



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

AGENDA

WEDNESDAY, AUGUST 15, 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 12-07 *Antenna Law Amendment (Town Board Approval)*

A work session to discuss a report to the Town Board related to a referral from the Town Board regarding proposed amendments to Chapter 285-37 of the zoning ordinance recommended by the Edgemont Community Council, called “the Town of Greenburgh Cellular Antenna Law modification act of 2012.” At the August 1, 2012 Planning Board meeting, the Planning Board made a recommendation to the Town Board.

6. OLD 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 the decision of 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 11-13 *Greystone, Broadway (accessed through the Village of Tarrytown), Tarrytown, N.Y. – Preliminary Subdivision, Wetland/Watercourse, Planning Board Steep Slope & Tree Removal Permit*

Continuation of a work session, held on June 6, 2012 and August 1, 2012 to discuss a preliminary subdivision, Planning Board steep slope, wetland/watercourse and tree removal permit application for a proposal consisting of a thirteen (13) lot subdivision of one (1) existing lot in unincorporated Greenburgh, for the purposes of creating twelve (12) single family residences. The applicant proposes to offer a 21.7 acre lot for open space. Currently, the site is vacant. The applicant also is proposing an eight (8) lot subdivision on adjacent lands in the Village of Tarrytown, through which the subdivision in unincorporated Greenburgh would have roadway access. The applicant proposes 390,587 sq. ft. of disturbance on 15-25% slopes (STEEP SLOPES), 96,814 sq. ft. of disturbance on 25-35% slopes (VERY STEEP SLOPES), and 30,472 sq. ft. of disturbance on 35+% slopes (EXCESSIVELY STEEP SLOPES). The project requires 65,687 CY of excavation and 39,758 CY of fill. The applicant proposes 204,363 sq. ft. of disturbance (204,363 sq. ft. in the wetland/watercourse buffer area and approximately 550 linear feet of disturbance associated with the piping of a portion of an existing swale) in the approximately 607,713 sq. ft. of adjacent wetland/watercourse and buffer area. The applicant has proposed the removal of approximately 1,121 regulated trees from the property as part of the project. The property consists of approximately 2,468,109 sq. ft. and is located at the end of Round a Bend Road in the Village of Tarrytown and adjacent to the Taxter Ridge Park Preserve in the Town of Greenburgh. The property is located in the R-40 One-Family Residence District within the CD Conservation District Overlay, and is designated on the tax map of the Town of Greenburgh as Parcel ID 7.300-142-3.

This application is also scheduled for a public hearing this evening. The continuation of the work session is only occurring to allow Planning Board members to discuss unfinished inquiries from the August 1, 2012 work session. The applicant will make a formal presentation during the public hearing portion of the meeting.

7. NEW BUSINESS

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

a. 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 and July 18, 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 cul-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.

b. Case No. PB 11-19 IK Realty Co., 249 Saw Mill River Road, Elmsford, N.Y. – Wetland/Watercourse Permit Violation

A public hearing to discuss a wetland/watercourse permit violation is associated with unauthorized site disturbances, including the placement of fill within a wetland/watercourse buffer. The property consists of approximately 28,605 sq. ft. and is situated on the west side of Saw Mill River Road, approximately 350 feet from the intersection of Warehouse Lane and Saw Mill River Road. The property is located in the L.I. Light Industrial District and is designated on the tax map of the Town of Greenburgh as Parcel ID: 7.180-53-3.

The site owner previously applied for amended site plan and wetland/watercourse permit approval for a proposal to reconfigure, pave and stripe forty-three (43) parking spaces on a site with an existing two (2) story building. The site's existing parking spaces consist of gravel surfacing. The applicant proposes to improve the site with curbing, sidewalks, a retaining wall, signage, landscaping and a drainage system to convey stormwater. No changes to the existing building are proposed. The applicant proposes approximately 9,000 sq. ft. of disturbance within a watercourse buffer area. The applicant proposes to excavate approximately seven (7) cubic yards and fill approximately 1,227 cubic yards, and will therefore require a Fill Permit to be issued by the Bureau of Engineering.

The public hearing is scheduled only to discuss the violation aspect of the property.

c. Case No. PB 09-26 Galarza, 99 New Sprain Road, Scarsdale, N.Y. – Wetland/Watercourse & Planning Board Steep Slope Permit

A public hearing to discuss a wetland/watercourse and Planning Board steep slope permit application involving the legalization of prior work within an on-site watercourse and watercourse buffer area and proposed improvements within the on-site watercourse buffer area. The applicant proposes to legalize: (1) existing retaining walls (and wrought iron fence) along the existing watercourse; and (2) a shed, which was moved within the allowable setback distance. The applicant proposes the following improvements: (1) remove and re-set existing dry stone retaining walls along the northerly line of the premises; (2) remove existing slate patio and replace with flagstone; (3) construct dry stone wall to make a perimeter wall in the front yard; (4) remove/abandon the existing separate sewage disposal system and septic tank; (5) install a sewer connection under the existing driveway; (6) install a new aboveground pool; and (7) create a level yard area with retaining walls at a maximum height of 7.5 ft. The applicant proposes 2,020 sq. ft. of disturbance on 15-25% slopes (STEEP SLOPES), 260 sq. ft. of disturbance on 25-35% slopes (VERY STEEP SLOPES), and 690 sq. ft. of disturbance on 35+% slopes (EXCESSIVELY STEEP SLOPES). The property consists of approximately 20,923 sq. ft. and is situated on the east side of New Sprain Road approximately 200 feet south from the intersection of Deer Hill Lane and New Sprain 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: 8.330-242-5.

d. Case No. PB 11-13 Greystone, *Broadway (accessed through the Village of Tarrytown), Tarrytown, N.Y. – Preliminary Subdivision, Wetland/Watercourse, Planning Board Steep Slope & Tree Removal Permit*

A public hearing to discuss a preliminary subdivision, Planning Board steep slope, wetland/watercourse and tree removal permit application for a proposal consisting of a thirteen (13) lot subdivision of one (1) existing lot in unincorporated Greenburgh, for the purposes of creating twelve (12) single family residences. The applicant proposes to offer a 21.7 acre lot for open space. Currently, the site is vacant. The applicant also is proposing an eight (8) lot subdivision on adjacent lands in the Village of Tarrytown, through which the subdivision in unincorporated Greenburgh would have roadway access. The applicant proposes 390,587 sq. ft. of disturbance on 15-25% slopes (STEEP SLOPES), 96,814 sq. ft. of disturbance on 25-35% slopes (VERY STEEP SLOPES), and 30,472 sq. ft. of disturbance on 35+% slopes (EXCESSIVELY STEEP SLOPES). The project requires 65,687 CY of excavation and 39,758 CY of fill. The applicant proposes 204,363 sq. ft. of disturbance (204,363 sq. ft. in the wetland/watercourse buffer area and approximately 550 linear feet of disturbance associated with the piping of a portion of an existing swale) in the approximately 607,713 sq. ft. of adjacent wetland/watercourse and buffer area. The applicant has proposed the removal of approximately 1,121 regulated trees from the property as part of the project. The property consists of approximately 2,468,109 sq. ft. and is located at the end of Round a Bend Road in the Village of Tarrytown and adjacent to the Taxter Ridge Park Preserve in the Town of Greenburgh. The property is located in the R-40 One-Family Residence District within the CD Conservation District Overlay, and is designated on the tax map of the Town of Greenburgh as Parcel ID 7.300-142-3.

9. ESTABLISH DATE FOR NEXT MEETING