



TOWN OF GREENBURGH
ZONING BOARD OF APPEALS Meeting Results

Thursday, June 15, 2023 – 7:00 P.M.

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TOWN OF GREENBURGH

The Meeting of the Zoning Board of Appeals (ZBA) of the Town of Greenburgh was held on June 15, 2023 in Greenburgh Town Hall and online via Zoom. Chairperson Bunting-Smith called the meeting to order at 7:10 P.M.

Members Present: Chairperson Eve Bunting-Smith, Shauna Denkensohn, Diane Ueberle, Kristi Knecht, Louis Crichlow, Pauline Mosley

Absent: William Bland

Staff: Garrett Duquesne, AICP, Commissioner Community Dev. & Conservation
Ed Lieberman Esq., Deputy Town Attorney
Elizabeth Gerrity, Assistant Building Inspector (via Zoom)
Kyra Jones, Secretary to the Zoning Board of Appeals

1. Case No. ZBA 23-05: United Refrigeration, 420 Saw Mill River Road (P.O. Elmsford, NY) – Area Variances

The Applicant is requesting area variances from Section 285-31B(6) of the Code of the Town of Greenburgh to increase the maximum height of a principal building from 25 ft. (permitted) to 73 ft. (proposed); from Section 285-31B(6) to increase the maximum number of stories of a principal building from 2 stories (permitted) to 3 stories (proposed); and from Section 285-38E to reduce the number of parking spaces from 121 spaces (required) to 34 spaces (proposed), in order to add two stories to the height of the existing building on the subject property. The property is located in the IB - Intermediate Business District and is designated on the Town Tax Map as Parcel Lot ID: 7.120-19-21.

THIS CASE WAS ADJOURNED FOR ALL PURPOSES TO THE MEETING OF JULY 20, 2023.

2. Case No. ZBA 23-08: Forty Mill Realty, LLC & Ten Saw Mill Realty, LLC, 34-40, 50, 00, & 10 Saw Mill River Road (P.O. Elmsford, NY) – Area Variances

The Applicants are requesting area variances from Section 285-32B(5)(c) of the Code of the Town of Greenburgh to reduce the distance from accessory building-1 to rear lot line from 25 ft. (required) to 17 ft. (proposed); from Section 285-32B(5)(c) to reduce the distance from accessory building-2 to the rear lot line from 25 ft. (required) to 4 ft. (proposed); from Section 285-38E to reduce the minimum number of off-street parking spaces from 24 spaces (required) to 12 spaces (proposed); from 285-32B(5)(b) to reduce minimum distance from off-street parking to south side lot line from 25 ft. (required) to 2 ft. (proposed); from Section 285-32B(5)(c) to reduce minimum distance from off-street parking to rear lot line, from 25 ft. (required) to 7 ft. (proposed); from Section 285-32B(5)(b) to reduce minimum distance from off-street parking to the north side lot line from 25 ft. (required) to 21 ft. (proposed); from 285-32A(3)(b) to reduce minimum distance of a storage unit to the front lot line from 25 ft. (required) to 0 ft. (proposed); from Section 285-32A(3)(b) to reduce minimum distance of a storage unit to the south lot line from 25 ft. (required) to 0 ft. (proposed); from Section 285-32A(3)(b) to reduce minimum distance of a storage unit to the rear lot line from 25 ft. (required) to 0 ft. (proposed); from Section 285-32A(3)(b) to reduce the minimum distance of a storage unit to the north lot line from 25 ft. (required) to 0 ft. (proposed); from Section 285-38H(2) to reduce the front landscape buffer from 10 ft. (required) to 0 ft. (proposed); from Section 285-38H(2) to reduce the south landscape buffer from 10 ft. (required) to 0 ft. (proposed); from Section 285-38H(2) to reduce the rear landscape buffer from 10 ft. (required) to 0 ft. (proposed); and from Section 285-38H(2) to reduce the north landscape buffer from 10 ft. (required) to 0 ft. (proposed), in order to continue operation of a stone and masonry facility on the subject property. The property is located in the LI - Light Industrial District and is designated on the Town Tax Map as Parcel Lot ID: 8.610-421-72,73,74,75,76,77,78,79.

ON A MOTION BY MS. BUNTING-SMITH, SECONDED BY MR. CRICHLAW, THE BOARD VOTED TO GRANT THE REQUESTED VARIANCES. VOTING WAS AS FOLLOWS: CHAIRPERSON BUNTING-SMITH: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MS. KNECHT: AYE, MR. CRICHLAW: AYE, MS. MOSLEY: AYE

3. Case No. ZBA 23-10: Jarrad Linzie, 248 Fort Hill Road (P.O. Scarsdale, NY) – Area Variances

The Applicant is requesting area variances from Section 285-12B(3)(d) of the Code of the Town of Greenburgh to increase the maximum impervious surface coverage from 29% (permitted) to 31.69% (proposed); and from Section 285-36(G)(2) to change the location of an accessory pool from the rear yard (required) to a side yard (proposed), in order to install an in ground pool, add a patio and widen an existing driveway on the subject property. The property is located in the R-20 One-Family Residence District and is designated on the Town Tax Map as Parcel Lot ID: 8.520-356-8.

ON A MOTION BY MR. CRICHLAW, SECONDED BY MS. KNECHT, THE BOARD VOTED TO GRANT THE REQUESTED VARIANCES. VOTING WAS AS FOLLOWS: CHAIRPERSON BUNTING-SMITH: ABSTAIN, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MS. KNECHT: AYE, MR. CRICHLAW: AYE, MS. MOSLEY: AYE

4. Case No. ZBA 23-11: Kevin Kruk, 955 Knollwood Road (P.O. White Plains, NY) – Area Variances

The Applicant is requesting area variances from Section 285-12B(5)(b) of the Code of the Town of Greenburgh to reduce the setback from a driveway to a side property line from 16 ft. (permitted) to 8 ft. (proposed), and from 285-38B to increase the maximum driveway width from 30 ft. (permitted) to 37.50 ft. (proposed) in order to pave a gravel driveway on the subject property. The property is located in the R-20 One-Family Residence District and is designated on the Town Tax Map as Parcel Lot ID: 7.200-94-40.

ON A MOTION BY MS. UEBERLE, SECONDED BY MR. CRICHLAW, THE BOARD VOTED TO GRANT THE REQUESTED VARIANCES. VOTING WAS AS FOLLOWS: CHAIRPERSON BUNTING-SMITH: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MS. KNECHT: AYE, MR. CRICHLAW: AYE, MS. MOSLEY: AYE

5. Case No. ZBA 23-12: Cheryl & Bert Hurns, 8 Bayberry Road (P.O. Elmsford, NY) – Area Variances

The Applicant is requesting area variances from Section 285-10B(3)(d) of the Code of the Town of Greenburgh to increase the maximum impervious surface coverage from 21.75% or 8,715 s.f. (permitted) to 30.02% or 12,031 s.f. (proposed); from 285-10B(5)(b) to reduce the distance from a driveway to a side lot line from 20 ft. (required) to 0 ft. (proposed); from 285-38B to increase the maximum driveway width from 30 ft. (permitted) to 30.7 ft. (proposed); from 285-36N(1) to increase the number of sheds from 1 shed (permitted) to 2 sheds (proposed); and from 285-36N(1) to locate a shed in a side yard instead of the rear yard (required) in order to legalize two existing sheds and a driveway expansion and to construct a new deck with pergola, walkway and patio on the subject property. The property is located in the R-40 One-Family Residence District and is designated on the Town Tax Map as Parcel Lot ID: 7.200-91-8.

ON A MOTION BY MS. KNECHT, SECONDED BY MR. CRICHLAW, THE BOARD VOTED TO GRANT THE REQUESTED VARIANCES. VOTING WAS AS FOLLOWS: CHAIRPERSON BUNTING-SMITH: AYE, MS. DENKENSOHN: NAY, MS. UEBERLE: AYE, MS. KNECHT: AYE, MR. CRICHLAW: AYE, MS. MOSLEY: AYE

6. Case No. ZBA 23-14: 450 Secor Road LLC/ Hartsdale Greenhouses, 450 Secor Road (P.O. Hartsdale, NY 10530) – Appeal Determination of Building Inspector/in the alternative a Use Variance

The Applicant is appealing a determination of the Building Inspector that the processing and sale of wood products that are not grown or harvested on-site is not a permitted use. In the alternative, if the appeal is denied, the Applicant requests a use variance from Section 285-48B of the Code of the Town of Greenburgh for the sale and processing of firewood and mulch that is not grown or harvested on-site. The property is located in the R-10 One-Family Residence District and is designated on the Town Tax Map as Parcel Lot ID: 8.120-70-53.

THIS CASE WAS ADJOURNED FOR ALL PURPOSES TO THE MEETING OF JULY 20, 2023.

7. Case No. ZBA 23-15: Cynthia Marte-Dominguez, 4 Middleway (P.O. Hartsdale, NY 10530) – Area Variances

The Applicant is requesting area variances from Section 285-39D(2) of the Zoning Ordinance to increase the maximum floor area ratio from 2,625 sq. ft. (permitted) to 2,917 sq. ft. (proposed); from Section 285-15B(3)(d) to increase the maximum impervious surface coverage from 40.75% (permitted) to 58.74% (proposed); from Section 285-5 to reduce

the patio setback to a side property line from 10 ft. (required) to 5 ft. (proposed); from Section 285-5 to reduce the patio setback to the rear property line from 10 ft. (required) to 4.07 ft. (proposed); and from 285-15B(5)(b) to reduce the driveway setback to side property line from 10 ft. (required) to 1.87 ft. (proposed), to enlarge and alter more than 75% of the existing residence, legalize a driveway expansion, and install patios and a covered terrace. The property is located in the R-7.5 One-Family Residence District and is designated on the Town Tax Map as Parcel Lot ID: 8.170-103-24.

THIS CASE WAS ADJOURNED FOR ALL PURPOSES TO THE MEETING OF JULY 20, 2023.

DATE FOR NEXT MEETING

The next regularly scheduled meeting of the Greenburgh Zoning Board of Appeals will be held on Thursday, July 20, 2023 beginning at 7:00 pm.

Respectfully Submitted,



Kyra L. Jones
Secretary to the Zoning Board of Appeals

