

STATE OF NEW YORK  
TOWN OF GREENBURGH



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Public Hearings and Decisions Before  
The Zoning Board of Appeals of  
Greenburgh, New York, in Connection  
With Various Applications in Relation  
To the Town Ordinance of the Town of  
Greenburgh  
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February 19, 2026  
Greenburgh Town Hall  
7:00 p.m. 177 Hillside Avenue  
Greenburgh, New York

BOARD MEMBERS:

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- Kristi Knecht - Acting Chairperson
- Shauna Denksenoh
- Diane Ueberle
- Peter Bleir

STAFF MEMBERS:

- EDWARD LIEBERMAN, Esq.  
Deputy Town Attorney
- Kyra Jones, Secretary to the ZBA
- Liz Gerrity, Deputy Building Inspector (Virtual)
- Jais Skaria, Building Plans Examiner
- Garrett Duquesne, Commissioner Community  
Development & Conservation

MICHAEL A. DeMASI, JR.  
OFFICIAL COURT REPORTER

(Whereupon, at 7:24 p.m., the Meeting of the Zoning Board of Appeals for the Town of Greenburgh was called to order.)

(Recording in progress.)

MS. KNECHT: Good evening, everyone. The meeting of the Zoning Board of Appeals for the Town of Greenburgh will come to order.

Please, join us for a moment of silence as we offer our condolences to the family of Larry Doyle, a former Zoning Board member and thank him for his 20-plus years of service to the Town of Greenburgh.

(Whereupon, a moment of silence is taken.)

MS. KNECHT: Okay. We have seven cases scheduled for tonight's meeting, however, ZBA Case 25-13, Taco Bell, is closed for decision only and the applicants have requested to withdraw their application.

ZBA Case 25-38, Sunningdale Country Club, is closed for decision only, and ZBA Case 25-36, 1 Lawrence Street Realty, is currently before the Town and Planning Boards and cannot be resolved until a SEQRA determination has been completed.

As such, I am recommending The Board consider a vote to adjourn this petition to the ZBA's April 16th, 2026, meeting.

MS. UEBERLE: Which one was that?

MS. KNECHT: 25-36. Do I have a motion to adjourn?

MS. DENKENSOHN: We have to do attendance first.

MS. KNECHT: Oh, okay. Let's do attendance.

MS. JONES: Okay. All right. We're going to begin our roll call.

Eve Bunting-Smith -- is absent.

Kristi Knecht?

MS. KNECHT: Here.

MS. JONES: Is present. Louis Crichlow -- is absent. Diane Ueberle?

MS. UEBERLE: Here.

MS. JONES: Is present. William Bland -- is absent. Shauna Denkensohn?

MS. DENKENSOHN: Present.

MS. JONES: Is present. Peter Blier?

MR. BLIER: Here.

MS. JONES: Is present. And that concludes our roll call, Madam Chair.

MS. KNECHT: Okay. Thank you. All right.

I'm going to do that one more time.

ZBA Case 25-36, 1 Lawrence Street, is currently before The Town and Planning Boards and cannot be resolved until a SEQRA determination has been completed.

As such, I am recommending The Board consider a vote to adjourn this application to the ZBA's April 16th, 2026 --

MS. DENKENSOHN: Seconded.

MS. KNECHT: -- meeting. All in favor?

MS. DENKENSOHN: Aye.

MS. UEBERLE: Aye.

MR. BLIER: Aye.

MS. KNECHT: And I vote, aye.

Looking forward, the Zoning Board will have our next regular meeting on Thursday, March, 19th. Please, mark your calendar accordingly.

We may limit time to hear each case. If we cannot finish hearing a case, it will be adjourned to another meeting to be completed at that time.

As in the past, in order to save time, we will waive the reading of the property location and the relief sought for each case, however, the reporter will insert this information in the record.

This information also appears in the agenda for tonight's meeting.

After the public hearing of tonight's cases, The Board will meet to discuss each case. Everyone is welcome to listen to our deliberations, but the public will not be permitted to speak or participate.

After our deliberations on all the cases, we will announce The Board's decision for the formal record and be broadcast to the community.

If you're going to speak tonight, you must come to the microphone and state your name and address or your professional affiliation.

We have heard testimony on one of these cases at prior meetings. All prior testimony is already in the record and should not be repeated.

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Case No. ZBA 25-32: CHRISTIAN EJEKPOKPO, 10 Oliver Avenue (P.O. White Plains, NY 10603) - Area Variances.

Applicant is requesting area variances from Section 285-5 of the Zoning Ordinance to reduce the minimum distance between a patio and the side property line from 10 ft (required) to 0 ft (proposed); from Section 285-15B(3)(d) increase the maximum impervious surface coverage from 40.75%(permitted) to 59.43% (proposed); to legalize a patio installed 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: 7.280-131-4.

MS. KNECHT: The first case we will hear testimony on tonight is Case 25-32, Christian Ejekpokpo, 10 Oliver Avenue.

MR. EJEKPOKPO: Hi. Good evening, Chairman, everyone of the Board. My name is Christian Ejekpokpo. I am here tonight -- okay. Thank you.

All right. I am here to present my case with regard to the patio and the commercial van that I had at my parking space.

It has been a very huge strain on me and my family with regard to the parking, but based on the last meeting we had, I am compelled to actually find a way to move my van to somewhere else to rent to be able to park my van, so as a result of that, I am paying rent somewhere just to have the

van just to avoid all the -- to avoid having any problem with the community, so it's actually baed on that, it's actually giving me real financial strain in keeping up with the mortgage, so as a result of that, I am having serious difficulty being able to either readjust the patio situation that I'm being told to restructure, because I cannot afford it at the moment, because since the business depends on the economy of the country at the moment with the family -- with my family, so that's what I'm really here to present. I have a statement written out that I would like to share with the Board members so that they can take a look at it as to my own situation, please.

MS. UEBERLE: Can you speak up a little or put the microphone closer. Thank you.

MR. EJEKPOKPO: Okay. Thank you. So, like I said, I moved -- I result to moving the van totally from the environment and find a rental place which I am paying on a regular basis just to have it away from the environment and that's costing me some good amount of money in having it in a different place, so at the moment, like I cannot afford to pay for -- I mean, to readjust the patio, which has been -- see, the patio is currently on the property, because the patio was already made prior to us purchasing the place. We're not the one that actually put -- I mean, I did not put the patio. We don't really have any -- it was purchased as

is, and we don't have any way --

MS. DENKENSOHN: Do you have any pictures? Any photographs?

MR. EJEKPOKPO: Of the patio?

MS. DENKENSOHN: Yeah.

MR. EJEKPOKPO: No. That's the only one I have, just the survey I did.

MS. DENKENSOHN: Can somebody point where the problem is? So that's the front of the patio?

MR. EJEKPOKPO: No. The side.

MS. DENKENSOHN: Is this the part of the patio that has to be removed?

MR. EJEKPOKPO: Yeah, that's the one that we're talking about. Yes.

MS. DENKENSOHN: This?

MR. EJEKPOKPO: Yes. On the side. Yes.

MS. DENKENSOHN: Okay. What's that made out of?

MR. EJEKPOKPO: What's the name?

MS. GERRITY: They're pavers.

MR. EJEKPOKPO: Yes. More or less, yes.

MS. GERRITY: They're pavers.

MS. DENKENSOHN: It's pavers?

MS. GERRITY: Yes.

MS. DENKENSOHN: So the pavers -- can I -- can't the pavers just be picked up?

MR. EJEKPOKPO: No. The way they did it, that they attach it like to cement.

MS. DENKENSOHN: They're locked into each other.

MR. EJEKPOKPO: Very good.

MS. DENKENSOHN: They connect.

MR. EJEKPOKPO: Very good, yes.

MS. DENKENSOHN: But that means they un-connect.

MR. EJEKPOKPO: They what? No. No. They stick to -- you can't really pull it out. They do some manual breaking, more or less.

MS. DENKENSOHN:

MS. GERRITY: So what the applicant is saying is that they are pavers, but they're cemented together.

MR. EJEKPOKPO: Very good. I'll see if I can pull up a picture.

MS. DENKENSOHN: Thank you.

MS. KNECHT: Does anyone else have any questions on The Board while she looks it up?

MS. DENKENSOHN: I have one more: If you say you can't afford to take up the pavers now, is there a time limit within which you think you could?

MR. EJEKPOKPO: I wish I could give that, but it's --

MS. DENKENSOHN: Two years?

MR. EJEKPOKPO: My kind of --

MS. DENKENSOHN: One year -- we normally give people one year.

MR. EJEKPOKPO: Okay. My -- my kind of business, it's the time that -- that fluctuates. It fluctuates, so it's just when I'm able to -- capable of doing it, I will just, you know, do it, but it's just that, I cannot give you a timeframe of this -- at this time, I can't got it now, because of the nature of my financial -- you know, business --

MS. DENKENSOHN: You don't have to answer this question.

MR. EJEKPOKPO: Okay.

MS. DENKENSOHN: But what type business is it?

MR. EJEKPOKPO: Transportation.

MS. DENKENSOHN: Transportation business.

MR. EJEKPOKPO: Yeah, of the disabled.

MR. BLIER: He does ParaTransit.

MR. EJEKPOKPO: Very good.

MS. UEBERLE: This is where he was parking his car.

MR. EJEKPOKPO: Yes.

MS. UEBERLE: This is part and parcel of that case.

MS. DENKENSOHN: But he was parking the car on the other side I thought.

MR. EJEKPOKPO: It has nothing to do ---

MR. BLIER: He parked in both, but that didn't

happen. He was parking in front and he was proposing to park on the side also.

MS. DENKENSOHN: On the side of the patio or on the opposite side?

MR. BLIER: I think there was some way to get around the garage to the patio?

MR. EJEKPOKPO: No, there was no way of getting around it.

MS. UEBERLE: That was what we were proposing.

MR. EJEKPOKPO: Yeah. Proposing that. Very good.

MS. UEBERLE: Yeah. I think that's what it was, yeah. I think we proposed that, but it wasn't possible because of the size of the vehicle.

MR. EJEKPOKPO: Yes.

MS. UEBERLE: Yeah.

MS. DENKENSOHN: It's ten-feet-two wide. Would be tight. Elizabeth, may have a picture.

MR. BLIER: Currently, what are you using the patio for?

MR. EJEKPOKPO: It's just for family, like when we have our family -- member of our family come together, we have a get together. Just patio. That's basically -- not that we have anything special for it, but that's part of why we really love the place because of the way it was made and nicely done, but I didn't know it was going to be a problem.

I didn't know at this time.

MR. BLIER: The patio is a rectangle with a little part going halfway up the garage? Is that how it works?

MR. EJEKPOKPO: It's just a rectangle and they made a little step, step case down to the -- no. No. Sorry. Patio -- no. From the garage, there is a little entrance to the -- to the patio. Yes. From the garage to the patio, yeah. That's how it is. A little entrance from there on the right side.

MS. DENKENSOHN: If purpose given longer than one year to remove the pavers from that area, could that be done with a shovel or with whatever?

MR. EJEKPOKPO: I will try. That's all I can really, you know, I will try to see if that can be done.

MS. GERRITY: So it's hard to see, because there's -- sorry. It's hard to see, because there's a tree on the aerial view. What the patio area in the back, but leading up to is asphalt, so in the front, as it goes around the garage, it's an asphalt area.

MS. DENKENSOHN: Asphalt?

MS. GERRITY: Yes.

MS. DENKENSOHN: Asphalt?

MS. GERRITY: Yeah. And it's hard to see because of the tree.

MR. SKARIA: So I think the asphalt only goes to

the entrance of the garage and there's a gate, but we can't see past that because of the -- THE tree.

MS. DENKENSOHN: Okay.

MR. BLIER: But that is pavers there?

MS. GERRITY: According TO the recent survey, it's pavers, but what the applicant is saying is that they're not sand pavers. They are actually cemented together.

MR. EJEKPOKPO: Very good.

MS. DENKENSOHN: That looks like it's grass.

MR. EJEKPOKPO: No. It's not grass.

MR. EJEKPOKPO: No, it's not grass. You can't see back there. It's all paved.

MS. KNECHT: Okay.

MS. UEBERLE: I don't have any questions.

MS. KNECHT: Okay. Does anybody in the audience here to comment on this? Okay. Thank you.

MR. EJEKPOKPO: Yeah. Can I hand -- may I hand the -- my statement?

MS. GERRITY: Sure.

MR. EJEKPOKPO: Thank you.

MS. GERRITY: You're welcome.

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Case No. ZBA 25-39: CENTRO HERITAGE SPE 6, LLC  
A.K.A. SPROUTS FARMERS MARKET, 393 N. Central Avenue (P.O.  
Hartsdale, NY 10530) - Sign Variances.

Applicant is requesting sign variances from Section 240-3C(8) of the Sign and Illumination Law to increase the maximum height of insignia or key letters from 4 ft (permitted) to 4.5 ft. (Proposed); and to increase the maximum stacked height of insignia or key letters from 4 ft (permitted) to 7.16 ft. (Proposed), in order to install wall signage 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: 8.150-96-4.

MS. KNECHT: Okay. Next, we have Case 25-39 Centro Heritage SPE 6, LLC, a/k/a, Sprouts Farmers Market. Am I wrong?

MS. UEBERLE: No, you're right.

MS. KNECHT: Okay.

MS. DENKENSOHN: Did you receive any documentation from them?

MS. JONES: I did not. I attempted to reach out to them and I did not receive a response back.

MS. DENKENSOHN: Okay. Thank you.

MS. JONES: Okay.

MS. KNECHT: All right. We'll see. Maybe they  
come later. \* \* \* \*

Case No. ZBA 26-02: HILMAR HOLDINGS, LLC a.k.a. DUNKIN' / JIMMY JOHN'S, 182 Saw Mill River Road (P.O. Elmsford, NY 10523) - Sign Variances.

Applicant is requesting sign variances from Section 240-3D(7) (a) of the Sign and Illumination Law to increase the maximum length of an illuminated business sign from 18.5ft (permitted) to 24.16ft (proposed); from Section 240-3C(8) to increase the maximum height of insignia or key letters on a sign from 4ft (permitted) to 4.83ft (proposed); from Section 240-3C(9) to add a second business wall sign on a non-corner lot where 1 sign is permitted; and from Section 240-3D(7) (b) to increase the maximum square footage of an illuminated yard business sign from 20 sq. Ft. (Permitted) to 35.13 sq. Ft. On the subject property in order to obtain a sign permit. The property is located in the CB - Close Business District and is designated on the Town Tax Map as parcel ID: 7.190-79-19.

MS. KNECHT: The next we have ZBA Number 26-02, Hilmar Holdings, LLC, a/k/a, Dunkin'/Jimmy John's. Go ahead.

MR. POLINSKY: Okay. My name's James Polinsky. I'm here from Signs, Inc., the Sign company --

MS. KNECHT: I'm just going to have you --

MR. POLINSKY: Sorry.

MS. KNECHT: Yeah. Yeah.

MR. POLINSKY: Signs, Inc. Sign company presenting tonight for the new Dunkin'/Jimmy John's. We're looking for a new sign package. The building is being renovated and updated to the new look.

MS. DENKENSOHN: If you can speak up, that would also be helpful.

MR. POLINSKY: Okay. Let me just -- let me put this here -- so we're presenting a new -- sorry. We're presenting a new sign package for Dunkin'/Jimmy John's. The building is being renovated and brought up to current standards for Dunkin'.

We're proposing a set of channel letters on the front of the building, as well as the side over the main doors entrance of the building and a new monument or pylon, freestanding sign.

If you -- I have a couple photos here on the large boards. I don't know if you can see them. Do you want to hold this, actually.

This is the side where the -- where the parking lot is. Everything will have a white -- this is the current state. Obviously, the snow kind of held us up a little bit with the renovations, but this is the new current look, the siding, Hardie Board siding, no more awning in the front. A textured wood-finish, as well as the channel letters and the same for the side of the building.

Everything down below has been like a CMU brick or block. Everything's been repainted with a new gray colors to meet the franchise specs.

MR. BLIER: Are you asking for a variance for height?

MR. POLINSKY: So our variance consists of in the -- you're -- we're not on a corner lot, so we're allowed one sign, but our parking lot and our main doors is on the side of the building, so we would like one sign on the front, Route 9A side, and as well as one on the side of the building, so since we're not on a corner lot, we need a variance for the side of the building, for the second additional sign.

For the front, it's actually, I guess, the linear -- linear feet, we're allowed half the building size and we're asking for a little bit larger than half, since we have two tenants there are in. There two names that we have to get on the front of the building.

And the pylon sign is, I guess, total square footage, we need a variance for.

MR. BLIER: You seem to have -- you seem to be adding something to the structure of the building. Well, I mean, so, in other words, right now the roof-line is -- is straight and now you're going to have something jutting above that.

MR. POLINSKY: No, that's the existing.

MR. BLIER: Can you show the picture again you were just holding hurry. That's just a sign sticking above the building?

MR. POLINSKY: No. The building -- if you -- if you look at the packet that I provided in the existing building, that remains- there's an awning there that was there prior.

MS. DENKENSOHN: So you said you're taking down --

MR. POLINSKY: The awning's coming down.

MS. DENKENSOHN: You said you're take the awning down.

MR. POLINSKY: It comes down, but that build -- that fascia is there.

MS. DENKENSOHN: But it's just an awning that's higher than the --

MR. POLINSKY: The wall is higher as well.

MS. KNECHT: Is that to scale?

MR. POLINSKY: That is to scale. Yes.

MR. BLIER: It doesn't look properly in the picture.

MS. DENKENSOHN: Very different. That looks maybe a couple feet higher.

MR. POLINSKY: Maybe -- maybe -- well, you had a pitched awning roof, now it's flat, so that might be the

height difference that you're seeing.

MS. DENKENSOHN: No. We're talking about the roof-line of the building. If you look at the photo, the difference between the height of the sign and the height of the awning.

MR. POLINSKY: It has not changed.

MS. DENKENSOHN: Now, is the -- in addition, you're -- to putting a -- covering another side, what is your intent for the light -- the sign on the light pole, on the pole?

MR. POLINSKY: In the packet it shows that we would be changing that to a Dunkin'/Jimmy John's as well, so the -- the -- the pole sign would -- the pole would remain. We would change the box on the top.

MS. DENKENSOHN: And would that be the same size as it is now?

MR. POLINSKY: It would be a little bit larger. It was going to be -- I have to look here --

MR. BLIER: I mean, it looks like it's going from a rectangle to a square.

MR. POLINSKY: It's going to a square. Yeah.

MR. BLIER: So unless the --

MR. POLINSKY: Sorry. I have it right here.

MR. BLIER: So the width is --

MR. POLINSKY: It's going from 24 square feet to 35

square feet.

MS. DENKENSOHN: 50-percent up -- 40-percent up.

MR. POLINSKY: I -- I don't know the exact calculation, but I think it's less than that -- 24 to 35?

MR. BLIER: Are these two franchises going to be operated separately in the building?

MR. POLINSKY: No.

MR. BLIER: So there's one entrance and one line?

MR. POLINSKY: Correct.

MR. BLIER: Just expanded menu.

MR. POLINSKY: Is it two lines?

MR. LASH: It's one business expanded menu.

THE COURT REPORTER: Can you state your name for the record.

MR. LASH: My name is Jim Lash and I'm with Dunkin' Donuts.

MR. POLINSKY: So this is a concept, like you see many Dunkin'/Baskins -- this is a Dunkin'/Jimmy John's, so it operates under the same umbrella.

MR. BLIER: I think there is a Dunkin'/Baskins in the Town of Greenburgh in our area.

MR. LASH: Yes.

MR. POLINSKY: Jim also represents that store.

MS. DENKENSOHN: So just for an order of magnitude; the current sign the word, Dunkin', approximately what size

are those letters versus the letters you're asking for in the new sign on the -- on the non-door side?

MR. POLINSKY: The -- facing Route 9?

MS. DENKENSOHN: Yeah.

MR. POLINSKY: So they were, I believe, a 16-inch letter.

MS. DENKENSOHN: And you're proposing?

MR. POLINSKY: 24.

MR. BLIER: And what are you allowed to do --

MR. POLINSKY: No. I'm sorry. I'm sorry. We're proposing a 30-inch letter.

MS. DENKENSOHN: 30-inch.

MR. POLINSKY: 30-inch letter, yes.

MS. DENKENSOHN: So you're doubling the size.  
Okay.

MR. POLINSKY: Yes. So -- so before it was a much larger, you know -- or taller sign because it was Dunkin' Donuts. Now it -- they shortened to it Dunkin', you know --

MS. DENKENSOHN: Right.

MS. UEBERLE: But now you're having two, because you're having Dunkin' and then you're having Jimmy John's --

MR. POLINSKY: Correct.

MS. UEBERLE: -- next to it.

MR. POLINSKY: Correct.

MS. UEBERLE: So, essentially, you're going --

you're doubling the size of signage on the side of the building for 9A.

MR. POLINSKY: Correct.

MS. DENKENSOHN: You're doubling the size of the letters, but -- yeah --

MS. UEBERLE: Yeah. I mean, it's taking up the whole side.

MS. DENKENSOHN: It looks like it's more than double.

MS. UEBERLE: Yeah.

MS. DENKENSOHN: Could you show us the picture of that, because we can't see it when it's down there.

MR. POLINSKY: Well, we're also across the street, you know, from other -- the whole corridor is commercial corridor, you know, Mavis Discount Tire, their signs are close to four feet tall, they have a longer, linear length of the building. And they have multiple signs as well. They have one on the front over the garage doors, they have one over the showroom.

There's many -- so that's kind of -- with our, you know, having multiple signs, there's many other stores and locations.

MS. KNECHT: I just want to clarify something.

MR. POLINSKY: Sure.

MS. KNECHT: This -- the variance for this --

MR. POLINSKY: Correct.

MS. KNECHT: -- face is for the width?

MR. POLINSKY: Yes.

MS. KNECHT: -- of the full -- of the two --

MR. POLINSKY: Correct. We're allowed -- we're allowed --

MS. KNECHT: So - so --

MR. POLINSKY: We're allowed 37 -- I'm sorry.

MS. KNECHT: So that's how you can fit next to each other Dunkin and --

MR. POLINSKY: Jimmy John's.

MS. KNECHT: Jimmy John's.

MR. POLINSKY: Yes.

MS. KNECHT: So the size of the letters, if I'm following, the letters can be that size?

MR. POLINSKY: The letters -- well --

MS. KNECHT: Like, say you were just going to have one.

MR. POLINSKY: Yes.

MS. KNECHT: The Dunkin would still look like that if you didn't have the Jimmy John's and then it would be a conforming sign.

MR. POLINSKY: Correct. So the code says that we are allowed --

MS. KNECHT: So it's the half.

MR. POLINSKY: So we have 37. We're allowed half of that, which is 18-6, and we're proposing -- 24.

MS. KNECHT: So it's not an increase in size?

MR. POLINSKY: It's not increased in height or size. It's the linear length.

MS. DENKENSOHN: And the way they're achieving that is by making -- instead of using the second line from Donuts for Jimmy John's, they're just making the full width the Dunkin --

MS. KNECHT: Right.

MS. DENKENSOHN: -- they're making the Dunkin twice as high and they're adding a whole Jimmy John's.

MS. KNECHT: No. They're not making the Dunkin twice as high.

MS. DENKENSOHN: The letters.

MS. KNECHT: No. The letters are conforming.

MS. DENKENSOHN: No. No, but I'm saying, what was two lines is now one line.

MS. UEBERLE: Instead of doing what's on the front on the side, they're putting them side by side.

MS. DENKENSOHN: Instead of up and down.

MS. KNECHT: So you're saying you would like the Dunkin to be smaller and everything to be smaller, so it all fits within the 18 feet.

MS. DENKENSOHN: Almost like what happens here.

MS. UEBERLE: That was -- that was what I was going to ask. Is there a reason why you separated them on this side versus doing on the front what you did on the front with stacking them versus putting them side by side?

MR. POLINSKY: Well, we would need a variance for the height then, regardless, so then we are over-height and this is -- really comes down to, like corporate branding, and they kind of give us a model of what they want us to follow as far as, you know, the building itself.

MS. UEBERLE: Yeah, but most corporate branding, it's within the law of the local venue, so you could change it if you had to.

MR. BLIER: So you have no signage facing the highway? In other words, if you're driving from 287, get off, and go down the road, there's -- that's the back of your building?

MR. POLINSKY: Not on the -- we don't have anything on the building. Originally, yes. Dunkin proposed a sign over there, but we needed additional -- variances, plus there's also a residential property next to it, so we withdrew that from our application, so we're just asking for the two signs and the -- the freestanding pole sign.

MS. DENKENSOHN: So three signs?

MR. POLINSKY: Three signs, yes. We're not -- we -- in consideration of the residents next door, and we

didn't want to try to pursue that.

MS. UEBERLE: And the Jimmy John's is within the height restriction also on the side?

MR. POLINSKY: Yes.

MS. UEBERLE: Okay.

MR. POLINSKY: I think we're allowed a total of four feet, and we're under that.

MS. UEBERLE: It looked to me, like it was one foot off -- 4.83.

MS. KNECHT: I think that's the other sign.

MS. GERRITY: That's the other sign.

MR. LASH: That's the other sign.

MS. KNECHT: Okay. Any other questions from the Board? Is there anybody in the audience here for this? Oh, okay. Come on up.

MR. MIRANDI: Good evening, ladies and gentlemen. My name is Steve Mirandi, the owner of the property, of the residential property right next to Dunkin' Donut.

The reason I'm here, I thought, when I saw the sign, I thought the sign is going to be on the side of the parking lot that I owned.

And based on what we are planning to get permit to build there, hopefully soon, I came here to object to it, but I found out the sign is on the opposite side tonight when I came, so I have no issue with that.

Whatever they want to do. And, actually, they've been a great neighbor. Provided work for my tenant that been there, working and living there, so I fully support them.

MS. KNECHT: Okay. Thank you.

MR. LASH: Thank you.

MR. POLINSKY: I don't know how, like if there's -- how your Board works. If there's further, like comments or questions that you have for us or?

MS. KNECHT: So what we'll probably -- we'll deliberate and then you'll hear our discussions, and then, either we'll come to a decision, one way or the other, or, we'll ask you for additional information. In which case, we would adjourn it to next month.

MR. POLINSKY: Okay. And, you know, we wanted to point out too is, you know, it's kind of crucial that side sign that is over the front doors, especially, with the layout of our parking lot and everything, so that's why we're -- and the branding, you know, really wants that, but like you said -- it's -- but I think it's something that we need.

MS. KNECHT: Okay. Thank you.

\* \* \* \*

Case No. ZBA 26-03: LAUREN GAVISER, 54 Inverness Road (P.O. Scarsdale, NY 10583) - Area Variance.

Applicant is requesting an area variance from Section 285-38B of the Zoning Ordinance to increase the maximum driveway width from 30 ft (permitted) to 30.8 ft (proposed) to legalize a driveway on the subject property. The property is located in the R-20 One Family Residence District and is designated on the Town Tax Map as parcel ID: 8.590-409-1.

MS. KNECHT: Okay. Thank you. The ext matter on our agenda is 26-03, Lauren Gavisser, 54 Inverness Road.

MS. GAVISER: Hi. I'm Lauren. This is my husband, Mike. And we had a lot of technical difficulties. You can't -- louder? Sorry. It's very loud here.

We had a lot of technical difficulties. We were trying to prepare our presentation for you, then his computer got a virus, so I just want to give some papers.

So we -- we bought our house in 2002, we did some renovation in 2007. And, first time homeowners, you know, really trusted our architect, trusted our contractor.

We only just discovered that in November 2025, that we did not have a certificate of occupancy, so it turns out that we had three open permits; for the HVAC, the electrical, the plumbing.

And our -- our property is two different lots, so

it's 54 Inverness and 0 Inverness, and it all of the permits were attached to 0 Inverness, and I thigh that was part of the problem, so that when we went to close things out and whatever, it was not attached to the house.

And in fact, there's an outside electrical company that goes the permit inspections. And when we called to have them come and redo the inspection in November of 2025, they said, in fact, We did this in 2008, so the Town accepted that -- you know, that inspection, so all of our permits were closed very easily in November of 2025.

I then had to go through the permitting process and I got an as-built survey which, again, we also had -- didn't know. Any way, it turns out, that at the widest part of our driveway, it is 30 feet 8 inches. And the allowable width is 30 feet.

Now, ironically, the reason we changed the entire driveway was to actually bring the driveway into compliance with current regulation, because our driveway used to be 37-feet wide. I don't --

MR. GAVISER: I think that -- is that the old one?

MS. GAVISER: That's the new one.

MR. GAVISER: The new one.

MS. GAVISER: And if you wanted to put up the old one, you can see it. And I think the old one was original to the house, which was from 1928, so we were trying to be

complaint. I called my contractor and my architect immediately, who were both retired, because, obviously, we did this work so long ago.

And my contractor really pretty much only said, in his, you know, 30 to 40 years of doing business, that has never happened to him. Of course, it happened to me, so any way, so we've been living with this driveway since 2007. We've had no water damage, our neighbors have never complained. They've never any issues.

And, if I'm being honest, we're trying to sell the house, and we need the C of O to sell the house and the house is under contract, so, yeah.

MS. UEBERLE: Go ahead.

MS. GAVISER: No. No.

MS. UEBERLE: I just have a couple questions.

MS. GAVISER: Yeah. Go ahead.

MS. UEBERLE: So this is the original paving for the driveway that you put in, the rock, the borders along the side, but you never made any changes?

MS. GAVISER: No. No. No, we fully changed.

MS. UEBERLE: No. I meant, from the -- when you did the construction?

MS. GAVISER: Correct.

MS. UEBERLE: Okay.

MS. GAVISER: No. It is as --

MS. UEBERLE: Okay.

MS. GAVISER: It has not changed from 2007.

MS. UEBERLE: Okay. Yeah, that was --

MR. GAVISER: Can I just add one other thing. We, of course, as I said, as she's said, you know, we've only ever owned one house, so we didn't really understand how some of these things worked.

We actually paid to get a survey done a couple months ago, but we had an as-built survey done afterwards that was in a file that I found tonight, so we paid for that.

That -- strangely, that survey doesn't have the feet measurement on it. I do have it here, if somebody wanted to look at it, but it doesn't actually show the feet, whereas, the new one does show the feet, so I have no idea if actually the survey they did in 2007 was done -- may have been appropriate at the time, but -- so the realty is that between the sending it to the 0 Inverness, we never got these permits. I mean it -- so --

MS. UEBERLE: And where is the actual widest part of the driveway?

MS. GAVISER: Okay. So if you look at what's on there, the widest part is right next to the garage, so from Chalford Lane, if you come up, it's totally fine until it starts to curve.

At the curve it is -- I think .6 feet.

MS. DENKENSOHN: Is that it?

MS. GAVISER: Yep. That's 30.6 -- no that's 30.6. And as you go further up towards the garage to the house, the widest part is 30.8.

MS. UEBERLE: But the curb cut is fine.

MS. GAVISER: And the curb cut we were thinking about making all different plans. This I remember and my architect said, We're not changing the curb cut, because you're going to need a variance, and let's not get the variance. So the curb cut is original. So --

MR. GAVISER: And the widest part I think it's important to note that there are actually drains built in at the widest part, so the water --

MS. GAVISER: Well, there's three drains. And before at the widest part it was 37 feet. I don't know if you want to see the original survey pre-renovation?

MS. KNECHT: No.

MS. GAVISER: Okay. Does that make sense?

MS. KNECHT: Does anybody have any other questions on the board? Is there anyone -- anyone in the audience here to comment on this matter? Okay.

MS. GAVISER: Thanks.

MR. GAVISER: Thank you for your time. Appreciate it. \* \* \* \*

MS. KNECHT: Anybody here from the Sprouts? So nobody's here for Centro Heritage Sprouts?

MS. JONES: I believe THE representative may have been going away on vacation at some point, so I don't know whether -- maybe there'S some delay or something, but I did not receive a response back so --

MS. KNECHT: Okay. So we will --

MS. DENKENSOHN: And there was no request -- formal request to postpone or anything like that?

MS. JONES: I sent an email, but I didn't get a response back, so I don't know, may be there was some sort of delay.

I did send a response -- sorry. I did send an email inquiry because we did send a request for additional information, but have not received anything back, so --

MS. KNECHT: Okay. So with that, we are going to take a five-minute break and then we will begin our deliberations.

(Whereupon, a recess is taken.)

\* \* \* \*

MS. KNECHT: All right. We're going to -- we're back from our deliberations. And we will start with Case Number 25-13, Kai Restaurant Group, Taco Bell.

Do I have a motion?

MS. UEBERLE: Yes, Madam Chair. I move --

MS. KNECHT: Wait. Wait. What?

MR. LIEBERMAN: Explain wait --

MS. KNECHT: Well, it says it. Oh, does that need a SEQRA? Does it need a SEQRA?

MR. LIEBERMAN: No.

MS. DENKENSOHN: Kristi ---

MS. KNECHT: We have a motion on the request to withdrawal the application that the applicant submitted.

MS. UEBERLE: Okay. I move, pursuant to Article 6E of the Rules of Procedure of this Board, that applicant's request to withdraw its application be granted.

Do I have a second?

MS. DENKENSOHN: Second.

MS. KNECHT: All in favor?

MR. BLIER: Aye.

MS. DENKENSOHN: Aye.

MS. UEBERLE: Aye.

MS. KNECHT: And I vote, aye.

MS. UEBERLE: Finding -- should I read the findings?

MS. KNECHT: Yes.

MS. UEBERLE: Read the findings?

MS. KNECHT: Yes.

MS. UEBERLE: By letter dated yesterday, February 18th, 2026, applicant asserts that it is withdrawing its application herein.

Said request is problematic under our Rules of Procedure for the following reasons: Article II, Subsection 1, of our Rules provides, No materials, including, but not limited to, written reports, memoranda, letters, shall be accepted, unless same is received by the secretary at least ten days prior to the date of the public hearing, at which time the matter is scheduled to be heard.

As noted, the letter of withdrawal was emailed to and received by the secretary of the Board on February 18th, 2026, just one day before this meeting.

Article 6D of our rules provides: All requests to withdraw applications or appeals made to this Board must be made in writing, and be presented to the secretary of the Board no less than five days prior to the first meeting, at which the application or appeal is to be heard.

The public hearing on this application has been opened and active for several months prior to the submission of the present notification of withdrawal.

It is clear, therefore, that the applicant's

withdrawal letter is untimely.

That said, we recognize that we should not require an applicant to incur expenses in support of an application that the applicant no longer wishes to pursue.

We therefore deem applicant's letter as a request to withdraw under Article 6E of our rules and grant such request. Subject to our memorializing the decision we had written before receiving a withdrawal request.

For the benefit and guidance of both future Zoning Board of Appeals and/or Planning Board, that may be called upon to consider a new application for similar relief, and for the owner and/or applicant in order to avoid a future submission of an application containing elements found sufficiently objectionable in such decision to justify denial of this decision.

It is to be noted that the inclusion of this decision is for informational purposes only and can be gotten by requesting a copy to the secretary of the Board.

MS. KNECHT: Thank you.

\* \* \* \*

MS. KNECHT: The next case tonight is Case Number 25-32, Christian Ejekpokpo, at 10 Oliver Avenue.

And whereas the Greenburgh ZBA has reviewed the above-referenced application with regard to SEQRA compliance.

And now, therefore, be it resolved that the subject application is a type-two action requiring no further SEQRA consideration.

May I have a second?

MS. DENKENSOHN: Second.

MS. KNECHT: All in favor?

MS. UEBERLE: Aye.

MS. DENKENSOHN: Aye.

MR. BLIER: Aye.

MS. KNECHT: And I vote, aye. Do we have a motion?

MS. UEBERLE: Yes, Madam Chair. I move that the application in Case 25-32 be granted, providing that the applicant obtain all necessary approvals and file same with the Building Department.

Construction shall begin no later than 12 months after the granting of the last approval required for the issuance of a building permit and proceed diligently thereafter in conformity with the survey dated September 26th, 2024, and stamped, received, September 16th, 2025, submitted in support of this application, or as such

plans may be hereafter modified by another approving Board or Agency or Officer of the Town, provided that such modification does not require a different or greater variance than what we are granting herein.

The variances being granted are for the improvements shown on the plans submitted in support of this application only.

Any future or additional construction that is not in conformity with the requirements of the Zoning Ordinance shall require variances, even if the construction conforms to the height, setback or other variance we have approved herein.

Do I have a second?

MS. DENKENSOHN: Second.

MS. KNECHT: All in favor.

MS. UEBERLE: Aye.

MS. DENKENSOHN: Aye.

MR. BLIER: Aye.

MS. KNECHT: Aye.

MS. UEBERLE: And I will read -- submit the findings into the record at a later date.

\* \* \* \*

MS. KNECHT: Okay. The next item on our agenda is ZBA 25-38, Sunningdale Realty Corporation a/k/a Sunningdale Country Club.

And I move that the ZBA, as lead agency, declare this to be an unlisted action under SEQRA. And make a negative declaration with respect to the action.

Do I have a second?

MS. UEBERLE: Second.

MS. KNECHT: All in favor?

MS. UEBERLE: Aye.

MS. DENKENSOHN; Aye.

MR. BLIER: Aye.

MS. KNECHT: Aye. And do I have a motion?

MS. DENKENSOHN: Madam Chair, I have a motion. I move that the application in Case 25-38 be granted, provided that, one, the applicant obtains all necessary approvals and files same with the Building Department.

Two, construction shall begin no later than 12 months after the granting of the last approval required for the issuance of a building permit and proceed diligently thereafter in conformity with the plans dated August 20th, 2025, and stamped received, December 15th, 2025, submitted in support of this application, or as such plans may be hereafter modified by another approving Board or Agency or Officer of the Town, provided that such modification does

not require a different or greater variance than what we are granting herein.

The variance granted herein is for the improvements shown on the plans submitted in support of this application only.

Any future or additional construction that is not in conformity with the requirements of the Zoning Ordinance shall require variances, even if the construction conforms to the height, setbacks or other variances we have approved herein.

The findings will be -- appear on the Board's website.

MR. LIEBERMAN: Have to vote on the motion. That's part of the motion.

MS. KNECHT: Do we have a second?

MS. UEBERLE: I second. I second.

MS. KNECHT: All in favor?

MR. BLIER: Aye.

MS. UEBERLE: Aye.

MS. DENKENSOHN: Aye.

MS. KNECHT: Aye. The findings will be made available at a later date as they'll be part of the record.

\* \* \* \*

MS. KNECHT: Okay. ZBA Number 25-39, Centro Heritage SPE 6 LLC, a/k/a/ Sprouts Farmers Market, has been adjourned for all purposes to the meeting of March 19th, 2026.

\* \* \* \*

MS. KNECHT: Case number ZBA Case 26-02, Hilmar Holdings, LLC, a/k/a, Dunkin'/Jimmy John's, has been adjourned for all purposes to the meeting of March 19th, 2026.

\* \* \* \*

MS. KNECHT: And, finally, Case Number 26-03, Lauren Gavisier.

Whereas, the Greenburgh ZBA has reviewed the above-referenced application with regard to SEQRA compliance.

And, now, therefore, be it resolved that the subject application is a type-two action requiring no further SEQRA consideration.

May I have a second?

MS. DENKENSOHN: Second.

MS. KNECHT: All in favor?

MS. UEBERLE: Aye.

MS. DENKENSOHN: Aye.

MR. BLIER: Aye.

MS. KNECHT: Aye. Does somebody have a -- the motion? Peter?

MR. BLIER: Madam Chair, I have a motion. I move that application in Case Number 26-03 be granted, provided that the applicant obtains all necessary approvals and files the same with the Building Department.

Construction shall begin no later than 12 months after the granting of the last approval required for the issuance of a Building Department and proceed diligently thereafter in conformity with the as-built survey dated December 5th, 2025, last revised, December 12th, 2025, and

stamped, received, January 13th, 2026, submitted in support of this application, or as such plans may be hereafter modified by another approving Board or Agency or Officer of the Town, provided that such modification does not require a different or greater variance than what we are granting here.

The variance being granted is for the improvements shown on the plans submitted in support of this application only. Any future or additional construction that is not in conformity with the requirements of the Zoning Ordinance shall require variances, even if the construction conforms to the height, setback and other variances we've approved. And the findings will be posted later.

MS. UEBERLE: We need a second.

MS. KNECHT: All in favor?

MS. UEBERLE: Aye.

MS. DENKENSOHN: Aye.

MR. BLIER: Aye.

MS. KNECHT: Aye. And, yes, the findings will be made available at a later date and will be part of the record. And with that, we are adjourned.

(Recording stopped.)

(Whereupon, the ZBA meeting for February 20th, 2026, is adjourned to the next meeting of March 19th, 2026, at 7:00 p.m.)

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THIS IS TO CERTIFY THAT THE FOREGOING  
IS A TRUE AND ACCURATE TRANSCRIPTION  
OF THE ORIGINAL STENOGRAPHIC RECORD.

MICHAEL DEMASI

Michael A. DeMasi, Jr.

Official Court Reporter