

5/20/21 - Case No. 21-09 & 21-11

(Whereupon, at 6:05 the meeting of the Town of Greenburgh ZBA was called to order:)

MR. DUQUESNE: I'm going to hit record. And just a quick reminder to our guests, welcome, and please keep your mics on mute, so we could maintain good audio quality before it's your turn to speak. Okay, Madam Chair, we're all set.

CHAIRPERSON BUNTING-SMITH: All right. Good evening, everyone. As you know -- well, hopefully you know, I should say -- this is the meeting of the Zoning Board of Appeals. Today is May 20th, 2021 and we have nine cases scheduled for today's agenda. However, Case No. 21-09 Hampshire Management, and Case No. 21-11, which is Laurel Street, has also requested an adjournment.

These came in very recently so therefore the Board would have to vote on them, but we wanted to let the public know that we will not be actually hearing those cases tonight. So that if there is something else that you wish to attend to you do not have to continue here with this meeting. However, you're welcome to stay and listen to other cases if you choose to do so.

Please note that the Zoning Board of Appeals will our next regular meeting on Thursday June 17th. As usual if we cannot complete hearing any case today, it will be adjourned to another meeting to hopefully be completed at that time.

Also as is usual, 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 today's meeting.

After the public hearing of today's

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cases the Board will meet in the Zoom Room to discuss the cases we heard today. At that time everyone is permitted to listen to our deliberation, but the public will not be permitted to speak or participate during that time.

After our deliberations we come back upon the formal record to announce the Board's decisions, if any, and for that to be broadcast and provided to the community.

If you're going to speak today you must clearly state your name and address for the record or your professional affiliation. If you're not a named the applicant please spell your name for the record.

We've heard testimony on some of these cases at prior meetings. All prior testimony is already in the record and should not be repeated. The first case is Case No. 21-03 and 21-04.

MR. LIEBERMAN: Madam Chairperson, let me make a suggestion as a result of what you just said. Let me suggest that you take a vote on the two adjournments.

CHAIRPERSON BUNTING-SMITH: Okay.

MR. LIEBERMAN: That way people can tune out with assurance that the case will not be heard.

CHAIRPERSON BUNTING-SMITH: Before we go to the two cases that were listed first on the agenda we will address those two matters. However, before we address those two matters of the adjournments we do have an announcement from Mr. Duquesne with respect to an issue that has arisen with respect to our transmissions. So let's first hear from him.

MR. DUQUESNE: Thank you. Just a reminder, please mute your mics, if you're

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not speaking and it is shown on the screen here. But we had a technical difficulty, so please note that this meeting channel 76 it will not air live. However, the meeting can be viewed live on the Town Board website and the Verizon FIOS channel 35. The meetings will be kind of on the town website and reheard on cable television Friday through Sunday. Thank you.

CHAIRPERSON BUNTING-SMITH: Okay.

MR. DUQUESNE: Madam Chair, your mic is muted.

CHAIRPERSON BUNTING-SMITH: Yes. I'll go back. To get to the business of what we need to do it today we will start with Case No. 21-09, in that Hampshire Management asked for an adjournment of this matter. And therefore we will need a have a vote due to the lateness of the request, and therefore I would ask for a second to permit them to have this matter adjourned to the next date, which would be June 17th.

MR. CRICHLow: I second the motion.

CHAIRPERSON BUNTING-SMITH: All in favor?

MS. KNECHT: Aye.

MR. ADLER: Aye.

MS. UEBERLE: Aye.

MS. KNECHT: Aye.

CHAIRPERSON BUNTING-SMITH: The Chair votes aye.

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5/20/21 - Case No. 21-11

ZBA CASE 21-11 - Skahrokh, Amir, Khosrow & Behrooz Eatemadpour, for property located at Laurel Street, P.O. Hartsdale, N.Y.). Applicant is requesting variances from Section 285-15(B)(1) of the Zoning Ordinance to reduce the minimum lot area from 7,500 sq. Ft. (Required), 5,281 sq. Ft. (Existing) to 5,281 sq. Ft. (Proposed); from Section 285-15(B)(2) to reduce the minimum lot width from 75 ft. (Required) to 50 ft. (Proposed); from Section 285-15(B)(4)(b) to reduce one side yard from 10 ft. (Required) to 8 ft. (Proposed) and the other side yard from 12 ft. (Required) to 4 ft. (Proposed); and from Section 285-12(B)(4)(c) to reduce the total of two side yards from 22 ft. (Required) to 12 ft. (Proposed), in order to construct a new house. The property is located in an R-7.5 One-Family Residential District and is designated on the Town Tax Map as Parcel Lot ID: 8.200-146-8.

CHAIRPERSON BUNTING-SMITH: The next preliminary matter is Case No. 21-11, Laurel Street, vacant lot, which also very late today asked for an adjournment. And as we know the case would have to be re-noticed. It has been re-noticed in tonight's updated agenda, however, not in the public notice. So, therefore, I also would call for a vote to permit that matter to be adjourned to June 17th.

Do I have a second?

MR. ADLER: Second.

CHAIRPERSON BUNTING-SMITH: All in favor?

MS. KNECHT: Aye.

MR. ADLER: Aye.

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MR. CRICHLOW: Aye.

MS. UEBERLE: Aye.

CHAIRPERSON BUNTING-SMITH: Chair
votes aye.

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ZBA CASE 21-03 - THE TOWN OF GREENBURGH PLANNING BOARD requesting an interpretation of the Town of Greenburgh Zoning Ordinance regarding the applicability of Section 285-10(A)(4)(b) thereof to a proposal before it for a Battery Energy Storage System (BESS) in a One-Family Residence District. The property on which the BESS facility is proposed to be located is at northwest side of Knollwood Road, 400 feet north of the intersection of Knollwood Road and Old Tarrytown Road, in an R-30 One-Family Residential District and is designated on the Town Tax Map as Parcel ID: 7.341-168-1.

ZBA CASE 21-04 - THE COUNCIL OF GREENBURGH CIVIC ASSOCIATIONS, for an appeal related to an interpretation of the Town of Greenburgh Building Inspector regarding the applicability of Section 285-10(4)(b) of the Code of the Town of Greenburgh, in connection with a Battery Energy Storage System (BESS) proposed in a One-Family Residence District. The property on which the BESS facility is proposed to be located is at northwest side of Knollwood Road, 400 feet north of the intersection of Knollwood Road and Old Tarrytown Road, in an R-30 One-Family Residential District and is designated on the Town Tax Map as Parcel ID: 7.341-168-1.

CHAIRPERSON BUNTING-SMITH: Moving on now to our regular agenda, which is starting with Case No. 21-03 and 21-04, which we have been hearing together. Before we hear from any -- I'm sorry. Did someone say something?

I was going to say, before we hear from either the applicant or the opposition in this matter, I just wanted to note that we have been told that there is currently a vote that should be coming down soon with

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respect to this from the Town that would provide us with some direction, that would answer I think many of the concerns that have been raised with respect to this proposal by Eagle. So, therefore, in the spirit of I think conserving time and perhaps not creating additional -- I don't want to use the word litigation, but it could be -- we would like to see if Eagle would consider allowing us to put this matter over, to allow for that proposal and legislation to come out, to see if that would resolve some of the concerns that have been raised here.

MR. SCIARETTA: Good evening, Madam Chair and Members of the Board, Town Council, staff. Can everyone hear me okay?

MR. CRICHLow: Yes.

MR. SCIARETTA: Thank you. If I may, Madam Chair something I'd like to discuss and I can with my client, I mean, with the virtual meeting. I would just have so discuss with them briefly about that. I mean, it's interesting request and I will say just for the record that we the Planning Board did have a special meeting on Monday and it was encouraging to hear some of the comment that were back and forth on proposed multiple of the law but so that was some refreshing and good news so it looks like the Town and again with the Planning Board's assistance is making head way on that front. But gun I'd like to just circle back with my client if you could allow me a couple minutes just to do that Madam Chair and members, I would Members of the Board, I would like to do that if.

MR. DUQUESNE: Madam Chair, you're on mute.

CHAIRPERSON BUNTING-SMITH: I was going to ask you, would you mind taking the time to speak to your client and allowing us to go forward with the agenda that we do

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have on the next case that's on.

MR. SCIARETTA: Yes, sure. If you give me just a moment like I said normally if I was there I could just go to the I'll and ask my client but I just have to make a quick call. I know my client is on the Zoom tonight so but if I can just take two minutes in the interim if you'd like to proceed Madam Chair with the next item while we do that I would be fine with that. I know my client would. I would hope the appellants here the Civic Association the Planning Board I would hope they wouldn't mind as well if you want to go to the next item as I do that.

CHAIRPERSON BUNTING-SMITH: All right. Is there any opposition to anyone?

MR. SCHWARTZ: No objection, Madam Chair.

MR. SCIARETTA: Thank you very much.

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5/20/21 - Case No. 21-05

ZBA CASE 21-05 - GHP TAXTER, LLP, for property located at 555 Taxter Road, (P.O. Scarsdale, N.Y.). Applicant is requesting an amendment to a condition of a previously granted variance application in ZBA Case 90-30 limiting the hours of illumination of a sign from 8:00 am to 6:00 pm; in order to allow hours of illumination to be 24 hours a day. The property is located in an OB-Office Business District and is designated on the Town Tax Map as Parcel ID: 7.240-103-1.

CHAIRPERSON BUNTING-SMITH: All right. Let's go to Case No. 21-05, for property at 555 Taxter Road, which we can go back to my agenda now. GHP Taxter Road, LLP.

MR. LIEBERMAN: 21-05.

MR. DUQUESNE: It's on the screen. ZBA Case No. 21-05, GHP Taxter, for property located at 555 Taxter Road for area variances.

CHAIRPERSON BUNTING-SMITH: Yes. They wish to ask for a change in the illumination. So let's hear from them.

MR. RODRIGUEZ: Good evening, Madam Chair, Members of the Board.

Again, my name is Adam Rodriguez. I'm an attorney at Bleakley, Platt and Schmidt. I represent GHP Taxter, LLP, the owner of 555 Taxter Road in Greenburgh.

When we were here before you a month ago, we discussed our application to amend a previously granted variance that granted illumination of a sign from eight A.M. to 6 P.M. during normal working days.

Our original request was that the restriction be lifted and GHP be allowed to maintain illumination 24 hours a day, seven

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days a week.

Given the discussion with the Board and the feedback that was given to us, we wrote to the Board last week, I think. And based on comments from the Board we amended our request and to basically ask that the restriction be modified to allow illumination between the hours of 8:00 A.M. to 10:00 P.M., seven days a week.

CHAIRPERSON BUNTING-SMITH: Any board members?

MR. ADLER: I'll speak for myself. I think I've heard enough to make my decision, but I'll wait to hear from the others. Maybe they will persuade by me otherwise.

CHAIRPERSON BUNTING-SMITH: Yes?

MR. ADLER: Nobody.

CHAIRPERSON BUNTING-SMITH: I thought there was somebody else responding.

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

CHAIRPERSON BUNTING-SMITH: Okay. All right. Yes, Mr. Bodin.

MR. BODIN: I was there recently at the building and driving down the way and looking at it. And it is my personal opinion that this is purely an advertising thing, and it does not necessarily have to be there beyond the hours we already specified.

It becomes something that other people will say, well, if they can have it why can't I?

It is an -- abomination is the wrong word, but certainly not in the interests of the community to have that sign

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up there. It's my personal opinion, they are putting that up there only for the opportunity to have a sign on the roof.

It's not anywhere near any other one, and there is many, many other facility for urgent care. So it's my personal opinion, this is an advertising gimmick and I don't think that they should have the opportunity to advertise at the expense of the community. Thank you.

CHAIRPERSON BUNTING-SMITH: Any other comments?

MR. RODRIGUEZ: May I respond?

CHAIRPERSON BUNTING-SMITH: Let's see if there are any other comments first from the audience?

(No response.)

CHAIRPERSON BUNTING-SMITH: Okay. Yes, Mr. Rodriguez.

MR. RODRIGUEZ: Thank you, Madam Chair. As we discussed last time -- I don't want to beat the drum over again. But the residences that are within the view shed are thousands of feet away; this is going to have zero impact on any of them. And, you know, the view shed is separated by a significant commercial area that has signs that are eliminated 24 hours a day so we think that the impact you know is going to be basically zero.

CHAIRPERSON BUNTING-SMITH: Okay. Any comments on that?

MR. DUQUESNE: Mr. Bodin seeks to speak.

MR. BODIN: Can I speak again?

CHAIRPERSON BUNTING-SMITH: Yes,

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Mr. Bodin.

MR. BODIN: This is obviously -- the best place to see it is from the New York State Thruway, coming from the Tappan Zee Bridge. It stands out right in the middle of the sky. The community -- it's true, nobody lives near it but every car coming over the Tappan Zee Bridge is going to see that sign. That's advertising of the first order. Yes, there is nobody in the community but every car on the Thruway will see that sign. To me, that's advertising pure and simple.

CHAIRPERSON BUNTING-SMITH: Any other comments?

(No response.)

CHAIRPERSON BUNTING-SMITH: All right. We will take it under consideration.

MR. RODRIGUEZ: If I may, add just one final point to that comment. There are lots of signs on the Interstate, you know, on 287, on all the thoroughfares in the area, and that will make, you know, in our view no impact whatsoever, certainly not a significant impact to the commuting public on those thoroughfares. Thank you.

CHAIRPERSON BUNTING-SMITH: You're welcome.

MR. ADLER: I'd like to make a comment.

I think everybody anybody who drives on that Thruway, on 287, this sign is so prominent it lights up the sky. And I dare say most of the people traveling 287 on the Thruway have no intention to go into that site.

I find it unsightly; and you know, and I believe that the hours they have now are appropriate. That's my opinion.

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CHAIRPERSON BUNTING-SMITH: Thank you. Any other comments?

(No response.)

CHAIRPERSON BUNTING-SMITH: Okay. All right.

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CHAIRPERSON BUNTING-SMITH: Since I don't see Mr. Sciaretta back yet, let's move on to Case No. 21-08, Jarrad & Giselle Linzie, 248 Fort Hill Road. And who is here that matter?

MR. DUQUESNE: Madam Chair, is that a mistaken carryover? I thought that was concluded last month.

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5/20/21 - Case No. 21-07

ZBA CASE 21-07 - POETS CORNER REALTY/LUKOIL SERVICE STATION, for property located at 258 Tarrytown Road, (P.O. White Plains, N.Y.). Law to increase a yard sign from 20 sq. Ft. (Permitted) to 29.3 sq. Ft. (Proposed); in order to install a yard sign. The property is located in a UR NS District and is designated on the Town Tax Map as Parcel Lot ID: 7.490-302-3.

CHAIRPERSON BUNTING-SMITH: You're right. Case No. 20-07, Poet's Corner Realty, Luk-Oil Service Station, at 258 Tarrytown Road.

MR. ZAMBRANO: Good evening, Madam Chairperson, Members of the Board. My name is Matt Zambrano, Zambrano Enterprises, representing Poet's Corner Realty at Luk-oil North America, regarding sign variance at 258 Tarrytown Road in White Plains.

We had met last month and we had lessened our I.D. sign variance request to 29.31 square feet. As per our cover letter that we submitted before this hearing, Luk-oil will be formally withdrawing their variance request for the canopy signage. Instead they are going to potentially pursue a building permit for canopy sign on the south elevation of the canopy facing Tarrytown Road, which is allowable as per Building Code.

Since there were no objections to our I.D. sign last week, we did not make any changes to that. So I will just open up to the Board.

CHAIRPERSON BUNTING-SMITH: Thank you. Any questions from the Board?

(No response.)

CHAIRPERSON BUNTING-SMITH: Any

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comments from the community. Any comments
from the community?

(No response.)

MR. DUQUESNE: No, ma'am.

CHAIRPERSON BUNTING-SMITH: Okay.
Thank you.

MR. ZAMBRANO: Thank you.

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5/20/21 - Case No. 21-10

ZBA CASE 21-10 - JOHN LUBINA, for property located at 2 Taxter Ridge Lane, P.O. Irvington, N.Y. Applicant is requesting variances from Section 285-38(B) of the Zoning Ordinance to increase the maximum driveway width from 30 ft. (Permitted) to 48 ft. (Proposed); and from Section 285-10B(5)(b) to reduce the driveway setback from 20 ft. (Required) to 13.16 ft. (Proposed), in order to expand the driveway. The property is located in an R-40 One-Family Residential District and is designated on the Town Tax Map as Parcel Lot ID7.370-188-73.2.

CHAIRPERSON BUNTING-SMITH: Moving on to Case No. 21-10, John Lubina, 2 Taxter Ridge Lane. Who is here on that matter? I see Mr. Lubina.

MR. LUBINA: Yes, I'm here.

CHAIRPERSON BUNTING-SMITH: Is anyone speaking on your behalf?

MS. DE LA PUENTE: I'm here too. Patricia De La Puente. Hello.

CHAIRPERSON BUNTING-SMITH: Yes.

MS. DE LA PUENTE: This is Patricia De La Puente. I am the applicant for Mr. And Mrs. Lubina, who does everything.

CHAIRPERSON BUNTING-SMITH: Yes.

MS. DE LA PUENTE: The variance is for the extension of the driveway from 16 feet to 23 feet, and the extension of the monitored driveway area from 30 to 48 feet. This part was created after we built the house, and we noticed that the area for the requirements for the owner is -- it was very hard to monitor the cars.

The property is located in a

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cul-de-sac, so we don't have parking spaces for the visitors. Mr. Lubina has family, some large family. They usually meet together with cars and there is no place in the area -- it is the first development in Ridge Lane. In Taxter Ridge Lane. And it was very imperative to extend the driveway, especially because between the street and the house is out of the hill, and we have about almost 200 feet from the street to the house.

If you are driving two ways it is hard to have two cars together, passing by one to another one. And like I say before, to monitor the cars out in the driveway, exceeding the garage, it is a little hard. And they have a 24 hour service in the house that they have to exit in any time for any emergency for their business. And that is about it. We are trying to get in consideration with the Board and the community.

We are trying to give a little better landscape, a beautiful landscape, the house. It is the first development so we are trying to give space for visitors and don't full the streets with cars. It's going to be free of cars so they have this place, especially for the family. It's a large family. They get together usually, and they have friends, and that's the variance that we applied for.

CHAIRPERSON BUNTING-SMITH: I'm sorry. Go ahead, Ms. De La Puente.

MS. DE LA PUENTE: I have Mr. Lubina and Mrs. Lubina in video if they want to say something else, but basically it's that, the variance.

MR. DUQUESNE: Ms. De La Puente, you're free to share screen, if you'd like, if you have a drawing handy.

MS. DE LA PUENTE: Everything was

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submitted to the Board.

MR. DUQUESNE: Okay. The Board members have it. I just didn't know if maybe you had something handy you could flash on the screen, but it's okay.

MS. DE LA PUENTE: No. I can open the plans but it's very hard to the show to the Board and the video.

MS. WALKER: Garrett, if you want to take it out from their files.

MR. DUQUESNE: It's okay. I just did. If she had it ready, that was going to be fine; otherwise, I think we're all set.

CHAIRPERSON BUNTING-SMITH: Are we going to see something or are we going to hear from Mr. Lubina?

MR. LUBINA: Well, I would like to say something. We added extra drainage more than what was required to retain the water in our system. And just maneuvering the cars up by the garage space, it's very uncomfortable. My wife is not the greatest driver. This is more about her, and when we have my family come over, so we have ample room to park the vehicles and not encroach on the street at all; because the street is a very small cul-de-sac. And that was the purpose of this.

CHAIRPERSON BUNTING-SMITH: What's the square footage of the property, if you know?

MR. LUBINA: Well, the property itself is about 1.75 acres.

CHAIRPERSON BUNTING-SMITH: Okay. And the square footage of the home is what?

MR. LUBINA: About 3,200, I would say.

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MS. DE LA PUENTE: Yes. You have about, yes, about 3,500.

CHAIRPERSON BUNTING-SMITH: So am I correct in that the area that you want to expand would be the area at the upper end of the driveway closer to the home?

MR. LUBINA: Actually yes; and just the width of the driveway itself.

CHAIRPERSON BUNTING-SMITH: For that portion.

MR. LUBINA: Yes.

CHAIRPERSON BUNTING-SMITH: Or are you saying that you wish to enlarge the entire driveway all the way out to the street?

MR. LUBINA: Well, the entire driveway is about 70 feet or wider. And on top we're probably going to need 15 or 20 feet just to maneuver the vehicles coming out of the garage, so we don't have to move the vehicles every time we try to get out of the garage itself. It's a three-car garage.

CHAIRPERSON BUNTING-SMITH: So what we see now -- and let's see. Looking at the front view of 2 Taxter Lane, that shows how the house looks before you actually drive into the driveway. You're saying that you would want to widen the driveway on the side that's away from the retaining wall?

MR. LUBINA: Correct.

MS. DE LA PUENTE: Yes.

CHAIRPERSON BUNTING-SMITH: And that would be about seven feet going all the way back?

MR. LUBINA: Correct.

CHAIRPERSON BUNTING-SMITH: And

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then at the end the width would be on the retaining wall side, but it would be a view from the house, not something you would see from the street. Correct?

MR. LUBINA: Yes, that's correct.

CHAIRPERSON BUNTING-SMITH: Okay. All right. I got it straight. All right. Any other questions from any other board members?

MR. CRICHLow: Yes. I was looking at the site plan. And I'm noticing that you want to expand the width of the driveway to the street so that cars can park along the side of the driveway and then another car would have room to pass by it?

MR. LUBINA: Correct.

MR. CRICHLow: Okay. Because in reading the --

MR. LUBINA: Not at all times. This is when we have family over. The cul-de-sac is a small road and there is no parking there at all. You can't even leave the car out on the street.

MR. CRICHLow: So you have a three-car garage and I think in the package it says you have eight cars all totaled?

MR. LUBINA: We've got nine vehicles. We have nine vehicles.

MR. CRICHLow: You use a truck?

MS. DE LA PUENTE: \$2 million worth of vehicles, yes.

MR. CRICHLow: Okay.

MR. LUBINA: Those cars stay in the garage and the other ones would be outside.

MR. CRICHLow: Okay. Parked along

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the new expansion that would be opposite let's say the garage door, near the house?

MR. LUBINA: Yes.

MR. CRICHLow: Yes? Okay. In looking at the site plan it seems as if there is a 16 foot difference in height from the street to your house, which is a pretty good incline.

MR. LUBINA: Yes.

MR. CRICHLow: So I think it would have been helpful or would be helpful to get a sense of how the -- you would have the other, like, five cars?

MR. LUBINA: Well, we were thinking about putting those vehicles -- I'm sorry. Go ahead.

MR. CRICHLow: Oh, yes. Well, again, you have three cars in the garage. If any of those three cars need to exit to the street, to what degree would they have to maneuver around other cars in order to do that?

MR. LUBINA: Well, we can pick up -- how would you say? The vehicles are roughly anywhere between 18 to 20 feet in length. So from when you pull out of the garage, I don't think the obstacle will affect the other vehicles. The other vehicles will be closer to the retaining wall.

MR. CRICHLow: And those cars then would park on this new expansion of the driveway?

MR. LUBINA: Yes.

MR. CRICHLow: I guess perpendicular to the retaining wall?

MR. LUBINA: Directly across from

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the garage.

MR. CRICHLow: Okay. So that when they are parked there in that manner the other cars that are in the garage would be able to safely pass by there?

MR. LUBINA: Correct. Yes, sir.

MR. CRICHLow: Okay. So that was what I was trying to get a handle on in my mind. Like how all these cars were going to actually --

MR. LUBINA: And the truck.

MR. CRICHLow: -- and were going to be parked in this driveway, where this expansion would actually be of any benefit. So you clarified that for me. Thank you.

MR. LUBINA: Thank you.

CHAIRPERSON BUNTING-SMITH: How many of -- since this -- you know the size of your family. Normally when you would have a gathering, how many cars would you normally expect that you would have to somehow accommodate parking for?

MR. LUBINA: My personal immediate family we have -- my wife has a car, my son has three cars, my daughter has a car, my other son has a car. I have two cars myself. So we end up shipping some cars out of New York, down to Florida, so we could have the extra space right now, not to -- how would you say? -- obstruct any obstacles in the driveway.

CHAIRPERSON BUNTING-SMITH: That wasn't really my question.

MR. LUBINA: I'm sorry.

CHAIRPERSON BUNTING-SMITH: You are talking about family gatherings. I mean, we understand that normally you have what,

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according to what you've stated, eight or nine cars or eight or nine vehicles, that I understand.

MR. LUBINA: Sure.

CHAIRPERSON BUNTING-SMITH: But you also said you wanted -- because there is no parking on the street, that you wanted to accommodate family because you have a large family.

MR. LUBINA: That's correct.

CHAIRPERSON BUNTING-SMITH: At gatherings. So I'm saying, how many additional cars --

MR. LUBINA: I would say --

CHAIRPERSON BUNTING-SMITH: -- would you have to accommodate?

MR. LUBINA: Another 10, 12 cars. Another 10, 12.

CHAIRPERSON BUNTING-SMITH: Okay. So that means your son could bring some more cars in if he chose to?

MR. LUBINA: No, he's not buying anymore cars. He's going to have a baby soon so this is.

CHAIRPERSON BUNTING-SMITH: You never know. He'll have some baby cars.

MR. LUBINA: Yes, right. Little pink bulldozer, huh?

CHAIRPERSON BUNTING-SMITH: Yes. One other question I have is, the proposal mentioned a truck. Is that a commercial vehicle or what?

MR. LUBINA: No, no, no, no, no. That's a Toyota pickup truck. We just purchased it about three months ago, three

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and a half months ago. That's a huge -- I mean, it's bigger than a normal car. That's about 21 feet, I would say, long.

CHAIRPERSON BUNTING-SMITH: Like you'd --

MR. LUBINA: Like a regular pick-up truck.

CHAIRPERSON BUNTING-SMITH: I understand it's a pick-up. But you speak in terms of it being used in the business so it sounds commercial to me. That's why I ask.

MR. LUBINA: No, no, no, no. Because he might end up leaving in the middle of the night, you know, to go do service calls. I own an elevator company, so it's a 24 hour service, and both my boys are involved in that.

CHAIRPERSON BUNTING-SMITH: Any other questions from any board members?

MR. ADLER: I have a question. Who lives in the house?

MR. LUBINA: Right now no one.

CHAIRPERSON BUNTING-SMITH: Okay.

MR. LUBINA: We just got a temporary C of O. You know, we just had a temporary issued Tuesday.

MR. ADLER: And you plan to live in the house when you get the C.O.?

MR. LUBINA: That's correct.

MR. ADLER: And how about your children, are they?

MR. LUBINA: We're all going there.

MR. ADLER: And congratulations on

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becoming a grandpa.

MR. LUBINA: Thank you.

MR. ADLER: That's the best of all.

MR. LUBINA: That's what everyone says. Everyone says that.

MR. ADLER: It doesn't get better than that. Now, let me ask you a question. Why does your son have -- he's just interested in cars? Is that why he has three of them?

MR. LUBINA: Well, you know what it was. When they were doing -- I tried to put them in a better place in life. I figured cars was a good thing; it's better than drugs. So if they have an interest in cars, I'm all for it. And you need some kind of, how would you say it? You need something to look forward to. You know, there is too many people that are so confused lately; these young kids, they don't know whether they are coming or going. But they turned out to be great kids and there is nothing in the world I wouldn't give for them, you know.

MR. ADLER: I have no doubt they are great kids. They use -- what does he use the three cars for?

MR. LUBINA: Car shows. He has a Lamborghini. He has a Lamborghini. He has a one-of-a-kind BMW sitting in that garage now. I have a Bentley myself. You know, it's something -- we're car guys. We're not -- you know, it's our hobby.

MR. ADLER: Okay. Thank you.

MR. LUBINA: No. Thank you, sir.

CHAIRPERSON BUNTING-SMITH: Any other questions?

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(No response.)

CHAIRPERSON BUNTING-SMITH: Okay.
Anyone in the audience have any comments on
this case?

(No response.)

CHAIRPERSON BUNTING-SMITH: All
right. Moving on then. Is Mr. Sciaretta
back or should we continue?

MR. SCIARETTA: Madam Chair, we're
still working, so we'll get back to you.
We'll be right back. Thank you.

CHAIRPERSON BUNTING-SMITH: Okay.

O O O

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ZBA CASE 21-12 - Michael Maher, for property located at 38 Byway, P.O. Hartsdale, N.Y.). Applicant is requesting an area variance from Section 285-39 (D)(2)(A) of the Zoning Ordinance to increase the maximum Floor Area Ratio (F.A.R.) from 2,967 sq. Ft. (Permitted), to 3,342 sq. Ft. (Proposed), in order to convert a carport to a garage. The property is located in an R-7.5 One-Family Residential District and is designated on the Town Tax Map as Parcel Lot ID: 8.170-108-7.

CHAIRPERSON BUNTING-SMITH: Moving along, Case No. 21-12, Robert Maher, for property located at 38 Byway, Hartsdale. And who is here to address this matter.

MR. HAYNES: I am, Madam Chair. Can you hear me?

CHAIRPERSON BUNTING-SMITH: Yes.

MR. HAYNES: Hi. How are you? My name is Tom Haynes. I'm from Haynes Architecture. And tonight I'm before you presenting an application for Mr. And Mrs. Maher located at 39 Byway.

We are proposing an application tonight to convert an existing carport into an enclosed garage. We would do so by adding garage doors as a front face of the existing opening and a section of the existing right-hand side of the house which I'll get to some photos momentarily.

We would propose to close off an opening on the right-hand side as well and propose windows in the location.

So currently the existing dwelling is it exists at 2,929 square feet. The permitted in this zone would be 2,967 square feet. So we're just under the permissible now, the maximum permitted. We will be proposing a total of 3,400 -- 3,342.5 square

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feet, which adds 375.5 square feet, which is, again, that area of the existing carport that was to become a garage. That in turn would become a 12.6 percent increase of what's permitted.

If I may, I would share my screen if I'm permitted, and I could just quickly run through the presentation for the proposal. Is that okay?

CHAIRPERSON BUNTING-SMITH: Yes. Please do.

MR. HAYNES: So in front of you now you can see my shared screen, that this is a photograph of the existing dwelling located at the front. As you could see towards the right-hand side here (indicating), if you see my cursor moving, that is the area of the existing carport. And, again, we would propose to enclose this front area with a garage door. And as you could see here, to the right of the vehicle, inside there is an opening there, so that would just become an exterior wall with some windows.

I'm just working my way around this existing house in case anybody didn't get a chance to pass by and get a feel for the existing house and the neighboring properties.

That is the left side-view; the house is situated on a corner.

This photo is a photograph of the rear of the existing house. And this is the -- showing the right hand side. So this opening here (indicating) is what I was referring to before. Where this then, if permitted, we would close this opening, the trim would be removed. The windows would be installed back in this location here (indicating) to provide a little light to the garage, but to also have a little bit of curb appeal from the front right side on the street (indicating). And this trim would be

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removed and the siding would be in-filled to match existing.

So currently -- this is an enlargement of the existing carport area. You know, one of the thoughts I think on behalf of the owner -- I'm speaking on their behalf of course. But, you know, when they opted to go for the carport here I think there was a few things that may have not been really considered at the time. And it really falls down to, again, curb appeal, but also privacy and security of storing items and things.

As you can see here (indicating), the Mahers have a rack here on the wall where they are storing some yard equipment and such. As you can see in the back they have some equipment, a bin here (indicating) and their trash receptacles as well; which, most people leave them in the garage given the opportunity.

So, with that said, you know, they had -- after reviewing their house here, as you could see, they did a beautiful job with the finishes -- they have had a number of complaints by neighbors that were walking in the neighborhood.

So the Mahers would be out -- again I wasn't present but the neighbors -- the Mahers had told me that on numerous occasions they would be outside in their driveway. The neighbors, you know, passing by, walking dogs, would complement the job they did for the finishes on the house. However, they all had a common comment about what was done. And that's the fact that it's a bit of an eyesore, that they are walking by and you can see all of these stored items in the carport area.

So with that said, us proposing an actual garage -- which as far as what that effect would have on the neighborhood essentially at this point my opinion would

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be really no effect on it aside from a positive one. Because, again, the aesthetics would be intact and the owner would have a little bit more privacy and the area to store some items. As you can see, they don't even have bicycles stored in here on a regular basis because of potential theft and what have you.

So the owners do have two younger children, 15 and 17. So, you know, they do have sports equipment and things that, you know, they would like to keep in these areas adjacent if the neighbors aren't looking out or potentially -- you know, somebody could potentially steal. But, you know, as mentioned, you know, it doesn't change the bulk with regards to the neighbors or the appearance. The volume is there.

Again, it's just simply enough adding a garage door and enclosing the right-hand side wall. And I think that, you know, by proposing such that it would be an improvement to not only the curb appeal, it would benefit the applicant by having a little bit more storage area and some privacy. And I think that all of the neighbors would probably be in favor of this that were in that immediate area; as to the fact that when they are driving up the street or walking up the street they don't need to look into their garage at their items that would normally be in an enclosed area.

So, with that said, I'm happy to answer any questions you might have.

MR. CRICHLLOW: How long have they resided in this house?

MR. HAYNES: I believe since 2018. I believe. We did file an application, it might be slightly after. Maybe it was in 2019, potentially. I'm not exactly sure when they did move it, but I know that we did file an application in 2018.

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MR. CRICHLLOW: Okay. Just for the record, can you say how many of the homes in the neighborhood have garages versus carports?

MR. HAYNES: I would imagine most of them. Mostly all of them I would imagine. I have driven the neighborhood. I know that there is one other carport in a house, but I believe that that's several blocks over; at least that's all I'm aware of. But unfortunately I don't live in the neighborhood and I don't walk the neighborhood to really see. But when I have visited the neighborhood it appears that almost everybody had a garage.

MR. CRICHLLOW: Because I'm just wondering, the house looks like it was meant to have a garage. I'm trying to figure out why a set of garage doors on the side of the house weren't originally built that way; because it looks like a relatively newly constructed home.

MR. HAYNES: So it was a proposed alteration to the house. We had at the time -- to just to be up front. I was the architect of record on the original alterations on this house. So there was an expansion when the Mahers had purchased the home. We at that time had added 422 square feet. They felt they could use the additional area at the time, so at the time the decision was made to actually go with the carport at that time.

The reason is is because if they proposed the 422 square feet at that time, and had an enclosed garage, that that would have been over the requirement on the F.A.R. So they would not have been permitted to do their master bedroom that they wound up proposing on the front left hand side when you're looking at it from the front.

MR. CRICHLLOW: I see. So one or

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the other: Master bedroom or a garage?

MR. HAYNES: Correct. And, again, I'm speaking for them. But, you know, it was discussed, and I know that at the time some of these things I don't believe they expected, you know, really the amount of storage and things that they couldn't really -- if you've ever been lucky enough to have a garage, you know, that kind of becomes -- I don't want to say everybody is the same case, but many times it might become a dumping-ground, so to speak, where people store -- sometimes they don't park a vehicle in there. And I think that, you know, I think one of the things that may have been an oversight was really the functionality. Where do you put these things? Where do you put a bicycle?

Sure, they can hang them and they can. But how do you really secure something like that in area that you really need for -- as you could see in the photo here -- the garden tools? You know, where are they going to go? So, you know, that's essentially the predicament that we're in here.

You know, the one thing I would like to commend my clients on, which -- and I think that, you know, the Board can appreciate this because I know what you guys go through, and I go through it myself -- is that he very well could have proposed these and actually installed these things, you know, made that a garage after the fact and given that. You know, take that for what it's worth, but I at least appreciate the fact that he is up front with you in that he didn't want to take a route that was, you know, sort of a sneaky route, so to speak, and do it and then hear something afterwards.

But, again, I think, you know, with that said, you know, the reasons that I had mentioned, I think that would really not

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only benefit the owner but I think that they would benefit the neighborhood as well, to sort of get rid of this unsightliness. And I think that everyone can benefit from it.

MR. CRICHLAW: I have no further questions.

CHAIRPERSON BUNTING-SMITH: Any other questions?

MR. ADLER: I'd like to ask. Mr. Haynes, I have no doubt that your client is conveying to you the opinions of the neighbors that walk by, walking their dogs and other reasons why they'd be walking by. All of what you suggest -- all of whom this change would be acceptable to them. I just wonder, did you ever think about getting a -- you know, it's a pretty tight street -- a letter from a neighbor, you know, saying, you know, "we think this is a good change" or something to that effect?

MR. HAYNES: Not that I'm aware of. We would have to refer back to Mr. And Mrs. Maher. I don't believe they are on the call this evening. I can't see them here on the list of people present; if they are they can chime in. But I don't -- to my understanding, I don't believe that we have any letter. But to my understanding, also, I don't know that there was any opposition to it.

MR. ADLER: I think if there was opposition we would know it.

MR. HAYNES: True.

MR. ADLER: But it would be helpful to have a positive statement. I'm speaking for myself.

MR. HAYNES: Understood No. I understand. I understand.

CHAIRPERSON BUNTING-SMITH: As an

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architect, are there other houses in the area -- particularly on the street or near this home -- that as far as the F.A.R. is concerned come close to it, or comparable?

MR. HAYNES: In this immediate vicinity, not to my understanding. I'm sorry. Was that Carole? I'm sorry; I heard someone.

I'm not aware that there is in the immediate vicinity as mentioned. I know that there is one on several blocks over. I don't exactly know how that is situated with regards to this property, but I know that there is one on -- which I had worked on in the past -- on Westway. Westway. Westway has one.

I don't know how close they are to the maximum on that. It might be close. I don't have that information in front of me now. But to my understanding that property doesn't have anything.

CHAIRPERSON BUNTING-SMITH: When was the work done that you mentioned previously? Where they expanded the master bedroom?

MR. HAYNES: So, I'm looking through my records. We had filed an application, I think it was either late '17 or it was -- all of my records point to '18, that that was submitted.

So obviously it would have gone through a review process there and then construction process. So, as I mentioned, I don't know exactly when they actually moved in, but my application shows that we were submitted I think in '18.

CHAIRPERSON BUNTING-SMITH: Okay. The proposed alterations show a shed, an existing shed, the way it states, in the backyard. Is that still there?

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MR. HAYNES: I don't know actually. Let me see if the photos indicate that. I don't know. Hold on. Let me try to get the photos.

Oh, there is one. Yes. There is a shed here.

CHAIRPERSON BUNTING-SMITH: That's not on the plan, though.

MR. HAYNES: I'm sorry. I didn't see that in the photograph, and also, I'm not aware of that.

CHAIRPERSON BUNTING-SMITH: All right. I mean, I'm just saying that one of your reasons that you used it was where you store things.

MR. HAYNES: Sure.

CHAIRPERSON BUNTING-SMITH: Frankly, normally people who don't have basements that they have easy access to, or garages who have, you know, sheds, and it appears that there is a solution for at least storage, so that's why I brought it up.

MR. HAYNES: I wish they were on, because I can't speak to that, to be honest. As I mentioned I didn't realize there was a shed. I didn't see that in the photograph. I was really focused on the carport. But these were actually the facts that were expressed to me. But as you can see from that other photograph, that there is -- there are things in there.

So my only -- you can see it in this photo, too. My only guess is that they must be at capacity for leaving these things out and available. There is a storage bin in here (indicating).

CHAIRPERSON BUNTING-SMITH: Oh, wait. In the space.

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MR. HAYNES: I can't speak to that. I'm sorry. I wish they were on, but I don't think that they were able to make it.

CHAIRPERSON BUNTING-SMITH: Any other comment from the board at this point?

MS. KNECHT: I have just one quick question. Just in terms of the floor area, the calculation, is it that a carport is not -- because it doesn't have that wall is not counted toward the overall F.A.R.?

MR. HAYNES: Correct. So every municipality has a different F.A.R. requirement. Some municipalities include the entire basement area, even if it's mostly below ground, almost like a cellar. Other municipalities, you know, have different requirements.

So in Greenburgh the requirement is that if you have a garage that's on grade level -- it's actually a -- I think there is a mathematical equation about how far below the first floor, indeed, where it's excluded. In your basement in Greenburgh -- I believe I see Anthony chiming in. Are you going to speak up, Anthony?

MR. ZACAROLLI: Yes. If the basement is more than 6 feet exposed then that whole level counts. That whole level count as storing. It counts in the F.A.R. So for the garage not to count in the F.A.R., it would have to be in the basement level under grade, with not more than 6 feet exposed from average grade to the first floor elevation.

So the fact that it's open, it's exempt from the F.A.R. coverage, the same way a porch balcony or any roof structure up above would be.

MR. HAYNES: Some could argue that that's, you know, because it's essentially a

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level lot, you know, he's at a disadvantage for additional space. Because that's the space -- that would be considered a garage now, we have to factor in from the house. So, if, for whatever reason the garage was below ground on the right side or on the rear, then the house could become less large, in theory, right because you incorporate that area of the garage because it's below.

So that's what we're, you know, we're facing here is, is that this garage is attached at the first floor, so we have scrutinize that area, that F.A.R. But, as mentioned, the volume here is not changing. The only thing that's changing to anybody is that there is a door going on instead of an opening. In theory I know, because we have a through reason -- I understand that we're looking at percentages and such. But aesthetically and volumetrically it's nothing -- it's just that it would become.

CHAIRPERSON BUNTING-SMITH: Any other questions?

(No response.)

CHAIRPERSON BUNTING-SMITH: Anyone in the audience that wants to comment on this case or address it? Go ahead.

MR. BODIN: I notice on the right side, the opening, you want to put a window in there. But looking at that picture on the left side is the door to the house. Which, as a grandfather -- and I had a grandchild there -- it would be expected for him to go in through the garage. But instead of closing that opening on the right side with a window you could put a door in there so that a child could easily get out of there without having to open a garage door; because the operating mechanism is probably over a small child's head anyhow.

Since you have a door on the left

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side that goes into the house, instead of putting a window on the right side opening, you could put a door in there, and windows on the side if you want more light.

That's a safety feature that I as a grandfather consider for my grandchildren.

MR. HAYNES: It's not a bad suggestion at all. Often you're in and out of the garage, especially if he's having storage -- not a bad suggestion, and I would certainly entertain that with them. I don't know that he's set in stone for putting windows there. That exact location, that's what we're showing. But, again, it's really for that curb appeal on the side, you don't want that long expansive wall with no windows or door.

So, point well-taken. And that, you know, if we are favorable in this I would absolutely speak with them, and I'm sure he would be on board with that. It was a good suggestion. Thank you.

CHAIRPERSON BUNTING-SMITH: Any other questions?

MR. DUQUESNE: Mr. Bodin has a question or comment. Okay. I'm going to lower your hand. I don't believe there are any questions from the public.

CHAIRPERSON BUNTING-SMITH: All right. Let's move on then.

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CHAIRPERSON BUNTING-SMITH: Let's move on, then, to Case No. 21-13, GHP Taxter, LLC, for 555 Taxter Road.

Who is here to address that, please?

MR. CERMELE: Good evening, Madam Chair, members of the Board. My name is Joe Cermele. I'm a principal with Kelly Sessions Consulting. We're representing GHP Taxter. I believe with me tonight is Mike Cinicolo from GHP, representing the owner.

We're before you tonight to request a front yard area variance for the installation of a heated enclosure to house an RPZ device, Reduced Pressure Zone Device, which is required for the existing water services that serve the property. If I could share my screen, I will pull the plan up and walk you through what we're looking to do.

So this is 555 and 565 Taxter (indicating), the existing office and medical office space in the buildings. Due to some code requirements and upgrades, the existing water system that serves the property, it's required to install this RPZ device. It's an above grade, I guess utility, provides back up intervention, protection, to the public main and public water source. And because the property, it's all existing conditions, existing services and facilities, we're limited in where we can install this device.

So as you could see here (indicating), the manhole covers and the pits and the vaults (indicating) that you see here, are the underground metering and valve assemblies for the existing water service. That's this line here (indicating), that serves fire and domestic water to the building. And then it splits here (indicating). This line goes to the building at 555 (indicating), and then it

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splits to the right and heads this way (indicating) to serve the building at 565.

So we need to install this RPZ device on the main line going into the property after the meter unit. So that as you can see, we propose connections on the existing service in the parking lot, and we need to route that away from the lot; and we're proposing the structure here, outside the Steep Slope areas. The 50 foot setback as you could see is this line here (indicating), which is coincident with the curb of the existing parking lot.

As shown we're requesting a front yard variance to reduce the required front yard from 50 feet to 13.8 feet. The unit itself would actually be set back approximately 22 and a half feet from the edge of the road.

So you know, although it's a fairly significant variance we're seeking, from a visual standpoint, it will be almost 23 feet from the edge of the road. It is 13.8 from the property line. But, again, we are limited into where we can install this structure. And it does need to be installed at grade or above grade, which is why we need the heated enclosure. The enclosure itself is about 7 and a half feet wide, 7 and a half feet high and approximately 14 feet long; so roughly the size of a, you know, an SUV.

If you can picture that parked on the side of the road. We will have some steel bollards around the three sides of the unit, to provide some protection for the structure itself. It is going to be installed behind an existing utility pole. And then, as I said earlier, these are the existing facilities and underground connections that we need to work with (indicating).

There is no trees being proposed --

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proposed to be removed, rather, for this work. No Steep Slope disturbance, with the exception of approximately just under 250 square feet to install or excavate this trench to install the service corrections. That would obviously be backfilled and restored in kind with topsoil and seed. No Wetland buffer impacts there. And as I said, we're -- unfortunately we're limited on where we can put this.

You know, it has to be installed somewhere between this meeting assembly and the connection where it splits to the two buildings. And, you know, I was showing -- this is all operating parking lot. So we can't install it in here. This is really our only viable alternative for the installation of that unit.

I do have an aerial I could pull up if you'd like to see a street view. I'll just share another screen.

So again this is 555, 565. The area we're proposing installation of the RPZ is approximately in this location (indicating.) I'll just go to street view and I could show you the (indicating). You could see here these are manhole covers, for the existing meter vault pit, which is in this location here (indicating). The manhole covers, the pits for the meter and the location meter and the location of the RPZ unit and enclosure would be approximately in this location (indicating).

So set back, you know, again, almost 23 feet from the edge of the road in an area that's currently just lawn. And then the service trench would extend through this hillside, across the parking lot, and tie into the existing main, which is in this general location (indicating).

I don't know if the Board has any questions; I'd be happy to try and answer them.

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CHAIRPERSON BUNTING-SMITH: Would you be able to do any type of screening for the -- I forget what you call it now -- for the installation?

MR. CERMELE: It's a heated enclosure. It's commonly referred to as a "hot box" in the industry. And, yes, we could certainly -- I could talk to the owner. I don't see they would have any opposition to doing some plantings. We're a little bit limited in what we can do. We won't be able to do anything significant from a, you know, a tree or evergreen.

CHAIRPERSON BUNTING-SMITH: I understand that.

MR. CERMELE: Yes, ma'am. With all the piping and utilities. But we could certainly do some architectural grasses or even some -- I'm thinking of maybe some hollies or some type of shrub material that's evergreen but doesn't have the significant root mass that something like a spruce or an evergreen tree would. But we could certainly look at that; and I don't see that the owner would have any objection to doing that.

CHAIRPERSON BUNTING-SMITH: Any other questions from the Board?

MS. KNECHT: You mentioned that you were going to place bollards around it. What would say, happen, say, like a car ran off the road and hit that thing by accident?

MR. CERMELE: Well, that's what the bollards are for, it would prevent them from destroying and running through the RPZ device and the heated enclosure. So it's similar to what you would see in other commercial properties; you know, shopping malls and the like. You'll see them commonly around refuse enclosures. It's there as a means of protection, to prevent

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an errant vehicle from doing damage to something other -- you know, you don't want them to damage the enclosure and what's inside. So in the worst case you would hope that the bollard would need to be repaired, but that would be the extent of it.

MR. ADLER: Mr. Cermele, I'm sorry to ask you to repeat again, why is this necessary? And I guess another question would be, is this the only place it could go, if it's necessary? Could you help me out and repeat what you said earlier?

MR. CERMELE: Certainly. It is required. I don't have the M.E.P. engineer with me here tonight, but there are some code requirements that specifically require the installation of this unit. And I'll share the screen again. And, again, the purpose of this -- it's a Reduced Pressure Zone and Back Fall Prevention Device. It regulates pressure for the building, but at the same time prevents any back flow of water from the site into the public main. So we're ultimately protecting the public water system that serves everyone in the area.

As I said, it needs to be installed between the main meter pit assembly. This is the meter pit that monitors and records all the water usage for the entire property, for both buildings. It has to be installed somewhere between -- after the meter assembly, but before the unit or the water service splits to either building. The main line comes in and then it's split with a "T" connection here, to the left serves 555 and to the right serves 565. So we need to install or I guess reroute the existing service somewhere between the meter and this "T" connection. And as you could see this is a drive aisle, active drive aisle for the parking lot, again, another active drive aisle here (indicating) and then off-street parking.

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So the nearest viable location to install this is in the front yard. And the nearest or closest level grade we can do that happens to be this location we show on the plan, which necessitated the front yard variance.

CHAIRPERSON BUNTING-SMITH: In conjunction with that explanation, I believe you mentioned at the very beginning much your presentation that this was necessitated by additional work or changes to the property itself. Is that correct?

MR. CERMELE: Yes. I don't have the exact details of it. I believe it -- I don't want to guess. I don't know if it has something to do with the metal that has been added to the building recently. I don't see -- I don't see the owner ref on here.

CHAIRPERSON BUNTING-SMITH: So I guess --

MR. CERMELE: It's obviously an expense, and it's not something we're doing just for the sake of doing. So, you know, as I said earlier, the purpose of this device is to protect the public water source.

CHAIRPERSON BUNTING-SMITH: I understand that. But is it for something that you have plans for that are -- are you planning on constructing or in the process of constructing, or this is this something that you need to do or something that -- -

MR. CERMELE: It's for the existing; it's for the current use of the property.

CHAIRPERSON BUNTING-SMITH: All right. And this is required by whom, Public Health? What?

MR. CERMELE: Yes, the Health Department.

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CHAIRPERSON BUNTING-SMITH: Any other questions?

(No response.)

CHAIRPERSON BUNTING-SMITH: Okay. Is there anyone in the audience that wants to address this matter or comment?

(No response.)

CHAIRPERSON BUNTING-SMITH: Yes, Mr. Simon.

MR. SIMON: I'm speaking as a resident, not in my capacity as a Planning Board member.

I currently live in High Point development. I'm on the board there. And what the Town and Westchester Health Department is requiring that you install back flow controllers, similar to what the applicant is doing, and we are doing that here in the next month or so. So this is a fairly common thing that's required by the Westchester Board of Health.

CHAIRPERSON BUNTING-SMITH: Thank you. Any other comments?

(No response.)

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CHAIRPERSON BUNTING-SMITH: Okay. All right. Thank you. And we will now go back to Mr. Sciaretta.

MR. SCIARETTA: Thank you, Madam Chair. And I appreciate the time. I'm sorry it took a little while. I had to go into my own virtual hallway.

So just so I understand the Board, you know, I spoke to the applicant. And again, this is really the appeal of the Planning Board and also the Civic Association. But if they would agree, you know, given what transpired with the local law, and I believe that progress is being made, we would consider, Madam Chair, again, if the Board would be so inclined to maybe put this off until the next meeting.

Again, I understand that there is some movement being made with respect to the local law on the BESS. So under that premise we'd like to again if the Board so desires to maybe push this off for the next month.

Again, my client also has to look at their own business decisions as well on this. But at least for another month's time, given the fact that there was a good meeting of the Planning Board and the discussion they had on this proposed local law, we think would be a good suggestion as you suggest, Madam Chair, maybe push it off at least to the June 17th meeting. If, again, if that's acceptable to the Planning Board and also the Civic Association as this is their appeal.

CHAIRPERSON BUNTING-SMITH: Yes, Mr. Simon.

MR. SIMON: I fully appreciate the fact that Mr. Sciaretta is recognizing that the Planning Board is moving swiftly in terms of adapting a law. As you recall my first -- when I first came -- my very first

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meeting I indicated that the problem was that the current Special Permit does not adequately cover the facility. And what was needed was a law that would appropriately permit these BESS facilities in the Town. So I appreciate the recognition of Mr. Sciaretta, that the Planning Board is moving forward.

So I appreciate that. But that -- but another issue that has not been addressed by Mr. Sciaretta, was the disingenuous and inaccurate statement that the Planning Board change the minutes of the meeting to facilitate the position that we took. That is false. It is untrue. It damages the reputation of myself, Mr. Schwartz, members of the Conservation, the members of the Planning Board. The Commissioner Garrett. Deputy Commissioner Aaron Schmidt, Assistant Planner Matt Bratton, and the first attorney to the town. Because all of them was involved in reviewing the tapes, reviewing the transcript, and they all agree that the record was not consistent with what was in the minutes.

Mr. Sciaretta had the opportunity to go back and correct this statement. The Town Attorney also spoke to Mr. Sciaretta, to indicate that a public apology was necessary but he hasn't seen fit to do so. So, whereas I welcome the opportunity to -- that he's willing to wait until we finish this rule, I mean, his statement is totally unacceptable and unprofessional. And he owes us a public apology.

CHAIRPERSON BUNTING-SMITH: Any other comments or responses? Yes, Mr. Bernstein?

MR. BERNSTEIN: On behalf of the Council of Neighborhood Civic Associations let me say this. That if there is an opportunity to avoid having the ZBA have to reach the decisions here because of

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superseding legislation, I think that's a good thing and I would support it.

So if the reason for the adjournment is to see where things are -- excuse me? To see where things are going, that's fine. But I would point out also that the Town is in the beginning stages of considering this law. It was introduced. It was referred to the Planning Board. The Planning Board to my knowledge has not yet issued a recommendation pro or con or neutral to the Town Board. If and when it does, it would then go to the Town Board, which would have to hold a public hearing.

This is a very comprehensive revision of the law, as I understand it. It doesn't apply only to the applicant here but to all the other BESS-type facilities, and may well apply to other type facilities like solar and wind. It's a very much needed reform to bring the code up to date. And, you know, I think we all support that effort. But I think it's unrealistic to assume that the matter will be concluded by the June 17th meeting, thereby rendering the issue moot. But it might be, I guess. I mean, anything is possible.

So, with that, we have no objection to the adjournment to June 17th to see where things stand. Because, as I said, if the opportunity exists to avoid have the Zoning Board of Appeals reach the ruling that we're requesting that's to the good.

And, by the way, that happens when the applicant Eagle withdraws its current application, which is what the interpretation with challenging was based on, and re-applies under this new law that the Town presumably will eventually adopt. That's when the issue before the Zoning Board of Appeals becomes moot. Until then, it's still alive, but holding off until we see what the Town does, I think is a constructive thing to do.

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MR. ADLER: Madam Chair, the applicant I believe has been gracious enough to accept the application of this Board to put this decision over until the legislation plays itself out. And I'm happy that Mr. Bernstein apparently has no objection to the adjournment. And I certainly understand -- while Mr. Simon seemingly doesn't have an objection -- he has made various comments about what took place here, which I don't think this is the proper tribunal to air those grievances.

I'm not going to comment who is telling the truth, who is not telling the truth. And I'm sure Mr. Sciaretta has a response to the allegations. But I would hope in the spirit of what we discussed earlier, that we put this decision over into June and see how it plays out.

MR. SCIARETTA: Just for clarification -- and thank you, Mr. Adler, for that. You're correct. You know, with respect to Mr. Simon's comment about the minutes. I'm not going to get into that. The record is what it is at this point, and my statement will stand and, you know, that could be addressed as another forum.

With respect to, as Mr. Bernstein stated, look, we hope it gets resolved in June, but it may not; but that's why we're only asking for a month's adjournment, to see where things play out. Again, we like the progress that we believe is being made and we're asking for a short adjournment just to see where things stand for the next month.

So that's all we're asking for. Again, it was a suggestion, Madam Chair, that you made. We're okay with that, and I believe the Planning Board and also the Civic Association is going to be okay with that. With respect to the other comments

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that were made, again, I will reserve comment. And, again, it's not the time nor place to have that addressed this evening. My statement and comments stand for the record.

MR. ADLER: Thank you.

MR. SCHWARTZ: Madam Chairperson, I'd like to speak. I think what Mr. Sciaretta just did was absolutely outrageous. And I also respectfully disagree with Mr. Adler. Those statements were that statement was made on the record at a Zoning Board of Appeals meeting.

He said something that actually is legally malfeasance, if we actually -- he accused the Planning Board of malfeasance.

MR. SCIARETTA: Excuse me. Don't start lecturing me about legal malfeasance; I've been doing this for 25 years.

MR. SCHWARTZ: Don't tell me. Don't you tell me.

MR. SCIARETTA: Madam Chair, this is completely out of order. If he wants to attack a lawyer's credibility on this record, I suggest he be very careful. In what Mr. Schwartz said; we said what we had to say. They have made a written submission. Let's move on. At this point this whole case is about interpretation. Minutes are the way they are. They were approved. They were changed; that's a fact. Whether -- I'm not quibbling about how they were changed but they were changed. That's a fact. So let's move on.

If Mr. Schwartz -- again, I'd be very careful about what is being stated on the public record about my reputation, my credibility. Because I've been doing this for 25 years. I'd like to think I've been doing in a respectful and professional manner. So I'd be very careful what you

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said on this record tonight. Thank you, Madam Chair.

MR. SCHWARTZ: Can I -- I was rudely interrupted, Madam Chair, and I'd like to finish.

CHAIRPERSON BUNTING-SMITH: I don't mind you finishing, Mr. Schwartz. But keep in mind our function is a Zoning Board of appeals.

MR. SCHWARTZ: I understand that. I understand that. But for the record, he did say, on the record, not that they were change, not just that they were changed; that they were manipulated, for the benefit, for the benefit of our appeal. That is what the actually the tape shows.

He had a month to go back. He got a letter from the Council, from the Planning Board -- excuse me -- e-mail. Would you stop interrupting me, Mr. Sciaretta.

MR. SCIARETTA: E-mail.

MR. SCHWARTZ: He got an e-mail from the Council, from the Planning Board which he never answered. He got a call from the Town Attorney, saying he was too busy and he would answer. He never answered. He got another call from a Town Attorney which he didn't answer. My reputation means a lot to me.

I've been on the Planning Board for 20 years; Mr. Simon almost as long as I have. And I do not appreciate anybody -- completely unprofessional to say not at least admit I made a mistake. That's all we're asking for. Because the record and what we did is absolutely clear. We corrected minutes which are part of this record, by the way. We corrected minutes based on going back and a careful review of the tape. He knows that, and is refusing to admit it right now, and, frankly, I find

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that quite unprofessional.

Thank you very much, Chairperson.

MR. SCIARETTA: Again, Madam Chair, the record is the way it is. It has no bearing on this Board's determination. You know what the record is, and the fact of the matter is, minutes were changed in the middle of this proceeding. Okay. So that's a fact. And I will let my statement and my comment for the record stand. And yes, I did speak to Mr. Lewis. I did receive an e-mail, but I did not think it warranted any type of decision. Because, again, for this appeal and for this record this is a case about interpretation and that's where it stands. So I said my piece and I believe my statements were correct and I will leave it at that.

MR. SCHWARTZ: He's now saying on the record that --

CHAIRPERSON BUNTING-SMITH:
Gentlemen. Gentlemen.

MR. SCHWARTZ: Again, on the record, Madam Chair, he said on the record that we manipulated those minutes. That is what he just said. That is unacceptable, Madam Chair.

CHAIRPERSON BUNTING-SMITH: We are on the record now, so all of this is being recorded. But it is not our job as a Board to get involved in this banter at this point. Please. Is there anyone else who wants to be heard?

(No response.)

CHAIRPERSON BUNTING-SMITH: Thank you. With that, we will adjourn for our deliberations, and we will be back.

MR. SCIARETTA: Madam Chair, just so I understand, has this matter been

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adjourned to the 17th? Just so I understand.

CHAIRPERSON BUNTING-SMITH: We will have to take it up at our deliberations.

MR. SCIARETTA: Okay. Thank you.

MR. DUQUESNE: So pause recording. We are going to take a five minute break. Is that what you would like, Madam Chair?

CHAIRPERSON BUNTING-SMITH: Yes.

MR. DUQUESNE: We'll resume right around 7:25, 7:26.

CHAIRPERSON BUNTING-SMITH: Thank you.

(Whereupon, at 7:22 p.m. the Chairperson called a five minute recess.)

(Whereupon, at 7:27 the Board returned to begin deliberations.)

(Whereupon, at 8:59 p.m. the Board returned to the public forum.)

MS. WALKER: Okay.

MR. DUQUESNE: Janelle, it's okay to go live. You can go live.

MR. DUQUESNE: It's running live, Carole, whenever the Board is ready to proceed. Debbie is ready. We're all good to go.

MR. LIEBERMAN: Carole.

MS. WALKER: I'm here.

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MR. LIEBERMAN: Looks like we're

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ready to go. So, Eve, you're up.

CHAIRPERSON BUNTING-SMITH: All right. We're back everyone with the result of our deliberations and first case on tonight's first two cases I should say on tonight's agenda was Case No. 21-03 and Case No. 21-04, with respect to the BESS storage system, and that will be adjourned for all purposes to the meeting of June 17th, 2021.

The next matter is Case No. 21-05, GHP Taxter, LLP. That also is adjourned for all purposes to the meeting of June 17th.

OoOo

5/20/21 - Case No. 21-07

CHAIRPERSON BUNTING-SMITH: The next case tonight is Case No. 21-07, Poet's Corner Realty/Luk-oil Service Station, at 258 Tarrytown Road.

And, WHEREAS, the Greenburgh Zoning Board of Appeals has reviewed the above-referenced application with regard to SEQR compliance; and WHEREAS, the Greenburgh Zoning Board of Appeals has determined the application will not have a significant impact on the environment, now, THEREFORE, be it resolved that the subject application is a Type II Action, requiring no further SEQR consideration.

Do I have a second? Anybody second?

MR. LIEBERMAN: Lou raised his hand. You have to talk.

MR. CRICHLOW: Second.

CHAIRPERSON BUNTING-SMITH: All favor?

MS. KNECHT: Aye.

MS. UEBERLE: Aye.

MR. ADLER: Aye.

CHAIRPERSON BUNTING-SMITH: And the Chair votes aye.

I move that the application in Case No. 20-07, be granted, provided that:

1. The applicant obtain all necessary approvals and file the same with the Building Department;

2. 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 letter of

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the applicant dated April 27, 2021, submitted in support of this application, or as such plans may hereafter be 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);

3. The variances being granted are for the improvements shown on the plans submitted -- or on the letter, I should say, 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 variances we have approved herein.

MR. CRICHLLOW: Second.

CHAIRPERSON BUNTING-SMITH: All in favor?

MS. KNECHT: Aye.

MR. CRICHLLOW: Aye.

MR. ADLER: Aye.

MS. UEBERLE: Aye.

CHAIRPERSON BUNTING-SMITH: And the Chair votes aye.

FINDINGS

In granting this application, the Zoning Board has weighed the benefit to be derived by the applicant from the proposed variance against the impact the variance would have on the surrounding neighborhood. We have found that:

1. Granting the variance will not result in a detriment to nearby properties and will not adversely impact the character

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of physical or environmental conditions in the neighborhood or district, because the applicant has need of a newer sign that will be an enhancement of the appearance of the service station; however, the tree-lined street landscaping and other foliage in the location is not under the control or ownership of the applicant and the current yard sign does not provide the needed information to passing motorists.

Additionally, the applicant has given up its right to some canopy signage to which it would be entitled under the code as a tradeoff for the yard sign.

2. The goal of the applicant cannot be achieved by some other visible means without requiring the variance we are granting because of the need for practicable visibility.

3. The requested variance is substantial in relation to the requirements sought to be varied in that the relief is 29.3 square feet, compared with 20 square feet (required) a 32% increase.

4. The applicant's need for the variance was self-created because it purchased the property with knowledge of the requirements of the Zoning Ordinance; however, the fact that an applicant's need for an area variance is self-created does not, by itself, require us to deny an area variance.

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CHAIRPERSON BUNTING-SMITH: The next case on tonight's agenda is Case No. 21-09, Hampshire Management, which we had already voted and will be adjourned to meeting of June 17th.

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5/20/21 - Case No. 21-10 & 21-11

CHAIRPERSON BUNTING-SMITH: The next case is Case No. 21-10, John Lubina, for property at 2 Taxter Ridge Lane, Irvington. That is also adjourned to the meeting of June 17th for all purposes.

Case No. 21-11, again, is a case that we had adjourned and voted to adjourn earlier this evening, and that is also now adjourned to the meeting of June 17th.

5/20/21 - Case No. 21-12

CHAIRPERSON BUNTING-SMITH: The next case is 21-12, Michael Maher, for property at 38 Byway, P.O. Hartsdale, New York. And do I have resolution? Yes, I do.

WHEREAS, the Greenburgh Zoning Board of Appeals, with regard to SEQR compliance; and WHEREAS, the Greenburgh Zoning Board of Appeals has determined the application will not have a significant impact on the environment; now, THEREFORE, be it resolved that the subject application is a Type II Action requiring no further SEQR consideration.

And do we have a motion?

MR. CRICHLLOW: I second it.

CHAIRPERSON BUNTING-SMITH: No. We have a motion?

MS. KNECHT: Yes, I have a motion.

I move that the application in Case No. 21-12, be granted, provided that:

1. The applicant will obtain all necessary approvals and file same with the Building Department;

2. That construction 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 January 22nd, 2021, and received April 6th, 2021, submitted in support of this application.

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, the setback or other

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variances we have approved herein.

CHAIRPERSON BUNTING-SMITH:
Second?

MR. CRICHLOW: I second that.

CHAIRPERSON BUNTING-SMITH: All in
favor?

MS. KNECHT: Aye.

MR. ADLER: Aye.

MR. CRICHLOW: Aye.

MS. UEBERLE: Aye.

CHAIRPERSON BUNTING-SMITH: The
Chair votes aye.

MS. KNECHT: Findings.

In granting this application, the Zoning Board of Appeals has weighed the benefit to be derived by the applicant from the proposed variance against the impact that the variance would have on the surrounding neighborhood. We have found that:

1. Granting the area variance for F.A.R. will not result in a detriment to nearby properties and will not adversely impact the character or physical or environmental conditions in the neighborhood or district, because the applicant proposes to convert an existing attached carport into a two-car garage. The existing carport structure already resembles a garage and is used to park cars and store items. The carport is missing a garage door and complete side on the southerly side. Because of these openings, the carport is not counted as part of the Gross Floor Area of the house. Converting the structure into an actual garage with four complete sides and a garage door will in no way change or

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impact the character or appearance of the house. In fact, it will improve the home's appearance as the existing carport is unsightly and provides inadequate privacy and security. Nearly every other home in the neighborhood has a full garage. Also, there are no environmental features or Steep Slopes that would be affected by this conversion.

The goal of the applicant cannot be achieved by some other feasible means without requiring the variance we are granting, because the carport is a significant existing structure that is attached to the house via a door to the inside of the house. There is no other place to locate a garage without exceeding the F.A.R. requirement or incurring significant costs and unnecessary disruption and disturbance to the site.

The requested F.A.R. variance is not substantial in relation to the requirement sought to be varied in that the permitted gross floor area is 2,967 square feet and the requested gross floor area is 3,342.5 square feet, an increase of 375.5 square feet, or a 13% increase in the overall Gross Floor Area. However, it should be noted that the footprint of the carport and the overall bulk of the structure will not change from existing conditions.

The applicant's need for the variance was self-created because they purchased the property with knowledge of the requirements of the Zoning Ordinance; however, the fact that an applicant's need for an area variance is self-created does not, by itself, require us to deny an area variance.

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5/20/21 - Case No. 21-13 & 21-12

CHAIRPERSON BUNTING-SMITH: The next case on tonight's agenda is Case No. 21-13.

And, WHEREAS, the Greenburgh Zoning Board of Appeals has reviewed.

MS. WALKER: Madam Chair, was that vote seconded by anybody? The one Kristi just did for 21-12?

CHAIRPERSON BUNTING-SMITH: Which one? I'm sorry. As far as I know it was.

THE COURT REPORTER: I heard Mr. Crichlow second it.

CHAIRPERSON BUNTING-SMITH:
Thank you, Mrs. Rinaldi.

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5/20/21 - Case No. 21-13

CHAIRPERSON BUNTING-SMITH: Back to Case No. 21-13, GHP Taxter LLC, 555 and 565 Taxter Road, Elmsford.

WHEREAS, the Greenburgh Zoning Board of Appeals has reviewed the above-referenced application with regard to SEQR compliance;

And WHEREAS, the Greenburgh Zoning Board of Appeals has determined the application will not have a significant impact on the environment;

Now, THEREFORE, be it resolved that the subject application is a Type II Action requiring no further SEQR consideration.

Second?

MS. KNECHT: Second.

CHAIRPERSON BUNTING-SMITH: Thank you. All in favor?

MR. CRICHLLOW: Aye.

MS. KNECHT: Aye.

MR. ADLER: Aye.

MS. UEBERLE: Aye.

CHAIRPERSON BUNTING-SMITH: The Chair votes aye. Do I have a motion?

MR. CRICHLLOW: I do, Madam Chair. I move that the application in Case No. 21-13, be granted, provided that:

1. The applicant obtain all necessary approvals and file same with the Building Department;

2. And that construction shall begin no later than 12 months after the granting of the last approval required for the issuance of a building permit and

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proceed diligently thereafter in conformity with the plans dated November 10th, 2019, and time-stamped received on April 15th, 2021, 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);

3. That 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 variances we have approved herein.

Further, the following conditions shall be met: Which is to provide plantings around the RPZ hot box at the advice of the Forestry Officer, and to maintain such plantings from disease, dying or death.

Can I have a second?

MS. KNECHT: Second.

CHAIRPERSON BUNTING-SMITH: I was thinking, did we have the next season?

MR. CRICHLLOW: I didn't put that in, no.

MR. LIEBERMAN: Don't worry.

MR. CRICHLLOW: You'll clean it up? Thank you.

CHAIRPERSON BUNTING-SMITH: Thank you. All in favor?

MR. CRICHLLOW: Aye.

MR. ADLER: Aye.

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MS. KNECHT: Aye.

MS. UEBERLE: Aye.

CHAIRPERSON BUNTING-SMITH: The Chair votes aye.

MR. CRICHLow: Findings. In granting this application the Zoning Board has weighed the benefit to be derived by the applicant from the proposed variance against the impact that the variance would have on the surrounding neighborhood. We have found that:

1. Granting the variance will not result in a detriment to nearby properties and will not adversely impact the character or physical or environmental conditions in the neighborhood or district (provided the conditions above are fully complied with); because the required variance is required in order to install a Reduced Pressure Zone Detector as required by the New York State Building Code on the existing water supply.

The RPZ will be installed adjacent to a highly trafficked roadway, and across this roadway it is a multi-family development and additional office space with associated parking.

The goal of the applicant cannot be achieved by some other feasible means without requiring the variance we are granting now, because the RPZ is required to be installed on the existing water service in order to comply with applicable rules and regulations, and the location and configuration of the existing water system meter pit and the service valves are fixed. The RPZ must be installed in close proximity to these existing fixtures.

The requested variance is substantial in relation to the requirement sought to be varied in that the required relief is 13.8 feet, compared with 50 feet

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(required), which is a 72% increase.

And the applicant's need for the variance was not self-created because the RPZ is required to be installed above grade, as required by the New York State Building Code, within a heated enclosure, and in close proximity to the existing main service connection and meter pit. The resulting location necessitates the area variance for this accessory structure within the required front yard setback.

CHAIRPERSON BUNTING-SMITH: That was a very complicated description but excellent.

MR. CRICHLow: Thank you.

MR. LIEBERMAN: The other thing is, Lou, your math I believe was off.

CHAIRPERSON BUNTING-SMITH: Right.

MR. LIEBERMAN: Did you say 7 percent?

CHAIRPERSON BUNTING-SMITH: It was 50 something to 30 something.

MR. LIEBERMAN: 50 to 13.8. 36.2 divided by.

MR. CRICHLow: I did do the math wrong. Right?

MR. LIEBERMAN: I think that's 72 percent.

MR. CRICHLow: My mistake. Thank you for the catch, Ed. You move the decimal point over.

MR. LIEBERMAN: So it's a 72 so it is substantial. Change that to substantial and it's 72.

CHAIRPERSON BUNTING-SMITH: I'm

5/20/21 - Case No. 21-13

e-mailing this to Carole. Right? You could e-mail it to me and I'll forward it to Debbie, if you want.

MS. WALKER: Eve, you and Kristi as well, forward it.

CHAIRPERSON BUNTING-SMITH: Okay. I have to rewrite mine.

MR. LIEBERMAN: 72.

MS. KNECHT: Is that it?

CHAIRPERSON BUNTING-SMITH: I think that's it. Okay.

MR. CRICHLow: Okay.

MR. LIEBERMAN: We can't adjourn without you, Eve.

CHAIRPERSON BUNTING-SMITH: Okay. Thank you all. I'm recovering from too much sun last week and the week before. That's why.

MR. LIEBERMAN: Tune in tomorrow at about 10 o'clock, Eve will be still be there.

CHAIRPERSON BUNTING-SMITH: I probably will. Okay. Thanks so much. Everyone have a good weekend.

MR. ZACAROLLI: Good night, everyone. Stay well.

CHAIRPERSON BUNTING-SMITH: Have a great holiday.

MR. ZACAROLLI: Happy healthy to everyone.

(Whereupon, at 9:17 PM the meeting of the ZBA was concluded; the next time the Board will meet will be June 17, 2021.)

5/20/21

CASE NO.	CASE NAME	HRG	PGS.
21-03	Town/G-burgh PB	3-7-14-21-47	
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DECISION/ADJOURNMENT

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21-05	GHP Taxter, LLP	55
21-07	Poets Corner Realty/Lukoil	56
21-09	Hampshire Management Co.	58
21-10	John Lubina	59
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C E R T I F I C A T I O N .

This is to Certify That the Above Transcript is
a True and Accurate Transcription of My
Stenographic Notes.

Debra L. Rinaldi
Senior Court Reporter