

1 TOWN OF GREENBURGH
2 PLANNING BOARD

3 -----x
4 1. ROLL CALL

5 5. ITEMS FOR PUBLIC HEARING/PUBLIC DISCUSSION

6 a) Case No. PB 22-10
7 Chao, Vacant Lots
8 Clayton Road
9 (P.O. Scarsdale, N.Y.)

10 b) Case No. PB 23-09
11 HVA Realty LLC.
12 499 & 535 Old Tarrytown Road
13 (P.O. White Plains, N.Y.)

14 c) Case No. PB 22-19
15 McGourty
16 5 Hillcrest Avenue
17 (P.O. Ardsley, N.Y.)

18 d) Case No. PB 22-20
19 Elmwood Preserve
20 850 Dobbs Ferry Road
21 (P.O. White Plains, N.Y.)

22 ADJOURNMENT.
23 -----x

24 Greenburgh Town Hall
25 177 Hillside Avenue
Greenburgh, New York 10607
May 3, 2023

HYBRID PLANNING BOARD MEETING

Barbara Marciante,
Official Court Reporter

A P P E A R A N C E S:

HUGH SCHWARTZ, CHAIRPERSON

THOMAS HAY, VICE CHAIRPERSON

WALTER SIMON, Board Member

JOHAN SNAGGS, Board Member

KIRIT DESAI, Board Member (Virtual)

MICHAEL GOLDEN, Board Member

MONA FRAITAG, Alternate Board Member (Virtual)

LESLIE DAVIS, Board Member

AMANDA MAGANA, Esq., Deputy Town Attorney

AARON SCHMIDT

Deputy Commissioner of The Department of
Community Development and Conservation

1 CHAIRPERSON SCHWARTZ: Welcome to the Public
2 Hearing portion of our meeting tonight. Mr. Schmidt, could
3 you call the roll, please?

4 DEPUTY COMMISSIONER SCHMIDT: Sure. Chairperson
5 Schwartz?

6 CHAIRPERSON SCHWARTZ: Here.

7 DEPUTY COMMISSIONER SCHMIDT: Mr. Hay?

8 VICE CHAIRPERSON HAY: Here.

9 DEPUTY COMMISSIONER SCHMIDT: Mr. Simon?

10 BOARD MEMBER SIMON: Here.

11 DEPUTY COMMISSIONER SCHMIDT: Ms. Davis?

12 BOARD MEMBER DAVIS: Here.

13 DEPUTY COMMISSIONER SCHMIDT: Mr. Golden?

14 BOARD MEMBER GOLDEN: Here.

15 DEPUTY COMMISSIONER SCHMIDT: Mr. Snaggs?

16 BOARD MEMBER SNAGGS: Here.

17 DEPUTY COMMISSIONER SCHMIDT: Mr. Desai?

18 BOARD MEMBER DESAI: Here.

19 DEPUTY COMMISSIONER SCHMIDT: And Ms. Fraitag,
20 our Alternate Member?

21 ALTERNATE BOARD MEMBER FRAITAG: Here.

22 CHAIRPERSON SCHWARTZ: Okay. First case this
23 evening is PB 22-10, which is the Chao Subdivision, on no
24 address Clayton Road, because it hasn't been assigned one
25 yet, I guess. It's for a Preliminary Subdivision,

1 Wetland/Watercourse Permit and a Tree Removal Permit. What
2 I would like, since this is a Public Hearing, if you can
3 spend maybe five minutes just explaining the project for
4 the public, please.

5 MR. ELIOT SENOR: Yeah, hi. Eliot Senor,
6 engineer surveyor. My office is in Hartsdale. The project
7 is a two parcels of property in the back that are connected
8 to the street by a 50-foot stem.

9 We're proposing a single house on the property.
10 That property is 89,000 square feet in a 20,000 square foot
11 zone. So about three or four times the minimum required
12 overall.

13 We were requested to do some deep test pits at
14 the prior work session. We actually did three test pits.
15 The minimum depth that we did was six feet, which is plenty
16 of space to do a drainage system.

17 We do propose a drainage system consisting of
18 Cultec infiltrators. They are plastic containers that will
19 collect the water and let it into the ground. I think we
20 had done perc tests as well and we show a dozen or so
21 Cultec off the end of the driveway.

22 We're showing a driveway coming in to the left
23 side of the property. That's the high side. I always like
24 to put the houses on the high side than the low side so
25 that we don't have water running into it.

1 We do -- We are taking down several trees, seven
2 trees. And we're planting nine trees in their place. We
3 have three red Maples, two sweetgum, two blackgum and two
4 pin oaks.

5 Basically, I put them along the stem of the
6 driveway to give a little bit of a shielding from the
7 neighboring properties. But I also thought it was a nice
8 sort of a tree line roadway going to the back of the house.

9 We're taking down three trees in the house area
10 and four trees in a driveway. So we are planting them back
11 in the driveway. I guess that's about it. Short enough
12 for you?

13 BOARD MEMBER GOLDEN: Just a quick question. Is
14 the applicant building the house? Are they going to sell
15 it after --

16 MR. ELIOT SENOR: No. No. This is the -- The
17 applicant is the current owner. Since it's a flag lot,
18 nobody was worried about what they can do on the property.
19 It's several parcels -- three parcels, I think. Two
20 parcels, Parcel C and Parcel D.

21 And so we're trying to get it together as a
22 consolidation or a subdivision so that we can sell it as a
23 valid lot.

24 CHAIRPERSON SCHWARTZ: Do you have some kind of
25 idea what the building envelope would be, though?

1 MR. ELIOT SENOR: The building envelope is quite
2 large. We do show part of a building envelope. It's a
3 34-foot setback in the rear and 35 in the front, 20 on the
4 side. But with a long narrow lot like that, the building
5 envelope is probably 20 or 30,000 square feet in itself.
6 You can't build that size house on that property because --

7 CHAIRPERSON SCHWARTZ: So you have no idea what
8 size house is going to be built at this point?

9 MR. ELIOT SENOR: No. We show probably about a
10 3,000 square foot house as a pro forma there.

11 CHAIRPERSON SCHWARTZ: Not small. Given what's
12 next door, that seems to be a small house. Both lots, much
13 larger houses.

14 MR. ELIOT SENOR: I think the house immediately
15 to the left of us is not that much bigger than
16 the basketball --

17 CHAIRPERSON SCHWARTZ: The pool house, that's
18 5,000 square feet.

19 MR. ELIOT SENOR: Wow.

20 CHAIRPERSON SCHWARTZ: I think.

21 MR. ELIOT SENOR: Yeah, I'm sure that somebody in
22 that neighborhood, I'm sure they'll go larger but...

23 CHAIRPERSON SCHWARTZ: Okay. Other questions
24 from the Board?

25 BOARD MEMBER SIMON: Yeah.

1 CHAIRPERSON SCHWARTZ: Walter.

2 BOARD MEMBER SIMON: The slope of the property to
3 the right of the house, it looks -- I couldn't figure it
4 out. Is that number 394? I guess that's 39 -- okay.

5 MR. ELIOT SENOR: We're up -- The house is up in
6 an elevation, contour elevation, about 410 and the extreme
7 right of the property all the way to the right is at two --
8 sorry.

9 BOARD MEMBER SIMON: Okay, okay, I figured it
10 out, yeah.

11 MR. ELIOT SENOR: It's 394. So there is about
12 ten or 15 feet of the slope from the left and the right.

13 BOARD MEMBER SIMON: Yeah, okay, fine.

14 DEPUTY COMMISSIONER SCHMIDT: But it's a 315-foot
15 run.

16 BOARD MEMBER SIMON: Yeah, I know. It's not
17 much.

18 MR. ELIOT SENOR: It's not a steep property at
19 all.

20 CHAIRPERSON SCHWARTZ: It's 20 feet.

21 BOARD MEMBER SIMON: It's not much of a slope.

22 CHAIRPERSON SCHWARTZ: Okay. Any other questions
23 from the Board?

24 MR. ELIOT SENOR: Oh, and I just wanted to add
25 something.

1 BOARD MEMBER DESAI: Yes.

2 CHAIRPERSON SCHWARTZ: Sure.

3 MR. ELIOT SENOR: As far as the question about
4 the drainage, there is a high point in the middle of the
5 driveway, the middle of the stem that sends some water to
6 the back as well as the front.

7 CHAIRPERSON SCHWARTZ: So you have Cultec both
8 ways?

9 MR. ELIOT SENOR: Yes.

10 CHAIRPERSON SCHWARTZ: Okay. Anybody? Kirit?

11 BOARD MEMBER DESAI: Yeah. My question is that
12 why -- I understand that it's not the final proposed
13 driveway, but is any way that you can shorten the driveway
14 and also possibly using a permeable pavers?

15 DEPUTY COMMISSIONER SCHMIDT: So let me just
16 reiterate the question, if I can. Correct me if I'm wrong,
17 Mr. Desai. The question was, is there any opportunity to
18 shorten the driveway and/or utilize permeable pavers?

19 CHAIRPERSON SCHWARTZ: Two separate questions.

20 MR. ELIOT SENOR: Right. I mean permeable pavers
21 or permeable pavement is always an option on every project
22 that we are doing now. And we're doing more and more of
23 that as drainage, you know, retention.

24 Because usually on about 12 or 18 inches of
25 gravel, that in itself, becomes a dry well or a curtain

1 drain. So yes, there is always an opportunity for that.

2 The prices of a permeable pavement are about
3 \$15.00, \$15 to \$25 a square foot. The pavers are slightly
4 less, but most of it is the prep for the gravel and the
5 base courses and things.

6 As far as shortening the driveway length, I think
7 that it's about as short as it could go. Even if the house
8 was on the right side as opposed to the left side, I think
9 you would end up with the same driveway length.

10 VICE CHAIRPERSON HAY: Because of your property
11 line.

12 CHAIRPERSON SCHWARTZ: It's also where you want
13 to set the house.

14 MR. ELIOT SENOR: Yeah. There is a couple of
15 easements. There is an easement, a right of way, that sort
16 of divides the property. And we have to build the house on
17 one side or the other of it.

18 CHAIRPERSON SCHWARTZ: Okay. So you really have
19 to build the house on the left. With that easement, you
20 have to build the house on the left. If you wanted a
21 decent sized house, it looks to me like you would build it
22 on the side you're proposing.

23 MR. ELIOT SENOR: Yeah. I mean, I think, like I
24 said, I like to have the house on the high side of the
25 property.

1 CHAIRPERSON SCHWARTZ: It makes sense. That
2 makes sense. Any other questions from the Board? Kirit,
3 if you are done with your hand, please take it down.
4 Aaron, go ahead.

5 DEPUTY COMMISSIONER SCHMIDT: Yes. Just quickly
6 for the benefit of the public. You mentioned in the work
7 session there is a Wetland/Watercourse permit. If you can
8 go over what that entails and where the resources are and
9 the buffer area.

10 MR. ELIOT SENOR: Sure.

11 DEPUTY COMMISSIONER SCHMIDT: Thank you.

12 MR. ELIOT SENOR: So right along the roadway,
13 from the edge of the road, there is like a three-foot drop
14 before we go up to the property. Right, it's essentially
15 the lowest point is right at the property line. So that
16 drainage ditch is considered a watercourse.

17 The property to the right of us is piped, that
18 watercourse is piped under their driveway. We are
19 proposing to extend that pipe to the beginning of our
20 property and filling in that low point. Your Code defines
21 it as a watercourse, Wetland/Watercourse and, therefore,
22 the requirement for the permit.

23 DEPUTY COMMISSIONER SCHMIDT: Okay.

24 CHAIRPERSON SCHWARTZ: Any other questions?

25 MR. ELIOT SENOR: There is no other way of

1 accessing the property except for across that area.

2 CHAIRPERSON SCHWARTZ: Okay. Any other questions
3 from the Board?

4 (Whereupon, there was no response.)

5 CHAIRPERSON SCHWARTZ: Anybody in the public want
6 to speak on this evening? Anybody on Zoom?

7 DEPUTY COMMISSIONER SCHMIDT: Let me just stop
8 the share screen. Is there anyone from the public that
9 wish to speak on this application at this time?

10 (Whereupon, there was no response.)

11 DEPUTY COMMISSIONER SCHMIDT: It doesn't appear
12 so.

13 CHAIRPERSON SCHWARTZ: Okay. In which case, we
14 will close the -- I'll take a motion to close the Public
15 Hearing and keep the record open until May 10th.

16 BOARD MEMBER SIMON: So moved.

17 CHAIRPERSON SCHWARTZ: Hold on. And we will make
18 a decision at our next meeting, which will be on the
19 17th of May. Okay, thank you very much.

20 MR. ELIOT SENOR: Thank you.

21 CHAIRPERSON SCHWARTZ: Walter, do you have a
22 motion?

23 BOARD MEMBER SIMON: So moved.

24 VICE CHAIRPERSON HAY: Second.

25 CHAIRPERSON SCHWARTZ: Second by Tom. All in

1 favor? Aye.

2 VICE CHAIRPERSON HAY: Aye.

3 BOARD MEMBER SIMON: Aye.

4 BOARD MEMBER GOLDEN: Aye.

5 BOARD MEMBER DESAI: Aye.

6 BOARD MEMBER SNAGGS: Aye.

7 BOARD MEMBER DAVIS: Aye.

8 ALTERNATE BOARD MEMBER FRAITAG: Aye.

9 CHAIRPERSON SCHWARTZ: All opposed?

10 (Whereupon, there was no response)

11 CHAIRPERSON SCHWARTZ: It passes. Thank you.

12 MR. ELIOT SENOR: Thank you.

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18 CHAIRPERSON SCHWARTZ: Okay, very good. All
19 right, next case is PB 23-09, HVA Realty. We need to do
20 SEQRA on this before we do anything else because it's a
21 subdivision. Can I have a motion to declare this an
22 Unlisted Action under SEQRA, please?

23 VICE CHAIRPERSON HAY: So moved.

24 CHAIRPERSON SCHWARTZ: Tom. Can I have a second?

25 BOARD MEMBER DAVIS: Second.

1 CHAIRPERSON SCHWARTZ: Leslie seconds. All in
2 favor?

3 VICE CHAIRPERSON HAY: Aye.

4 BOARD MEMBER SIMON: Aye.

5 BOARD MEMBER GOLDEN: Aye.

6 BOARD MEMBER DAVIS: Aye.

7 BOARD MEMBER SNAGGS: Aye.

8 BOARD MEMBER DESAI: Aye.

9 ALTERNATE BOARD MEMBER FRAITAG: Aye.

10 CHAIRPERSON SCHWARTZ: Aye. Anybody opposed?

11 (Whereupon, there was no response.)

12 CHAIRPERSON SCHWARTZ: Abstentions?

13 (Whereupon, there was no response.)

14 CHAIRPERSON SCHWARTZ: Okay, it passes. Can I
15 have a motion to declare this a Negative Declaration under
16 SEQRA?

17 BOARD MEMBER SIMON: So moved.

18 CHAIRPERSON SCHWARTZ: Walter. Can I have a
19 second, please?

20 VICE CHAIRPERSON HAY: Second.

21 CHAIRPERSON SCHWARTZ: Second by Tom. All in
22 favor? Aye.

23 VICE CHAIRPERSON HAY: Aye.

24 BOARD MEMBER SIMON: Aye.

25 BOARD MEMBER SNAGGS: Aye.

1 BOARD MEMBER GOLDEN: Aye.

2 BOARD MEMBER DAVIS: Aye.

3 BOARD MEMBER DESAI: Aye.

4 ALTERNATE BOARD MEMBER FRAITAG: Aye.

5 CHAIRPERSON SCHWARTZ: All opposed?

6 (Whereupon, there was no response.)

7 CHAIRPERSON SCHWARTZ: Nobody. Abstentions?

8 (Whereupon, there was no response.)

9 CHAIRPERSON SCHWARTZ: None. The motion passes.

10 Okay, this is a project that we've seen before. But again,
11 just for the Public Hearing, could you briefly describe the
12 project to the public?

13 MS. LAUREN McMAHON: Yes, absolutely. Good
14 evening, Chairman and Members of the Board. My name is
15 Lauren McMahon with Langan Engineering. I'm representing
16 the property owners of 499 Old Tarrytown Road and 535 Old
17 Tarrytown Road. This is the Volvo dealership and the North
18 Castle Building Suppliers. So we're resubmitting for
19 subdivision approval.

20 This was a previous resubmission that was already
21 approved in 2018, I believe, for a land swap. It's nearly
22 a one-to-one land swap between the two parcels. The
23 purpose of the land swap is to give property back to Volvo
24 that they already have existing parking on.

25 And on the screen, that is in this area. So they

1 have existing parking. And they want to revise the
2 property line so that that parking is now entirely on their
3 property. And in exchange for that, they are giving a
4 piece of their property back to New Castle.

5 As I mentioned, this was worked out between the
6 property owners and approved in the past. But the plat was
7 never filed. So now we are resubmitting.

8 The only change that has been made since then is
9 the addition of a sewer easement. It would be a private
10 sewer easement that has been worked out also between the
11 two property owners.

12 CHAIRPERSON SCHWARTZ: Okay. Any questions from
13 the Board?

14 (Whereupon, there was no response.)

15 VICE CHAIRPERSON HAY: We have like ten people
16 that want to talk about this.

17 CHAIRPERSON SCHWARTZ: Any questions from the
18 public? Come up to the microphone and state your name,
19 please.

20 MS. INDIRA BOWEN: Hi. I represent my family.
21 We own all the properties adjoining the Volvo, telephone
22 company from the end of Washington Avenue, Beech Street,
23 all the way up almost to Manhattan Avenue and Old Tarrytown
24 Road.

25 For, I guess, a couple of weeks we've been

1 driving past this little sign on Old Tarrytown Road at the
2 most dangerous part. And we never knew what it was for
3 until today.

4 I said, well, you know, let me look and see what
5 this sign notice is about. It could be important. And low
6 and behold, you know, I see it's about this adjoining
7 thing.

8 We don't really have a problem. Volvo has always
9 been a good neighbor, but we're just wondering when the
10 parking lots are being built. We already have a problem
11 with employees parking on the street and trespassing
12 through the properties to get to Volvo.

13 So when these new parking developments are being
14 built, where are the employees going to park in the
15 meantime?

16 CHAIRPERSON SCHWARTZ: Okay.

17 MS. INDIRA BOWEN: That's a valid concern right
18 now.

19 DEPUTY COMMISSIONER SCHMIDT: Your name and
20 address for the record.

21 MS. INDIRA BOWEN: I'm sorry. Indira Bowen, 477
22 Old Tarrytown Road. And I'm representing 477, 479, 481, 36
23 Washington Avenue and 84 and 87 Maple Street.

24 DEPUTY COMMISSIONER SCHMIDT: Thank you.

25 CHAIRPERSON SCHWARTZ: Thank you, Indira.

1 DEPUTY COMMISSIONER SCHMIDT: We will have the
2 applicant address your question.

3 MS. INDIRA BOWEN: Thank you.

4 CHAIRPERSON SCHWARTZ: Okay. Any other questions
5 from the public before we have the applicant address
6 Indira's questions?

7 (Whereupon, there was no response.)

8 CHAIRPERSON SCHWARTZ: Nobody on Zoom?

9 (Whereupon, there was no response.)

10 CHAIRPERSON SCHWARTZ: Could you address that for
11 us, please.

12 MS. LAUREN McMAHON: Sure. At this time, the
13 applicant is not proposing to construct any new parking
14 facilities. It's simply just the land swap and filing of
15 the plat to correct the property lines.

16 VICE CHAIRPERSON HAY: The parking is already
17 there.

18 MS. LAUREN McMAHON: Yes.

19 VICE CHAIRPERSON HAY: They are just adjusting
20 the lines so that the property extends all the way to the
21 end of the parking area that's already there.

22 CHAIRPERSON SCHWARTZ: Right.

23 MS. LAUREN McMAHON: Yes.

24 CHAIRPERSON SCHWARTZ: Okay. It sounds -- this
25 is not a Planning Board purview, but I will mention this.

1 BOARD MEMBER SIMON: Yes.

2 CHAIRPERSON SCHWARTZ: There is a second issue
3 that I think I heard there, which is about Volvo employees
4 parking on the street. Yes?

5 MS. INDIRA BOWEN: Yes, and then walking through
6 the properties.

7 CHAIRPERSON SCHWARTZ: And walking through other
8 people's property. We would appreciate you mentioning it
9 to your client and talking to the neighbors about what
10 could be done to resolve that. That would be appreciated.
11 It's not our purview, I'm just suggesting it.

12 MS. LAUREN McMAHON: Absolutely, will do. I will
13 absolutely speak with them about it. And I will look into
14 the issue.

15 BOARD MEMBER GOLDEN: I would also suggest that
16 the two of you women go out in the hall and explain what
17 the issue is so she can better communicate it to her
18 client.

19 CHAIRPERSON SCHWARTZ: Okay, great.

20 DEPUTY COMMISSIONER SCHMIDT: Thank you.

21 CHAIRPERSON SCHWARTZ: Given that, I'll take a
22 motion to close the Public Hearing and keep the record open
23 until May 10th.

24 BOARD MEMBER GOLDEN: So moved.

25 VICE CHAIRPERSON HAY: Second.

1 CHAIRPERSON SCHWARTZ: Michael and Tom. All in
2 favor? Aye.

3 VICE CHAIRPERSON HAY: Aye.

4 BOARD MEMBER SIMON: Aye.

5 BOARD MEMBER GOLDEN: Aye.

6 BOARD MEMBER SNAGGS: Aye.

7 BOARD MEMBER DAVIS: Aye.

8 BOARD MEMBER DESAI: Aye.

9 ALTERNATE BOARD MEMBER FRAITAG: Aye.

10 CHAIRPERSON SCHWARTZ: All opposed?

11 (Whereupon, there was no response.)

12 CHAIRPERSON SCHWARTZ: None. Abstentions?

13 (Whereupon, there was no response.)

14 CHAIRPERSON SCHWARTZ: None. Okay, so we will be
15 making our decision on the 17th of May, will be one of our
16 final decisions. Thank you very much.

17 MS. LAUREN McMAHON: Thank you so much.

18 DEPUTY COMMISSIONER SCHMIDT: Have a good
19 evening.

20 CHAIRPERSON SCHWARTZ: Have a good evening.

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1 CHAIRPERSON SCHWARTZ: Okay. Moving right along.
2 Case PB 22-19, McGourty, for a Preliminary Subdivision,
3 Planning Sleep Slope Permit, Tree Removal Permit. This one
4 came back from the Zoning Board, right?

5 DEPUTY COMMISSIONER SCHMIDT: Yes, that's
6 correct. We have Nicholas Shirriah here on behalf of the
7 applicant.

8 VICE CHAIRPERSON HAY: On Zoom?

9 DEPUTY COMMISSIONER SCHMIDT: On Zoom.

10 CHAIRPERSON SCHWARTZ: Okay. Hi, Mr. Shirriah.

11 MR. NICHOLAS SHIRRIAH: Hi. Good evening, Board
12 Members. Nicholas Shirriah here with Hudson Engineering
13 representing Patty McGourty for 5 Hillcrest Subdivision.
14 One second let me --

15 CHAIRPERSON SCHWARTZ: Can you get closer to your
16 mic because this is -- There you go.

17 MR. NICHOLAS SHIRRIAH: Sure. No problem.

18 CHAIRPERSON SCHWARTZ: And again, because this is
19 a Public Hearing, we're going to want you to describe the
20 project, you know, a five-minute description or less of the
21 project for the public so they know what it is.

22 MR. NICHOLAS SHIRRIAH: Sure, no problem. May I
23 share my screen?

24 DEPUTY COMMISSIONER SCHMIDT: Yes.

25 CHAIRPERSON SCHWARTZ: Yes.

1 MR. NICHOLAS SHIRRIAH: Okay, one second. The
2 application is for a two-lot Subdivision on Hillcrest
3 Avenue and the corner of Chestnut Street. It's a 20,000
4 square foot lot with an existing single-family residence.

5 The 20,000 square foot lot will be subdivided
6 into two 10,000 square foot lots. An existing residence is
7 to remain and a new single-family dwelling will be proposed
8 on the subdivided lot. The application --

9 CHAIRPERSON SCHWARTZ: Sir, excuse me. Excuse
10 me.

11 MR. NICHOLAS SHIRRIAH: Yes.

12 CHAIRPERSON SCHWARTZ: I hate to interrupt.
13 Could you just blow up the -- that's better. Just center
14 it, too, if you could. Thank you.

15 MR. NICHOLAS SHIRRIAH: Okay, sorry. One second.
16 Let me close --

17 CHAIRPERSON SCHWARTZ: That's better. Much
18 better.

19 MR. NICHOLAS SHIRRIAH: Is that better?

20 CHAIRPERSON SCHWARTZ: Yes, that's much better.
21 Thank you.

22 MR. NICHOLAS SHIRRIAH: Okay, I apologize.
23 Sorry. So this is the existing lot. The lot itself,
24 there's a -- sorry. There's a 20,000 square foot lot,
25 which we subdivided into two 10,000 square foot lots with a

1 single-family -- sorry, existing single-family dwelling to
2 remain.

3 Once subdivided, another single-family dwelling
4 will be built on this subsequent lot. As part of the
5 application, there is some proposed improvements to the
6 roadway on Chestnut Street since the subdivided lot will be
7 front -- will front on Chestnut Street.

8 We received a variance for the front -- for the
9 lot, I'm sorry, for the roadway width of the lot on
10 Chestnut Street. One second here.

11 As part of this application with the subdivision,
12 the proposed roadway improvements are shown here. We're
13 going to plant three street trees as well as do some
14 drainage improvements to the roadway and connecting to the
15 paper street on Springwood Avenue as well.

16 CHAIRPERSON SCHWARTZ: Okay, thank you. Are
17 there any questions from the Board at this point on this
18 project?

19 (Whereupon, there was no response.)

20 CHAIRPERSON SCHWARTZ: I don't hear any. How
21 about the public?

22 DEPUTY COMMISSIONER SCHMIDT: I'm just going to
23 stop the share screen.

24 CHAIRPERSON SCHWARTZ: Yes.

25 DEPUTY COMMISSIONER SCHMIDT: Is there anyone

1 from the public that wishes to speak on this application
2 either present or on Zoom?

3 (Whereupon, there was no response.)

4 CHAIRPERSON SCHWARTZ: Okay. In which case, I'll
5 take a motion to close the Public Hearing and leave the
6 record open until the 10th of May.

7 VICE CHAIRPERSON HAY: So moved.

8 CHAIRPERSON SCHWARTZ: Can I have a second?

9 BOARD MEMBER SNAGGS: Second.

10 CHAIRPERSON SCHWARTZ: All in favor? Aye.

11 VICE CHAIRPERSON HAY: Aye.

12 BOARD MEMBER SIMON: Aye.

13 BOARD MEMBER GOLDEN: Aye.

14 BOARD MEMBER SNAGGS: Aye.

15 BOARD MEMBER DESAI: Aye.

16 BOARD MEMBER DAVIS: Aye.

17 ALTERNATE BOARD MEMBER FRAITAG: Aye.

18 CHAIRPERSON SCHWARTZ: All opposed?

19 (Whereupon, there was no response.)

20 CHAIRPERSON SCHWARTZ: Abstentions?

21 (Whereupon, there was no response.)

22 CHAIRPERSON SCHWARTZ: Okay. We're done with
23 that. Moving on.

24 DEPUTY COMMISSIONER SCHMIDT: Thank you. So this
25 will be on for consideration for the Preliminary

1 Subdivision at our next meeting on May 17th.

2 MR. NICHOLAS SHIRRIAH: Thank you.

3 CHAIRPERSON SCHWARTZ: Okay, have a good evening.

4 DEPUTY COMMISSIONER SCHMIDT: Have a good night.

5 MR. NICHOLAS SHIRRIAH: Have a good night. Thank
6 you, guys.

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10 CHAIRPERSON SCHWARTZ: Okay. Next is Case PB
11 22-20, Elmwood Preserve, 850 Dobbs Ferry Road. It's for a
12 Preliminary Subdivision, Planning Board Steep Slope Permit,
13 Wetland/Watercourse Permit, Tree Removal Permit. This
14 thing has been in front of the public so many times. I'm
15 not sure you really need to describe it again.

16 MR. DAVID STEINMETZ: We're happy to sit down,
17 Mr. Chairman.

18 CHAIRPERSON SCHWARTZ: Yeah, okay. Well, I
19 wouldn't sit down so fast. But I don't think we need to go
20 through the description again.

21 MR. DAVID STEINMETZ: Agreed.

22 CHAIRPERSON SCHWARTZ: The other thing I wanted
23 to say is we go through the comments on this tonight. We
24 have been through this. And I don't know how many Public
25 Hearings we've had, not only with the Planning Board, but

1 with other Boards, the CAC, I guess, and obviously the Town
2 Board.

3 And as such, I want to limit, as much as I can,
4 to comments regarding the outstanding issues that we've
5 been discussing on the subdivision, which are the drainage
6 and the landscaping primarily.

7 Now, if the public wants to bring something else
8 up during this, absolutely they can. But I would hope it's
9 something that we haven't heard before or I will stop it,
10 okay. Because I want to keep it to the issues that we have
11 in hand. Okay?

12 MR. DAVID STEINMETZ: Mr. Chairman, just very,
13 very briefly, because I want to make a record on a few
14 things so that it's clear procedurally.

15 CHAIRPERSON SCHWARTZ: Sure.

16 MR. DAVID STEINMETZ: David Steinmetz, from the
17 Law Firm of Zarin & Steinmetz here representing Ridgewood
18 Elmwood owner, Jonathan Grebow, Brett Owings, Diego
19 Villareale and James Caris from JMC.

20 Just very simply, we are here tonight primarily
21 in connection with Preliminary Subdivision Plat approval
22 for a 113 lot, single-family residential subdivision on
23 Dobbs Ferry Road.

24 As I think you all know, we have been here for
25 several years. We have gone through the full SEQRA

1 process. There was a DEIS, an FEIS, a Finding Statement
2 adopted.

3 So we have completed the environmental review.
4 There was a determination by the Town Board to place us
5 into a conservation subdivision so that we could
6 effectively cluster our 113 single-family lots on our
7 approximately 106 acres.

8 I would state for the record that the property is
9 partially in the R-20 Zoning District, a very small extent
10 in the northwest corner, primarily in the R-30 Zoning
11 District. It is also in the Greenburgh Central School
12 District and the Elmsford School District. So I wanted
13 those facts in the record.

14 We are here tonight. We appreciate the fact that
15 your Board has opened or is about to open the Preliminary
16 Subdivision Hearing as well as the details on tree removal,
17 as the Chairman indicated. We're happy to walk-through
18 some of the more detailed issues that have been going back
19 and forth between our consultants and the Town's
20 consultants.

21 And the only thing that I would state at the
22 outset, I think staff is well aware, that we did receive a
23 number of questions from your outside consultant, LaBella.
24 JMC endeavored to respond as comprehensively as they could.
25 Some of those materials were actually filed today. We

1 fully understand that LaBella, I gather, has not had a
2 chance to fully digest --

3 CHAIRPERSON SCHWARTZ: Nor have we.

4 MR. DAVID STEINMETZ: -- and respond.
5 Understood. So Mr. Chairman, although my instinct is going
6 to probably make you want to jump out of the seat at the
7 end of the night, and ask you to close --

8 CHAIRPERSON SCHWARTZ: Nothing that you can say,
9 Mr. Steinmetz, could do that so.

10 MR. DAVID STEINMETZ: You know I won't do it. So
11 all kidding aside, we appreciate the fact that the Board
12 maintained us on the Agenda. There is plenty that we can
13 cover and questions that we can answer. I'm going to turn
14 it over to Diego or James. To James.

15 CHAIRPERSON SCHWARTZ: Okay. In terms of
16 discussing any of the things with LaBella, I prefer to stay
17 that to the next meeting --

18 MR. DAVID STEINMETZ: Perfect.

19 CHAIRPERSON SCHWARTZ: -- so people will have a
20 chance to read it and hopefully we can close the Public
21 Hearing at the next meeting.

22 MR. DAVID STEINMETZ: That would be great.
23 Terrific.

24 DEPUTY COMMISSIONER SCHMIDT: And we would look
25 to have LaBella present for that meeting as well.

1 CHAIRPERSON SCHWARTZ: Right. Okay.

2 MR. DAVID STEINMETZ: That would be great.

3 CHAIRPERSON SCHWARTZ: All right.

4 MR. DAVID STEINMETZ: James?

5 DEPUTY COMMISSIONER SCHMIDT: I think they should
6 show the plans.

7 CHAIRPERSON SCHWARTZ: Jim, if you want to just
8 briefly go over the plans. You can also talk briefly about
9 where we came out in the drainage. Because I think that's
10 a real positive, actually, okay, the way it came out the
11 last time at the work session.

12 MR. JAMES CARIS: Good evening, everyone. James
13 Caris with JMC, for the record. Just to give a brief
14 overview of the project for the benefit of the public,
15 since this is a Public Hearing.

16 The proposed action includes 113 lot subdivision
17 with conservation easement areas on the property. Access
18 to the property is consistent with what was reviewed during
19 the Finding Statement and the extensive environmental
20 review.

21 Stormwater management is being managed on site as
22 well as on the individual lots. And we've prepared an
23 extensive landscaping plan to comply with the Town's Tree
24 Ordinance.

25 We went through several rounds of technical

1 review with the Town's CAC and the Town's consultant. And
2 we're pleased to get into details of that as may arise.

3 CHAIRPERSON SCHWARTZ: Okay. Any questions from
4 the Board at this point? We're all questioned out?
5 Really? Our Board, all questioned out?

6 BOARD MEMBER SIMON: Well, no. We might just
7 want to review the drainage.

8 CHAIRPERSON SCHWARTZ: Do you want to describe
9 what you did with the drainage. It did change and we had a
10 good meeting the last time on it. So just give a couple
11 minutes on that.

12 MR. JAMES CARIS: So brief overview on the
13 drainage is we started with looking at the property as a
14 whole. We have centralized stormwater management,
15 infiltration and detention systems are primarily located in
16 the conservation areas. The stormwater will be conveyed
17 via public utilities in the right of way, public right of
18 way, public roads.

19 And during our conversations with the Town, we
20 refined that plan to include on-site stormwater detention
21 on each individual lot detaining up to the 25-year storm.
22 And this holistic approach to stormwater management meets
23 and exceeds the Town's requirements.

24 CHAIRPERSON SCHWARTZ: Okay. Could you talk
25 about the tree removal and the landscaping, too as well,

1 Jim?

2 MR. JAMES CARIS: Yes, yes. So as you know, this
3 was a former golf course. So there is some fairways and
4 some other undeveloped areas that include tree stands. We
5 had an updated tree survey performed. There is
6 approximately 1400 existing trees on the site. Of those,
7 approximately half will remain and half will be removed.

8 There is a robust replanting plan, a landscaping
9 plan, including street trees all along the internal streets
10 as well as a plant palette for each individual building
11 lot, specific to whether or not that lot is east, west,
12 north or south facing. And the replacement plans do comply
13 with the landscaping ordinance of the Town.

14 DEPUTY COMMISSIONER SCHMIDT: Thank you, James.
15 Would you be able to just quickly depict those drawings for
16 the benefit of those at home?

17 MR. JAMES CARIS: Yes.

18 DEPUTY COMMISSIONER SCHMIDT: Both the
19 landscaping and maybe, I think you had the conceptual
20 drainage plan as well?

21 MR. JAMES CARIS: Yes.

22 DEPUTY COMMISSIONER SCHMIDT: Thank you.

23 MR. JAMES CARIS: So let's see if this will
24 update. Let me stop the share.

25 CHAIRPERSON SCHWARTZ: Looks more like Kirit did

1 than a landscaping plan to me.

2 BOARD MEMBER DESAI: I don't know.

3 MR. JAMES CARIS: Okay. All right. So here
4 we're looking at one section of the property where you can
5 see street trees proposed throughout the property. And let
6 me just fast forward through the plans here to the typical
7 lot landscaping plan.

8 Let's just zoom in on one here. This is the
9 north facing -- Excuse me. This is the north facing lot.
10 And you'll see that there is a nice plant palette that's
11 selected that would represent some species that should be
12 planted throughout this individual property.

13 It's specific to things like topography; if there
14 is going to be a patio or a deck or any little walls that
15 are associated with the project. But minimum requirements
16 selected from a standard palette to provide a cohesive
17 residential community.

18 CHAIRPERSON SCHWARTZ: What about screening
19 between the properties? Is that something you can leave as
20 an option for the buyer or how are you going to handle
21 that?

22 MR. JAMES CARIS: Certainly could be a homeowner
23 option. There are some existing trees sporadically placed
24 throughout the development that will remain. But it's up
25 to the homeowners.

1 CHAIRPERSON SCHWARTZ: Okay. So that will be an
2 optional thing for the homeowner, okay.

3 MR. JAMES CARIS: Sure.

4 CHAIRPERSON SCHWARTZ: Okay. Any other questions
5 from the Board?

6 BOARD MEMBER SIMON: I just wanted to verify,
7 when we're doing the landscaping plan, I think I heard that
8 these trees would not be planted on the right of way. Is
9 that true?

10 MR. JAMES CARIS: Yeah, to the extent that it's
11 possible, yes.

12 VICE CHAIRPERSON HAY: The street trees.

13 BOARD MEMBER SIMON: Okay, the street trees.

14 MR. JAMES CARIS: The intent is to have
15 them appear as street trees, but where possible, they'll be
16 located on individual lots.

17 CHAIRPERSON SCHWARTZ: Okay.

18 BOARD MEMBER SIMON: Okay.

19 CHAIRPERSON SCHWARTZ: Any other questions from
20 the Board? Mona? Kirit? Anybody?

21 BOARD MEMBER SIMON: Yeah.

22 CHAIRPERSON SCHWARTZ: Okay, Walter.

23 BOARD MEMBER SIMON: Yeah, the landscaping around
24 that middle public area, could you --

25 VICE CHAIRPERSON HAY: Where the gazebo is you

1 mean?

2 BOARD MEMBER SIMON: Yes. Could you focus in on
3 that, please?

4 MR. JAMES CARIS: Yes. Yes, so we were able to
5 provide one of the focal points of the community centrally
6 located with a proposed gazebo, pavilion really to be
7 determined. But this shows the intent of the area, with
8 the central pavilion, gathering place, focal point, of the
9 community with some nice landscaping surrounding it.

10 BOARD MEMBER SIMON: What is the projected size
11 of that pavilion? What do you estimate is the reasonable
12 size for it?

13 MR. JAMES CARIS: 20 by 20, something like that.

14 CHAIRPERSON SCHWARTZ: I imagine using it, people
15 bringing their beach chairs and blankets and sitting
16 outside it when they have like a little band or something
17 up on there, some activity, something like that. It could
18 be a very good place to create some community in there. It
19 would be kind of nice to do that.

20 BOARD MEMBER GOLDEN: Where would that be?

21 BOARD MEMBER SIMON: You can't do it on 20 by 20.

22 CHAIRPERSON SCHWARTZ: No, the 20 by 20 is for
23 the band. Everybody else sits outside.

24 BOARD MEMBER GOLDEN: Where is the gazebo on the
25 plan?

1 MR. JAMES CARIS: If we go back to the overall --
2 it's in the right, the lower right-hand corner here on this
3 plan. If we go back to the overall layout --

4 CHAIRPERSON SCHWARTZ: Is it in the middle or is
5 closer to the --

6 VICE CHAIRPERSON HAY: No, it's the lower right.
7 If you look at the screen, it's the lower right.

8 CHAIRPERSON SCHWARTZ: So it's not central like
9 we would have liked it originally, Michael. We wanted it
10 in the middle, but it is what it is.

11 MR. DAVID STEINMETZ: It is in the middle --

12 BOARD MEMBER SIMON: It's reasonably centered.

13 CHAIRPERSON SCHWARTZ: Oh, it's pretty much in
14 the middle. I'm sorry, I apologize. I see it. Yes, it
15 is. Okay, good.

16 MR. JAMES CARIS: I'm sorry, there is a lag here.

17 CHAIRPERSON SCHWARTZ: Okay, great. Any other
18 questions?

19 MR. DIEGO VILLAREALE: He's got one other thing
20 to show you.

21 CHAIRPERSON SCHWARTZ: I'm sorry?

22 MR. DIEGO VILLAREALE: He's got one other thing
23 to show you.

24 CHAIRPERSON SCHWARTZ: Okay, show us the other
25 thing, Jim.

1 MR. JAMES CARIS: Yes. So at the last meeting,
2 the Board was interested in how the community would appear
3 from Dobbs Ferry Road as you approach the main site
4 driveway. Let me just share again.

5 And so we prepared some renderings just to give
6 you an idea of, you know, how the street trees would look
7 at the time of planting. You know, we've got a nice
8 boulevard entrance off of Dobbs Ferry Road. It's a little
9 hard to see on the screen with the contrast, but you can
10 see the existing pond to the left and a nice open space
11 conservation area on your right.

12 And if you look -- Let me go ahead with another
13 slide. Just a little bit further into the site, you begin
14 to see some of the proposed homes. These are just shown as
15 massings. Details are not depicted on this.

16 And then, finally, a little more of a bird's eye
17 view. Obviously, not what you would see from the street,
18 but it just gives you a sense of the presence on Dobbs
19 Ferry Road.

20 CHAIRPERSON SCHWARTZ: The green space by the
21 pond, is that useable or is it -- behind there?

22 MR. JAMES CARIS: It will be maintained by the
23 HOA. And it will be maintained as open space.

24 MR. DAVID STEINMETZ: Passive rec.

25 MR. JAMES CARIS: Yes, passive recreational.

1 CHAIRPERSON SCHWARTZ: Okay. Any other
2 questions? Anything else you want to present? Anybody in
3 the public? I know Murray. Anybody else besides Murray?
4 Don't worry, Murray, you're first. I just want to be sure.

5 MR. MURRAY BODIN: I could be last, I don't care.

6 DEPUTY COMMISSIONER SCHMIDT: We did go through
7 the landscaping. If you can show the conceptual drainage
8 for the benefit of the folks at home. We talked about it,
9 but so we see a visual.

10 MR. DAVID STEINMETZ: Make sure that's okay with
11 the Chairman.

12 CHAIRPERSON SCHWARTZ: Thank you. Thank you,
13 Mr. Steinmetz.

14 BOARD MEMBER FRAITAG: Do we think there's any
15 way to get bike trails or walking trails along there?

16 CHAIRPERSON SCHWARTZ: You're not putting
17 sidewalks, right?

18 VICE CHAIRPERSON HAY: Yeah, there are sidewalks.

19 MR. JAMES CARIS: Yes, there are sidewalks
20 throughout.

21 MR. DAVID STEINMETZ: Yes, total sidewalks.

22 CHAIRPERSON SCHWARTZ: So you have walking trails
23 really throughout the whole thing then in terms of that.
24 And bikes, I would expect the traffic is not going to be
25 particularly heavy. It's a good place to bike, I would

1 think.

2 MR. JAMES CARIS: So for the benefit of the
3 public, what is on the screen now is conceptual drainage
4 plan for an individual lot. It includes roof drain leaders
5 collecting the roof top and a system of small inlets that
6 would collect the majority of the driveway.

7 Other hardscape areas which would then be
8 detained, primarily are most likely underneath the driveway
9 before being leadered out into the system. So this would
10 represent the minimum requirements that would be provided
11 on each lot.

12 BOARD MEMBER GOLDEN: Would it be detained in
13 Cultec?

14 MR. JAMES CARIS: Cultec or another proprietary
15 product, yes.

16 BOARD MEMBER GOLDEN: Okay.

17 CHAIRPERSON SCHWARTZ: Yeah, we are going to
18 release it slowly like a Cultec is what he described to us
19 the last time.

20 VICE CHAIRPERSON HAY: But into the street as
21 opposed to into the ground?

22 CHAIRPERSON SCHWARTZ: Right, into the storm
23 drain.

24 VICE CHAIRPERSON HAY: The storm drain, right.

25 CHAIRPERSON SCHWARTZ: Right, yes.

1 MR. JAMES CARIS: Yes.

2 CHAIRPERSON SCHWARTZ: Okay. Murray, then. Did
3 you have something you wanted to say?

4 MR. DAVID STEINMETZ: No, no. I just was going
5 to try to accommodate.

6 MR. MURRAY BODIN: I can come up there. I stand
7 up.

8 MR. DAVID STEINMETZ: Just trying to help.

9 DEPUTY COMMISSIONER SCHMIDT: Just for the Board
10 to recognize, we do have a public member on the Zoom that
11 would like to speak after Mr. Bodin.

12 CHAIRPERSON SCHWARTZ: Yes, Ms. Evans, we will
13 get to you in a second.

14 MR. MURRAY BODIN: My name is Murray Bodin. I
15 live in Hartsdale, New York. I can stand for three or four
16 minutes, but then I have to sit down. It's easy to keep my
17 'ole wheelchair with me.

18 I've been doing it wrong for 30 years. For 30
19 years I've been suggesting why don't you do this, why don't
20 you do that, why don't you do the other thing. And that
21 was absolutely wrong.

22 The law is the way it is. It has some flaws that
23 need some adjustment. But what's happened is, it's not
24 being followed. This came to mind -- and the railroad
25 accidents where the hot box was there, it was recorded, and

1 nobody did anything about stopping the train. And there
2 was a horrendous and palatine or somewhere and the
3 environmental damage was enormous.

4 The people who are running these organizations
5 are not following the law as currently written. It needs
6 updating. But even as it's written -- I today asked for
7 the replacement of the Chair of the New York State Thruway
8 because they are not following the law. And I know they
9 know what the law is.

10 Last week I wrote an email saying that I was
11 going to ask the Chair of the Port Authority and the
12 Executive Director of the Port Authority be replaced. They
13 didn't bother reading the email. You can watch it and you
14 can see who seemed to be in charge of the meeting. The
15 Chair or me.

16 I spoke at five MTA committee meetings raising
17 similar issues. And in this Town, the law is not being
18 followed as well. And I don't know whose responsibility it
19 is, but it's certainly not mine.

20 And enough people have said to me, Murray, don't
21 resign, we need you to do this. And it's on tape. If you
22 need to know, I will show you where.

23 And it's people who have made mistakes, like I
24 did in the past, and they have learned from their mistakes
25 and they do it differently.

1 CHAIRPERSON SCHWARTZ: Murray, actually, I don't
2 think your suggestions have been mistakes. Some of them
3 are very good suggestions that have been incorporated --

4 MR. MURRAY BODIN: I can't hear you. You have to
5 get a little closer to the mic.

6 CHAIRPERSON SCHWARTZ: I'm sorry. I said, I
7 don't think your suggestions have been mistakes. In fact,
8 I found, not all of your suggestions, but some of your
9 suggestions very helpful in modifying a plan, when it
10 particularly came to handicap access and crosswalks and
11 things like that.

12 Your input has been extremely valuable. And I
13 wish there were more people from the public that would
14 speak out.

15 What I would like you to do now, if you could for
16 me, do you have something specifically on this project that
17 you can speak on?

18 MR. MURRAY BODIN: Yes, I specifically.

19 CHAIRPERSON SCHWARTZ: Okay, then please speak on
20 that. Thank you.

21 MR. MURRAY BODIN: The exits, the road markings
22 for entering and exiting that property were -- they are
23 absolutely wrong. If you go along that road, there is
24 traffic coming in from many, many places going left and
25 right.

1 To require a right turn only is dangerous. The
2 site lines are excellent. The amount of traffic is
3 minimal. And if anybody has to make a right turn, nobody
4 bothered saying, how do I go to the left.

5 You've created a dangerous situation where none
6 exists or needs to exist. You got a golf driving range
7 down the road, people turn left and right. Same site
8 lines.

9 New York State DOT Commissioner has to be
10 replaced as the same for New Jersey because they are not
11 looking at the world as it exists today. Most communities
12 are having a straight exit, and you can go left and right.

13 And that ramp that goes to the right, really
14 doesn't work for people who can't look over their shoulder.
15 Most exits are T exits and you look left and right, and you
16 can see it.

17 CHAIRPERSON SCHWARTZ: I know what you're talking
18 about. I have the problem on the corner of Dobbs Ferry
19 Road and Hartsdale myself because of my neck. I know
20 exactly what you're talking about.

21 MR. MURRAY BODIN: And that can be changed easily
22 by anybody from the Town, a professional engineer, can say
23 this is not a safe condition and by filing it, it is
24 changed.

25 CHAIRPERSON SCHWARTZ: All I would say in terms

1 of that and this project, and I want to stay back on this
2 project, it's something we can bring up again with -- I'm
3 sure the developer will be happy to be allowed a left turn
4 out of there.

5 So it's something we can bring up with our
6 traffic consultant again and in our traffic and safety
7 department. They are experts so.

8 MR. MURRAY BODIN: I ask that the traffic
9 consultant be here so that we could address this issue.
10 The Town of Greenburgh has just installed new traffic for
11 the crosswalk.

12 CHAIRPERSON SCHWARTZ: Right.

13 MR. MURRAY BODIN: Yet, the Town of Greenburgh
14 does not use, require, the safest crosswalk, which is the
15 bar, parallel bar.

16 CHAIRPERSON SCHWARTZ: As I said --

17 MR. MURRAY BODIN: No, I'm sorry. This is
18 germane to what is going on in Greenburgh today.

19 CHAIRPERSON SCHWARTZ: Murray --

20 MR. MURRAY BODIN: If we can't --

21 CHAIRPERSON SCHWARTZ: Excuse me, okay. Excuse
22 me. I've been very patient. I really am. And I do
23 appreciate your comments.

24 But we're all volunteers and we have people that
25 are actually on the clock in the audience; three of them

1 that I see, at least, okay. And they don't need to sit
2 here and listen to something that isn't related to their
3 project.

4 MR. MURRAY BODIN: It is related to their
5 project.

6 CHAIRPERSON SCHWARTZ: No, it's not.

7 MR. MURRAY BODIN: Whether or not they can turn
8 left safely --

9 CHAIRPERSON SCHWARTZ: You brought that up and we
10 said we would bring that up, okay. If you have something
11 else specifically on the project, I'm more than willing to
12 hear it. I don't want to go any more into the
13 generalities. We all have other things that we need to do
14 this evening, okay. That's all I'm saying.

15 But I understand what you're saying. The left --
16 you're absolutely right about the right-turn thing, because
17 I have that problem all the time, myself personally.
18 That's something that should be looked into.

19 Those are good comments. Something we will bring
20 back to traffic and safety. We will talk to them. That's
21 not set in stone tonight. We're not even making a decision
22 tonight. We're not even closing the Public Hearing
23 tonight. So we can even address that issue before the next
24 meeting, okay.

25 MR. MURRAY BODIN: I would like to add a comment

1 about the Greenburgh Police Department. There was an issue
2 earlier in the evening about traffic control and whether or
3 not it can be designed.

4 Kobie Powell runs an excellent department. He
5 runs it as a team. And because I've been consulting with
6 him on various issues. So to say go to Yonkers for it,
7 Greenburgh has the best, the most --

8 CHAIRPERSON SCHWARTZ: We have referred them to
9 our traffic and safety people already.

10 MR. MURRAY BODIN: They are great.

11 CHAIRPERSON SCHWARTZ: Okay, great. Thank you so
12 much, Murray. I really appreciate you coming here all the
13 time. And we do appreciate your comments. We got to be on
14 point, okay, please. Keep them on point, that's all I ask.

15 MR. MURRAY BODIN: I won't be here much longer.
16 So I got to get a lot done fast.

17 CHAIRPERSON SCHWARTZ: Thank you very much,
18 Murray. Ms. Evans. Please take your mic off mute and you
19 can speak.

20 MS. LINDA EVANS: Thank you. I appreciate it. I
21 have a couple of questions. On the drainage --

22 VICE CHAIRPERSON HAY: Please state your name and
23 address.

24 MS. LINDA EVANS: All right. Linda Evans, 287
25 Woodlands Avenue.

1 VICE CHAIRPERSON HAY: Thank you.

2 MS. LINDA EVANS: So I'm very close to this
3 property. I drive by it everyday, multiple times. So I
4 have a couple of questions. On the storm drains that
5 you're talking about that will lead -- I'm sorry, the
6 drainage that will lead into the storm drains, what impact
7 will the additional volume of 113 homes have within our
8 area as it comes to drainage?

9 Because I'm sure, as you guys know, when it
10 rains, like it has been doing, we have a lot of water down
11 on Dobbs Ferry Road, on the main roads. So I was just
12 curious on that.

13 CHAIRPERSON SCHWARTZ: Okay, thank you.

14 DEPUTY COMMISSIONER SCHMIDT: Did you have any
15 other questions?

16 MS. LINDA EVANS: Yes, I have two others.

17 DEPUTY COMMISSIONER SCHMIDT: Okay.

18 MS. LINDA EVANS: On the landscaping, are the
19 trees that are being planted, are they indigenous to our
20 area? So that we have had issues in our area of different
21 infections coming in because the trees weren't right for
22 our neighborhood.

23 And the other question is, with the landscaping,
24 will there be any influence from the Ardsley Pollinator
25 Group to make it more environmentally friendly.

1 And then my third question is, also about the
2 additional traffic and the volume on Dobbs Ferry Road, as
3 far as the turning lane. Will there be a turning lane?

4 DEPUTY COMMISSIONER SCHMIDT: Okay, we can ask
5 the applicant to respond to those three items.

6 MS. LINDA EVANS: Thank you.

7 CHAIRPERSON SCHWARTZ: Diego or David, either one
8 of you?

9 MR. JAMES CARIS: Thank you for your comments.

10 CHAIRPERSON SCHWARTZ: Jim, speak into the
11 microphone, please. Thank you.

12 MR. JAMES CARIS: With regard to the landscaping,
13 yes, the species are all native species. They have been
14 selected in coordination with the Town Forestry Officer.
15 So yes, they will be native to the area.

16 We haven't had any conversations with the Ardsley
17 Pollinator Group, but it's a group that should be made
18 aware of this application. It's a public application.

19 As with regard to the traffic on Dobbs Ferry
20 Road, this was studied extensively during the environmental
21 review process. And of all the alternatives studied, the
22 single-family home alternative has actually the least
23 amount of additional trips generated in the a.m. and p.m.
24 hour. According to Trip Generation, it's approximately 83
25 additional a.m. trips and 114 additional p.m. trips.

1 CHAIRPERSON SCHWARTZ: Did you answer the
2 drainage question?

3 MR. DIEGO VILLAREALE: Coming next.

4 CHAIRPERSON SCHWARTZ: Oh, okay.

5 DEPUTY COMMISSIONER SCHMIDT: That's next. Thank
6 you.

7 MR. DIEGO VILLAREALE: Good evening, all. Just
8 for the record, Diego Villareale with JMC. I just wanted
9 to jump in on the drainage aspect of it. Just something
10 that we've been looking at closely, especially of late with
11 the conversations that we had.

12 And I think it's important just to step back and
13 note that as part of this application, there was a full
14 Stormwater Pollution Prevention Plan that was developed for
15 the project.

16 That Stormwater Pollution Prevention Plan really
17 looks at and addresses the stormwater runoff coming off of
18 the property during the developed condition, so including
19 all the new roadways that are being constructed, the
20 houses, all of the impervious surfaces and how that water
21 is being treated on site.

22 There is a network of on-site stormwater drainage
23 basins that collects all of that stormwater, controls it,
24 infiltrates it back into the ground, and detains it so that
25 we're not increasing the flow going off the property.

1 In addition to that, based on conversations with
2 this Board and with staff during the last couple of
3 meetings, we went above and beyond that standard and
4 incorporated on-site individual drainage systems on each of
5 these properties as well.

6 So there is layered drainage that's being
7 installed. So you have on-site detention, followed by the
8 municipal drainage infrastructure within the right of way,
9 followed by the stormwater basins that are constructed
10 throughout the entire property.

11 So storm drainage is another topic that's been
12 studied heavily as we went through this entire process.
13 And again, there is a full Stormwater Pollution Prevention
14 Plan that not only meets and exceeds the Town's
15 requirements, but the State's requirements for controlling
16 stormwater runoff.

17 CHAIRPERSON SCHWARTZ: Okay, thank you.

18 MS. LINDA EVANS: Thank you. I just, I didn't
19 hear an answer about the turning lane. I'm sorry. I
20 understand that it's 83 and 114, it's not that big of a
21 road for that much traffic. So I'm just curious, will
22 there be a turning lane or no?

23 CHAIRPERSON SCHWARTZ: There's one in one
24 direction.

25 MR. JAMES CARIS: With the main access to the

1 property, there will be a left-turn lane. There is an
2 existing left-turn lane traveling westbound on Dobbs Ferry
3 Road into the assisted living facility. And --

4 MS. LINDA EVANS: There is not -- there is not --
5 I drive by there everyday. There is not a left-turn lane.
6 It's the main lane and there is no left-turn lane into
7 the -- into the home there. The only left turn is on to
8 Sprain Brook Parkway North.

9 MR. JAMES CARIS: We are proposing left-turn lane
10 into our proposed site driveway to match the existing
11 left-turn lane --

12 MS. LINDA EVANS: Okay, thank you.

13 MR. JAMES CARIS: -- into the assisted living.

14 CHAIRPERSON SCHWARTZ: Okay, great. Any other
15 questions, Ms. Evans?

16 MS. LINDA EVANS: (Nodding.)

17 CHAIRPERSON SCHWARTZ: No, okay. Thank you very
18 much. Does anybody else from the public have a question?

19 (Whereupon, there was no response.)

20 CHAIRPERSON SCHWARTZ: Okay. In which case what
21 we are going to do is adjourn the Public Hearing to the
22 17th. We don't need a motion to do that, right?

23 DEPUTY COMMISSIONER SCHMIDT: No.

24 CHAIRPERSON SCHWARTZ: We will just adjourn it.
25 And hopefully we can resolve the issues, the outstanding

1 issues, with LaBella before then. We have the report that
2 was sent over today that we will review and our consultant
3 will review. He would be at the meeting on the 17th.

4 MR. DAVID STEINMETZ: Great.

5 CHAIRPERSON SCHWARTZ: And hopefully we can wrap
6 up all the issues at that meeting and then shoot for the
7 first meeting in June for final decision.

8 DEPUTY COMMISSIONER SCHMIDT: On preliminary
9 subdivision.

10 CHAIRPERSON SCHWARTZ: On preliminary
11 subdivision.

12 MR. DAVID STEINMETZ: Is there any chance that we
13 could work over the next two weeks to draft a resolution
14 for the next session in the event there is nothing new
15 that comes up between now and then?

16 CHAIRPERSON SCHWARTZ: I can't say that without
17 looking at what came in today. I really can't.

18 MR. DAVID STEINMETZ: Okay.

19 CHAIRPERSON SCHWARTZ: All right. I appreciate
20 you want to be aggressive and move ahead, but we haven't
21 even seen that yet.

22 MR. DAVID STEINMETZ: Understood. We will see
23 you in two weeks.

24 CHAIRPERSON SCHWARTZ: Thank you very much. Have
25 a great evening.

1 MR. DAVID STEINMETZ: You too.

2 DEPUTY COMMISSIONER SCHMIDT: Have a good
3 evening.

4 CHAIRPERSON SCHWARTZ: I'll take a motion to
5 close the Public Hearing.

6 BOARD MEMBER SIMON: So moved.

7 CHAIRPERSON SCHWARTZ: Can I have a second?

8 VICE CHAIRPERSON HAY: Second.

9 CHAIRPERSON SCHWARTZ: All in favor? Aye.

10 VICE CHAIRPERSON HAY: Aye.

11 BOARD MEMBER SIMON: Aye.

12 BOARD MEMBER GOLDEN: Aye.

13 BOARD MEMBER SNAGGS: Aye.

14 BOARD MEMBER DESAI: Aye.

15 BOARD MEMBER DAVIS: Aye.

16 ALTERNATE BOARD MEMBER FRAITAG: Aye.

17 CHAIRPERSON SCHWARTZ: All opposed?

18 (Whereupon, there was no response.)

19 CHAIRPERSON SCHWARTZ: It passes. Everybody have
20 a good night.

21 BOARD MEMBER SIMON: You too.

22 DEPUTY COMMISSIONER SCHMIDT: Have a good night.

23 (Whereupon, the Public Hearings were 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 taken on May 3,
2023 by the undersigned, to the best of her ability.

Barbara Marciante
Barbara Marciante,
Official Court Reporter