

**TOWN OF GREENBURGH  
PLANNING BOARD MINUTES  
GREENBURGH – NEW YORK  
Wednesday – September 2, 2020**



The Work Session of the Planning Board of the Town of Greenburgh began at 5:05 pm on Wednesday, September 2, 2020, online via Zoom-enabled Video Conference, and was simulcast over cable television and the Town of Greenburgh website.

**1. ROLL CALL & ANNOUNCEMENTS**

Present: Chairperson Walter Simon, Hugh Schwartz, Kirit Desai, Michael Golden, Thomas Hay, Mona Fraitag, and Johan Snaggs (5:30pm arrival)

Absent:

Staff: Aaron Schmidt, Deputy Commissioner, CD&C  
David Fried, Esq., 1<sup>st</sup> Deputy Town Attorney  
Garrett Duquesne, AICP, Commissioner, CD&C  
Matthew Britton, Assistant Planner, CD&C

**2. APPROVAL OF MINUTES**

Chairperson Simon announced that a vote to approve the draft minutes of the July 15, 2020 work session would take place first. He asked if there were any comments. Chairperson Simon requested a language modification in Case No. PB 19-27 – Manhattan Avenue Senior Housing, LLC. Mr. Britton recited the requested language modification. On a motion made by Mr. Hay and seconded by Ms. Fraitag, the Planning Board unanimously voted to approve the minutes of the July 15, 2020 work session, as amended.

Chairperson Simon asked if there were any comments on the August 5, 2020 draft minutes. Mr. Hay commented that, on Page 7, Paragraph 2, where it reads “Mr. Schwartz clarified that the Planning Board recommended that CCF uses be permitted on five acre parcels, not six acres,” what was reported in the draft minutes is not what was actually recommended. Mr. Schwartz explained that the language in the draft minutes was out of context, and that Mr. Hay is correct in that what was reported in the draft minutes was not what was recommended by the Planning Board. Mr. Schwartz advised that his statement was in the context of the recommendation by the Planning Board for a Town Board waiver from six acres down to five acres, with a one acre buffer. Chairperson Simon requested that Mr. Schwartz clarify how the minutes should read, to better reflect what was stated. Mr. Schwartz responded that the Town Board, at its discretion, may waive the six acre requirement and make it five acres based on topographical and other environmental factors, provided there is a one acre set aside for a conservation easement, which is consistent with what was recommended by the Planning Board.

Chairperson Simon asked if there were any additional comments on the draft minutes. Mr. Desai stated that he had expressed concerns over spot zoning and concerns that the Town Board had not formally referred the special permit local law to the Planning Board. He requested that the draft minutes be updated accordingly. On a motion made by Mr. Hay and seconded by Mr. Golden, the Planning Board unanimously voted to approve the minutes of the August 5, 2020 work session, as amended.

**3. CORRESPONDENCE**

**4. OLD BUSINESS**

**a. Case No. PB 20-14 *Continuum of Care Facility – One-Family Residence District Special Permit – Zoning Text Amendment***

A work session to formalize a recommendation to the Town Board, previously discussed at the August 5, 2020 Planning Board meeting, regarding a proposed Planning Board and Conservation Advisory Council-initiated Zoning Text amendment which would enable a new Continuum of Care Facility (CCF) use in the One-Family Residence Districts, by special permit. On December 4, 2019,

the Planning Board made a positive recommendation to the Town Board with respect to a CCF floating zone petition (Case No. TB 19-08 – Brightview Senior Living, LLC) as part of a referral from the Town Board for this proposed use. If approved, Brightview Senior Living, LLC seeks to subdivide and have rezoned an approximately 5 acre portion of Parcel ID: 8.10-1-6, 8.141-94-15, 16, 17 & 18 [289 Dobbs Ferry Road – Metropolis Country Club], with an adjacent and contiguous one-acre conservation easement, in connection with that proposed project.

Chairperson Simon stated that the Planning Board would take a vote to consider amending its previously issued positive recommendation to the Town Board, dated December 4, 2019, to recommend a special permit process for CCFs rather than a floating zone, and this vote would not affect any of the specifics within the prior recommendation. Mr. Schwartz stated that there was second issue, noting that the proposed density in the draft CCF local law was 40 beds per acre, a higher density than allowed for with assisted living facilities. Mr. Schwartz opined that a CCF should not have a higher bed density than an assisted living facility. Mr. Hay stated that he felt the issue was brought up too recently to be able to vote on at this meeting. Mr. Golden agreed with Mr. Hay. Chairperson Simon noted that a vote may be considered at a future date to address the density issue, if desired.

On a motion made by Mr. Desai and seconded by Mr. Hay, the Planning Board, by a count of 5 in favor and with 2 opposed, voted to amend its recommendation of December 4, 2019, to recommend the use of a special permit process, rather than a floating zone, as the approval mechanism for Continuum of Care Facilities. Mr. Golden and Ms. Freitag opposed. Chairperson Simon, Mr. Schwartz, Mr. Hay, Mr. Desai, and Mr. Snaggs voted in favor, and the motion carried.

**b. Case No. TB 20-07 White Hickory Associates, LLC, 630 White Plains Road (P.O. Tarrytown, N.Y.) – Amended Site Plan and Special Permit (Town Board Referral)**

A continued work session (August 5, 2020) to discuss an amended site plan and special permit application (Town Board approvals – referral to Planning Board) for a project consisting of the proposed construction of a five (5) story, 56,525 sq. ft. self-storage building to contain 292 self-storage units, within the existing Premier Plaza Shopping Center. The applicant is proposing nineteen (19) additional off-street parking spaces and four (4) loading spaces. The property consists of approximately 704,234 sq. ft. (16.17 acres) and is situated on the south side of White Plains Road, across from the intersection of White Plains Road and Benedict Avenue. The property is located in the OB Office Building District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 7.230-100-1..2.

Chairperson Simon stated that a draft positive recommendation to the Town Board had been circulated and asked if there were comments. There were none.

On a motion made by Mr. Golden and seconded by Mr. Desai, the Planning Board unanimously voted to make a positive recommendation to the Town Board on the amended site plan and special permit applications.

**5. ITEMS FOR PUBLIC HEARING & PUBLIC DISCUSSION**

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

**a. Case No. PB 20-11 Gowran, 1048 Dobbs Ferry Road (P.O. White Plains, N.Y.) – Planning Board Wetland/Watercourse Permit and Tree Removal Permit (Town Forestry Officer approval)**

A public hearing to discuss a wetland/watercourse permit application and tree removal permit application (Town Forestry Officer approval) involving the proposed construction of a 1 ½ story

garage on the eastern side of the existing driveway of an existing single-family residential property. The applicant is proposing to relocate a storm drainage ditch from Dobbs Ferry Road by means of 24 inch ADS piping. A segment of the existing channel already is piped through a portion of the property. The applicant is proposing approximately 4,000 sq. ft. of disturbance to the wetlands/watercourse and buffer area. The applicant proposes the removal of one (1) regulated tree, requiring a tree removal permit from the Town Forestry Officer. The applicant proposes the planting of four (4) trees and thirty-three (33) shrubs, as replacement. The applicant proposes approximately 69 cubic yards of excavation in order to carry out the project. No imported fill is required. The applicant proposes approximately 1,200 sq. ft. of additional impervious surface coverage in connection with the project. The applicant proposes a stormwater management system consisting of five (5), 330 XL HD Cultec chambers and new footing drains to handle runoff from new impervious surfaces. The project also requires an area variance from the Zoning Board of Appeals, related to the proposed height of an accessory structure (garage). The subject property consists of approximately 28,745 sq. ft. and is situated on the northwest side of Dobbs Ferry Road, approximately 500 feet northeast of Woodlands Avenue. The property is situated in the R-10 One-Family Residence District, and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.110-60-1.

*On a motion made by Mr. Golden and seconded by Mr. Desai, the Planning Board unanimously voted to classify the proposed action a Type II action under SEQRA.*

*On a motion made by Mr. Golden and seconded by Mr. Hay, the Planning Board unanimously voted to close the public hearing and to keep the written record open through October 7, 2020.*

**b. Case No. PB 19-25 Gez, 25 High Point Lane (P.O. Scarsdale, N.Y.) – Preliminary Subdivision and Tree Removal Permit**

A public hearing to discuss a preliminary subdivision application involving the proposed subdivision of two (2) existing lots, totaling approximately 77,959 sq. ft. in size, into three (3) buildable lots, for the purpose of constructing two (2) new single-family residences. Proposed Lot 1 would total approximately 20,010 sq. ft. and an existing 2,139 sq. ft. single-family residence would remain. Proposed Lot 2 would total approximately 21,139 sq. ft., and would be improved with one (1) new approximately 2,603 sq. ft. single-family residence. Proposed Lot 3 would total approximately 24,558 sq. ft., and would be improved with one (1) new approximately 4,420 sq. ft. single-family residence. A new cul-de-sac roadway, to be built to Town standards, is being proposed to service the 2 new houses within a right-of-way consisting of approximately 12,252 sq. ft. The applicant proposes the removal of 49 regulated trees, requiring a tree removal permit from the Planning Board. The applicant proposes the planting of 36 new trees and 28 new shrubs, as replacement. The project involves approximately 28,000 sq. ft. of disturbance. The project requires approximately 100 cubic yards of cut and 100 cubic yards of imported fill. The properties consist of approximately 77,954 sq. ft. and are situated on the west side of High Point Lane, approximately 650 feet from the intersection of High Point Road and High Point Lane. The properties are located in the R-20 One-Family Residence District and are designated on the tax map of the Town of Greenburgh as Parcel ID: 8.520-356-44 & 8.520-356-47.

*On a motion made by Mr. Golden and seconded by Ms. Freitag, the Planning Board unanimously voted to adjourn the public hearing to September 16, 2020.*

**c. Case No. PB 20-08 Greystone-on-Hudson PUD, Carriage Trail (P.O. Tarrytown, N.Y.) – Planning Board Site Plan and Steep Slope Permit**

A public hearing to discuss a Planning Board site plan and steep slope permit application for a proposal consisting of the buildout of a residential development site with a total of ten (10) primary residences and fourteen (14) accessory residences. The applicant previously petitioned for and was granted a zoning change to a Planned Unit Development (PUD) District, allowing for multiple

dwellings on a single lot (Case No. TB 19-02). The applicant previously received a Planning Board steep slope permit in connection with prior subdivision approval (Case No. PB 11-13). As part of the updated buildout of the site, the applicant proposes approximately 10,000 sq. ft. of additional regulated steep slope disturbance to Lot 11, associated with the reorientation of the driveway layout. The properties consist of approximately 2,463,675 sq. ft. (56.6 acres) and are situated on the east side of Broadway (NYS Rt. 9). The properties are located in the PUD Planned Unit Development District and are designated on the tax map of the Town of Greenburgh as Parcel ID: 7.290-141-9.1, 7.290-141-9.2, 7.290-141-9.3, 7.290-141-9.4, 7.290-141-9.5, 7.290-141-9.6, 7.300-142-3.7, 7.300-142-3.8, 7.300-142-3.9, 7.300-142-3.10, 7.300-142-3.11, and 7.300-142-3.12.

*At the request of the applicant this matter was not heard. On a motion made by Mr. Golden and seconded by Mr. Hay, the Planning Board, by a count of 6 in favor and with 1 opposed, voted to adjourn the public hearing to October 7, 2020. Mr. Schwartz opposed, stating that he felt that until written confirmation was received from the Village of Tarrytown that all outstanding items had been addressed by the applicant, the public hearing should not be adjourned to a specific date.*

**6. OLD BUSINESS (continued)**

**a. Case No. PB 20-09 Lightbridge Academy, 529 Central Park Avenue South (P.O. Scarsdale, N.Y.) – Site Plan, Special Permit, and Planning Board Steep Slope Permit**

A continued work session (June 17, 2020) to discuss a site plan, special permit (Child Day-Care Center), and Planning Board Steep Slope Permit application for a project consisting of the proposed renovation and redevelopment of an existing 16,054 sq. ft. building and related site improvements to facilitate the opening of a child day-care facility for up to 159 children and 31 staff, with related office space. The proposal includes 45 off-street parking spaces, with 18 of those spaces designated for parent drop-off or pick-up of children. The applicant proposes the construction of a 2,168 sq. ft. outdoor playground area, enclosed with fencing and protected by bollards erected in the adjacent parking area. The applicant proposes approximately 1,023 sq. ft. of disturbance to 15- 25% slopes (STEEP SLOPES). The project requires approximately 36 cubic yards of excavation and approximately 251 cubic yards of imported fill, requiring a fill permit from the Bureau of Engineering. The project requires area variances from the Zoning Board of Appeals related to: off-street parking spaces (69 required; 45 proposed) and minimum distance from off-street parking area to principal building (10 feet required; 0 feet proposed). As permitted under Section 285.29.1B(5.1)(b)[8][c] of the zoning ordinance, the applicant seeks waivers from the Planning Board, associated with the following requirements: minimum distance from paved areas associated with the outdoor activity area to all property lines (20 feet required; 12.5 feet proposed to north side yard property line; 12.75 feet proposed to front yard property line), and minimum distance from outdoor activity area to off-street parking areas (10 feet required; 0 feet proposed in the front yard parking area). As part of this application, the applicant seeks to coordinate with the neighboring property owner to the south (Scarsdale Meadows Condominiums) to expand an existing ingress/egress easement, to facilitate the placement of a sidewalk from Central Park Avenue into the site. The property consist of approximately 70,532 sq. ft. (1.619 acres) and is situated on a flag lot on the westerly side of Central Park Avenue, between Underhill Road and Dromore Road. The property is located in the CA Central Avenue Mixed-Use Impact District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.410-298-6.

Mr. Michael Curti, Esq., of Harris Beach, PLLC, representing the applicant, provided a brief overview of the project renovation and redevelopment of an existing 16,054 sq. ft. building and related site improvements to facilitate the opening of a child day-care facility for up to 159 children and 31 staff, with related office space, and noted that that there were three important points to present to the Board: 1) as per the letter submitted to the Planning Board, the applicant had submitted an application for a steep slope permit and received a memorandum from the Town Engineer on August 13, 2020 recommending the steep slope permit be referred to the Planning

Board for review; 2) the applicant has updated its proposed layout plan to reflect the proposed maximum number of children and staff associated with the proposed child day-care facility; and 3) the applicant has enclosed a copy of a letter submitted to the Zoning Board of Appeals indicating that the applicant would hold child enrollment at two-thirds capacity until the Town conducts a supplementary traffic study determining that full capacity would be acceptable. Chairperson Simon clarified that the supplementary traffic and parking study would be undertaken by the applicant for review by the Planning Board and its consultant, when the applicant feels it can safely and effectively increase enrollment beyond two-thirds capacity.

Mr. Jesse Cokeley, P.E., of Maser Consulting, stated that the parking calculations had been updated to reflect the maximum number of students and faculty, noting that 69 off-street parking spaces are required, where 45 are proposed. Based on a similar facility in Cranford, New Jersey, he believed the 45 spaces proposed would be enough to handle demand. Mr. Cokeley stated that a designated loading zone was now provided on the plans, that the sidewalk now was proposed to be concrete, and that illuminated bollards were proposed along the sidewalk.

Mr. Schmidt requested that Mr. Cokeley break down the anticipated usage of the 45 proposed off-street spaces. Mr. Cokeley stated that the back area of the site, to the west, would be for employee use, primarily. He stated that the spaces in the front of the building, to the east, are for parent drop-off and pick-up of children.

Chairperson Simon asked Mr. John Canning, P.E., to provide an overview of his review of the applicant's traffic study. Mr. Canning, of Kimley Horn, the Town's Traffic Consultant for the project, stated that he had reviewed the traffic study, and felt that there would not be a significant impact on the surrounding roadways. Mr. Canning stated his concern that there may be lengthy delays leaving the site at peak hours while operating the facility at full capacity, hence his recommendation to open at two-thirds capacity. Mr. Canning noted that, while the applicant did provide data from another facility showing that 45 off-street parking spaces is adequate, the other facility is approximately 9,000 sq. ft. while the proposed facility is approximately 16,000 sq. ft. He stated that the applicant should conduct an on-site parking study once enrollment reaches two-thirds capacity, to determine the adequacy of on-site parking. Mr. Canning indicated that one of the proposed ADA spaces is not in compliance with NYS regulations, and suggested a slight modification which would rectify this issue.

Mr. Hay expressed concern at the degradation in level of service from D to F during peak hours for vehicles leaving the site. Mr. Canning opined that he did not think the actual increase in delays would be as significant as indicated in the study, as the software used for calculations increases delays exponentially. Mr. Canning noted that this is one of the reasons why he has recommended that the applicant conduct a follow-up parking study. Mr. Hay asked what measures could be taken if the secondary traffic/parking study determined the site was not functioning properly. Mr. Canning noted that several measures could be employed, though it would depend on the nature of why the site is not functioning properly.

Mr. Hay asked the applicant to explain why the peak staff traffic period would be 11:00 am to 1:00 pm. Mr. Cokeley responded that staff would arrive gradually each day as more students arrive, to comply with State requirements, and that staff would leave gradually as students left the facility. As the largest number of students would be on-site during the midday, so to would the largest number of staff. Ms. Fraitag asked what the traffic flow for pick-up and drop-off would be like. Mr. Cokeley responded that the driveway is wide enough for two-way circulation and that arrivals and departures would be spread out. Mr. Cokeley stated that, on average, parents will spend 6-8 minutes dropping off their children. Mr. Schwartz asked when the peak arrivals were and what the maximum number of cars on-site would be. Ms. Michelle Briehof, of Maser Consulting, responded

that the values recorded at another facility determined that the peak number of vehicles on-site in the a.m. would be 25 vehicles at 8:45 a.m., and the peak number of vehicles on-site in the p.m. would be 31 vehicles at 5:55 p.m. Mr. Justin Mihalik, R.A., architect for the project, stated that, as per New Jersey regulations, the 9,000 sq. ft. facility where the traffic counts were taken could hold up to 140-150 children, comparable to the proposed facility. He indicated that it is more relevant to compare the number of students versus the square footage of the facilities. Mr. Canning noted that the values do not provide an indication of car turnover, as the study indicates there will be 178 cars during the peak hour.

Chairperson Simon stated that the Planning Board required additional information in regards to the capacity and detailed traffic counts of the New Jersey facility. Mr. Schmidt noted that the next steps for the Planning Board were to consider a negative declaration and a recommendation to the Zoning Board of Appeals on the required area variances. He stated that if the applicant can submit the requested information to Town staff in time, a negative declaration and recommendation to the Zoning Board of Appeals could be considered at the September 16, 2020 Planning Board meeting. Mr. Schmidt indicated that the information would need to be received by September 9, 2020.

Mr. Desai asked how the loading dock would function. Mr. Cokeley clarified that it was a loading space, not a dock, and would only be used by food delivery trucks and/or parcel/mail delivery trucks. Mr. Mihalik stated that all deliveries will go through the front entrance, for security purposes. Mr. Desai expressed concern that the first three parking spaces in the row of spaces designated for parent drop-off and pick-up could present a hazard. Mr. Cokeley suggested that a stop bar could be added at the corner of the driveway before the spaces. Mr. Mihalik suggested that, alternatively, the first three spaces could be designated for employee use only, as the number of drop-off and pick-up spaces was more than need based on the applicant's estimates.

Chairperson Simon asked if the applicant could submit the requested information and modifications by September 9, 2020. The applicant could not affirmatively state it would be able to do so. Chairperson Simon stated that this matter would be discussed as part of a continued work session on October 7, 2020.

**b. Case No. PB 19-30 *Splash Carwash, 208 Tarrytown Road (P.O. White Plains, N.Y.) – Amended Site Plan***

A continued work session (February 19, 2020) to discuss an amended site plan application for a proposal consisting of the renovation of an existing car wash with various site improvements and circulation enhancements. The applicant, Splash Car Wash White Plains III, LLC, has leased a 1.17 acre portion of the 1.54 acre property, which contains an existing gas station and car wash. The applicant is proposing to renovate the existing car wash facility, including but not limited to, the complete overhaul of the automated wash tunnel, the incorporation of three (3) dedicated queuing lanes, the installation of 19 vacuum stations, modifications to the existing parking areas and site circulation patterns, perimeter landscaping and signage improvements. The applicant, in coordination with NYSDOT, proposes the consolidation of the 7 existing curb cuts down to a total of 4. It is noted that, in 2017, a special permit (TB 16-13) for a convenience store and related improvements in connection with the gas station was granted. The properties consist of approximately 67,082 sq. ft. (1.54 acres) and are situated on the north side of Tarrytown Road at the intersection of Hillside Avenue and Tarrytown Road. The properties are located in the DS Designed Shopping District, and are designated on the tax map of the Town of Greenburgh as Parcel ID: 7.490-303-2 & 7.490-303-3.

Mr. James Caris, AICP, of JMC, PLLC, representing the applicant, stated that the applicant had met with New York State Department of Transportation representative who were supportive of the applicant consolidating the curb cuts as part of its revised proposal, down from seven (7) to four

(4). Mr. Caris stated that the reduction in curb cuts does not result in a modification to the high-volume operational plan proposed.

Chairperson Simon requested that Mr. Canning provide a review of the traffic analysis. Mr. Canning expressed support for the modifications to the site plan and supported the proposed high-volume operational plan. Mr. Canning noted that the proposed sidewalk along the property would be immediately adjacent to the roadways, and suggested that the applicant look into shifting the sidewalk away from the streets by 2-3 feet. Mr. Canning added that the revised plans do not mention the location of the bus stop along Hillside Avenue, which should be identified, and that there are two unlabeled signs on the plans which should be identified.

Mr. Schwartz asked the applicant to explain the proposed flow of traffic. Mr. Caris responded that, under typical conditions, traffic would enter the site from Hillside Avenue (NYS RT 100) and would exit by circulating around the site back to Hillside Avenue. Mr. Schwartz expressed concern with the number of accidents in the vicinity of the project site and at vehicles turning left out of the site onto Hillside Avenue. Mr. Schwartz suggested that a barrier be put in place to prevent vehicles from entering the car wash queue from the gas station. Mr. Caris stated that the revised egress point onto Hillside Avenue will be more organized than the existing exit, and that during high volume periods, barriers are proposed between the gas station and the car wash.

Mr. Schwartz noted that the Hillside Avenue (NYS RT 100) and Tarrytown Road (NYS RT 119) intersection backs up onto Hillside Avenue, and expressed his concern that this could delay vehicles seeking to turn left out of the site, thereby backing up traffic on the site. He suggested that the applicant consider installing a two-lane exit drive to permit vehicles to turn left and to turn right out onto Hillside Avenue. Mr. Canning advised that most accidents have occurred at the driveways closest to the intersection, which are now proposed to be closed. Mr. Canning asked the applicant what the volume of traffic would be. Mr. Caris responded that the peak hour would be 45 vehicles in and out. Mr. Canning indicated that at this volume, the left turn onto Hillside Avenue would likely function acceptably.

Chairperson Simon stated that several issues had been identified, namely shifting the sidewalk back from the roadways and locating the bus stop on the plans. Mr. Caris noted that shifting the sidewalk would be under the discretion of the NYSDOT. Mr. Canning suggested the applicant send an email to the NYSDOT indicating that the Town's Planning Board had suggested the sidewalk be moved back for pedestrian safety and snow storage purposes, and request that the NYSDOT opine on this modification. Mr. Caris replied that he would seek to do this. Chairperson Simon stated that this matter would be heard at a public hearing of the Planning Board on September 16, 2020.

## 7. NEW BUSINESS

### a. Case No. PB 19-32 Clark, 250 Fort Hill Road (P.O. Scarsdale, N.Y.) – Preliminary Subdivision and Tree Removal Permit

A work session to discuss a preliminary subdivision application and tree removal permit application involving the proposed subdivision of one (1) existing lot, approximately 67,075 sq. ft. in size, into two (2) buildable lots, for the purpose of constructing one (1) new single-family residence. Proposed Lot 7A would total approximately 33,186 sq. ft. and would be improved with one (1) new single-family residence. Proposed Lot 7B would total approximately 33,889 sq. ft. and an existing 5,470 sq. ft. single-family residence would remain. Eighteen (18) regulated trees are proposed for removal as part of the project, requiring a tree removal permit from the Planning Board. The applicant has prepared a landscaping plan which provides for the planting of 20 new trees, as replacement. The project involves approximately 33,000 sq. ft. of disturbance. The project requires approximately 200 cubic yards of excavation and no imported fill. The property consists of approximately 67,075 sq. ft. and is situated on the west side of Fort Hill Road, across from the intersection of Fort Hill Road and



Penny Lane. 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: 8.520-356-7.

Mr. Golden stated that he had visited the site in person and provided a brief overview of the applicant's proposal. Mr. Golden objected to the new driveway proposed off of Fort Hill Road which would lead to the existing house to remain, noting that a new driveway would necessitate a new curb cut and result in more impervious surface coverage, as well as requiring the removal of a large, mature Beech tree. Mr. Eliot Senor, P.E., representing the applicant, stated that he could reorient the proposed driveway to avoid the tree. Mr. Golden opined that the applicant should use the existing driveway, to operate as a shared driveway, which would eliminate the need for an additional curb cut along the heavily traveled Fort Hill Road.

Mr. Schmidt provided an update as to the status of the project, stating that staff had been informed that a buyer is in contract to purchase the entire property, and is set to close in the near future. Mr. Schmidt indicated that the buyer may be interested in pursuing this subdivision. Mr. Fried stated that should the sale go through, it would result in a change to the application if the new owner wishes to continue the application. He advised that the application materials would need to be updated accordingly, including the submission of a new affidavit of ownership. Chairperson Simon stated that the Planning Board cannot proceed with advancing the application until it is clear that ownership has changed hands and the new owner wishes to proceed.

Mr. Schwartz stated that the Historic and Landmark Preservation Board may have some comments regarding the proposal, as the existing house was built in the 1800s. Mr. Schmidt stated that the Historic and Landmark Preservation Board was made aware of the proposal though it had not yet met, but would be meeting next week. He opined that the Historic and Landmark Preservation Board would likely not object to the subdivision, provided the existing residence were to remain.

Chairperson Simon reiterated the comments made by Planning Board members and again noted that the Planning Board cannot proceed with advancing the application until it is clear that ownership has changed hands and the new owner wishes to proceed.

8. **ESTABLISH DATE FOR NEXT MEETING**

The next regularly scheduled meeting of the Greenburgh Planning Board will be held on Wednesday, September 16, 2020, and will begin at 5:00 pm via Zoom-enabled Video Conference.

9. **ADJOURNMENT**

The September 2, 2020 work session of the Town of Greenburgh Planning Board was adjourned at 8:05 pm.

Respectfully submitted,



Aaron Schmidt  
Deputy Commissioner,  
Department of Community Development and Conservation