



**TOWN OF GREENBURGH PLANNING BOARD
GREENBURGH TOWN HALL**

AGENDA

WEDNESDAY, JULY 18, 2012 – 8:00 P.M.

Meetings of the Planning Board will be adjourned at 11:00 p.m.

AGENDA

1. ROLL CALL

2. APPROVAL OF MINUTES

3. CORRESPONDENCE

4. COMMITTEE REPORTS

5. REFERRALS FROM THE TOWN BOARD

a. Case No. TB 12-04 Shelter Development LLC (Brightview Senior Living), 191 Old White Plains Road, Tarrytown, N.Y. – Zoning Map Amendment (Town Board Approval) & Zoning Text Amendment (Town Board Approval)

Continuation of a work session, held on May 16, 2012 and June 20, 2012, to discuss a zoning map and zoning text amendment (referral from the Town Board). The petitioner/applicant is seeking amendments: (1) to the zoning map of the Town of Greenburgh to rezone the entire property from the R-7.5 One-Family Residence District and CB Close Business District to the R-7.5 One-Family Residence District; and (2) to add a definition to identify “Independent and/or Assisted Living Facilities” and create special permit criteria for such facilities. If the petitions are successful, the applicant will seek a special permit, Planning Board steep slope permit, and related approvals for the construction of a new residential assisted living facility containing approximately ninety (90) dwelling units on the Property, providing housing to seniors. The subject property consists of approximately 213,444 sq. ft. and is situated on the north side of Old White Plains Road at the intersection of Coleman Terrace. The property is located in the R-7.5 One-Family Residence District and CB Close Business District and is designated on the tax map of the Town of Greenburgh as Parcel ID 7.170-44-21, 7.170-46-2, 7.170-46-3, 7.170-46-6 & 7.170-46-9.

b. Case No. TB 12-02 Town of Greenburgh Zoning Map (Town Board Approval)

Continuation of a work session, held on June 20, 2012, to discuss a zoning map (referral from the Town Board) related to recommendations from the Comprehensive Plan Steering Committee to: (1) have the Town’s Zoning Map be produced as a GIS-parcel based Zoning Map; (2) consider amendments to the Town of Greenburgh Zoning Map which conform to the statutory changes that were passed by the Town Board from 1980 through the present; and (3) prepare a report and recommendation back to Town Board before a public hearing is held on the amendments by the Town Board in accordance with Section 285-64 of the Zoning Ordinance.

c. Case No. TB 12-08 Zoning Text Amendment (Town Board Approval) – Section 285-7 (Zoning map; Interpretation of District Boundaries)

Continuation of a work session, held on June 20, 2012, to discuss a zoning text amendment (referral from the Town Board) to Chapter 285-7 of the zoning ordinance, for a report and recommendation in accordance with Section 285-64 of the Zoning Ordinance.

6. OLD BUSINESS

7. NEW BUSINESS

a. Case No. PB 12-05 ShopRite (Midway Shopping Center), 1001 Central Park Avenue South, Scarsdale, N.Y. – Amended Special Permit (Restaurant) Permit & Shared Parking Reduction Request

A work session to discuss an amended special permit application and shared parking reduction request consisting of the addition of thirty (30) seats within close proximity to the deli department at an existing ShopRite supermarket (Midway Shopping Center), where twenty-three (23) seats exist. On January 19, 2011, the Planning Board approved a special permit at the site for twenty-three (23) seats. At present, 1,289 parking spaces exist on the site and 1,304 parking spaces would be required. The applicant is requesting a shared parking reduction of fifteen (15) spaces. The property consists of approximately 622,821 sq. ft. and is situated on the southwest corner of Central Park Avenue South and Ardsley Road. The subject site is located in the CA Central Avenue Mixed-Use Impact District and is designated on the tax map of the Town of Greenburgh as Parcel ID 8.530-363-2 & 8.530-363-3.

- b. **Case No. PB 12-04** Castillo, 30 Topland Road, Hartsdale, N.Y. – Planning Board Steep Slope & Tree Removal (Town Forestry Officer Approval) Permit

A work session to discuss a Planning Board steep slope and tree removal (Town Forestry Officer approval) permit application consisting of the construction of one (1) single family residence and related improvements. The applicant proposes to disturb a total of 1,216 sq. ft. of disturbance on 15-25% slopes (STEEP SLOPES), 285 sq. ft. of disturbance on 15-25% slopes (VERY STEEP SLOPES) and 297 sq. ft. of disturbance on 35%+ slopes (EXCESSIVELY STEEP SLOPES). The project requires approximately 480 cubic yards of cut and approximately 30 cubic yards of fill. The applicant proposes the removal of nine (9) trees. The property consists of approximately 40,020 sq. ft. and is situated on the west side of Topland Road approximately 680 ft. from the intersection of Crosshill Road and Topland Road. The property is located in the R-20 One-Family Residence District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.280-212-4.

- c. **Case No. PB 12-13** Steinberg Subdivision, 17 North Lawrence Avenue, Elmsford, N.Y. – Preliminary Subdivision (Initial Conference)

An initial conference to discuss a preliminary subdivision application consisting of a two (2) lot subdivision of one (1) existing lot totaling 10,000 sq. ft. Currently, the site contains one (1) vacant single-family residence, which is proposed to be demolished. The applicant proposes two (2) new one-family residences. The proposed lots would be 5,000 sq. ft. (Lot A), and 5,000 sq. ft. (Lot B). The applicant proposes new curb cuts on North Lawrence Avenue for a driveway to each of the residences. Area variances from the Zoning Board of Appeals (ZBA) would be required. The property consists of approximately 10,000 sq. ft. and is situated on the east side of North Lawrence Avenue 400 ft. from the intersection of North Lawrence Avenue and Payne Street. The subject site is located in the R-7.5 One-Family Residence District and is designated on the tax map of the Town of Greenburgh as Parcel ID as Parcel ID: 7.19-78-3.

8. ITEMS FOR PUBLIC HEARING & PUBLIC DISCUSSION (ITEMS WILL START NO SOONER THAN 8:45 P.M.)

- a. **Case No. PB 12-14** Olivieri Subdivision, 286 Saw Mill River Road & 300 Orchard Lane, Elmsford, N.Y. – Preliminary Subdivision

A work session to discuss a preliminary subdivision application consisting of the shifting of an existing interior lot line separating two (2) contiguous lots. The lot fronting on Orchard Lane exists as a 12,724 sq. ft. lot and is proposed to be 10,000 sq. ft. (Lot A). The lot with frontage on an easement off of Saw Mill River Road exists as a 12,776 sq. ft. lot and is proposed to be 15,490 sq. ft. (Lot B). Lot A contains one (1) residence, which will remain. Lot B contains one (1) 2-family residence, which will remain. A new driveway and curb cut is proposed off of Orchard Lane to access the existing residence on proposed Lot A. The applicant previously received a variance to reduce the setback from a parking area to the side lot line on Lot A. Proposed site improvements include the removal of existing impervious surfaces (patio, wall, driveway area, etc.) on each lot. The property consists of approximately 25,490 sq. ft. and is situated at the western end of Orchard Lane. The subject site is located in the DS Designed Shopping District and is designated on the tax map of the Town of Greenburgh as Parcel ID as Parcel ID: 7.190-60-11 & 7.190-60-24.

The applicant previously received preliminary subdivision approval on March 3, 2011, as part of Planning Board Case (PB 10-13) for the same proposal. The current subdivision proposal (PB 12-14) is a result of the expiration of the approvals granted for PB 10-13.

- b. **Case No. PB 12-12** Gundersheim, 7 Bayberry Road, Elmsford, N.Y. – Minor Wetland/Watercourse Permit

A public hearing to discuss a wetland/watercourse permit application associated with the completion of the construction of a stone drywall in a wetland/watercourse buffer area. The completed and proposed activities require approximately eleven (11) cubic yards of excavation and 150 sq. ft. of soil disturbance within the approximately 20,000 square feet of adjacent wetland/watercourse buffer area. The nearest point at which the disturbance is located to the existing on-site pond is approximately fifteen (15) feet. The property consists of approximately 40,510 sq. ft., and is situated on the east side of Bayberry Road approximately 500 feet from the intersection of Bayberry Road and Payne Street. The property is located in the R-40 One-Family Residence District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 7.200-92-2.

- c. **Case No. PB 09-32** Hai-Wen Peng Subdivision, Westminster Road, Scarsdale, N.Y. – Preliminary Subdivision, Planning Board Steep Slope & Tree Removal Permit

Continuation of a public hearing, held on August 3, 2011 and June 6, 2012, to discuss a preliminary subdivision, Planning Board steep slope and tree removal permit application for the purposes of constructing two (2) single family residences on one (1) existing lot totaling 39,266 sq. ft., which is proposed to be subdivided into two (2) lots. Currently, the site is vacant. The applicant proposes Lot 1 to be 20,471 sq. ft. and Lot 2 to be 18,795 sq. ft. New curb cuts will be required on Westminster Road for each of the proposed driveways. The applicant proposes 1,318 sq. ft. of disturbance on 15-25% slopes (STEEP SLOPES), 1,395 sq. ft. of disturbance on 25-35% slopes (VERY STEEP SLOPES), and 11,348 sq. ft. of disturbance on 35+% slopes (EXCESSIVELY STEEP SLOPES). The project requires 1,303 CY of excavation and 0 CY of fill. The applicant has proposed the removal of forty-six (46) regulated trees from the property as part of the project. The property consists of approximately 39,266 sq. ft. and is situated on the west side of Westminster Road, approximately 400 feet from the intersection of Westminster Road and Ardsley Road. The property is located in the R-7.5 One-Family Residence District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 8.460-326-1.

d. Case No. PB 06-12 Danfor Realty Subdivision, *Blueberry Hill Road, Irvington, N.Y. – Preliminary Subdivision, Planning Board Steep Slope, Wetland/Watercourse & Tree Removal Permit*

Continuation of a public hearing, held on May 16, 2012, to discuss a preliminary subdivision, Planning Board steep slope, wetland/watercourse and tree removal permit application for a proposal to subdivide two (2) existing lots in order to create a total of four (4) lots. Three (3) of the lots would contain a single family residence and the fourth lot (Lot 4A) would contain a new retaining wall within a private right-of-way. The proposed lots are 34,597 sq. ft. (Lot 1), 31,913 sq. ft. (Lot 2) and 124,569 sq. ft. (Lot 3). Currently, the site is vacant. A new cul-de-sac extension is proposed to be connected to an existing cu-de-sac (Blueberry Hill Road). The applicant received area variances related to the proposed access of the subdivision. The applicant proposes 8,449 sq. ft. of disturbance on 15-25% slopes (STEEP SLOPES), 1,397 sq. ft. of disturbance on 25-35% slopes (VERY STEEP SLOPES), and 4,906 sq. ft. of disturbance on 35+% slopes (EXCESSIVELY STEEP SLOPES). The project requires 1,500 CY of excavation and 1,900 CY of fill. The applicant proposes 24,344 sq. ft. of disturbance (0 sq. ft. in the wetland/watercourse and 24,344 sq. ft. in the wetland/watercourse buffer area) in the approximately 120,266 sq. ft. of adjacent wetland/watercourse and buffer area. The applicant has proposed the removal of 120 regulated trees from the property as part of the project. The property consists of approximately 208,718 sq. ft. and is situated on the north end of Blueberry Hill Road approximately 500 ft. from the intersection of Mountain Road and Blueberry Hill Road. The property is located in the R-40 One-Family Residence District and contains a CD Conservation District Overlay, and is designated on the tax map of the Town of Greenburgh as Parcel ID 7.440-252-4 & 7.440-252-9.

9. ESTABLISH DATE FOR NEXT MEETING