



**TOWN OF GREENBURGH**  
**ZONING BOARD OF APPEALS Meeting Results**  
**Thursday, September 21, 2023 – 7:00 P.M.**

RECEIVED-TOWN CLERK  
TOWN OF GREENBURGH

The Meeting of the Zoning Board of Appeals (ZBA) of the Town of Greenburgh was held on September 21, 2023 in Greenburgh Town Hall and online via Zoom. Chairperson Bunting-Smith called the meeting to order at 7:08 P.M.

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

**Absent:** Louis Crichlow, William Bland

**Staff:** Garrett Duquesne, AICP, Commissioner Community Dev. & Conservation  
Joseph Danko, Esq., Town Attorney  
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 23-14: 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 and 8.120-70-54.

**THIS CASE WAS ADJOURNED FOR ALL PURPOSES TO THE MEETING OF OCTOBER 19, 2023.**

**2. Case No. ZBA 23-19: 141 Central Avenue LLC, 141 S. Central Avenue (P.O. Hartsdale, NY 10530) – Area Variances**

The Applicant is requesting variances from Section 285-29.1B(8)(4) of the Sign and Illumination Law to increase the maximum overall square footage of a Monument Yard Sign from 30 sq. ft. (permitted) to 35.7 sq. ft. (proposed); from Section 285-29.1(B)(8)(b)(3) to increase the maximum width of a Monument Yard Sign from 6 ft. (permitted) to 9.5 ft. (proposed); and from Section 285-29.1B(8)(b)(3) to decrease the open space at the bottom of a Monument Yard Sign from 6 ft. (required) to 0 ft. (proposed), in order to replace a non-conforming Monument Sign with a new Monument Sign on the subject property. The property is located in the CA - Central Avenue Mixed-Use Impact District and is designated on the Town Tax Map as Parcel Lot ID: 8.300-227-3.

**ON A MOTION BY MS. UEBERLE, SECONDED BY MS. KNECHT, 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, MS. MOSLEY: AYE**

**3. Case No. ZBA 23-20: Daberto Henriquez & Flor Sosa / Hart Hills Hospitality LLC, 45 N. Washington Avenue (P.O. Hartsdale, NY 10530) – Area Variances**

The Applicant is requesting area variances from Section 285-19B(1) of the Zoning Ordinance to reduce the required 3,000 sq. ft. minimum lot area per dwelling unit from 24,000 sq. ft. (required) to 22,912 sq. ft. (proposed); from 285-19B(3) to increase the maximum principal building coverage from 18.3% (permitted) to 18.8% (proposed); from 285-19B(4) to reduce the minimum rear yard setback from 40 ft. (required) to 35.16 ft. (proposed); from 285-19B(5)(a) to reduce the minimum distance from the principal building to a parking area from 10 ft. (required) to 4.2 ft. (proposed); from 285-38G to reduce the dimensions of an off-street loading birth from 15 ft. x 45 ft. (required) to 8 ft. x 26 ft. (proposed), and to reduce the required landscape buffer from 10 ft. (required) to 4.16 ft. (proposed), [or alternatively, receive a waiver from the Planning Board], in order to construct an eight-unit apartment building with underground parking on the subject property. The property is located in the M-14 - Multi-Family District and is designated on the Town Tax Map as Parcel Lot ID: 8.250-183-3.

**ON A MOTION BY MS. KNECHT, SECONDED BY MS. DENKENSOHN, THE BOARD VOTED TO GRANT THE APPLICANT'S REQUEST FOR ADJOURNMENT TO THE OCTOBER 19, 2023 MEETING. VOTING WAS AS FOLLOWS: CHAIRPERSON BUNTING-SMITH: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MS. KNECHT: AYE, MS. MOSLEY: AYE**

**4. Case No. ZBA 23-21: EDC 7 LLC / Thalle Industries, Inc., 50 Warehouse Lane South (aka 7 Warehouse Lane (P.O. Elmsford, NY 10523) – Special Permit Modification and Renewal**

Applicant's request is for the modification and renewal of a special permit previously granted by the ZBA on April 12, 2002 (ZBA Case 01-35) in order to resume and expand its rock crushing and aggregate reclamation facility. The property is located in the GI - General Industrial District and is designated on the Town Tax Map as Parcel Lot ID: 7.180-52-20.SE.

**ON A MOTION BY MS. KNECHT, SECONDED BY MS. DENKENSOHN, THE BOARD VOTED TO GRANT THE APPLICANT'S REQUEST FOR ADJOURNMENT TO THE OCTOBER 19, 2023 MEETING SUBJECT TO THE STIPULATION OF SEPTEMBER 7, 2023, INCLUDING NO PROCESSING MONDAY – SATURDAY BEFORE 7:30AM, AND NO PROCESSING ON SUNDAYS. VOTING WAS AS FOLLOWS: CHAIRPERSON BUNTING-SMITH: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MS. KNECHT: AYE, MS. MOSLEY: AYE**

**5. Case No. ZBA 23-22: EDC 7 LLC / Thalle Industries, Inc., 50 Warehouse Lane South (aka 7 Warehouse Lane (P.O. Elmsford, NY 10523) – Appeal of Building Inspector Determination**

The Applicant is appealing a determination of the Building Inspector regarding: (1) a Notice of Non-Renewal of ZBA Special Permit 01-35 dated July 24, 2023;" and (2) a stop work order for Thalle Industries' operations at its Thalle "Virtual Quarry. The property is located in the GI - General Industrial District and is designated on the Town Tax Map as Parcel Lot ID: 7.180-52-20.SE.

**ON A MOTION BY MS. KNECHT, SECONDED BY MS. DENKENSOHN, THE BOARD VOTED TO GRANT THE APPLICANT'S REQUEST FOR ADJOURNMENT TO THE OCTOBER 19, 2023 MEETING. VOTING WAS AS FOLLOWS: CHAIRPERSON BUNTING-SMITH: AYE, MS. DENKENSOHN: AYE, MS. UEBERLE: AYE, MS. KNECHT: AYE, MS. MOSLEY: AYE**

**6. Case No. ZBA 23-23: Praveen Elak, 89 Marion Avenue (P.O. Hartsdale, NY 10530) – Area Variances**

The Applicant is requesting area variances from Section 285-5 of the Zoning Ordinance to reduce the distance from a patio to a side property line from 10 ft. (required) to 0 ft. (proposed), and from 285-36G(6) to reduce the distance from a pool to a property line from 15 ft. (required) to 0 ft. (proposed) in order to install an in-ground pool and patio on the subject property. The property is located in the R-10 One-Family Residence District and is designated on the Town Tax Map as Parcel Lot ID: 8.290-223-3.

**THIS CASE WAS ADJOURNED FOR ALL PURPOSES TO THE MEETING OF OCTOBER 19, 2023.**

**7. Case No. ZBA 23-24: Joe Guerrerio, 11 Thomas Street (P.O. Scarsdale, NY 10583) – Area Variances**

The Applicant is requesting area variances from Section 285-12B(3)(d) of the Zoning Ordinance to increase the maximum impervious surface coverage from 29% (permitted) to 31.3% (proposed); and from Section 285-36(G)(3) 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, patio and modify a 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: 8.350-252-12.

**ON A MOTION BY MS. DENKENSOHN, SECONDED BY MS. KNECHT, 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, MS. MOSLEY: AYE**

**8. Case No. ZBA 23-25: TH Tarrytown LLC c/o HEI Hotels & Resorts A.K.A. Marriott, 670 White Plains Road (P.O. Tarrytown, NY 10591) – Sign Variance**

The Applicant is requesting a sign variance from Section 240-3C(9) from the Code of the Town of Greenburgh, Sign and Illumination Law to install a second wall business sign not fronting a side street on a non-corner lot (proposed); where, unless facing a side street, zero are permitted. The property is located in the OB - Office Building District and is designated on the Town Tax Map as Parcel Lot ID: 7.240-102-1.SE.

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

**9. Case No. ZBA 23-26: Marcia Keizs, 15 Beechwood Road (P.O. Hartsdale, NY 10530) – Area Variances**

The Applicant is requesting area variances from Section 285-39D(2)(a) of the Zoning Ordinance to increase the maximum gross floor area from 2,625 sq. ft. (permitted) to 2,824 sq. ft. (proposed); from Section 285-5 to reduce the distance from a front patio to a front property line from 10 ft (required) to 3.2 ft (proposed); from Section 285-5 to reduce the distance from a front patio to a side property line from 10 ft (required) to 5.05 ft (proposed); and from Section 285-5 to reduce the distance from a side patio to a side property line from 10 ft (required) to 8 ft (proposed) in order to legalize and unheated sunroom, two patios and a deck on the subject property. 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: 8.200-147-4.

**ON A MOTION BY MS. MOSLEY, SECONDED BY MS. DENKENSOHN, 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, MS. MOSLEY: AYE**

**DATE FOR NEXT MEETING**

The next regularly scheduled meeting of the Greenburgh Zoning Board of Appeals will be held on Thursday, October 19, 2023 beginning at 7:00 pm.

Respectfully Submitted,



Kyra Jones  
Secretary to the Zoning Board of Appeals