

TOWN OF GREENBURGH  
PLANNING BOARD

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ROLL CALL

ITEM FOR PUBLIC HEARING/PUBLIC DISCUSSION

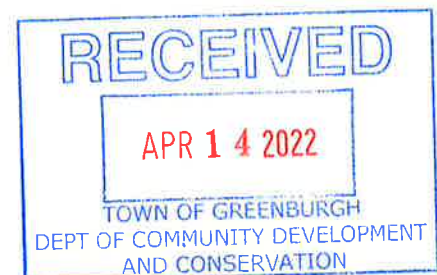
- a) Case No. PB 21-29  
REGENERON  
555 Saw Mill River Road  
(P.O. Tarrytown, New York)

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Greenburgh Town Hall  
177 Hillside Avenue  
Greenburgh, New York 10607

March 14, 2022  
7:00 p.m.

PLANNING BOARD MEETING CONDUCTED VIA ZOOM

CYNTHIA WHITE, R.P.R.,  
Official Court Reporter



APPEARANCES :

HUGH SCHWARTZ, CHAIRMAN

THOMAS HAY, VICE CHAIRMAN

WALTER SIMON, Board Member

JOHAN SNAGGS, Board Member

KIRIT DESAI, Board Member

MICHAEL GOLDEN, 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

                  MATTHEW BRITTON,  
Assistant Planner to the Department of  
Community Development and Conservation

## Public Hearing PB 21-29

1 CHAIRPERSON SCHWARTZ: Ladies and gentlemen,  
2 welcome to the Public Hearing portion of our meeting this  
3 evening. We have one case to hear tonight.

4 Before we do that, Mr. Schmidt, please call the  
5 role for the Public Hearing.

6 DEPUTY COMMISSIONER SCHMIDT: Sure.

7 Chairperson Schwartz?

8 CHAIRPERSON SCHWARTZ: Present.

9 DEPUTY COMMISSIONER SCHMIDT: Mr. Hay?

10 BOARD MEMBER HAY: Here.

11 DEPUTY COMMISSIONER SCHMIDT: Mr. Simon?

12 BOARD MEMBER SIMON: Here.

13 DEPUTY COMMISSIONER SCHMIDT: Mr. Golden?

14 BOARD MEMBER GOLDEN: Here.

15 DEPUTY COMMISSIONER SCHMIDT: Mr. Desai?

16 BOARD MEMBER DESAI: Here.

17 DEPUTY COMMISSIONER SCHMIDT: Ms. Fraitag?

18 MS. FRAITAG: Here.

19 DEPUTY COMMISSIONER SCHMIDT: Mr. Snaggs?

20 MR. SNAGGS: Here.

21 DEPUTY COMMISSIONER SCHMIDT: Thank you.

22 CHAIRPERSON SCHWARTZ: So everybody is present.

23 The one case is case PB 21-29, which is  
24 Regeneron, which is a Planning Board wetland and water  
25 course permit for a temporary parking lot on the Regeneron

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1 property until they've finished their permanent parking  
2 facilities.

3 Mr. Schmidt, do you want to add anything before  
4 we turn it over to Ms. Giris?

5 DEPUTY COMMISSIONER SCHMIDT: I'd only add that  
6 the Planning Board last discussed the project at its  
7 January 19th meeting, where it issued a positive  
8 recommendation to the Town Board on the Applicant's amended  
9 site plan application.

10 But I think at this point we can turn things over  
11 to Ms. Giris and Mr. Spina.

12 Thank you.

13 CHAIRPERSON SCHWARTZ: Okay. The one thing I'd  
14 like to say is I don't -- we can be brief on this. This is  
15 not a complicated project, Ms. Giris. So we do have an  
16 intense schedule so if you could keep it brief, I'd  
17 appreciate it.

18 MS. GIRIS: Certainly. Thank you, Mr. Chairman  
19 and members of the Board.

20 For the record, it's Janet Giris with DelBello,  
21 Donnellan, Weingarten, Wise and Wiederkehr, on behalf of  
22 Regeneron. Joining me is Steve Spina.

23 As you know, when we were last before you in  
24 January we made a fairly comprehensive presentation to the  
25 Board with regard to this application.

1           Again, it's an application for a wetland permit  
2           in connection with temporary parking for contractors during  
3           the period of construction at the Regeneron campus during  
4           our expansion period.

5           As Mr. Schmidt mentioned, we were back before you  
6           in January. You made a positive recommendation to the Town  
7           Board. And since that time we've been back to the Town  
8           Board, where we have received -- not only did they do a  
9           negative declaration but they also granted site plan  
10          approval and a tree removal permit for the project.

11          So we're here before you this evening, as you  
12          know the CAC also sent a positive recommendation your way.  
13          And I don't want to take up much of your time. We're happy  
14          to go through this again.

15          The area that you see in front of you, which is  
16          purple on the map, is the area where the property that is  
17          the subject of the application. Steve, if you want to just  
18          flip through that for us.

19          And this was what was approved. This was the  
20          parcel D and parking garage. And this is what we are  
21          utilizing the temporary parking for. So contractors who  
22          will be working on that project will be utilizing the  
23          temporary parking that we propose which is what you see on  
24          the screen.

25          So, Steve, I don't know -- I don't want to take

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1 up much of the Board's time. I know that they have a very  
2 busy agenda. If you want to take them quickly through  
3 where things are.

4 Otherwise, Mr. Chairman, we're here to answer any  
5 questions that you may have.

6 CHAIRPERSON SCHWARTZ: Appreciate that.

7 MR. SPINA: Sure. Hello, everyone.

8 So this is just a view of the eastern side of the  
9 property along 9A and Old Saw Mill River Road where the  
10 active construction by the DOT is ongoing there.

11 And shown in tan color is the proposed parking  
12 lot and driveway connection that would link to the  
13 previously approved temporary lot to the left here.  
14 Property line is in green. We have wetlands in red and  
15 wetland buffer in blue.

16 And this just shows some existing disturbance  
17 here by the current DOT staging area in the orange and the  
18 pink. And we would be proposing some in the blue which  
19 would just be for grading only.

20 There is no impervious area proposed in the  
21 buffer but there is already some gravel and staging area  
22 within the buffer that we would be pulling back.

23 So this shows the proposed parking lot in red  
24 superimposed over the existing.

25 This is just a view of the DOT staging area.

1 It's a gravel area that's outlined in blue and then they  
2 have a little asphalt area where a trailer here in red. So  
3 we would be removing this piece from the buffer.

4 As you can see there is nothing proposed in terms  
5 of any new impervious within the buffer out here. And this  
6 is the parking lot behind it.

7 Just another view of steep slopes. So just to  
8 reiterate, we're not disturbing any quote-unquote steep  
9 slopes on the project. They're all within the wetland  
10 buffer which we're staying out of farther in the site.

11 This green shows the disturbance in the wetland  
12 buffer as a total. So those previous colors on the prior  
13 plan are different types of disturbance, whether it's new,  
14 existing to remain, et cetera. This is just a total. If  
15 you just look, it's just grading. There is a stormwater  
16 pond and a stormwater pond in the buffer. There is no  
17 parking lot there.

18 This just shows the stormwater ponds that are  
19 proposed. There's three of them, here, here and here, to  
20 mitigate the increase in impervious surface.

21 And this is just a quick slide with some signage  
22 that we would be proposing. Some safety signage just so  
23 the vehicles traveling along the roadway here would know  
24 there is a construction entrance ahead. And then also your  
25 typical driveway signage that you would see ahead of a

1 driveway. And then Regeneron is investigating whether or  
2 not to install some signage on the existing fence on the  
3 private property, just a little sign that says contractor  
4 parking only on that existing fence.

5 So this green area is blown up here so you can  
6 kind of zoom in and see it a little bit better. So there  
7 is an existing fence back here that we would maintain and  
8 maybe put a little sign on it so people know it's parking  
9 for contractors only. And then, you know, your typical  
10 driveway sign would be somewhere ahead of the driveway.

11 MS. GIRIS: And these are being proposed in  
12 response to comments that we received from the Board back  
13 in January.

14 CHAIRPERSON SCHWARTZ: How long is this temporary  
15 parking lot going to exist?

16 MS. GIRIS: We anticipate a five-year period.

17 CHAIRPERSON SCHWARTZ: Okay. And at the end of  
18 the five years what happens to the lot?

19 MS. GIRIS: It would be removed and the area  
20 restored and replanted, revegetated. And there's a plan.

21 I think, Steve, I think you can correct me if I'm  
22 wrong, I think there is a plan that is conceptual in nature  
23 for the restoration. But the final plan needs to be  
24 approved by the commissioner and deputy commissioner of the  
25 community development at such time as they're ready to do



1 the restoration.

2 MR. SPINA: That's all correct.

3 CHAIRPERSON SCHWARTZ: Okay. Anything else you  
4 guys need to tell us about this project?

5 MS. GIRIS: I don't think so.

6 CHAIRPERSON SCHWARTZ: Okay. Anybody from the  
7 Board have any questions?

8 BOARD MEMBER SIMON: I have one. Why is it  
9 proposed? What's the challenge, just saying the sign will  
10 be there as they're saying as proposed. Is there some  
11 legal aspect to hanging that sign?

12 MS. GIRIS: We're proposing it to you. If you  
13 approve it we will install it.

14 BOARD MEMBER SIMON: Oh, okay. Okay.

15 CHAIRPERSON SCHWARTZ: Anybody else? I can't see  
16 everybody, Aaron, because of the screen share.

17 MS. GIRIS: Steve, if you stop sharing the  
18 screen.

19 CHAIRPERSON SCHWARTZ: Anybody else have a  
20 question?

21 DEPUTY COMMISSIONER SCHMIDT: I do know, if none  
22 of the Board members do, we do have Mr. Bodin from the  
23 public.

24 CHAIRPERSON SCHWARTZ: Okay. Mr. Bodin.

25 MR. MURRAY BODIN: Since the last time I've

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1 spoken at these meetings -- my name is Murray Bodin --  
2 global warming has become the number one issue of the day.

3 The concrete sidewalks that were originally  
4 proposed should be changed to county trailway level with  
5 the roadway.

6 CHAIRPERSON SCHWARTZ: Mr. Bodin, that has  
7 nothing to do with this project.

8 MR. MURRAY BODIN: Yeah, it has to do with --

9 CHAIRPERSON SCHWARTZ: No, it doesn't, Mr. Bodin.

10 MR. MURRAY BODIN: Because this project --

11 CHAIRPERSON SCHWARTZ: All right. Mr. Bodin,  
12 speak to this project. No, me, I'm the chairman.

13 MR. MURRAY BODIN: Okay.

14 CHAIRPERSON SCHWARTZ: And what I'm going to say  
15 is you speak to this project. We have a very busy schedule  
16 tonight. A lot of people. If you have specific comments  
17 on this project we're glad to hear them.

18 This has nothing to do with sidewalks, it has  
19 nothing to do with trails.

20 MR. MURRAY BODIN: Yeah, it has to do --

21 CHAIRPERSON SCHWARTZ: It has to do with a  
22 temporary parking lot.

23 MR. MURRAY BODIN: It has to do with the design  
24 of the parking lot, the spaces, the accessibility for  
25 handicapped, the way they walk.

1           The design of the parking lot is the same design  
2           that they used 50 years ago. The design of the parking lot  
3           needs to be updated to accommodate the people who are going  
4           to come on bicycles, the handicapped people who need to  
5           have an access after they get out of their car and not to  
6           be in traffic. This is the start of new thinking about  
7           designing any parking lot.

8           You happen to have a parking lot for contractors,  
9           but some of those contractors are going to show up in a  
10          wheelchair for whatever reason and they need to be  
11          accommodated to get safely to wherever they're going.

12          That has not been done in the past. This is to  
13          start the process of thinking when you design this lot,  
14          make it accessible for the handicapped. Integrate the  
15          spaces so that it's easily plowed and think about the  
16          future.

17          I can't cover everything tonight. This is to  
18          start you thinking that this world has changed since the  
19          last time we had a Public Hearing. And tonight's parking  
20          lot. Well, think about what that parking lot should look  
21          like for handicapped people and how they get from when they  
22          get out of their car, how do they get to their job site.

23          This will be ongoing and I thank you for helping  
24          me think through -- my mind doesn't work as well as it used  
25          to. I can't find the words but thank you for listening to

1 me.

2 CHAIRPERSON SCHWARTZ: Thank you, Mr. Bodin.  
3 That's an excellent comment and I'm sure that they'll take  
4 that into consideration for any handicapped construction  
5 employees. I'm not sure they'd even be in this lot but may  
6 be closer to the construction site.

7 And Ms. Giris is shaking her head yes to that  
8 effect.

9 Anybody else from the public want to speak this  
10 evening?

11 Walter, I see your hand. I want to see if  
12 anybody else from the public wants to speak.

13 DEPUTY COMMISSIONER SCHMIDT: No one else signed  
14 up.

15 CHAIRPERSON SCHWARTZ: Okay. Mr. Simon.

16 BOARD MEMBER SIMON: I do at this point -- the  
17 handicapped parking, I do agree with Mr. Bodin because  
18 recently I saw information on an architect who was actually  
19 blind but continued to work because the workplace was  
20 accessible to him.

21 Now, it's quite possible, but obviously I don't  
22 see -- I don't anticipate a handicapped person doing  
23 construction, traditional construction work. But you might  
24 have an engineer who would come on site to review who might  
25 be handicapped.

1           So it is not far-fetched to have a handicapped  
2 space in that area even though it's a construction area.

3           CHAIRPERSON SCHWARTZ: Ms. Giris, has Regeneron  
4 taken this into consideration already?

5           MS. GIRIS: So thank you, Mr. Chairman. These  
6 parking spaces are intended to be overflow parking spaces  
7 for accommodating contractors.

8           If there is somebody that is coming to the site  
9 that needs an accommodation because they are handicapped  
10 there are adequate handicapped parking spaces on the site  
11 which would be in and around the area of the buildings  
12 which would be more readily accessible to the construction  
13 site.

14           And I'm certain that Regeneron will take that  
15 into consideration. And, you know, that's -- that's what  
16 this is intended to be. It's, you know, to accommodate  
17 construction workers who are coming to the site in an  
18 overflow capacity and, you know, and I'm certain that if  
19 there is somebody that needs an accommodation Regeneron can  
20 provide that.

21           BOARD MEMBER SIMON: I'm satisfied with that  
22 response.

23           CHAIRPERSON SCHWARTZ: Thank you, Ms. Giris, for  
24 that. I appreciate it.

25           Since there are no other comments, can I have a

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1 motion to close the Public Hearing and keep the record open  
2 till when, Aaron?

3 DEPUTY COMMISSIONER SCHMIDT: We would suggest  
4 the 23rd of March.

5 CHAIRPERSON SCHWARTZ: Okay. Can I have a  
6 motion?

7 BOARD MEMBER SIMON: So moved.

8 CHAIRPERSON SCHWARTZ: Okay, Walter.

9 MS. FRAITAG: Second.

10 CHAIRPERSON SCHWARTZ: Second is Mona. All in  
11 favor?

12 BOARD MEMBER GOLDEN: Aye.

13 BOARD MEMBER SNAGGS: Aye.

14 BOARD MEMBER DESAI: Aye.

15 BOARD MEMBER HAY: Aye.

16 BOARD MEMBER FRAITAG: Aye.

17 CHAIRPERSON SCHWARTZ: Aye.

18 All opposed?

19 (No audible response.)

20 CHAIRPERSON SCHWARTZ: Okay. Motion carries.

21 Can I have a motion to close the Public Hearing  
22 portion of tonight's meeting then?

23 BOARD MEMBER FRAITAG: So moved.

24 CHAIRPERSON SCHWARTZ: Second?

25 BOARD MEMBER HAY: Second.

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1 CHAIRPERSON SCHWARTZ: All in favor?

2 BOARD MEMBER HAY: Aye.

3 BOARD MEMBER FRAITAG: Aye.

4 BOARD MEMBER DESAI: Aye.

5 BOARD MEMBER SIMON: Aye.

6 BOARD MEMBER SNAGGS: Aye.

7 CHAIRPERSON SCHWARTZ: Aye. Okay.

8 MS. GIRIS: Thank you very much.

9 CHAIRPERSON SCHWARTZ: Ms. Giris, just so you  
10 know, it will be we'll have the recommendation and approve  
11 it at the next meeting, which will be April --

12 MS. GIRIS: Thank you, Mr. Chairman. April 6th,  
13 yes. Thank you very much. Have a good evening.

14 CHAIRPERSON SCHWARTZ: Good night.

15 MR. SPINA: Thank you, everyone. Good night.

16 (Public Hearing concludes at 7:37 p.m.)

17

18 \*\* C E R T I F I C A T I O N \*\*

19

20 Certified to be a true and correct transcript of the  
21 stenographic minutes taken via Zoom by the undersigned, to the  
22 best of my ability.

23 Cynthia White

24 Cynthia White, R.P.R.,  
25 Senior Court Reporter

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