

1 TOWN OF GREENBURGH  
2 PLANNING BOARD

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3 1. ROLL CALL

4 4. ITEMS FOR PUBLIC HEARING/PUBLIC DISCUSSION

5  
6 a. CASE NO. PB 24-10  
7 Pizza One  
8 365 Central Park Avenue South  
(P.O. Scarsdale, N.Y.)

9 b. CASE NO. PB 23-18  
10 Regeneron  
11 555 Saw Mill River Road  
(P.O. Tarrytown, N.Y.)

12 ADJOURNMENT.

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13  
14 Greenburgh Town Hall  
15 177 Hillside Avenue  
Greenburgh, New York 10607  
June 5, 2024

16  
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18 HYBRID PLANNING BOARD MEETING

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BARBARA MARCIANTE,  
Official Court Reporter

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

HUGH SCHWARTZ, CHAIRPERSON  
THOMAS HAY, VICE CHAIRPERSON

WALTER SIMON, Board Member  
KIRIT DESAI, Board Member  
MICHAEL GOLDEN, Board Member  
LESLIE DAVIS, Board Member  
JOHAN SNAGGS, Board Member  
AISHA SPARKS, Alternate Board Member

JOSEPH DANKO, Town Attorney

AMANDA MAGANA, ESQ., Deputy Town Attorney (Not Present)

AARON SCHMIDT,  
Deputy Commissioner of The Department of  
Community Development and Conservation

MATTHEW BRITTON,  
Town Planner, Department of  
Community Development and Conservation

## CASE NO. PB 24-10

1 CHAIRPERSON SCHWARTZ: Ladies and gentlemen,  
2 we're now in the Public Hearing portion of our meeting on  
3 June 5th. Deputy Commissioner Schmidt, please call the  
4 roll.

5 DEPUTY COMMISSIONER SCHMIDT: Chairperson  
6 Schwartz?

7 CHAIRPERSON SCHWARTZ: Here.

8 DEPUTY COMMISSIONER SCHMIDT: Mr. Hay?

9 VICE CHAIRPERSON HAY: Here.

10 DEPUTY COMMISSIONER SCHMIDT: Mr. Golden?

11 BOARD MEMBER GOLDEN: Here.

12 DEPUTY COMMISSIONER SCHMIDT: Mr. Simon?

13 BOARD MEMBER SIMON: Here.

14 DEPUTY COMMISSIONER SCHMIDT: Mr. Desai?

15 BOARD MEMBER DESAI: Here.

16 DEPUTY COMMISSIONER SCHMIDT: Mr. Snaggs?

17 BOARD MEMBER SNAGGS: Here.

18 DEPUTY COMMISSIONER SCHMIDT: Ms. Davis?

19 BOARD MEMBER DAVIS: Here.

20 DEPUTY COMMISSIONER SCHMIDT: And our Alternate,  
21 Ms. Sparks?

22 ALTERNATE BOARD MEMBER SPARKS: Here.

23 CHAIRPERSON SCHWARTZ: Again, Joe Danko is  
24 joining us as Counsel this evening as our regular Counsel  
25 is not available.

## CASE NO. PB 24-10

1           Okay, the first case tonight is Case PB 24-10,  
2           that's Pizza One at 365 Central Park Avenue. It's for a  
3           Planning Board Special Use Permit. Now you can introduce  
4           yourself and introduce the project.

5           MR. LEONARD BRANDES: Good evening, Mr. Chairman  
6           and Members of the Board. I'm Leonard Brandes, the  
7           architect for Pizza One. We are requesting the Special Use  
8           Permit to turn this into a restaurant.

9           Right now, it is set up as a pick-up pizza or set  
10          up right now, as we have the plans. At the Work Session  
11          meeting that we discussed, you had requested additional  
12          handicap accessible parking, which we did speak with the  
13          owner and had a meeting with him. And we were able to add  
14          two parking spaces at the front.

15          There does exist an existing accessible ramp at  
16          the end over there. So it's easy access. They don't have  
17          to go through anything that's -- just go around right over  
18          to that area. We also added two parking -- We took out two  
19          parking spaces at the back of the building where we can  
20          show we are putting in the two containers, that will be two  
21          two-yard containers, metal containers, that are sealed,  
22          liquid proof.

23          So it does meet the Building Inspector's approval  
24          on that one. So we have reduced the parking spaces for a  
25          total of three. That leaves us with 259 parking spaces.

1 The required parking space is 209. So we're still well  
2 within the amount of parking spaces required.

3 CHAIRPERSON SCHWARTZ: Okay.

4 DEPUTY COMMISSIONER SCHMIDT: Just walk through  
5 the tables and chairs, briefly.

6 MR. LEONARD BRANDES: Okay. We're looking  
7 through -- We are looking for 18 seats in the restaurant  
8 itself. Right now there is zero seating right now. We  
9 just have storage and supplies. So we're just looking to  
10 increase that.

11 It will not require any other modifications,  
12 except taking out a few pieces of equipment that they were  
13 using to sell, like pick up sodas and things like that.  
14 They are going to put that behind the counter and they are  
15 going to be putting banquette seats on the side. You can  
16 show the site -- the floor plan if you want.

17 CHAIRPERSON SCHWARTZ: Do you have it?

18 DEPUTY COMMISSIONER SCHMIDT: Do you have that  
19 one by any chance?

20 MR. LEONARD BRANDES: Do you have that one in  
21 there?

22 MR. RORI BIBA: We have this one here.

23 DEPUTY COMMISSIONER SCHMIDT: Great.

24 MR. LEONARD BRANDES: Okay. So the floor plan, I  
25 don't know -- bring that up?

1 CHAIRPERSON SCHWARTZ: Bring that up. Why don't  
2 you come a little closer with it.

3 MR. LEONARD BRANDES: Okay.

4 VICE CHAIRPERSON HAY: Watch your step there.

5 CHAIRPERSON SCHWARTZ: You can use one of these  
6 mics, I think, right, when you're describing anything.

7 MR. LEONARD BRANDES: Okay. So right now --

8 CHAIRPERSON SCHWARTZ: Just pick up one of those  
9 microphones.

10 BOARD MEMBER SIMON: Then turn it on.

11 CHAIRPERSON SCHWARTZ: Just turn it on, push it.

12 VICE CHAIRPERSON HAY: And then balance something  
13 on your head.

14 CHAIRPERSON SCHWARTZ: If you put the mic on the  
15 dais here.

16 BOARD MEMBER SIMON: Put the mic on the --

17 MR. LEONARD BRANDES: If I can let him hold that  
18 up, it will be easier.

19 CHAIRPERSON SCHWARTZ: Hang on for one second.  
20 Can he -- ask him.

21 DEPUTY COMMISSIONER SCHMIDT: Matt, are you able  
22 to share the floor plan on the shared screen for the folks  
23 watching?

24 TOWN PLANNER BRITTON: Yeah, I can do that.

25 DEPUTY COMMISSIONER SCHMIDT: Thank you.

1 CHAIRPERSON SCHWARTZ: Okay. So you don't have  
2 to juggle anymore. You can go back over there to the  
3 lecturn and we will put it up on the screen in a second.

4 MR. LEONARD BRANDES: Fantastic. Thank you.

5 CHAIRPERSON SCHWARTZ: Thank you. There it is,  
6 okay. Matt, just blow it up just a touch so we can  
7 actually see a little bit. There you go.

8 MR. LEONARD BRANDES: All right. The top drawing  
9 shows the existing approved plan, which they are in the  
10 process of building right now. They are in construction  
11 right now in setting this up. In this process, we have  
12 added an accessible bathroom to there. There was a kitchen  
13 in the back that we had modified.

14 We put all new equipment. All new setup on the  
15 exhaust systems and a walk-in box. There is also a small  
16 bathroom in the back for employees. So that they are not  
17 going to be using the other bathrooms.

18 In our new version, if we go down to the bottom  
19 drawing, you can see that we added a banquette behind the  
20 counter and three seats of deuces, basically two tables,  
21 two seats per table in the front. So we can have some  
22 people looking in the front and show that we're being used  
23 and accessible.

24 CHAIRPERSON SCHWARTZ: Okay. And the sprinkler  
25 system has been approved on the part of the fire

1 department?

2 MR. LEONARD BRANDES: The system is not being  
3 modified at all. We didn't need to make any changes to the  
4 system itself. It's all there. It's all improved. It's  
5 already existing.

6 CHAIRPERSON SCHWARTZ: Okay. Thank you for the  
7 parking spaces. That's much better than where they may  
8 have been on the other side.

9 Any questions from the Board before we ask the  
10 public for comment?

11 VICE CHAIRPERSON HAY: No.

12 BOARD MEMBER SIMON: No.

13 CHAIRPERSON SCHWARTZ: No? Okay. Is there  
14 anybody from the public, either here -- Murray, come on up  
15 to the lecturn, please.

16 MR. MURRAY BODIN: My name is Murray Bodin. And  
17 if I make a mistake, it's because I'm dealing with dementia  
18 coming on, and correct me if I'm making any mistakes.

19 The reality of today is that people park  
20 differently. People back in because it's safer to back in  
21 than to pull in and back out in a blind spot. That creates  
22 something to think about.

23 One, the spaces should be six inches wider so  
24 it's easier to back in. That means you're going to have to  
25 change a lot of stuff.



1           The Federal Highway Administration with their  
2 manual of Uniform Traffic Control Devices released a new  
3 manual in December of 2023. What they did was make it  
4 possible to be useable.

5           Before that, it was fixed. You either did it  
6 their way or you were wrong. I met the new Commissioner  
7 and he spoke in New York. I like the way he talked.

8           What he did was one thing that changed the whole  
9 procedure. They took out the word warrants. Warrants said  
10 you either do it our way or you can't do it. He took out  
11 the warrants past, current and future.

12           And what he said was, look at the situation in  
13 your community. See if it makes sense for your community.  
14 The rule for somebody else's community, the fixed rule, is  
15 gone.

16           Now, if you think what you, in your community, is  
17 good and better than we have written it, document it, send  
18 it to us to make sure it meets the general overall safety  
19 committee, and then go ahead and do it. You do not need  
20 our permission. You just have to notify us. That's called  
21 flexibility.

22           We live in a world now, where right across the  
23 board, everything is changing. The rules that were fixed  
24 aren't fixed anymore. We learn as we go along.

25           So the things that have to change here, the

1 yellow line across, that they used to call a fire zone, has  
2 to become white and various other things. And I will speak  
3 about this at every meeting. Safety.

4 If you go out there and look, you will see cars  
5 backed in everywhere. Give them an extra six inches. It's  
6 safety. Never did it before. So a lot of rules have to  
7 change.

8 Everywhere you go, because of autonomous driving,  
9 the line on the right edge has to be white and the left  
10 edge of your lane has to be yellow. It makes it easier for  
11 the car's computer. Everywhere, there is computer deciding  
12 where you're going to go. Some are automatic, some are  
13 semi-automatic.

14 It has to be consistent. So you know which way  
15 it goes. It saves computing power and it makes safety much  
16 quicker. So I will be speaking about that everywhere.

17 And the other thing is that, between the handicap  
18 spaces, that little blue thing, that's a zebra crosswalk  
19 painted blue. It has to be converted to a shared crosswalk  
20 between pedestrians going somewhere and the people getting  
21 out of the handicap car.

22 And there are no need for as many spaces.  
23 Handicap cars can be lined up next to each other and a  
24 couple reserved for people with a ramp.

25 In the last two years, I have never seen anybody

1           come out of the side of a car anymore. And people are very  
2           gracious. As I get older, and they see me walking around,  
3           I have never seen so many people trying to help me. And I  
4           rather do it myself. 'Cause if I give up doing it myself,  
5           I'll just go down the drain faster.

6                        So you got a big problem with this. You're using  
7           old rules. Use new ones. And it's going to be hard for a  
8           lot of people to change. Time for change. Thank you.

9                        VICE CHAIRPERSON HAY: Thank you.

10                      DEPUTY COMMISSIONER SCHMIDT: Thank you.

11                      CHAIRPERSON SCHWARTZ: Thank you, Mr. Bodin. Is  
12           there anybody else in the audience here that wants to  
13           speak? Anybody on Zoom that wants to speak on this  
14           subject? Raise your hand.

15                      (Whereupon, there was no response.)

16                      CHAIRPERSON SCHWARTZ: So I guess not. Okay, in  
17           that case, I'll take a motion to close the Hearing. Leave  
18           the public record open until?

19                      DEPUTY COMMISSIONER SCHMIDT: The 12th.

20                      CHAIRPERSON SCHWARTZ: Until the 12th of June.

21                      BOARD MEMBER SIMON: So moved.

22                      CHAIRPERSON SCHWARTZ: Can I have a second?

23                      BOARD MEMBER DESAI: Second.

24                      CHAIRPERSON SCHWARTZ: Who second? Kirit?

25                      BOARD MEMBER DESAI: Yes.

1 CHAIRPERSON SCHWARTZ: Kirit second. All in  
2 favor? Aye.

3 VICE CHAIRPERSON HAY: Aye.

4 BOARD MEMBER SIMON: Aye.

5 BOARD MEMBER DESAI: Aye.

6 BOARD MEMBER DAVIS: Aye.

7 BOARD MEMBER GOLDEN: Aye.

8 BOARD MEMBER SNAGGS: Aye.

9 ALTERNATE BOARD MEMBER SPARKS: Aye.

10 CHAIRPERSON SCHWARTZ: All oppose?

11 (Whereupon, there was no response.)

12 CHAIRPERSON SCHWARTZ: Okay, that's done. Next  
13 Hearing, Public Hearing is --

14 VICE CHAIRPERSON HAY: Thank you.

15 MR. LEONARD BRANDES: Thank you.

16 DEPUTY COMMISSIONER SCHMIDT: Have a good  
17 evening.

18 CHAIRPERSON SCHWARTZ: Thank you very much, guys.  
19 Good luck.

20 DEPUTY COMMISSIONER SCHMIDT: This will be on for  
21 decision at our next meeting.

22 CHAIRPERSON SCHWARTZ: Which is June 17th.

23 DEPUTY COMMISSIONER SCHMIDT: On the 17th.

24 CHAIRPERSON SCHWARTZ: It's not on a Wednesday.  
25 It's on a Monday, the next time, the 17th of June.

1 MR. LEONARD BRANDES: Okay. One quick comment in  
2 terms of parking spaces. Mr. Bodin, we took existing  
3 nine-foot wide spaces and instead of having the standard  
4 eight-foot, eight-foot stripe and eight-foot, we kept them  
5 at nine, nine and nine. So these are larger spaces for  
6 what you need and what you have.

7 MR. MURRAY BODIN: Good.

8 CHAIRPERSON SCHWARTZ: Okay, thank you very much.

9 MR. LEONARD BRANDES: Thank you.

10 DEPUTY COMMISSIONER SCHMIDT: Thank you.

11 CHAIRPERSON SCHWARTZ: And good luck. Okay, Case  
12 PB 23-18, Regeneron.

13 TOWN ATTORNEY DANKO: I'm just pointing out that  
14 you might want to add those comments to the record even  
15 though you had a vote beforehand.

16 CHAIRPERSON SCHWARTZ: Okay. Barbara, you  
17 understand that, right?

18 COURT REPORTER: Yes.

19 CHAIRPERSON SCHWARTZ: Okay, thank you. Thanks,  
20 Joe.

21  
22 \* \* \* \* \*

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1 CHAIRPERSON SCHWARTZ: Case PB 23-18, Regeneron,  
2 555 Saw Mill River Road, P.O. Tarrytown. It's really  
3 Greenburgh, just remember that. It's part of the Town of  
4 Greenburgh. Planning Board Steep Slope Permit and Planning  
5 Board wetlands watercourse. I believe that you had some  
6 success recently at the Town Board, Janet?

7 MS. JANET GIRIS, ESQ.: Yes.

8 CHAIRPERSON SCHWARTZ: Can you bring us  
9 up-to-date?

10 MS. JANET GIRIS, ESQ.: Yes, thank you,  
11 Mr. Chairman. For the record, good evening, Members of  
12 Board, my name is Janet Giris. I'm a partner with  
13 DelBello, Donnellan, Weingarten, Wise & Wiederkehr on  
14 behalf of Regeneron this evening. So thank you for having  
15 us.

16 I know you are all familiar with this  
17 application. This is an application in connection with the  
18 logistics building. This is a Town Board Site Plan and  
19 Tree Removal Permit.

20 And with this Board, we are seeking Steep Slopes  
21 and Wetland Permits. We can talk about them in a little  
22 bit more detail if you'd like us to do that.

23 We were before you. We presented the entire  
24 application, including the Site Plan, Special Permit --  
25 Site Plan, Slopes Permit and Wetland Permit for the

1 project. You made a recommendation back to the Town Board  
2 on that Site Plan. We received Site Plan Approval from the  
3 Town Board on May 8th, along with that Tree Removal Permit.

4 And now we are back before you in connection with  
5 the Steep Slopes and Wetland Permits. If you would like us  
6 to go through those with you again, we are happy to do so.  
7 I know you've seen this at least three times.

8 CHAIRPERSON SCHWARTZ: Just for the public, if  
9 you could do it just briefly. And if there is anything at  
10 all that has changed since you've been before the Town  
11 Board, that would be appreciated as well.

12 MS. JANET GIRIS, ESQ.: Yes. Nothing has changed  
13 substantively since we've been before the Town Board or  
14 since we were before you last as well.

15 CHAIRPERSON SCHWARTZ: Okay. Could you do a  
16 30,000-foot description of just general what it is?

17 MS. JANET GIRIS, ESQ.: My colleague, Steve Spina  
18 from JMC, is here this evening. He can flip through our  
19 Power Point for you.

20 CHAIRPERSON SCHWARTZ: That would be good.

21 MS. JANET GIRIS, ESQ.: So what you have before  
22 you right now is just a summary. Again, it's a 136,000  
23 square foot R & D Building. In order to accomplish that,  
24 we are going to remove the temporary parking lots that you  
25 approved at one point in time.

1 I think it's 152 of those spaces is going to  
2 remain from those temporary and it's going to, in part,  
3 provide for the 208 spaces that are going to be constructed  
4 as part of this project. 202 are required.

5 The project complies in all respects with the  
6 Zoning Code. And the slopes disturbance that we are  
7 proposing is really in connection with manmade slopes that  
8 were created when the parking areas were created, the  
9 temporary parking areas.

10 And then with regard to the Wetland Permit, we  
11 are looking to modify existing basins to capture the  
12 stormwater from this project. So Steve can talk to you a  
13 little bit more about those details. But you've seen this,  
14 I know, a number of times. So I don't want to belabor it  
15 with you.

16 CHAIRPERSON SCHWARTZ: Thank you very much.

17 MR. STEPHEN SPINA: Hi, everyone. Steve Spina  
18 with JMC. We're the site engineer on the project. And  
19 I'll take you through the presentation. So these are the  
20 highlights here. We will go through the Site Plan next.

21 But since we last were here, Janet sort of  
22 touched on what we've done. So this kind of is a little  
23 outline of, you know, where we've been since we were here  
24 in February. And then may be a few things, but even before  
25 that.



1           So we've had good meetings with the Town Traffic  
2 Consultant and DOT. And we're about to resubmit to the DOT  
3 to address all of their comments. We had -- When we met  
4 with them, we verbally told them how we were going to  
5 respond and we showed them during a virtual meeting and it  
6 went really well.

7           We just have to give them things like the  
8 traffic, you know, warrant analysis for things, you know,  
9 for some of the comments that they had. So we're going to  
10 be providing that. And we feel that will address all the  
11 comments and concerns.

12           This is just an aerial photo. You know,  
13 obviously, we're talking about this area down here. This  
14 is Old Saw Mill River Road and Route 9A. The rest of the  
15 campus now, we have the loop road site under construction.

16           So zooming in on that right side of that aerial,  
17 this is our Site Plan. And I guess for purposes of  
18 tonight's discussion, I'll focus on the green line, which  
19 is the wetland buffer. And you can see that we have kept  
20 ourselves out of the wetland buffer with any proposed  
21 surfaces, impervious areas, things like that. Really  
22 trying to respect it.

23           What we did do, though, we are proposing some  
24 grading in there. There is a stormwater pond, that's sort  
25 of this upside down L-shape here. There is an existing

1 pond already right here and we're proposing to expand that  
2 pond. So we do have some grading in the buffer.

3 We have a lot of new trees we're planting. We  
4 are restoring a lot of the buffer, which contains a good  
5 amount of dead vegetation and invasive species that we're  
6 going to get rid of.

7 So overall, the project should have a minimal  
8 impact since this area is already a temporary parking lot  
9 that we're going to remove and build this building on top  
10 of.

11 There is the other temporary parking lot Janet  
12 mentioned is up here. We will be removing that and  
13 restoring that back to, you know, sort of a natural  
14 topography with trees and a meadow mix. And we do have  
15 this driveway down to the campus here to connect to the  
16 existing, recently constructed and expanded perimeter  
17 roadway around the campus.

18 And then we have our site access driveway here on  
19 to Old Saw Mill River Road. And I guess, lastly, this kind  
20 of southern area is the existing remains of the existing  
21 previously constructed temporary parking lot that we're  
22 going to keep in order to meet the parking demands of the  
23 building.

24 This shows the steep slopes. So there is really  
25 not many steep slopes on the site. And where they are are

1 basically our three-foot -- three-foot horizontal to  
2 one-foot vertical type of slopes, like a 30-degree angle  
3 that we created when we built this temporary parking lot.  
4 They are just basically on the fringe of the parking lot.  
5 And this is basically the banks of the pond that's  
6 existing.

7 So in order to do this project, we're going to  
8 disturb that. And then there is some steep slopes here,  
9 which are basically the retaining walls that were built for  
10 this parking lot, that would all come out.

11 So there is really no -- There is no new steep  
12 slope disturbance to, you know, existing undisturbed  
13 slopes. It's all, you know, grass that we recently made  
14 when we did the parking lot. But nevertheless, this shows  
15 what we're proposing here for steep slopes.

16 And then wetlands, we have -- The orange line is  
17 the boundary of our disturbance, our construction zone that  
18 runs around the perimeter here.

19 And then the blue is wetland buffer disturbance.  
20 So like I had mentioned, the buffer kind of follows the  
21 orange line. We tried to stay out of it, but we are in it  
22 to build and expand on this stormwater pond.

23 And there is a little bit of light regrading.  
24 And we're figuring you're going to have some disturbance  
25 just to build the retaining wall and then put the soil back

1 at the edge of the wall.

2 So we're accounting for all of that. But most  
3 importantly, there is no disturbance within the wetlands  
4 themselves.

5 These are just some nice renderings that the  
6 architect prepared. So we're on the bridge overpass of 9A,  
7 100C looking kind of south westerly. Here's the proposed  
8 building here. You can see the other -- The new parking  
9 garage that Regeneron built in the background here.

10 This is a view from the roundabout looking at the  
11 northeast corner of the building. This would be the front  
12 entrance of the building here.

13 Now, we're in the gas station, sort of across the  
14 street or east of the site. We have Old Saw Mill River  
15 Road right here. So this is the south side of the  
16 building. This is where the Dunkin Doughnuts and the gas  
17 station are here.

18 And this is within the main entrance driveway to  
19 the right of the building looking at the building from the  
20 roadway. You can see we tried to screen it as best we  
21 could. And then there is some existing trees and some new  
22 trees we're planting along the perimeter as well.

23 This is a view from the south side. So there is  
24 a little key here. So we're kind of where, almost where  
25 the stormwater pond would be, looking back up at the

1 loading area.

2 You can see that we have a screen wall here, in  
3 addition to the landscaping, to try to block that view of  
4 the trucks and vehicles from the roadway. That's the end  
5 of our presentation.

6 CHAIRPERSON SCHWARTZ: Great.

7 DEPUTY COMMISSIONER SCHMIDT: Very good.

8 CHAIRPERSON SCHWARTZ: Any questions from the  
9 Board?

10 BOARD MEMBER SIMON: I have some.

11 CHAIRPERSON SCHWARTZ: Walter, go ahead.

12 BOARD MEMBER SIMON: We indicated that if you're  
13 traveling south on Saw Mill River Road past the gas  
14 station, there is a turn that you can make to get into the  
15 circle and into Regeneron. And there was talk of having  
16 some sort of traffic calming, whether signs or they say  
17 slow down, there is a curve or something there.

18 Because I, for one, have drove down there with a  
19 big truck behind me. And it's sort of terrifying when you  
20 have to make that turn.

21 We did talk about that. Do you know if you have  
22 any -- Did you have any conversation with the State?  
23 That's a State road. Whether or not they can put any signs  
24 up there or not?

25 MR. STEPHEN SPINA: We did speak with the DOT

1 when we met with them. Garrett was at the meeting as well.  
2 We brought it up. They initially weren't too receptive of  
3 it, believe it or not. But they said, you know, let's keep  
4 it as an open item to talk about.

5 So in our submission back to them, we're going to  
6 mention it in the cover letter.

7 BOARD MEMBER SIMON: Yeah but --

8 MR. STEPHEN SPINA: We would like to, you know,  
9 continue to explore it for whatever, you know. They said  
10 they didn't, you know, they weren't in support of it  
11 initially. But --

12 BOARD MEMBER SIMON: Well, one of them --

13 MR. STEPHEN SPINA: That was discussed.

14 BOARD MEMBER SIMON: -- one of them should have  
15 been in the car when I driving there with the truck behind  
16 me. But nevertheless, I'm glad that you're still pursuing  
17 that.

18 And for one thing, just for clarification. Now,  
19 in preparing for the parking lot, you had to stock pile  
20 soil, obviously. But then that comes --

21 CHAIRPERSON SCHWARTZ: It's manmade slopes, it's  
22 still slopes and --

23 BOARD MEMBER SIMON: I still find -- that falls  
24 under the steep slope, even though you put --

25 DEPUTY COMMISSIONER SCHMIDT: Right.

1 CHAIRPERSON SCHWARTZ: Yeah. It's not the first  
2 time this has happened.

3 DEPUTY COMMISSIONER SCHMIDT: Much like the  
4 basins that they are creating, it will turn into wetlands.

5 CHAIRPERSON SCHWARTZ: It's probably something  
6 that we probably should look at, if and when we get to this  
7 endeavor of the steep slopes.

8 BOARD MEMBER SIMON: Yeah, okay. That's all my  
9 questions. Thank you very much.

10 CHAIRPERSON SCHWARTZ: Anybody else from the  
11 Board have any questions?

12 BOARD MEMBER DESAI: Yes.

13 CHAIRPERSON SCHWARTZ: Kirit, go ahead.

14 BOARD MEMBER DESAI: Following up on what Walter  
15 had a sort of a question about the entrance. I think there  
16 was a talk about putting some sign, no left turn?

17 BOARD MEMBER SIMON: Yeah.

18 MR. STEPHEN SPINA: Yeah. So we also discussed  
19 that with the DOT. We strongly feel that left turns should  
20 be allowed out of the driveway. We don't think it's  
21 warranted to remove that movement from the driveway and  
22 force everybody to go right.

23 There is good sight distance. There is low  
24 speeds there. There was no accident history. So all these  
25 factors, as we discussed with John Canning, the Traffic

1 Consultant here at the Town, and the DOT, nobody felt that  
2 it was warranted to remove that left-turn movement.

3 We are proposing some signage, though, some  
4 wayfinding signage. So if somebody is to leave the site  
5 and they know they want to head northbound, we put a sign.  
6 It's on the approved drawings, that is, it indicates that  
7 they should turn left here if they are going to go  
8 northbound. Because then they would go to the roundabout,  
9 turn right, go across the overpass and make the left. So  
10 we thought that would help that we worked with Garrett and  
11 John Canning on that.

12 And then there's also some internal signage to  
13 direct people who are parked down in this parking lot  
14 telling them to go straight and directing them down the  
15 internal driveway to the new traffic signal that was  
16 installed there.

17 And then there is another sign up at this  
18 intersection at the northeast corner of the building  
19 telling anyone who parked here to go left to go down the  
20 roadway to exit.

21 So we're trying to encourage them to go to the  
22 traffic signal as much as we can in terms of limiting the  
23 movements out of the driveway. And that's something that  
24 we worked closely with John Canning and Garrett and the DOT  
25 on. And that was the resolution that we all came up with



1 that we felt was a good solution.

2 BOARD MEMBER DESAI: And so the Town agrees  
3 with --

4 MS. JANET GIRIS, ESQ.: Yes, and that's already  
5 been approved.

6 BOARD MEMBER DESAI: That's been approved.

7 MS. JANET GIRIS, ESQ.: Yes.

8 MR. STEPHEN SPINA: Yes.

9 BOARD MEMBER DESAI: Also, there is an entrance  
10 across the thing from the same entrance to this parking  
11 lot, I believe.

12 DEPUTY COMMISSIONER SCHMIDT: The gas station?

13 CHAIRPERSON SCHWARTZ: That's the driveway.

14 BOARD MEMBER DESAI: Okay. So that's a gas  
15 station?

16 DEPUTY COMMISSIONER SCHMIDT: Across the street.

17 CHAIRPERSON SCHWARTZ: Yes.

18 MR. STEPHEN SPINA: Correct.

19 CHAIRPERSON SCHWARTZ: And a lot of people come  
20 out on Saw Mill River Road and make a left at 9A.

21 BOARD MEMBER DESAI: Yeah, that's my concern  
22 about safety and the people kind of trying to make a left  
23 turn to go south. And then these people are trying to go  
24 from other side, trying to do the left turn also. And if  
25 the Town Consultant had looked at it and he says okay, I'm

1           okay.

2                   CHAIRPERSON SCHWARTZ:   So is the Town Board  
3           because that actually was a Site Plan Approval.  So they  
4           already approved that.

5                   DEPUTY COMMISSIONER SCHMIDT:  Correct.

6                   CHAIRPERSON SCHWARTZ:  It's not our jurisdiction  
7           tonight.  Thank you.

8                   BOARD MEMBER DESAI:  Okay.

9                   MS. JANET GIRIS, ESQ.:  And one of the reasons  
10          that it took us so long to get back to you is because we  
11          spent the time at the Town Board working with the Town's  
12          Consultant, with Aaron and Garrett, the DOT to try to  
13          resolve all of these items.

14                  BOARD MEMBER DESAI:  So if I understand correctly  
15          now from your explanation, so you presented and they looked  
16          at the numbers and the accident data and --

17                  MS. JANET GIRIS, ESQ.:  Yes.  Everything, yes.

18                  BOARD MEMBER DESAI:  And the DOT and Town  
19          Consultant --

20                  MS. JANET GIRIS, ESQ.:  Yes.

21                  BOARD MEMBER DESAI:  -- agreed that there is no  
22          need for any more signage?

23                  MS. JANET GIRIS, ESQ.:  Yes.

24                  BOARD MEMBER DESAI:  Okay, thanks.

25                  DEPUTY COMMISSIONER SCHMIDT:  Or restriction.

1 BOARD MEMBER DESAI: Restriction, yeah.

2 CHAIRPERSON SCHWARTZ: Okay. Does anybody else  
3 from the Board have any questions?

4 (Whereupon, there was no response.)

5 CHAIRPERSON SCHWARTZ: Anybody from the audience  
6 that have questions on this? Murray, if it's going to be  
7 the same thing, please don't. Please. Do you have  
8 something else to talk about?

9 MR. MURRAY BODIN: Yes.

10 CHAIRPERSON SCHWARTZ: Okay. Briefly, please.  
11 Remember, we're all volunteers and we all have other things  
12 to do tonight. And the people waiting in the audience.

13 MR. MURRAY BODIN: Yeah, but when the volunteers  
14 have been doing it wrong for years, then it's time to speak  
15 up. There are two sets of rules on the Mosque on Saw Mill  
16 River Road. Have sight lines that are lousy. And I have a  
17 driveway because they played games and came in from a  
18 private driveway. And there are no -- You could go either  
19 way without any question. And the sight lines are lousy.

20 There are two sets of rules. I see that and I  
21 say you permit that. And then you come in with -- the DOT  
22 comes in and says well, you need this, this and that.  
23 There is a conflict there. And the DOT is wrong.

24 What I came to say about is the curbs. All of  
25 the curbs that are going in there should be mountable

1 curbs, not straight curbs. Why?

2 Because when I came here tonight on Secor Road, a  
3 truck came at me over the yellow line. And if there was a  
4 mountable curb, I could have gotten out of the way. In the  
5 meantime, he missed me by about that much. Tonight, right  
6 here, Secor Road.

7 Standard plans on parking areas had a curb in the  
8 middle with plantings in there so you couldn't pull through  
9 to come out the other side. That has to change. Every  
10 place, you had trees there with this, whatever, in the  
11 middle, so you couldn't go through. Everywhere it's  
12 possible, that has to be changed.

13 You want to put a tree there, that's fine. But  
14 it's safer and everybody to be able to go through and not  
15 have to back out. That's about it.

16 CHAIRPERSON SCHWARTZ: Thank you, Murray.  
17 Appreciate it.

18 MR. MURRAY BODIN: And yes, it came out at the  
19 Westchester County Legislators where a month ago they gave  
20 me a hard time because I was in my wheelchair. This time,  
21 I complained about it. And this time, they changed the  
22 system completely. Westchester County Board of Legislator  
23 is not the same one that it was two months ago. They  
24 upgraded and they are thinking.

25 People spoke to me there who have never spoken to

1 me before. They have changed and they are going to do  
2 things differently. They recognize that they were doing  
3 things in their system that no longer exists. I was there  
4 in a wheelchair. I had to use a legislative microphone  
5 because I couldn't get to the one up on top. And then  
6 afterward people spoke.

7 The Chairman never spoke to me before. We had a  
8 conversation. So am I wrong? The Board changed in a  
9 positive way. And I complimented them on the way they  
10 changed. And they recognized they have been doing things  
11 the same for too long. Step by step, we're going forward.

12 CHAIRPERSON SCHWARTZ: Thank you. Thank you very  
13 much. Thank you, Murray.

14 BOARD MEMBER GOLDEN: Murray, I see that coming  
15 to the Planning Board is good for your health. You're only  
16 using a cane today.

17 CHAIRPERSON SCHWARTZ: Murray. Murray.

18 MR. MURRAY BODIN: I fell down six months ago in  
19 January and I injured my right hip.

20 CHAIRPERSON SCHWARTZ: Okay.

21 MR. MURRAY BODIN: And I can't do what I used to  
22 do. It still hasn't healed, six months later. And my  
23 electric wheelchair is in the car.

24 CHAIRPERSON SCHWARTZ: Thank you very much. Is  
25 there anybody else from the audience want to speak?

1 Anybody on Zoom want to speak?

2 DEPUTY COMMISSIONER SCHMIDT: No.

3 (Whereupon, there was no response.)

4 CHAIRPERSON SCHWARTZ: No, okay. Then I'll take  
5 a motion to close the Public Hearing. Keep the record open  
6 to the 12th?

7 DEPUTY COMMISSIONER SCHMIDT: Correct.

8 VICE CHAIRPERSON HAY: So moved.

9 CHAIRPERSON SCHWARTZ: Tom. Do I have a second,  
10 please?

11 BOARD MEMBER SNAGGS: Second.

12 CHAIRPERSON SCHWARTZ: Second, Johan. All in  
13 favor? Aye.

14 VICE CHAIRPERSON HAY: Aye.

15 BOARD MEMBER SIMON: Aye.

16 BOARD MEMBER GOLDEN: Aye.

17 BOARD MEMBER DESAI: Aye.

18 BOARD MEMBER SNAGGS: Aye.

19 BOARD MEMBER DAVIS: Aye.

20 ALTERNATE BOARD MEMBER SPARKS: Aye.

21 CHAIRPERSON SCHWARTZ: All opposed?

22 (Whereupon, there was no response.)

23 CHAIRPERSON SCHWARTZ: So we will make the  
24 decision on the 17th, okay.

25 MS. JANET GIRIS, ESQ.: Thank you very much. We

1 look forward to it.

2 CHAIRPERSON SCHWARTZ: Thank you for everything  
3 you guys do. Appreciate it.

4 MS. JANET GIRIS, ESQ.: Thank you.

5 MR. STEPHEN SPINA: Thank you.

6 CHAIRPERSON SCHWARTZ: I'll take a motion to  
7 close the Public Hearing portion of our meeting tonight.

8 BOARD MEMBER SIMON: So moved.

9 CHAIRPERSON SCHWARTZ: Walter. Do I have a  
10 second?

11 BOARD MEMBER SNAGGS: Second.

12 CHAIRPERSON SCHWARTZ: Second, Johan. All in  
13 favor? Aye.

14 VICE CHAIRPERSON HAY: Aye.

15 BOARD MEMBER SIMON: Aye.

16 BOARD MEMBER GOLDEN: Aye.

17 BOARD MEMBER DESAI: Aye.

18 BOARD MEMBER SNAGGS: Aye.

19 BOARD MEMBER DAVIS: Aye.

20 ALTERNATE BOARD MEMBER SPARKS: Aye.

21 CHAIRPERSON SCHWARTZ: All oppose?

22 (Whereupon, there was no response.)

23 CHAIRPERSON SCHWARTZ: Okay. We will go back  
24 into Work Session in a couple of minutes.

25 (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 Public Hearing of the Greenburgh Planning Board Meeting proceedings held on June 5, 2024, taken by the undersigned, to the best of her ability.

Barbara Marciante

Barbara Marciante,  
Official Court Reporter