



TOWN OF GREENBURGH
ZONING BOARD OF APPEALS Meeting Results
Thursday, July 17, 2025 – 7:00 P.M.

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2025 JUL 28 A 8:12

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The Meeting of the Zoning Board of Appeals (ZBA) of the Town of Greenburgh was held on July 17, 2025 in Greenburgh Town Hall and online via Zoom. Chairperson Bunting-Smith called the meeting to order at 7:18 P.M.

Members Present: Chairperson Eve Bunting-Smith, Diane Ueberle, Kristi Knecht, Louis Crichlow, Peter Blier, Shauna Denkensohn (via Zoom)

Absent: William Bland

Staff: Ed Lieberman Esq., Deputy Town Attorney
Elizabeth Gerrity, Deputy Building Inspector
Jais Skaria, Building Plans Examiner
Kyra Jones, Secretary to the Zoning Board of Appeals

1. **Case No. ZBA 24-32A: Sal Olivia, 279 Jackson Avenue (P.O. Scarsdale, NY 10583) – Amend Condition of a Previously Granted Decision / Area Variances**

Applicant is seeking to amend condition #5 of a previous decision (ZBA Case 24-32) granting certain variances for its nonconforming nursery on condition that they would lapse if Yonkers denies subdivision approval for a portion of its property in that municipality. Applicant requests that the following variances be exempt from the lapse condition: from Section 285-12B(3)(d) of the Zoning Ordinance to increase the maximum impervious surface coverage from 29% (permitted) to 59.2% (proposed); from section 285-12B(5)(b) to reduce the minimum setback from a side property line to the existing nursery gravel parking area from 16 ft (required) to 0 ft (proposed); and from Section 285-42(C)(1) to increase a nonconforming nursery use thereby increasing such nonconformance, to legalize the expansion of a nonconforming nursery (expansion of material storage areas and construction of several accessory structures) 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 ID: 8.580-399-2, 8.580-399-3, 8.580-399-4.

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

2. **Case No. ZBA 25-04: David S. Chao, 0 Clayton Road Subdivision (P.O. Scarsdale, NY 10583) – Area Variances**

Applicant is requesting area variances in order to subdivide the subject property into three lots (two residential lots [Lots 1 and 2] and a non-buildable shared-access driveway lot [Lot 3]). In order to do so, Applicant is requesting the following variances: For residential Lot 1: from Section 285-39(C)(9)(c) of the Zoning Ordinance to reduce the minimum required street frontage from 25 ft. (required) to 0 ft. (proposed); and from Section 285-11B(5)(b) to reduce the minimum distance between an accessway and side property line from 18 ft (required) to 0 ft (proposed). For residential Lot 2: from section 285-39(C)(9)(c) to reduce the minimum required street frontage from 25 ft. (required) to 0 ft. (proposed); and from section 285-11B(5)(b) to reduce the minimum distance between an accessway and side property line from 18 ft (required) to 0 ft (proposed). For Lot 3: from Section 285-11B(5)(b) to reduce the minimum distance from the accessway to the west side property line from 18 ft. (required) to 15 ft. (proposed); and from section 285-11B(5)(b) to reduce the minimum distance from the driveway to the east side property line from 18 ft. (required) to 15 ft. (proposed). The property is located in the R-30 One Family Residence District and is designated on the Town Tax Map as parcel ID: 8.400-281-31

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

3. **Case No. ZBA 25-08: Zhen Tan c/o Hudson Engineering & Consulting, P.C., 56 Dobbs Ferry Road (P.O. White Plains, NY 10607) – Area Variances**

Applicant is requesting an area variance from Section 285-35D(1) (Table I) of the Zoning Ordinance to increase the maximum lot coverage from 35% (permitted), 37.4% (existing) to 48.34% (proposed); and from Section 285-38E to reduce the number of parking spaces for the extension/construction of a driveway to 3 parking spaces (proposed) for a pre-existing nonconforming use requiring six off-street parking spaces for 3 apartments within a three family dwelling. The property is located in the R-5 One Family - Limited Two-Family Residence District and is designated on the Town Tax Map as parcel ID: 7.480-295-37

ON A MOTION BY MR. CRICHLOW, 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, MR. CRICHLOW: AYE, MR. BLIER: AYE

4. **Case No. ZBA 25-11: William & Kristine Welker, 34 Highridge Road (P.O. Hartsdale, NY 10530) – Area Variance**
Applicants are requesting an area variance from Section 285-36N(1) of the Zoning Ordinance to reduce the setback between the side property line and an existing shed from 5 ft (required) to 0.3 ft (proposed), in order to legalize a shed 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 ID: 8.360-262-8

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

5. **Case No. ZBA 25-13: Kai Restaurant Group LLC A.K.A. Taco Bell, 57 North Central Avenue (P.O. Hartsdale, NY 10530) – Area Variances**

Applicant is requesting area variances from Section 285-29.1C(4) of the Zoning Ordinance to increase the building height from 12 ft (permitted) to 15.4 ft (proposed); from Section 285-29.1C(1) to increase the floor area ratio from 0.015 (permitted) to 0.09 (proposed); from Section 285-29.1C(7)(a) to increase the maximum impervious surface coverage from 60% (permitted) to 72% (proposed); from Section 285-29.1C(2) to reduce the minimum side yard setback from 20 ft (required) to 14 ft (proposed); from Section 285-29.1C(3) to reduce the minimum front yard setback to off-street parking area from 20 ft (required) to 1.7 ft (proposed); from Section 285-29.1C(3) to reduce the minimum southerly side yard setback to off-street parking area from 10 ft (required) to 3 ft (proposed); from Section 285-29.1C(3) to reduce the northerly side yard setback to off street parking area from 10 ft (required) to 2 ft (proposed); from Section 285-29.1C(3) to reduce the minimum setback from off-street parking areas to the principal building from 10 ft (required) to 0 ft - queue lane (proposed); and from Section 285-38 to reduce the minimum number of parking spaces from 49 (required) to 31 (23 off-street parking spaces, two (2) accessible spaces, seven (7) queue) in order to construct a new drive-thru and onsite dining facility 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 ID: 8.250-184-6

ZBA Case 25-13 Has Been Adjourned to the August 21, 2025 Meeting

6. **Case No. ZBA 25-14: Alex and Yezenia Martinez, 120 Wood Avenue (P.O. Ardsley, NY 10502) – Area Variance**
Applicant is requesting an area variance from Section 285-40C(2) of the Zoning Ordinance to reduce the minimum distance between an open wood deck and the rear property line from 21 ft (required) to 9.1 ft (proposed) in order to construct 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 ID: 8.110-67-30

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

7. **Case No. ZBA 25-15: EDC 7 LLC / Thalle Industries, Inc., 50 Warehouse Lane South (aka 7 Warehouse Lane (P.O. Elmsford, NY 10523) – Modify Conditions of a Previously Granted Special Permit**

Applicant is seeking to modify conditions 1, 3, 5, 9, 10, 11, 14 and 19 of the Special Permit issued by this Board on March 13, 2025 in ZBA Case 23-21, as well as correct the Decision's findings as they relate to the leased area acreage

on the subject property. The property is located in the GI - General District and is designated on the Town Tax Map as parcel ID: 7.180-52-20.SE

ZBA Case 25-15 Has Been Adjourned to the August 21, 2025 Meeting

8. Case No. ZBA 25-16: Mauro Merchan, 35 Terrace Street (P.O. White Plains, NY 10607) – Area Variances

Applicant is requesting area variances from Section 285-16(B)(4)(c) of the Zoning Ordinance to reduce the minimum total of two side yards from 18 ft (required), 10.65 ft (by variance granted in ZBA Case 15-21) to 9.6 ft (proposed); from Section 285-16(B)(4)(d) to reduce the minimum distance between the rear yard and principal building from 26 ft (required), 4.83 ft (granted in ZBA Case 15-21) to 0.9 ft (proposed); and from Section 285-16(B)(4)(b) to reduce the minimum distance between the northerly side yard and principal building from 8 ft (required) to 4.5 ft (proposed) in order to legalize the location of a building not in compliance with variances previously granted in ZBA Case 15-21. The property is located in the R-5 One Family Residence District and is designated on the Town Tax Map as parcel ID: 8.10-7-7

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

DATE FOR NEXT MEETING

The next regularly scheduled meeting of the Greenburgh Zoning Board of Appeals will be held on Thursday, August 21, 2025 at 7:00 pm.

Respectfully Submitted,



Kyra Jones