMON, CHAIRMAN

JOHAN SNAGGS, Alternate Board Member
KIRIT DESAI, Board Member
MICHAEL GOLDEN, Board Member
HUGH SCHWARTZ, Board Member (Not Present)
THOMAS HAY, Board Member
MONA FRAITAG, 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 welcome to the
2 January 15th Planning Board meeting. We're in a Public
3 Hearing session of the meeting. I will ask the Deputy
4 Commissioner to call the attendance.

5 DEPUTY COMMISSIONER SCHMIDT: Johan Snaggs?

6 ALTERNATE BOARD MEMBER SNAGGS: Here.

7 DEPUTY COMMISSIONER SCHMIDT: Michael Golden?

8 BOARD MEMBER GOLDEN: Here.

9 DEPUTY COMMISSIONER SCHMIDT: Walter Simon?

10 CHAIRMAN SIMON: Here.

11 DEPUTY COMMISSIONER SCHMIDT: Thomas Hay?

12 BOARD MEMBER HAY: Here.

13 DEPUTY COMMISSIONER SCHMIDT: Mona Fraitag?

14 BOARD MEMBER FRAITAG: Here.

15 DEPUTY COMMISSIONER SCHMIDT: Kirit Desai?

16 BOARD MEMBER DESAI: Here.

17 DEPUTY COMMISSIONER SCHMIDT: Note for the record
18 that Hugh Schwartz is not present this evening. Thank you.

19 CHAIRMAN SIMON: Okay, the first case is PB
20 19-28, Sunningdale Country Club.

21 MR. ZAC PEARSON: Good evening, Chairman, Members
22 of the Board, my name is Zac Pearson with Insite
23 Engineering Surveying and Landscape Architecture. With me
24 this evening is Jim Bates from Ecological Analysis and the
25 wetlands consultant for the project and Sean Cain from

1 Sunningdale Country Club.

2 The project before you this evening is a wetland
3 permit application, steep slopes permit application or
4 approvals for a wetland, for piping and a portion of a
5 wetland that crosses the 16th hole. There is an existing
6 wetland that crosses a low area on the 16th hole that we're
7 proposing to install an open bottom pipe to convey the
8 water through that pipe to the existing pond.

9 The elimination -- we're proposing to eliminate
10 3,800 square feet of wetland and to offset that 3,800
11 square feet in accordance with the Town Code, we're looking
12 to -- we're proposing to provide a 6,000 square foot
13 wetland mitigation area in close proximity to the actual
14 work on the 16th hole.

15 BOARD MEMBER GOLDEN: Why are you doing an open
16 bottom pipe rather than a regular pipe pipe?

17 MR. ZAC PEARSON: Open bottom pipe it allows for
18 more of a natural flow through there, you know, you know,
19 animals can obviously go through that.

20 MR. JIM BATES: I'm the wetlands consultant.
21 There's two reasons for it --

22 CHAIRMAN SIMON: Could you speak to the
23 microphone and identify yourself, please.

24 MR. JIM BATES: Hi, my name is Jim Bates with
25 Ecological Analysis. The reason for the open bottom pipe

1 is both the Army Corp and DEC have gone to doing more
2 natural bottoms because it allows the conveyance of aquatic
3 species such as salamanders and things like that to move
4 more freely. They don't get stuck in the pipes and things
5 like that. If there is any water filtration happening,
6 they would also prefer it to be in a natural state. So
7 it's a two-fold reason.

8 BOARD MEMBER GOLDEN: Okay, thanks.

9 DEPUTY COMMISSIONER SCHMIDT: I can tell you that
10 the Town Environmental Consultant for the project did
11 review that as well as the remainder of the plan and didn't
12 have any objection to it. Thought that it was a reasonable
13 means of achieving the applicant's goal.

14 DEPUTY TOWN ATTORNEY FRIED: The CAC, too.

15 DEPUTY COMMISSIONER SCHMIDT: The Conservation
16 Advisory Council also issued a positive recommendation on
17 the project.

18 CHAIRMAN SIMON: This is to provide some history
19 to the public. A few years back you came in to do some
20 alterations of a particular hole. And if I recall
21 correctly, part of that was to have a depression area. It
22 was meant to be a depression area, then turned into a
23 wetland. Is that correct?

24 MR. ZAC PEARSON: I believe -- so we weren't
25 involved in that project. Jim was involved at that time.

1 I believe that that was an existing wetland then as well.

2 MR. JIM BATES: Correct.

3 CHAIRMAN SIMON: Okay.

4 MR. ZAC PEARSON: But yeah, there was a number of
5 holes, from what I know, back in 2016 about there were a
6 number of holes that were reconfigured in this portion of
7 the golf course. It was before your Board for approvals at
8 that point.

9 DEPUTY COMMISSIONER SCHMIDT: Correct.

10 BOARD MEMBER DESAI: I have a question.

11 CHAIRMAN SIMON: Go ahead.

12 BOARD MEMBER DESAI: Is that, the disturbances to
13 the wetland, and I think it looks like there is a lot of
14 areas that has been overgrown or it looks like, you know,
15 over there. So they going to redo the whole wetland area
16 around the new conveyance that you're putting in?

17 MR. ZAC PEARSON: No. We're piping and filling
18 over top of that pipe in that location of the fairway. And
19 the mitigation area is to the north of the existing fairway
20 adjacent to another, you know, adjacent to another wetland
21 area on the course.

22 So we're not putting the wetland back in that
23 location. We're creating fairway that runs right over the
24 top of the filling and the pipe, and then we're creating a
25 mitigation area just as you see right there to the north,

1 just off the edge of the fairway in an area that's adjacent
2 to another wetland to the north of where we're looking.

3 BOARD MEMBER DESAI: Is that, will there be any
4 affect on the existing wetland on both end of the
5 conveyance or it's not a wetland hole?

6 MR. ZAC PEARSON: Well, there is a small portion
7 of a wetland that will be piped through and then on the
8 south side it's a drainage channel that goes directly to a
9 pond. So there's not really much of a wetland on the south
10 side.

11 BOARD MEMBER DESAI: So there's not going to be
12 any impact on it?

13 MR. ZAC PEARSON: No.

14 DEPUTY COMMISSIONER SCHMIDT: Right. Water will
15 still move through as it does now and that was something
16 that was looked at as well.

17 BOARD MEMBER GOLDEN: The water goes in a
18 southerly direction more or less?

19 MR. ZAC PEARSON: Yeah, so if you're looking --

20 BOARD MEMBER GOLDEN: Left to right on that
21 chart.

22 MR. ZAC PEARSON: Correct. And that's to the
23 south.

24 CHAIRMAN SIMON: Could you explain, I know you
25 went over this in the work session, but could you explain

1 what is the benefit of doing this?

2 MR. ZAC PEARSON: Oh, the benefit to the course?

3 CHAIRMAN SIMON: Yes.

4 MR. ZAC PEARSON: Okay. So the benefit to the
5 course is the way the topography is now, there is a steep
6 slope that comes down to the wetland. And the golf balls
7 would come over this hill and come down and into the
8 wetlands. So people are constantly going in, pulling out
9 their balls and hitting it over. So it's to kind of speed
10 up play through this area for the golfers.

11 CHAIRMAN SIMON: All right. Are there any other
12 questions from Board Members?

13 BOARD MEMBER HAY: No.

14 CHAIRMAN SIMON: Are there any questions from the
15 public on this application? Please come up and identify
16 yourself.

17 MR. ED WEINBERG: My name is Ed Weinberg. I live
18 at 28 Rochambeau Drive, which is in the neighborhood where
19 Sunningdale is. And my only concern is there is a serious
20 water problem in our neighborhood. Some of it obviously
21 comes from the golf course.

22 And I only know that because we have a septic
23 system up there, obviously. There is a curtain around the
24 septic system to drain, and the drainage pipe goes into
25 sort of a stream. And I've taken out, over the course of

1 time, probably at least a dozen golf balls. And we're not
2 near the golf course.

3 So water, you know, must be flowing through the
4 golf course, through the underground streams in our
5 neighborhood. And I guess my question is, is this, you
6 know, proposed plan going to increase any off-site drainage
7 from the golf course?

8 Because this neighborhood floods. When we have,
9 you know, heavy rains, our yard looks like a pond. And
10 fortunately, we are higher up so all of the water
11 ultimately drains downstream towards Sprain Road.

12 My neighbors get, you know, get, you know,
13 inundated with water and their landscaping gets swept away.
14 The area where we get, where we get impacted, is basically
15 trees and shrubs and there is a stream back there that then
16 goes underground.

17 And there is a culvert down at the corner, at the
18 edge of Sprain Road and Rochambeau. And there used to be a
19 little white fence there. Now, I think the Town put
20 something more substantial up. And I guess it flows into
21 the Sprain Book, although I've never seen it myself.

22 So my concern is I wouldn't want to see anything
23 at the golf course, you know, result an additional off-site
24 drainage into our neighborhood because it's a serious
25 problem.

1 DEPUTY COMMISSIONER SCHMIDT: Thank you.

2 CHAIRMAN SIMON: I will ask, your question will
3 be addressed. What I'm going to ask is that all the
4 speakers come up, raise all the questions and then I'll
5 have the applicant speak and answer your questions, and any
6 other questions that subsequent --

7 MR. ED WEINBERG: Okay, fair enough. Thank you.

8 DEPUTY COMMISSIONER SCHMIDT: Thank you.

9 CHAIRMAN SIMON: Is there anyone else? Would you
10 care to add to the comments?

11 MS. LESLIE LEVINE: Hi, my name is Leslie Levine.
12 I also happen to live at 28 Rochambeau Drive. My question
13 is just simply to you gentlemen --

14 CHAIRMAN SIMON: Could you speak to the Board,
15 please.

16 MS. LESLIE LEVINE: Yes, sorry. My question for
17 the gentlemen is basically, when we're looking at this map,
18 can they please describe where our neighborhood is compared
19 to this 16th fairway?

20 CHAIRMAN SIMON: Okay.

21 DEPUTY TOWN ATTORNEY FRIED: You're up above
22 that, I believe, right?

23 CHAIRMAN SIMON: Well, we will have the applicant
24 answer all the questions, okay.

25 MS. LESLIE LEVINE: Thank you.

1 CHAIRMAN SIMON: Is there anyone else in the
2 public who would like to speak to this issue? If not, you
3 heard the questions. And could I add one more question is,
4 how do you account for balls getting into the stream and
5 coming off your property?

6 BOARD MEMBER GOLDEN: Can I ask first where
7 Rochambeau is?

8 DEPUTY TOWN ATTORNEY FRIED: It's up to the north
9 of that.

10 DEPUTY COMMISSIONER SCHMIDT: Yes, I believe
11 it's --

12 DEPUTY TOWN ATTORNEY FRIED: In that general
13 area.

14 BOARD MEMBER GOLDEN: It doesn't border the golf
15 course?

16 DEPUTY TOWN ATTORNEY FRIED: No, there is a
17 street, at least one street in between.

18 CHAIRMAN SIMON: Okay.

19 MR. ZAC PEARSON: So to answer to the drainage
20 question, if they are located north of the property, the
21 drainage from this portion of the golf course goes to the
22 south. If you pull up the area, it goes to the two ponds
23 and then leaves the property going down Underhill Road. So
24 it does not go to the north, to Rochambeau.

25 CHAIRMAN SIMON: But the question is, the other

1 question is, will this add to water coming off your
2 property? That's the other issue, regardless of where they
3 live.

4 MR. ZAC PEARSON: Okay, so not to them. And also
5 we were not increasing any impervious surfaces with this
6 project. It's, you know, no, it would not. Short answer.

7 There is no impervious surfaces. There is no
8 stormwater detention. We're just piping an existing
9 channel that's there now and getting it from one side to
10 the other. So there is nothing that would increase the
11 runoff from the property associated with this project.

12 DEPUTY COMMISSIONER SCHMIDT: That's been
13 reviewed by Town staff and confirmed.

14 CHAIRMAN SIMON: And then the other point that
15 the gentleman raised is that how are the golf balls getting
16 into, on his property through the drainage system?

17 BOARD MEMBER GOLDEN: You may have to research
18 that.

19 DEPUTY COMMISSIONER SCHMIDT: Can you come up?

20 DEPUTY TOWN ATTORNEY FRIED: If you're going to
21 speak, you need to come up to the mic and say your name.

22 MR. SEAN CAIN: Hi, I'm Sean Cain. I'm the golf
23 course superintendent. The location they are talking about
24 is on the other side of where we're doing the work. It's
25 north. And probably where they are getting some golf balls

1 is from the driving range.

2 So the water comes down and the stormwater from
3 that part of the golf course goes off our property, through
4 a storm drain, onto Topland, down into Rochambeau, down
5 towards Sprain Road.

6 So there could be some golf balls that got caught
7 up from our range, from our practice range in the woods,
8 and then there was runoff from big storms and the golf
9 balls could have gone down through the storm system and
10 then overflowed onto their property.

11 DEPUTY TOWN ATTORNEY FRIED: Thank you.

12 CHAIRMAN SIMON: Are there any other questions
13 regarding this application from the public or Board
14 Members?

15 (Whereupon, there was no response.)

16 CHAIRMAN SIMON: Then I have a proposal to close
17 the hearing and keep the record open, what is that date?

18 DEPUTY COMMISSIONER SCHMIDT: Through
19 January 29th.

20 CHAIRMAN SIMON: 29th. Okay, we will close the
21 Public Hearing and keep the record open to January 29th.

22 And that will give the public an opportunity to
23 write in, if there is additional issues, to write in,
24 because we will be accepting additional comments up to the
25 29th. So if you have any additional comments, please

1 submit them.

2 So when it comes time for this Board to make a
3 decision, we can take, not only the comments that were made
4 tonight, but any comments that were sent in later. Okay.

5 MR. ZAC PEARSON: Thank you.

6 DEPUTY COMMISSIONER SCHMIDT: Before you close
7 the Public Hearing, I did want to note that from a SEQRA
8 standpoint, the project qualifies as a Type II Action. So
9 the Board may wish to vote on that tonight and then it will
10 be carried into a draft decision prepared by staff.

11 CHAIRMAN SIMON: Okay.

12 DEPUTY COMMISSIONER SCHMIDT: For the next
13 meeting.

14 CHAIRMAN SIMON: So we will entertain a proposal
15 to classify this as a Type II Action as recommended by
16 Deputy Commissioner. Any discussion? If not, I entertain
17 that motion.

18 BOARD MEMBER HAY: So moved.

19 BOARD MEMBER DESAI: Second.

20 THE COURT: All in favor? Aye.

21 ALTERNATE BOARD MEMBER SNAGGS: Aye.

22 BOARD MEMBER GOLDEN: Aye.

23 BOARD MEMBER HAY: Aye.

24 BOARD MEMBER FRAITAG: Aye.

25 BOARD MEMBER DESAI: Aye.

1 DEPUTY COMMISSIONER SCHMIDT: Thank you.

2 MR. ZAC PEARSON: Thank you very much.

3 CHAIRMAN SIMON: I would entertain a proposal to
4 close the Public Hearing and go into work session, but we
5 will stay here for work session.

6 BOARD MEMBER HAY: So moved.

7 CHAIRMAN SIMON: Do we have a second?

8 ALTERNATE BOARD MEMBER FRAITAG: Second.

9 CHAIRMAN SIMON: All in favor? Aye.

10 ALTERNATE BOARD MEMBER SNAGGS: Aye.

11 BOARD MEMBER GOLDEN: Aye.

12 BOARD MEMBER HAY: Aye.

13 BOARD MEMBER FRAITAG: Aye.

14 BOARD MEMBER DESAI: Aye.

15 (Whereupon, the Public Hearing and Public
16 Discussion was concluded.)

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

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

A handwritten signature in cursive script, reading "Barbara Marcianti", written over a horizontal line.

Barbara Marciante,
Official Court Reporter