

TOWN OF GREENBURGH
PLANNING BOARD

-----x
1. ROLL CALL

5. ITEMS FOR PUBLIC HEARING/PUBLIC DISCUSSION

a. CASE NO. PB 23-24
LEE & CHENG
260 South Healy Avenue
(P.O. Scarsdale, N.Y.)

b. CASE NO. PB 20-09
Lightbridge Academy
529 West Central Park Avenue
(P.O. Scarsdale, N.Y.)

ADJOURNMENT.

-----x
Greenburgh Town Hall
177 Hillside Avenue
Greenburgh, New York 10607
August 7, 2024

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(Virtually)

WALTER SIMON, Board Member
KIRIT DESAI, Board Member
MICHAEL GOLDEN, Board Member(Not Present)
LESLIE DAVIS, Board Member
JOHAN SNAGGS, Board Member
AISHA SPARKS, Alternate Board Member

AMANDA MAGANA, Deputy Town Attorney

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

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

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

4 DEPUTY COMMISSIONER SCHMIDT: Chairperson
5 Schwartz?

6 CHAIRPERSON SCHWARTZ: Here.

7 DEPUTY COMMISSIONER SCHMIDT: Mr. Simon?

8 BOARD MEMBER SIMON: Here.

9 DEPUTY COMMISSIONER SCHMIDT: Mr. Snaggs?

10 BOARD MEMBER SNAGGS: Here.

11 DEPUTY COMMISSIONER SCHMIDT: Ms. Davis?

12 BOARD MEMBER DAVIS: Here.

13 DEPUTY COMMISSIONER SCHMIDT: Mr. Desai?

14 BOARD MEMBER DESAI: Here.

15 DEPUTY COMMISSIONER SCHMIDT: Ms. Sparks, our
16 Alternate?

17 ALTERNATE BOARD MEMBER SPARKS: Present.

18 DEPUTY COMMISSIONER SCHMIDT: Mr. Hay on Zoom?

19 VICE CHAIRPERSON HAY: Here.

20 DEPUTY COMMISSIONER SCHMIDT: Mr. Golden is not
21 present this evening. So Ms. Sparks will be a full voting
22 member.

23 CHAIRPERSON SCHWARTZ: Okay. First case is PB
24 23-24, Lee and Cheng. That's 260 South Healy Avenue, for a
25 Wetland Watercourse Permit and a Tree Removal Permit. Can

1 the applicant take us -- Give your name and address and
2 take us through the project, please.

3 MR. VAGELES SOPHIAS: Yes. My name is Vageles
4 Sophias with Hartland Engineering. We prepared the site
5 engineering plans for the project. The site is located at
6 260 South Healy Avenue.

7 So we have here is the lot, subject lot is
8 located on South Healy Avenue as shown on the screen right
9 now, the Google images. There is an existing home there
10 right now that has been -- that burnt down. There was a
11 fire, fire damage, extensive fire damage. And the proposed
12 project will be to remove that single-family home and
13 replace it with a single-family home as well.

14 The site is accessed by one -- by an existing
15 driveway to the north side of the site as shown in this
16 location of this red dot. The plan is for that existing
17 driveway to be reused in order to enter into the site.

18 The site is elevated at a plateau. It's a
19 substantial grade change on the lot. I'll just zoom in
20 here a little bit just to show some of the existing
21 conditions. Just wait one second.

22 So this is the street view where we're showing
23 and the existing home is perched up at the top of this, the
24 center of the lot itself.

25 And then moving to the plan, the plan -- the

1 rendering itself just to get an idea of what the home will
2 look like. So this is a rendering from the architectural
3 plans. And for reference, it's two stories with a
4 basement, four-bedroom home.

5 So the plan that we have up on the screen is the
6 site plan. So again, the existing driveway is to the north
7 side of the site, which will be utilized again as the
8 proposed development.

9 The home essentially is in the same location --
10 the proposed home is essentially in the same location as
11 the existing home simply because of just the steep slopes
12 that surround this site.

13 The project itself, we will be proposing to
14 remove one tree in the backyard. And then in addition to
15 that, a key feature to the site, the south, on the south
16 side of the site, there is a watercourse. We went and
17 presented this in front of this Board and the --

18 DEPUTY COMMISSIONER SCHMIDT: Conservation.

19 MR. VAGELES SOPHIAS: The Conservation, thank
20 you. And they provided some feedback. And we've
21 implemented that into the plans, but nothing substantial.

22 In addition to that, the plans themselves have
23 been submitted to the Bureau of Engineering. After a few
24 rounds of comments, they are satisfactory with our
25 approach.

1 So the existing conditions, as they stand right
2 now, is all of the storm water essentially just discharges
3 off the site. There -- ultimately there isn't a storm
4 water management system.

5 DEPUTY COMMISSIONER SCHMIDT: Currently?

6 MR. VAGELES SOPHIAS: Currently. Again, with
7 back and forth with the Bureau of Engineering, the storm
8 water management for the site is presented on the screen.
9 The general approach is all of the impervious area on site
10 will be directed to a storm water management system.

11 A good thing to point out is that the overall
12 impervious coverage, we actually reduce it by just under
13 200 square feet. So ultimately, there's no net change to
14 the coverages as a whole.

15 The storm water management system, again, is from
16 the roof and the partial -- about 60 percent of the
17 driveway is directed to an underground storm water
18 management detention system that will collect the storm
19 water and release it at a reduced rate.

20 The second portion of the storm water management
21 system, which is to the north of a proposed trench drain,
22 will be directed to a drainage swale off to the south, to
23 the south portion of the driveway. That drainage swale is
24 comprised of drainage stone in order to mitigate that water
25 at the base of the drainage swale. There's also a catch

1 basin that will collect the storm water.

2 In addition to that, because of the tree removal,
3 we are also planting additional trees, four additional
4 trees, to offset that in order to comply with the
5 requirements. Ultimately, yes, that, in general, is the
6 project overview of this project.

7 CHAIRPERSON SCHWARTZ: Okay. I want to entertain
8 questions from the Board, but we will only do it one at a
9 time. So if you want to speak, please raise your hand.
10 Walter, and then Kirit.

11 BOARD MEMBER SIMON: One point of clarification,
12 I see you have the drainage at the end, well, about halfway
13 down, 40 percent down the driveway, that goes into that
14 retention pond. I'm assuming, correct me if I'm wrong,
15 that it's there and it's not at the end because of the
16 difference in height?

17 MR. VAGELES SOPHIAS: That's correct. So that's
18 a good point. The one thing that I did not mention is that
19 the site itself -- We performed three investigations, three
20 tests pits essentially triangulating the area.

21 Based on that, those tests pits, ground --
22 bedrock varies anywhere from 18 to 24 inches below grade.
23 So in order to -- If we were to install -- We're
24 strategically installing the detention system uphill at
25 that location because that would allow the water to collect

1 into this detention system and get released at a much
2 slower rate.

3 If we were to install this detention system down
4 at the base, ultimately, what we would be doing is just
5 installing a bathtub at the bottom of this because we would
6 have to excavate rock. And ultimately, it would become a
7 pool and water would just run out and --

8 BOARD MEMBER SIMON: Okay. But my question was
9 not the location of the Cultec system. Yeah, obviously,
10 you can't install that on rock.

11 My question is, at the end of the driveway, is
12 there any -- Is there anything that can be done to capture
13 that water to put either in that retention pond or well,
14 obviously, you can't put it uphill. But whether or not, is
15 there anything you can do to capture that at the retention
16 basin?

17 MR. VAGELES SOPHIAS: Yes. So just north of that
18 trench drain, the driveway is designed to slope towards a
19 drainage swale.

20 BOARD MEMBER SIMON: Okay. You answered my
21 question. You did, you answered my question. Thank you.

22 CHAIRPERSON SCHWARTZ: That was something we
23 handled at the Work Session. I think we discussed that.

24 MR. VAGELES SOPHIAS: Yes.

25 BOARD MEMBER SIMON: Yes.

1 CHAIRPERSON SCHWARTZ: Kirit, go ahead.

2 BOARD MEMBER DESAI: Yeah, I think it's related
3 to what Walter said, some of the things you clarified. So
4 if that slope is toward the house from the driveway, where
5 I understand that drain at the end of the driveway brings
6 the water back to the -- back to the thing -- back to the
7 retention tanks or to the --

8 MR. VAGELES SOPHIAS: Well, I guess one point of
9 clarification, from the bottom of the drain, it goes up.
10 It slopes up from the property line.

11 CHAIRPERSON SCHWARTZ: So where does the water go
12 on that bottom drain, I think is the question.

13 MR. VAGELES SOPHIAS: At this -- at the base of
14 the --

15 CHAIRPERSON SCHWARTZ: Driveway.

16 MR. VAGELES SOPHIAS: -- of the swale in the
17 driveway, it collects --

18 CHAIRPERSON SCHWARTZ: Yeah.

19 MR. VAGELES SOPHIAS: -- and daylights at this
20 location. So it discharges it.

21 CHAIRPERSON SCHWARTZ: Okay. So it just
22 percolates there.

23 MR. VAGELES SOPHIAS: Correct.

24 CHAIRPERSON SCHWARTZ: Okay.

25 MR. VAGELES SOPHIAS: Ultimately, most of the

1 water is captured in that drainage swale.

2 CHAIRPERSON SCHWARTZ: Okay, yeah.

3 BOARD MEMBER DESAI: Oh, so it's not much of the
4 water, it's going to come back to the retention.

5 MR. VAGELES SOPHIAS: No. No.

6 BOARD MEMBER DESAI: Okay. So what is that other
7 dash line mean?

8 MR. VAGELES SOPHIAS: This dash line?

9 BOARD MEMBER DESAI: Yeah.

10 MR. VAGELES SOPHIAS: That's the overflows, the
11 orifice and the overflow from the detention tank.

12 BOARD MEMBER DESAI: And then it goes to the
13 street?

14 MR. VAGELES SOPHIAS: That's correct.

15 DEPUTY COMMISSIONER SCHMIDT: The front yard, not
16 directly to the curb.

17 MR. VAGELES SOPHIAS: No, no.

18 DEPUTY COMMISSIONER SCHMIDT: It goes to the
19 front yard.

20 MR. VAGELES SOPHIAS: No, no, to the front yard,
21 correct.

22 DEPUTY COMMISSIONER SCHMIDT: Right. And that
23 was reviewed by the Town Engineer and deemed acceptable.

24 BOARD MEMBER DESAI: Right.

25 CHAIRPERSON SCHWARTZ: Any other questions from

1 the Board?

2 (Whereupon, there was no response.)

3 CHAIRPERSON SCHWARTZ: Okay, I will entertain
4 questions from the public on this. Can I have a show of
5 hands who wants to speak? You want to speak?

6 MR. ANDRE POCHACCO: Yeah.

7 CHAIRPERSON SCHWARTZ: And then you, okay. Come
8 on up.

9 DEPUTY COMMISSIONER SCHMIDT: Just give us your
10 name and address for the record at the mic. Thank you.

11 MR. ANDRE POCHACCO: My name is Andre
12 Pochacco(ph). I live 140 North Healy Avenue. And it looks
13 like I was a little bit confused about location of this
14 project now. Because right here in your paperwork, it says
15 500 feet south from the corner of South Healy and
16 Elizabeth.

17 And I was there today. I took a few pictures.
18 That's why I'm taking the picture of today. And on the
19 other side and at the location, I thought that the project
20 is going to take place, it's totally inaccessible.

21 It's absolutely impossible to build anything
22 there at all because there is a steep incline down to the
23 creek. So am I talking about the wrong location?

24 DEPUTY COMMISSIONER SCHMIDT: So you'll speak to
25 the Board. And to answer your question, so the property

1 does have a small creek at the lower elevation point on
2 that property.

3 But the location at which they are proposing to
4 construct is in place of, roughly, in place of the home
5 that more or less burnt down.

6 MR. ANDRE POCHACCO: No, that is the whole point.
7 I don't see the burned house 500 feet from corner of
8 Elizabeth and South Healy South --

9 DEPUTY COMMISSIONER SCHMIDT: Okay, so we're
10 talking about the same property. And I apologize for any
11 confusion on our end.

12 MR. ANDRE POCHACCO: Okay, but I'll talk to you
13 later. I can verify where the location is.

14 CHAIRPERSON SCHWARTZ: That could be done. That
15 could be done. I mean this is an existing --

16 MR. ANDRE POCHACCO: Because the whole property
17 goes all the way to the Healy South, I want to also make
18 sure --

19 CHAIRPERSON SCHWARTZ: There is a burnt down
20 house on the property still. So you should be able to see
21 it and you can work it out, too, to see it, okay. Thank
22 you.

23 MR. ANDRE POCHACCO: Okay.

24 DEPUTY COMMISSIONER SCHMIDT: You're free to
25 speak after the meeting.

1 CHAIRPERSON SCHWARTZ: Okay, great. Come on up.

2 MS. PATRICIA COOK: Hi, how are you. It's Pat
3 Cook and Rob Rosenberg.

4 MR. ROB ROSENBERG: Rob Rosenberg.

5 MS. PATRICIA COOK: We live at 15 Meadowview
6 Drive. Also, as you guys have it there, as Zero Meadowview
7 Drive, down the hill. So I guess I just wanted
8 clarification on two things. We're talking about water so
9 we can start with the water.

10 You mentioned two different -- If you can take
11 that down, that would be great. You mentioned two
12 different drainage areas. One is, I think those four
13 circles and then another one and a slow drainage. So I'm
14 trying to get where that's going to be. And also where was
15 it before?

16 DEPUTY COMMISSIONER SCHMIDT: So we will have the
17 applicant respond to that. Did you have any other
18 questions?

19 MS. PATRICIA COOK: Yeah. The other one was,
20 excuse me, you mentioned one tree being taken down and four
21 being put in its place. Where are those?

22 DEPUTY COMMISSIONER SCHMIDT: We will have him go
23 over that as well.

24 MS. PATRICIA COOK: Okay.

25 CHAIRPERSON SCHWARTZ: Did you want to --

1 MR. ROB ROSENBERG: Yeah. And really the
2 question about the tree, it's just that it's an extreme
3 steep slope behind the back of the property. So our
4 concern is just, you know, in terms of a tree coming down,
5 obviously, if it's a controlled takedown, that's fine.

6 You know, if not, there are potential
7 ramifications down that hill, which is where we're located.

8 CHAIRPERSON SCHWARTZ: That's why we have a Tree
9 Ordinance and they'll have a permit.

10 MS. PATRICIA COOK: And I will say --

11 CHAIRPERSON SCHWARTZ: They will have a permit.

12 MS. PATRICIA COOK: Yeah, so you're aware of
13 that. In the past, it was probably not even these owners.
14 It was probably a prior owner. But literally somebody cut
15 a tree down there and sliced it, rolled it down the hill,
16 like bullets, and almost killed my kids on the swing set.

17 MR. ROB ROSENBERG: Yeah.

18 MS. PATRICIA COOK: So I'm a little concerned
19 when I hear about trees being cut down and the waterways
20 after --

21 MR. ROB ROSENBERG: Uphill.

22 MS. PATRICIA COOK: Yeah.

23 CHAIRPERSON SCHWARTZ: That's why we even have a
24 17-page Tree Ordinance --

25 MS. PATRICIA COOK: Gotcha.

1 CHAIRPERSON SCHWARTZ: -- and a person who
2 watches the Tree Ordinance.

3 MS. PATRICIA COOK: Well, it will keep you busy.

4 DEPUTY COMMISSIONER SCHMIDT: And speaking to a
5 little bit with respect to the tree. So the Planning
6 Board, when this project was first presented to the Board,
7 there was a question about the potential to keep the large
8 Oak tree, which is centered on the lot like right behind
9 the existing home. So it's not into the slope and down the
10 slope.

11 And they asked the applicant and the professional
12 to look into the potential to preserve it. But due to the
13 rock out there and the little bit of site work that they do
14 have to do, the root system would be impacted to the point
15 that it could become a future hazard.

16 MS. PATRICIA COOK: Right.

17 DEPUTY COMMISSIONER SCHMIDT: So the idea, and
18 it's highlighted now, the location was to remove it,
19 replace it with four trees. The four trees are actually
20 going to be further into the backyard. So we will have the
21 applicant go through those to mitigate the removal of this
22 Oak tree.

23 In terms of it being removed, there is going to
24 be a perimeter or a limit of disturbance fencing that
25 they'll be working within. Probably, and I don't want to

1 speak for the team, but in all likelihood, they'll
2 probably, at the time of demolition of the home, they'll
3 also do the takedown.

4 And there is all sorts of insurance documents
5 that the Town receives and we have the ordinance in place,
6 as the Chairperson indicated. But we will have him speak
7 to the drainage and show you where the trees are going to
8 be --

9 MS. PATRICIA COOK: The before and after. I'm
10 curious about where the water is going.

11 DEPUTY COMMISSIONER SCHMIDT: Yes.

12 MS. PATRICIA COOK: Okay, thank you.

13 CHAIRPERSON SCHWARTZ: Again, would you please
14 ask to be recognized. Mr. Kirit --

15 BOARD MEMBER DESAI: Yeah.

16 CHAIRPERSON SCHWARTZ: Mr. Desai, would you like
17 to speak, Mr. Desai?

18 BOARD MEMBER DESAI: Yeah. Question to Aaron, is
19 there -- Do we have a landscape --

20 DEPUTY COMMISSIONER SCHMIDT: Plan?

21 BOARD MEMBER DESAI: Yes.

22 DEPUTY COMMISSIONER SCHMIDT: Yes. And the
23 landscaping shown on the plan now highlighted in green --

24 CHAIRPERSON SCHWARTZ: He can go over it with
25 Mr. Desai, that's okay. Thank you. Thank you very much.

1 MS. PATRICIA COOK: Thank you.

2 DEPUTY COMMISSIONER SCHMIDT: Thank you.

3 BOARD MEMBER DESAI: Yeah, the applicant can
4 answer that question, too.

5 CHAIRPERSON SCHWARTZ: Okay, so you have a couple
6 of questions that need to be answered that I heard. One is
7 discuss a little bit more of the drainage and how it gets
8 dissipated, okay. That's number one.

9 Number two, I hear just about what's going on
10 with the trees and the landscape plan as well. Is there a
11 third one I missed?

12 MS. PATRICIA COOK: Well, just with the water
13 more specifically. Where was it before and where is it
14 going now? Is it a change?

15 CHAIRPERSON SCHWARTZ: Okay. Where are the
16 changes in the drainage from what was there existing.

17 MS. PATRICIA COOK: Because it wasn't a problem
18 before.

19 CHAIRPERSON SCHWARTZ: Yes, okay.

20 MS. PATRICIA COOK: Thank you.

21 CHAIRPERSON SCHWARTZ: Okay. Yes.

22 MR. VAGELES SOPHIAS: So I guess I'll work
23 backwards. So the existing tree, again, is highlighted in
24 yellow that's shown on the plan right now, so you see the
25 proximity of the proposed home to that tree. And then the

1 four trees that are being planted to replace that are the
2 four trees that are planted in green.

3 And then in response to the tree removal, the
4 tree removal will be performed in accordance to the
5 requirements of the municipality. And all safety measures
6 need to be adhered to --

7 COURT REPORTER: I'm sorry, I didn't hear you.

8 MR. VAGELES SOPHIAS: I said that the tree will
9 be removed in accordance to the municipality's requirements
10 and all safety measures will be taken by the contractor as
11 it's required by them.

12 So the storm water management system. So right
13 now, ultimately what happens is the rain water from the
14 roof and the driveway just discharge out into the roadway
15 and down the hill, likely towards where it seems like
16 towards your home.

17 What is happening, what we are -- What the
18 project is proposing is the storm water from the roof is
19 just collected by a gutter system, right, that you would
20 see on every home. That gutter system is conveyed to a
21 storm water management system.

22 These are the four circles that are located in
23 this driveway. These are, they are called detention tanks.
24 They will collect this water. They are precast concrete
25 tanks. They will collect the water at the base. And I

1 will flip to the detail for it.

2 But what happens is, they get conveyed to these
3 systems at the bottom of this southern tank. There is an
4 orifice, a small pipe, that slowly releases the storm
5 water. And that storm water is released to the front yard
6 at a reduced rate.

7 So that manages the storm water from the
8 building, from the home, and also it manages approximately
9 60 percent of the driveway. The remainder 40 percent of
10 that driveway is designed where it's sloped from north to
11 south. It goes into a drainage swale.

12 I'll also show a detail of that, ultimately. So
13 it drains into this gravel drainage swale where,
14 essentially, it will slow down and percolate through.

15 And then as an additional measure, we have a
16 catch basin located at the base of the driveway just to
17 collect anything that passes over and then gets released
18 into the front yard area.

19 And then -- So this is the detail for the
20 drainage swale. So again, it's collected into a
21 drainage -- into this gravel bed. As you can see, the
22 swale that we have here is 18 inches. So it does collect a
23 substantial amount of volume and dissipated with the
24 gravel.

25 And then this is one of the four tanks that we

1 have where the storm water enters into the site -- into the
2 tank and gets released at this bottom 4-inch outlet pipe at
3 a reduced rate.

4 DEPUTY COMMISSIONER SCHMIDT: And then, if I may,
5 whereas today, because you asked about current conditions,
6 and correct me if I'm wrong, you indicated that today there
7 are no gutters. There are no underground tanks.

8 Where ever the water hits, it flows in whatever
9 downhill direction it can. There is a lot of land between
10 the slope and the wooded area, that area is not going to be
11 disturbed in connection with the project.

12 The trees that are to be planted in the rear yard
13 will be up at the top of the area and not into the slope.
14 There won't be anything cut out of the slope. So that will
15 be protected as part of the project.

16 CHAIRPERSON SCHWARTZ: All right. There was one
17 gentleman from the back there. Come on up. Thanks.

18 MR. ELIO LOO: I'm Elio Loo. I live on 278 South
19 Healy. And the question is very simple. On the lower, the
20 south watercourse, probably I misunderstood, but there will
21 be no water from the work being done that will be located
22 to that part, right?

23 DEPUTY COMMISSIONER SCHMIDT: We will have the
24 applicant address that.

25 MR. ELIO LOO: Okay. And the second is, in one

1 of the drawings that I saw, and marked in yellow, the
2 boundary of that yellow mark, it takes part of the creek or
3 the easement part.

4 So the question is, I live there for almost 30
5 years. I understand that that brook is an easement that is
6 not -- does not belong to any of us or the new owners or
7 myself. But the line is as so.

8 If that were so, that the line indicates the
9 boundary of the property, then I'd been trying to get the
10 Town to fix that for since 1999. But I've always been, you
11 know -- They told me no, we can't do.

12 But if it belongs to somebody else, then maybe we
13 can work out to fix it. Because it's in very dear
14 condition.

15 In fact, I've been talking with the DPW now and
16 see what we can do based on what they did. The good job
17 they did on the back of the house that on their property.
18 Which by the way, now two stones fell so they need to come
19 back and fix that part. Okay, that's it.

20 DEPUTY COMMISSIONER SCHMIDT: Thank you.

21 CHAIRPERSON SCHWARTZ: Thank you very much.

22 DEPUTY COMMISSIONER SCHMIDT: Before you do
23 respond, with respect to the watercourse itself, we can
24 check in with our Department of Public Works. But my
25 understanding is that where this watercourse flows through

1 private property, that it is the responsibility of the
2 private property owners to maintain.

3 If there is an easement, we will follow up on
4 that. But there is no right of way if not owned by the
5 Town. It's ownership of the private property owners.

6 CHAIRPERSON SCHWARTZ: What if it actually is on
7 the applicant's property, would the applicant entertain
8 cleaning that thing up as part of this project?

9 MR. VAGELES SOPHIAS: Yes.

10 CHAIRPERSON SCHWARTZ: Okay.

11 DEPUTY COMMISSIONER SCHMIDT: Debris, things of
12 that nature, anything that may be impeding flows --

13 MR. VAGELES SOPHIAS: That's correct. If there
14 is any foliage, branches, what have you, that certainly
15 could be cleaned up.

16 CHAIRPERSON SCHWARTZ: Right. Okay.

17 DEPUTY COMMISSIONER SCHMIDT: Okay.

18 MR. VAGELES SOPHIAS: And I guess, if I'm
19 understanding correctly, the project does not have any
20 direct connection to this watercourse.

21 DEPUTY COMMISSIONER SCHMIDT: Okay.

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

24 (Whereupon, there was no response.)

25 CHAIRPERSON SCHWARTZ: Okay, then I will take a

1 motion to close the Public Hearing and leave the record
2 open until --

3 DEPUTY COMMISSIONER SCHMIDT: Leave the record
4 open, in this case, for two weeks until August 21st. So
5 our next meeting is not until September 4th.

6 BOARD MEMBER DESAI: So moved.

7 BOARD MEMBER SIMON: So moved.

8 CHAIRPERSON SCHWARTZ: Kirit and Walter.

9 BOARD MEMBER SIMON: I'll second.

10 CHAIRPERSON SCHWARTZ: All in favor? Aye.

11 BOARD MEMBER SNAGGS: Aye.

12 BOARD MEMBER SIMON: Aye.

13 BOARD MEMBER DESAI: Aye.

14 VICE CHAIRPERSON HAY: Aye.

15 BOARD MEMBER DAVIS: Aye.

16 ALTERNATE BOARD MEMBER SPARKS: Aye.

17 CHAIRPERSON SCHWARTZ: All opposed?

18 (Whereupon, there was no response.)

19 CHAIRPERSON SCHWARTZ: Any abstentions?

20 (Whereupon, there was no response.)

21 CHAIRPERSON SCHWARTZ: Okay, it passes. Okay,
22 thank you very much.

23 MR. VAGELES SOPHIAS: Thank you very much.

24 CHAIRPERSON SCHWARTZ: Have a good evening.
25 Thank you for the people coming out. A lot of comments.

1 Good seeing you guys.

2 MS. PATRICIA COOK: Good seeing you.

3 DEPUTY COMMISSIONER SCHMIDT: Have a good
4 evening.

5

6 * * * * *

7

8 CHAIRPERSON SCHWARTZ: Okay, Case PB 20-09,
9 Lightbridge Academy. Please take any conversations
10 outside, please, so we can keep going. Thank you.

11 Okay, Lightbridge Academy, 529 Central Park
12 Avenue, P.O. Scarsdale, an amendment to Site Plan and
13 Special Use Permit. Seemed to have been here again.

14 As I understand now, we have two things that have
15 happened since the last time we had met. One of them is
16 that the Zoning Board did not make a decision because they
17 wanted to see the as-built plan, which you can tell us what
18 the status of that is.

19 And second, we have now found out that there is a
20 permanent awning that goes over the play area outside and
21 also that that requires a variance.

22 DEPUTY COMMISSIONER SCHMIDT: Yes.

23 CHAIRPERSON SCHWARTZ: Is that correct,
24 Ms. Magana?

25 DEPUTY TOWN ATTORNEY MAGANA: Yes.

1 DEPUTY COMMISSIONER SCHMIDT: Yes.

2 CHAIRPERSON SCHWARTZ: All right. So if you want
3 to give me an update on that thing, those things, in terms
4 of where we are with the as-built and all of that. And
5 then we can talk, I don't know what else we need to talk
6 about tonight but.

7 MR. MATTHEW DUDLEY, ESQ.: Sure. Good evening,
8 Mr. Chairman, Members of the Board, and Town Staff. My
9 name is Matthew Dudley from Harris Beach, PLLC., attorney
10 for the applicant, 529 Central Park Avenue, LLC. with
11 respect to this application for an Amended Site Plan
12 Approval and Special Permit Approval for the operation of
13 its child daycare center at 529 Central Park Avenue.

14 It's known as Lightbridge Academy. It's been
15 operating for a number of years now.

16 As Mr. Chairman explained, since our last meeting
17 before your Board in July, that was on July 17th, we had an
18 as-built survey prepared for the site so that the revised
19 submissions, plans could be overlaid upon that as-built
20 survey to show what the condition of the site is currently
21 after it had been built up.

22 That as-built survey and revised plans have been
23 provided to the Town. We worked with Mr. Schmidt and
24 Mr. Britton to revise those plans. In addition, the
25 Building Department, Building Inspector, reviewed the

1 revised plans.

2 The revised plans show a canopy. It's a shade
3 over the play area of the daycare center that impedes upon
4 the front yard setback of the property by approximately
5 five feet. That setback is a 20-foot setback.

6 It's approximately 15 feet from the border of the
7 property to the edge of that canopy shade. Thus, requiring
8 an additional area variance from the Zoning Board.

9 As Mr. Chairman explained, last month, although
10 the then current application for one area variance for less
11 than the minimum required off-street parking spaces have
12 been -- the Hearing had been closed for decision last
13 month.

14 The Zoning Board decided to reopen the Hearing
15 for new information, specifically that being any new
16 information provided by the as-built which, in turn, does
17 require an additional minor area variance for that canopy.

18 Additionally, and Jesse Cokeley is here with me
19 tonight from Colliers Engineering. He also worked with
20 Jason Coppola, the Town Engineer, and Town Counsel. They
21 met, virtually, I believe yesterday, to run by the revised
22 submission with the Engineering Department. And also I
23 believe --

24 CHAIRPERSON SCHWARTZ: Do you have a report on
25 that, what happened at that meeting?

1 MR. MATTHEW DUDLEY, ESQ.: Jesse -- I was not
2 there personally, but Jesse --

3 CHAIRPERSON SCHWARTZ: Okay, let Jesse do it and
4 Amanda, if you can add anything.

5 DEPUTY TOWN ATTORNEY MAGANA: Sure.

6 MR. MATTHEW DUDLEY, ESQ.: Do you want to speak
7 to that a little bit?

8 MR. JESSE COKELEY: Yeah. Well, I was going to
9 go through everything.

10 MR. MATTHEW DUDLEY, ESQ.: Okay.

11 CHAIRPERSON SCHWARTZ: Okay. Well, you can
12 finish your presentation.

13 MR. MATTHEW DUDLEY, ESQ.: Okay. And then we
14 also note that John Canning, the Town's outside traffic
15 consultant, has also reviewed the plans and at least opined
16 upon the revised submission of the crosswalk from the
17 sidewalk that runs parallel to the driveway up to those ADA
18 parking spaces that we propose for this revision.

19 We're currently scheduled to be on the Zoning
20 Board's Hearing for the two area variances next week, next
21 Thursday, I believe, the 15th.

22 CHAIRPERSON SCHWARTZ: Okay.

23 MR. MATTHEW DUDLEY, ESQ.: And I have Jesse here
24 to explain anything in more detail and answer any questions
25 that you may have.

1 MR. JESSE COKELEY: Thanks, Matt. Jesse Cokeley,
2 again, with Colliers Engineering and Design. So as Matt
3 indicated, we were here on the 17th of July. We got the
4 surveyor back out there the week of the 22nd. We
5 incorporated the as-built information into the Amended Site
6 Plan and resubmitted that on July 31st.

7 The revisions to the plan, to the Site Plan, I
8 should say, include the as-built information for the
9 retaining wall with elevations and the drainage structures
10 that were specifically requested at the last Planning Board
11 meeting.

12 We're also showing the proposed bollards added to
13 the plan where the site driveway is up against the
14 retaining wall and turns north towards the playground.
15 These would be the same bollards that were approved and
16 constructed on the north end of the lot that were installed
17 to provide protection to the playground area from the
18 parking lot.

19 In the July 31st Building Inspector's memo, they
20 note that the proposed bollards does provide adequate
21 access with and that the as-built -- an updated as-built
22 would be required upon completion of the installation of
23 those bollards. And that a separate building permit would
24 be needed to construct those bollards and install those
25 bollards.

1 We also added proposed signage for three of the
2 compact car spaces per the Building Inspector's memo.
3 Those are for cars with a maximum length of 15.58 feet per
4 the Town Code.

5 CHAIRPERSON SCHWARTZ: And those spaces are
6 17 feet, I understand?

7 MR. JESSE COKELEY: So we stripe them 17 to
8 provide room for the sign.

9 CHAIRPERSON SCHWARTZ: Right.

10 MR. JESSE COKELEY: And then a, you know, a
11 16-foot car or less in that spot.

12 CHAIRPERSON SCHWARTZ: Okay, yeah.

13 MR. JESSE COKELEY: The existing crosswalk,
14 obviously, was, you know, a topic of discussion at the last
15 meeting. So that was reconfigured to extend to the striped
16 ADA island. And then we delved into the MUTCD standard a
17 little bit for more on the striping of the crosswalk.

18 While that is not necessarily hard and fast rule
19 that they be parallel to the flow of traffic, the intention
20 for that is to provide advance warning for high speeds.
21 This is, obviously, not a high-speed scenario.

22 But they are also intended to be parallel so that
23 tires -- they would be aligned with a wheel path. But they
24 could be diagonal up to 45 degrees.

25 Mr. Dudley said we are in receipt of an email

1 from the Town's traffic consultant, John Canning, who
2 recommends, and we would tend to agree, I saw the email
3 yesterday, to put the, I'll call them, longitudinal lines
4 on the sides to make it like a true ladder. I think that
5 solves the problem.

6 CHAIRPERSON SCHWARTZ: Truthfully, I don't know
7 how you'd ever get them parallel since it's around the
8 corner. But that's -- I'm not lousy at geometry, but I
9 only think it could be parallel one way or the other.

10 MR. JESSE COKELEY: Yeah, they do -- So the
11 latest edition of the MUTCD does talk about roads along a
12 curve and things like that and the parallax effect, right,
13 when you see something or you don't. So I think by putting
14 the lines on the side would button up so --

15 CHAIRPERSON SCHWARTZ: Yeah, it looks good. So
16 you're using the darker lines.

17 MR. JESSE COKELEY: The darker ones. But then I
18 would bracket them on the sides, too, with the rails.

19 CHAIRPERSON SCHWARTZ: Okay, got it.

20 MR. JESSE COKELEY: Again, Matt touched --
21 Mr. Dudley touched on this, but the Building Inspector's
22 memo also notes the need for the additional variance for
23 the canopy. That is -- that wasn't shown on the original
24 plan. I think maybe because the playground layout wasn't
25 fully squared away yet.

1 But if you're familiar with this site, if you've
2 been, or any childcare site, it's kind of like a tree stand
3 almost over the jungle gym. And it has like a couple arms
4 and they drape the canopy over it in the summer months.

5 So in the winter months, it's usually not on.
6 But it still is a structure so it was a catch that we would
7 need that variance.

8 And then lastly, as Mr. Dudley indicated, we did,
9 at the recommendation of this Board, we did meet with the
10 Town Engineering Department to discuss the drainage
11 modifications associated with this Amended Site Plan. Town
12 Counsel was there as well.

13 They did not see any issue with the relocation of
14 the inlet from the corner that was on the approved plan.
15 That was just -- that was relocated as a result of the
16 retaining wall kind of extending around the corner and
17 leveling off the playground. So that was no longer
18 leveling off of the parking lot. Excuse me. So that was
19 no longer a low spot.

20 And it was positioned here to collect the
21 underdrain from the playground, but also the roof drains as
22 well. So it's a more economical drainage solution without
23 an impact to low points or anything of the nature. So
24 Mr. Coppola didn't see an issue with that change.

25 They also did not see an issue with the addition

1 of the proposed bollards along the curb line there. They
2 are in the exact same position as the posts are for the
3 guide rail. So the water would navigate around that.

4 And also, we added the perforated underdrain on
5 to the plan. That's at the toe of the retaining wall. The
6 bollard footings do not go all the way to that spot so they
7 would not be impacted. Mr. Coppola did not see an issue
8 with that.

9 The one request that he did have is, you can see
10 on the existing information here, and you have that
11 existing drain, you know, it's kind of just showing the
12 general orientation of the pipes coming in and out.
13 Mr. Coppola requested that the as-built be further updated
14 showing like where that connection is then made
15 downstream --

16 CHAIRPERSON SCHWARTZ: That makes sense, yeah.

17 MR. JESSE COKELEY: -- and for the other thing.
18 So I would propose that, we have no problem doing that,
19 obviously, we'd want that. And the Building Inspector's
20 memo on the 31st said that an as-built would be required
21 after the bollards are installed.

22 I would propose we would just pick all of that up
23 at the same shot and provide it to the Town for final
24 review.

25 CHAIRPERSON SCHWARTZ: Okay. Well, then you're

1 going to be moving him a little bit then to do that, right?

2 MR. JESSE COKELEY: Moving?

3 CHAIRPERSON SCHWARTZ: Well, you just said the
4 drain -- you said the drain pipes, is what you're saying?

5 DEPUTY TOWN ATTORNEY MAGANA: No. It's just to
6 show where the drainage goes. So he was concerned about --

7 CHAIRPERSON SCHWARTZ: Oh, I see, okay.

8 MR. JESSE COKELEY: Yeah.

9 DEPUTY COMMISSIONER SCHMIDT: It just shows --

10 DEPUTY TOWN ATTORNEY MAGANA: They might connect
11 it to the sewer because it was closed. It's hard to tell.

12 But also, correct me if I'm wrong, I believe
13 Mr. Coppola had previously said that the relocation of the
14 drainage infrastructure on the site was previously approved
15 by the Town Engineer's office.

16 MR. JESSE COKELEY: Correct. Correct.

17 CHAIRPERSON SCHWARTZ: Okay. Thank you.

18 MR. JESSE COKELEY: That's pretty much the
19 changes to the Site Plan.

20 CHAIRPERSON SCHWARTZ: Great. Thank you.

21 Ms. Magana, do you anything else to add?

22 DEPUTY TOWN ATTORNEY MAGANA: No. It's perfect.

23 CHAIRPERSON SCHWARTZ: Okay, great. Any
24 questions from the Board?

25 (Whereupon, there was no response.)

1 CHAIRPERSON SCHWARTZ: Okay. Anybody in the
2 public want to speak on Lightbridge tonight? Yes, sir,
3 come to the podium.

4 MR. DANNY D'ADAMO: Hello. My name is Danny
5 D'Adamo. I'm the managing member of Grayrock Associates,
6 the owner of the property directly in front, 531 CPA.

7 CHAIRPERSON SCHWARTZ: Speak into the microphone,
8 a little bit, please. Thank you.

9 DEPUTY COMMISSIONER SCHMIDT: Thank you.

10 MR. DANNY D'ADAMO: You want me to repeat or?

11 CHAIRPERSON SCHWARTZ: No, no, you're fine. Just
12 go.

13 MR. DANNY D'ADAMO: Mr. Senor couldn't be here
14 tonight so I have to be the engineer. I have a couple of
15 questions for the applicant.

16 CHAIRPERSON SCHWARTZ: Just please address them
17 to the Board. They can hear you.

18 MR. DANNY D'ADAMO: I would like to know what his
19 opinion is, what is the safe distance of those bollards
20 that are going to be installed from the face of the wall?

21 DEPUTY COMMISSIONER SCHMIDT: Okay. I would like
22 you to go through all of your questions and then we will
23 have them respond to everything at one time.

24 MR. DANNY D'ADAMO: How does that canopy affect
25 the drainage onto the property?

1 DEPUTY COMMISSIONER SCHMIDT: I see them taking
2 notes. So they'll respond to all of them.

3 CHAIRPERSON SCHWARTZ: I am, too. Keep going.

4 MR. DANNY D'ADAMO: On the drawing, the retaining
5 wall encroaches my property on the -- both ends where it
6 makes the turn and -- I'm trying to read his notes.

7 DEPUTY COMMISSIONER SCHMIDT: You're saying like
8 in this area?

9 MR. DANNY D'ADAMO: Yeah, right there, and the
10 other end.

11 DEPUTY COMMISSIONER SCHMIDT: Up top?

12 MR. DANNY D'ADAMO: In the back.

13 DEPUTY COMMISSIONER SCHMIDT: Okay. We will have
14 the applicant address that.

15 MR. DANNY D'ADAMO: And then -- Well, let them
16 answer that.

17 CHAIRPERSON SCHWARTZ: Okay.

18 DEPUTY COMMISSIONER SCHMIDT: Okay. So we
19 will --

20 MR. DANNY D'ADAMO: I may have another question.

21 CHAIRPERSON SCHWARTZ: Okay.

22 DEPUTY COMMISSIONER SCHMIDT: That's okay.

23 CHAIRPERSON SCHWARTZ: Okay. I just want, for
24 the record, we did receive a detailed letter from Mr. Senor
25 today. I don't know if you -- I don't even think you got

1 it.

2 DEPUTY COMMISSIONER SCHMIDT: They haven't gotten
3 it.

4 CHAIRPERSON SCHWARTZ: The Board hasn't even seen
5 it yet. It just came in today. Because of the situation
6 with the Zoning Board, we're going to have to continue the
7 Public Hearing into September anyway. So we're not going
8 to consider this letter tonight.

9 We will let it get distributed to the Members of
10 the Planning Board in preparation for the next meeting.

11 DEPUTY COMMISSIONER SCHMIDT: As well as to you.
12 We will forward it along tomorrow morning.

13 CHAIRPERSON SCHWARTZ: Okay. If you can answer,
14 answer the questions, please, for this gentleman.

15 MR. JESSE COKELEY: Sure. So the safe distance
16 for the bollards from the wall, we're matching the distance
17 that the guide rail posts are from the wall. That was what
18 was the spec of the retaining wall manufacturer for their
19 installation. The bollards themselves are spaced five feet
20 a part, which is narrower than a vehicle.

21 So that is pretty much doing the purpose. They
22 are also, excuse me, a little bit taller than the guide
23 rail itself. The guide rail is down around 30-inches. The
24 bollards would be about four to five feet high.

25 CHAIRPERSON SCHWARTZ: But I think his question,

1 though, in all fairness, okay, his question was other specs
2 for bollards in terms of safety, right. I don't know --
3 First of all, you have to -- I'm sure it depends on speed,
4 too.

5 But if there are any specs for that that would
6 confirm that they are a safe distance from that wall, that
7 a car can't go through them. I suspect they can't. But if
8 the specs, if they could be added to the record, that would
9 be great.

10 MR. JESSE COKELEY: Correct. We can provide the
11 specs for the bollards --

12 CHAIRPERSON SCHWARTZ: That would be great.

13 MR. JESSE COKELEY: -- that's not a problem.

14 CHAIRPERSON SCHWARTZ: That's all I'm asking.

15 MR. JESSE COKELEY: Yup.

16 CHAIRPERSON SCHWARTZ: Thank you.

17 MR. JESSE COKELEY: The drainage for the canopy,
18 would -- the canopy would not affect the drainage. It's
19 directly over the playground. It's sloped. The playground
20 is a pervious surface with an underdrain system. So that
21 would just -- it's almost like the canopy would not be
22 there if it rained.

23 CHAIRPERSON SCHWARTZ: Where does it -- But it's
24 blocking rain from coming on to it.

25 MR. JESSE COKELEY: Right.

1 CHAIRPERSON SCHWARTZ: So where does it -- If
2 it's running off the top of the canopy, where does it go?

3 MR. JESSE COKELEY: It's just -- it just drips
4 off the edge.

5 CHAIRPERSON SCHWARTZ: Into the pervious surface?

6 MR. JESSE COKELEY: Into the pervious surface.

7 DEPUTY COMMISSIONER SCHMIDT: That has the
8 underdrain?

9 MR. JESSE COKELEY: Correct.

10 DEPUTY COMMISSIONER SCHMIDT: Okay. And the
11 wall?

12 MR. JESSE COKELEY: And then the retaining wall,
13 I believe the as-built survey shows it up to and on the
14 property line. I don't believe it crosses over the
15 property line. You know, it's his property line. It's the
16 applicant's property line, too.

17 It's a common property line. It's right on it, I
18 believe, is the measurement so.

19 CHAIRPERSON SCHWARTZ: You should try to resolve
20 it before the approval, but it sounds more like a legal
21 matter than a matter for the Planning Board. Am I right on
22 that, Ms. Magana?

23 DEPUTY TOWN ATTORNEY MAGANA: That's not an issue
24 for us to opine on.

25 CHAIRPERSON SCHWARTZ: Yeah, that's what I

1 thought.

2 DEPUTY COMMISSIONER SCHMIDT: Us being the
3 Planning Board?

4 DEPUTY TOWN ATTORNEY MAGANA: Yes.

5 DEPUTY COMMISSIONER SCHMIDT: Thank you.

6 DEPUTY TOWN ATTORNEY MAGANA: Thank you.

7 CHAIRPERSON SCHWARTZ: Right, okay.

8 DEPUTY COMMISSIONER SCHMIDT: So the wall will
9 not be something before the Planning Board in terms of
10 where it's situated relative to the property line. I just
11 want that to be clear to all parties.

12 CHAIRPERSON SCHWARTZ: Right. It's not our job
13 to work on bordering disputes. It's not something that we
14 can resolve. Okay, any other questions?

15 MR. DANNY D'ADAMO: I just want to make --

16 CHAIRPERSON SCHWARTZ: What? Okay.

17 MR. DANNY D'ADAMO: The position of those
18 bollards, so the engineer understands my question. If you
19 can increase the --

20 DEPUTY COMMISSIONER SCHMIDT: Sure.

21 MR. DANNY D'ADAMO: And I remember I have one
22 other question. When it's up by the guardrail, it's a
23 distance from the face of the wall is further away and as
24 it gets closer to the turn, it's right up against the wall.
25 What's the reasoning for that?

1 DEPUTY COMMISSIONER SCHMIDT: It looks like there
2 is a curb in between the wall --

3 CHAIRPERSON SCHWARTZ: I think this has been
4 answered at the last meeting. You can take a look at the
5 record from the last meeting.

6 MR. DANNY D'ADAMO: That's why I wanted to make
7 sure the engineer specifies. If he can certify that those
8 positions is going to be good. Because Mr. Senor mentioned
9 that the manufacturer of the wall indicates the protective
10 area should be three feet from the face of the wall. And
11 New York State Code indicates that the design of those
12 bollards should be able to take a resistant load of
13 6,000 pounds.

14 DEPUTY COMMISSIONER SCHMIDT: Okay, so that's in
15 the letter --

16 MR. DANNY D'ADAMO: That's from the engineer --

17 DEPUTY COMMISSIONER SCHMIDT: They haven't gotten
18 the letter yet. So we will forward that along.

19 CHAIRPERSON SCHWARTZ: That will be addressed at
20 the next meeting.

21 DEPUTY COMMISSIONER SCHMIDT: Correct.

22 MR. DANNY D'ADAMO: I just want to end with a
23 simple statement. My father always told me, you plant a
24 tree crooked, it forever grows crooked. These parking
25 spaces were bad from the beginning and they are bad

1 tonight.

2 The applicant is trying to do everything to save
3 three spaces that they don't need. Their traffic study
4 says they have nine too many. So I don't understand why
5 all this is going through for safety.

6 As you know, the wall was hit over the weekend
7 and a car got stuck over the wall and it had to be towed.

8 The last thing is, the line that shows 24 feet on
9 that --

10 DEPUTY COMMISSIONER SCHMIDT: 24, this one?

11 MR. DANNY D'ADAMO: Yeah, you see it's not
12 straight. I think Mr. Senor in his letter said it's not
13 perpendicular. Why isn't that line straight to the wall?
14 Why does it have a curve? It's slanted.

15 DEPUTY COMMISSIONER SCHMIDT: The applicant will
16 address that. But it looks to me like since the parking
17 lot or the parking space line is not straight to -- They
18 are taking the straightest point from the edge of the
19 parking lot line to the bollards.

20 MR. DANNY D'ADAMO: But all the other lines are
21 directly straight to the wall. And that, Mr. Senor put in
22 his letter and said you need to be perpendicular to the
23 wall.

24 DEPUTY COMMISSIONER SCHMIDT: So we will have
25 them address that as well. Thank you.

1 CHAIRPERSON SCHWARTZ: If you're prepared to
2 answer any of those now, fine. If not, you can do it at
3 the next meeting.

4 MR. JESSE COKELEY: I was just going to say,
5 Aaron hit the nail on the head. We were just putting it to
6 the nearest bollard. That space does not have a bollard,
7 you know, directly along the line. So the 25.7 line is a
8 little askew. Obviously, the 24.8 line is askew.

9 We were just showing the distance from the edge
10 of those spaces to the nearest bollard. That's all. We
11 can put it perpendicular dimension, not a problem.

12 CHAIRPERSON SCHWARTZ: Just to show what the
13 radius is from the bollards.

14 MR. JESSE COKELEY: I think the minimum distance
15 is 24.

16 CHAIRPERSON SCHWARTZ: I got it.

17 DEPUTY COMMISSIONER SCHMIDT: Yes.

18 CHAIRPERSON SCHWARTZ: All right. Oh, yeah, the
19 one thing we need to do before we adjourn this from here,
20 we need the recommendation on this additional variance.

21 My recommendation would be, we do a neutral on
22 this one. Do I have a motion for recommending a neutral
23 variance on the accessory structure on the canopy?

24 BOARD MEMBER SIMON: So moved.

25 CHAIRPERSON SCHWARTZ: Walter. Do I have a

1 second?

2 BOARD MEMBER SNAGGS: Second.

3 CHAIRPERSON SCHWARTZ: Johan second. All in
4 favor? Aye.

5 VICE CHAIRPERSON HAY: Aye.

6 BOARD MEMBER SNAGGS: Aye.

7 BOARD MEMBER DESAI: Aye.

8 BOARD MEMBER DAVIS: Aye.

9 ALTERNATE BOARD MEMBER SPARKS: Aye.

10 CHAIRPERSON SCHWARTZ: All opposed?

11 (Whereupon, there was no response.)

12 CHAIRPERSON SCHWARTZ: Any abstentions?

13 (Whereupon, there was no response.)

14 CHAIRPERSON SCHWARTZ: Okay, it passes
15 unanimously. Thank you very much.

16 MR. MATTHEW DUDLEY, ESQ.: Thank you, everyone.

17 DEPUTY COMMISSIONER SCHMIDT: We will get that
18 off to the ZBA and a copy to you as well.

19 MR. MATTHEW DUDLEY, ESQ.: Okay, thank you.

20 CHAIRPERSON SCHWARTZ: Can I have a motion to
21 close the Public Hearing portion. Oh, we're going to
22 adjourn -- Do we have to vote to adjourn? No. We are
23 going to adjourn this to September 7th. And hopefully --

24 DEPUTY COMMISSIONER SCHMIDT: The 4th.

25 CHAIRPERSON SCHWARTZ: The 4th, I'm sorry.

1 Hopefully, at that time, if you get the plans to the Zoning
2 Board, we can do that and the work session at the same
3 time.

4 MR. MATTHEW DUDLEY, ESQ.: Thank you so much.

5 DEPUTY COMMISSIONER SCHMIDT: Have a good
6 evening.

7 CHAIRPERSON SCHWARTZ: Okay. Can I have a
8 motion -- Walter, don't go away yet. We have to adjourn
9 the Public Hearing. Can I have a motion to adjourn the
10 Public Hearing?

11 BOARD MEMBER DAVIS: So moved.

12 BOARD MEMBER SIMON: Second.

13 CHAIRPERSON SCHWARTZ: Leslie. Walter. All in
14 favor? Aye.

15 VICE CHAIRPERSON HAY: Aye.

16 BOARD MEMBER SIMON: Aye.

17 BOARD MEMBER SNAGGS: Aye.

18 BOARD MEMBER DESAI: 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: Okay, thank you.

24 (Whereupon, the Public Hearing was concluded.)

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

* * * * *

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 August 7, 2024, taken by the
undersigned, to the best of her ability.

Barbara Marciante

Barbara Marciante,
Official Court Reporter