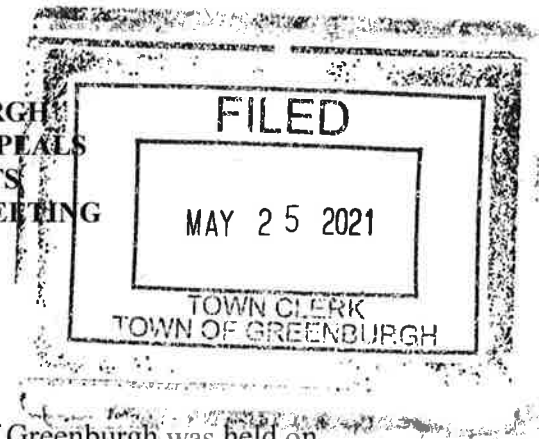




Eve Bunting-Smith,
Chairperson

**TOWN of GREENBURGH
ZONING BOARD OF APPEALS
MEETING RESULTS
THURSDAY, May 20, 2021 MEETING**



The Hearing of the Zoning Board of Appeals (ZBA) of the Town of Greenburgh was held on May 20, 2021, on line via Zoom. Chairperson Bunting-Smith called the meeting to order at 6:00 P.M.

Members Present: Chairperson Eve Bunting-Smith, Les Adler, Louis Crichlow, Kristi Knecht, Diane Ueberle

Absent: William Bland, Rohan Harrison

Staff: Ed Lieberman Esq., Deputy Town Attorney
Carole Walker, Secretary to the Zoning Board of Appeals
Anthony Zacaroli, Deputy Building Inspector

1. **ZBA Case No. 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 Residence District and is designated on the Town Tax Map as Parcel ID: 7.341-168-1

ZBA Case No. 21-03 was adjourned for all purposes to June 17, 2021

2. **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 Residence District and is designated on the Town Tax Map as Parcel ID: 7.341-168-1

ZBA Case No. 21-04 was adjourned for all purposes to June 17, 2021

3. **ZBA CASE 21-05 – GHP TAXTER, LLP**, for property located at 555 Taxter Road, (P.O. Elmsford, 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.

ZBA Case No. 21-05 was adjourned for all purposes to June 17, 2021

4. **ZBA CASE 21-07 – POETS CORNER REALTY/LUKOIL SERVICE STATION**, for property at 258 Tarrytown Road, (P.O. White Plains, N.Y.). Applicant is requesting variances from Section 240-3(D)(14)(d)(2) of the Sign & Illumination 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
On a motion of Ms. Bunting-Smith, seconded by Mr. Crichlow, the Zoning Board of Appeals voted to GRANT the requested variance. Voting was as follows: Chairperson Bunting-Smith: Mr. Adler: AYE, Mr. Crichlow: AYE, Ms. Knecht: AYE: Ms. Ueberle: AYE

5. **ZBA CASE 21-09 – HAMPSHIRE MANAGEMENT CO.**, for property located at 215-305 N. Central Avenue, P.O. Hartsdale, N.Y.). Applicant is requesting variances from Section 285-29.1B(8)(4) of the Sign and Illumination Law to increase the maximum square footage of a pylon sign from 30 sq. ft. (permitted) to 144 sq. ft. (proposed); from Section 285-29.1(B)(8)(b)(3) to increase the maximum height of a sign from 12 ft. (permitted) to 20 ft. (proposed); from Section 285-29.1B(8)(b)(3) to decrease the open space at the bottom of a sign from 6 ft. (required) to 3.58 ft. (proposed); and from Section 285-19.1B(8)(b)(3) to increase the maximum width of a sign from 6 ft. (permitted) to 12 ft. (proposed) in order to replace a pylon sign. The property is located in the CA-Central Avenue Mixed Use-Impact District and is designated on the Town Tax Map as Parcel Lot ID: 8.210-151-3.
ZBA Case No. 21-09 was adjourned for all purposes to June 17, 2021

6. **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 ID 7.370-188-73.2
ZBA Case No. 21-10 was adjourned for all purposes to June 17, 2021

7. **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
ZBA Case No. 21-11 was adjourned for all purposes to June 17, 2021

8. **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.

On a motion of Ms. Knecht, seconded by Mr. Crichlow, the Zoning Board of Appeals voted to GRANT the requested variance. Voting was as follows: Chairperson Bunting-Smith: Mr. Adler: AYE, Mr. Crichlow: AYE, Ms. Knecht: AYE: Ms. Ueberle: AYE

9. **ZBA CASE 21-13 – GHP TAXTER, LLC**, for property located at *555 & 565 Taxter Road, P.O. Elmsford, N.Y.*. Applicant is requesting an area variance from Section 285-25(B)(6)(b) of the Zoning Ordinance to reduce the front yard setback from 50 ft. (required) to 13.8 ft. (proposed), in order to install an accessory structure on the property. The property is located in an OB-Office Building District and is designated on the Town Tax Map as Parcel ID: 7.240-103-1

On a motion of Mr. Crichlow, seconded by Ms. Knecht, the Zoning Board of Appeals voted to GRANT the requested variance. Voting was as follows: Chairperson Bunting-Smith: Mr. Adler: AYE, Mr. Crichlow: AYE, Ms. Knecht: AYE: Ms. Ueberle: AYE

Respectfully Submitted,



Carole Walker

Secretary to the Zoning Board of Appeals