

# **COUNCIL OF GREENBURGH CIVIC ASSOCIATIONS**

## **Minutes of Meeting – Monday, January 27, 2025**

This Zoom-enabled meeting began at 7:30 PM. The meeting was chaired by CGCA Chair Madelon O’Shea (Old Edgemont). In attendance were: CGCA Treasurer Dorrine Livson (Worthington-Woodlands), Alex Anser (Hunter Lane), Mike Burdi (Suburban Manor), Paul Colten (Hilltop Farms), Lloyd Cort (Parkway Gardens), Major Fareed (Juniper Hill), Alan Fishman (Northern Greenville), Ellen Foley (East Irvington), Richard Grant (Hartsdale Park), Maria Pecora & Bill Sullivan (Sprain Brook Parkway), Ella Preiser (Beaver Hill), Carol Sarcinella (Hartsdale Park), Ken Stahn (Ardsley/Sprain Road) and Enrica Staeger (Downing Hill). Also attending was Greenburgh Councilman Frances Sheehan.

Teresa Lyles Holmes, who lives on Stratford Road, was welcomed to the meeting. Ms. Holmes and her neighbors are interested in reviving the Woodhill Civic Association which was long a member of the CGCA. Dorrine Livson said she would send Ms. Holmes a copy of the necessary information such as bylaws adopted when the Worthington-Woodlands Civic Association was formed.

### **UPDATE ON CGCA TREASURER’S REPORT**

Treasurer Dorrine Livson reported that the 2024 CGCA Financial Statement, which was emailed to all, showed the checking account balance as of December 31, 2024 was \$865.57. She noted since then she has received \$50.00 more in dues and had expenses of \$120.00, leaving \$795.57 remaining. She said another \$80.00 expense will be due on the first of February. Mrs. Livson noted there is no immediate concern but the CGCA should start thinking about the future and whether it will be necessary to increase the annual dues or perhaps drop the CGCA website. Some present felt the website should be maintained to provide information to the public. All those present thanked Sheldon Livson, a CPA, who oversees the CGCA financial information and helps Treasurer Livson prepare reports.

The CGCA Minutes of the December 9, 2024 meeting were approved as written.

### **BLACK HISTORY MUSEUM INITIATIVE EXHIBIT - 2/2 AT 2 PM**

Madelon O’Shea and Lloyd Cort reported that a reception for the Black History Museum Initiative will take place at the Greenburgh Public Library on Sunday, February 2, 2025 at 2:00 PM. They noted the Exhibit will be on display in the Greenburgh Library auditorium and is open free to the public.

Mrs. O’Shea said she received an email from Supervisor Paul Feiner that she didn’t understand. The email was about holding exhibitions on all the groups that make Greenburgh - Greenburgh. Councilman Francis Sheehan said that at the Town Board work session last Tuesday (1/21/25), there was some confusion. Council members thought that there was a plan to have a display of prominent Afro-Americans on the walls of the second floor of the Theodore D. Young Community Center. Mr. Sheehan mentioned that the Town Board is planning to name the second floor of the TDYCC after its former Commissioner Barbara Perry. At the work session, Council members learned for the first time that the Black History Museum exhibit is to be moved from the Library - not to the TDYCC - but to the second floor of Town Hall. Mr. Feiner’s email was to invite other groups - Asian, Hispanic, LGBTQ, etc. - to have the same opportunity to display information about their contribution to the Town on the second floor of Town Hall on a rotating basis. Mr. Sheehan said all this has to be worked out. He indicated his preference would not be segmentation but rather displaying the rich diversity of the Town simultaneously.

### **CFA GRANTED APPROVALS BY PLANNING BOARD**

Madelon O’Shea asked for a status report on the Chick-Fil-A (CFA) application regarding the proposed fast food establishment at the Tarrytown Road/Old Kensico Road intersection (now vacant CVS store). Ella Preiser responded: “It’s a done deal.” As previously reported, the ZBA granted 13 variances on November 14, 2025 without any discussion. The Planning Board then held a Public Hearing on December 4, 2024 on the requests for

Site Plan, Special Permit and Tree Removal approvals. The CGCA's written comments as well as comments from the City of White Plains were ignored. The Hearing was closed and the record was kept open until December 18<sup>th</sup> for written comments. On January 18, 2025 all necessary approvals were granted, including a Planning Board waiver from the required 10-foot landscaped buffers on all sides of the property. Section 285-38(H)(2)(c) of the Zoning Ordinance allows the Planning Board to waive or modify the provision of the law which states: "Where the existing topography and/or existing landscaping provides adequate screening...." Mrs. Preiser noted that no explanation was given of how the topography or what landscaping will provide "adequate screening" of cars parked only 3.4 feet from Old Kensico Road or 2.4 feet from County Center Road.

Traffic for this CFA is subject to a "GO" plan - Grand Opening Plan - which allows striped parking spaces on the lot to be temporarily converted to "drive thru lanes" to prevent back-ups on Old Kensico Road and Route 119 during peak operating hours. The GO plan will be reviewed in six months or earlier if the police require it. If necessary, a variance will be sought to permanently eliminate these parking spaces.

Mrs. O'Shea pondered how long the trip will take to visit family and friends in the Fulton Park area once the CFA facility opens. It is expected considerable extra travel time will be needed, even with an extra lane to Route 119 and a few more seconds of "green" time added to the traffic signal at the intersection. All present agreed with Teresa Holmes that the Woodhill Civic area will also be impacted by CFA traffic.

### **PUBLIC HEARING TO CONTINUE ON ADU LAW**

Madelon O'Shea reminded everyone that the Town Board will hold a continued Public Hearing on February 12, 2025 on the proposed Accessory Dwelling Units (ADUs) law. She noted she would still like to hear from a realtor about the impact on the sale value of a home with an ADU as well as the impact on the sale value of a home adjacent to a home with an ADU. Ellen Foley noted that last month Town Assessor Edye McCarthy said there had been no recent sales of homes with an ADU. Councilman Francis Sheehan said the Town Board has not taken a position on the law and noted one shouldn't conflate the three different types of ADUs - located within an existing house, in an adjacent garage or in a new cottage - as the impacts could be different. Mrs. Foley also noted there are no income guidelines on costs of conversion, the rent that would be necessary to charge to help one "age in place," and whether grant money will be available. She noted two years ago when Governor Kathy Hochul proposed ADUs, there was a huge outcry from Northern Westchester that Albany was taking away local zoning powers.

Ella Preiser mentioned she does not understand why information is not available regarding resales of homes with an ADU. She noted that earlier last year, CD&C Commissioner Garrett Duquesne provided information that 21 of the 45 municipalities in Westchester already permit ADUs. For example, there are 400 ADUs in Bedford, 159 in Mount Pleasant, 156 in New Castle, 177 in Yorktown, and even 23 in Hastings-on-Hudson. All of these ADUs were not built in the last couple of years, and it is inconceivable that no house with an ADU has been sold.

Mrs. O'Shea said she continues to have concerns about the impacts an ADU could have on a school district. She noted Greenburgh has good school districts and many young families cannot afford home ownership and would welcome the opportunity to rent an ADU. She mentioned again that someone already approached her about whether she would be willing to move into an ADU on the lower level of her home and rent the upper portion so their children could attend Edgemont Schools. She noted depending on current enrollment, adding one or two students in a particular grade could make additional costs necessary for an extra classroom with an extra teacher. [Note: She has no plan to create an ADU at her home.]

It was determined that the CGCA should continue to ask that the Town Board hold open the Public Hearing until there is better outreach to the owners of the thousands of one-family dwellings in Greenburgh who are totally unaware of this proposed legislation creating ADUs. All questions need to be answered.

### **FORTRESS BIBLE CHURCH PROPERTY SOLD**

Paul Colten reported that last week Supervisor Paul Feiner informed the Hilltop Farms Civic Association that a person currently is “in contract” to acquire the Fortress Bible Church property off of Dobbs Ferry Road, just east of the northbound entrance to the Sprain Brook Parkway. This 6½ acre parcel is currently zoned R-10 which means approximately 20 single-family homes could be developed. The notice suggested that to lower the traffic impact, the property might be developed with a memory care facility or garden type apartments and there could be an entrance on Pomander Drive rather than Dobbs Ferry Road. The person expressed interest in meeting with the neighbors and the Town to discuss the best use of the site.

Mr. Colten noted that development of a memory care facility would not be likely because the Zoning Ordinance has a set-back requirement and Dobbs Ferry Road already has two nearby facilities - The Chelsea (former Frank’s Nursery) and the BrightView approved senior living facility under construction on the Metropolis Country Club property. Also, a zoning change would be necessary to allow multi-family apartments. Mr. Colten noted some Hilltop Farms neighbors are concerned about impacts (noise and air pollution) from the Parkway if the heavily wooded buffer is removed. He said the Hilltop Farms Civic Association asked neighbors for comments and plans to meet to discuss the issue. Madelon O’Shea said she understands the property is very steep and rocky so she questioned whether 20 homes could be built. Rumors were that Fortress Bible was planning to develop the property and a question was raised about when it was put up for sale Mr. Colten mentioned there was a for sale sign along Dobbs Ferry Road early last year

### **DISCRIMINATION CHARGED**

Ella Preiser urged everyone to watch the Tuesday, January 21, 2025 Town Board work session and the ZBA meetings in November and December of 2024. She noted the first case on the agendas for all three meetings deals with a couple who purchased a home in Greenburgh in April of 2024. The new owners have set about to repair the house which has been unoccupied and in disrepair for about 15 years, including a fire in 2018. A previous owner was granted approvals to build a two-car garage at the rear of the house in 1962 but for some strange reason no permission was ever granted for a driveway to reach that garage. The new owners are before the ZBA seeking a variance for a side yard setback for the necessary driveway. The Hearing has been postponed until March.

The new owners are complaining of harassment and mistreatment by some neighbors and have filed police reports and discrimination complaints with the Westchester County Human Rights Commission. Mrs. Preiser said she finds any discrimination troubling, but she is also deeply troubled that the ZBA has required the new owners to identify and provide photographs of other driveways in the immediate neighborhood that are at or close to the property line (9 of 15 adjacent homes were found to have 0 setback). She noted the homes in this area were built around 1956 and were subject to the 1932 Zoning Ordinance which did not have driveway requirements like the 1957 or today’s Zoning Ordinance. At the Town Board work session last Tuesday, Deputy Building Inspector Liz Gerrity said she will be issuing notices of violations to other neighbors in the area without the proper approval for their driveways. Mrs. Preiser said this is likely to increase animosity in the neighborhood. She suggested it is likely many of these neighbors, like these new owners, bought their homes with no knowledge their driveways were not legal.

### **BEHAVIOR OF BOARD MEMBERS QUESTIONED**

Madelon O’Shea noted there is a major difference in the make-up, the attitude and the knowledge of the Town Board, Planning Board and Zoning Board of Appeals. She said she has spent much of her life, over decades, attending board meetings and things are not what they used to be. She noted it appears that today’s board members don’t always do their homework ahead of time, appear bored and don’t pay attention to members of the public who speak. She mentioned that the CGCA and Fulton Park worked very hard to document and present cogent arguments regarding the Chick-fil-A application, but were totally ignored by the ZBA and Planning Board. Ella Preiser mentioned that there are three new Planning Board members and she questioned the amount of training

they have received. Mrs. O'Shea reminded the Boards can make decisions that have serious consequences affecting owners' properties.

Mrs. Preiser noted that rules do not apply equally to all those present at meetings. She noted at one ZBA meeting an applicant was told she could not share some information on her cell phone with the board members but another person at the same meeting was allowed to approach the ZBA members sitting at the dais and show them pictures and hold conversations with them that the public could not hear. She said another member of the public was so disturbed that a ZBA member was not paying attention while she was speaking that she stopped what she was saying and addressed the board member asking: "Am I a problem? I didn't know if I was interrupting you." Mrs. Preiser said at recent Town Board meetings rules don't seem to apply equally and some people get extra time at the microphone or are immediately responded to when they ask questions or yell out from seats in the auditorium. Mrs. O'Shea said she thinks the Town Attorney should have called a halt to some of the comments that were made from the audience at recent Town Board meetings. She praised the Town Attorney for advising that names not be mentioned during the last Town Board work session.

#### **LUCAS CIOFFI TO BE INVITED TO CGCA MEETING RE TRAFFIC SAFETY**

Dorrine Livson said that Supervisor Paul Feiner wants to start up the "Traffic Safety Committee" again. She noted that Lucas Cioffi has agreed to lead the Committee and she suggested that the CGCA invite him to the February 24<sup>th</sup> CGCA meeting so he could explain how things were looked at and what was accomplished for the Edgemont community. She pointed out that we have spoken about various things on numerous occasions such as speeding throughout the Town and lack of enforcement. She questioned whether we have sufficient police officers. All agreed it would be helpful to have Mr. Cioffi listen to our concerns, explain important issues, and provide information on how to get things done.

#### **UPDATE RE DOBBS FERRY ROAD DEVELOPMENT**

Dorrine Livson provided an update regarding the Elmwood Preserve's proposal to construct 113 single family homes on the former Elmwood Country Club property on Dobbs Ferry Road. She noted the developer had to apply for a third extension of time to remove the unclean soil brought on the site. They also have to complete the necessary "brownfield" cleanup and receive approval from the Department of Health of Westchester County before construction of the homes can begin. The extension was granted.

Mrs. Livson said the State Department of Transportation has decided to align the on and off southbound ramps to the Sprain Brook Parkway, creating an intersection with a traffic light on Dobbs Ferry Road. This means that a new entrance to East Rumbrook Park will be built further down the road, near Carlson's Nursery. This new entrance/exit will be to both the existing park and the new 14-acre park. Mrs. Livson reminded that this 14-acre parcel is not a donation from the owners of the Elmwood Preserve property. Under Town law, the Town Board decides whether an applicant must provide property or money for recreation when new housing is constructed. The Town Board decided to accept the 14-acre parcel that directly abuts the existing park. The 14-acre property is separated by the Con Edison high tension wires from the rest of the proposed housing development.

#### **CONFLICT OF INTEREST & OTHER CONCERNS**

Ken Stahn asked to address the CGCA about a number of concerns. He noted his comments should not be looked at as partisan politics or advocating for any political ideology, but rather his concern was for ethical government, efficiency, fairness and public trust. He said he had concerns about a conflict of interest with Town Councilwoman Ellen Hendrickx being on the payrolls of both the Town Board and newly elected House Representative George Latimer. Mr. Stahn noted Ms. Hendrickx has not attended a Town Board work session or meeting in person, only on Zoom, since January 7, 2025. He said on January 7<sup>th</sup> she shut down discussion about funding for sidewalks that upset Supervisor Paul Feiner. Mr. Stahn noted the other board members let her table the discussion, possibly because they didn't want it to appear that Greenburgh would receive better funding

because she worked for Congressman Latimer. Mr. Stahn said he doesn't think it's correct or proper for someone to attend by Zoom without telling the public where they are and/or why they can't attend in person.

On another issue, Mr. Stahn mentioned four or five emails that he sent to Supervisor Paul Feiner about the recent snow storm and Ardsley Road. Mr. Feiner forwarded the emails to DPW Commissioner Rich Fon. One email generated a message that Mr. Fon was out of town and wouldn't be back until after the storm. The next day Mr. Feiner included a message on the gblast that Mr. Fon was in Ireland on vacation, but was on the phone with him preparing for the storm. Mr. Stahn said it was obvious Mr. Feiner didn't know Mr. Fon was out of town.

Mr. Stahn also noted that in addition to two salaries, Councilwoman Hendrickx is receiving \$18,000 in lieu of health care coverage. He said Councilman Francis Sheehan is also receiving \$18,000 in addition to his salary as a Town Council Member. Mr. Stahn said Mr. Sheehan receives plenty of money and questioned why taxpayer money is needed to buy him a polo shirt.

Mr. Stahn then mentioned an email that Councilwoman Joy Haber forwarded to the Town Attorney from a person asking her to do something regarding the mural under the Manhattan Avenue Bridge. Ms. Haber's email asked the Town Attorney not to answer any questions raised by this person but the email accidentally included the person's name on the mailing list. Mr. Stahn said he also found disturbing that Ms. Haber stated at the Town Board meeting that Israel's Prime Minister Benjamin Netanyahu was a mass murderer, who killed far more people than Louis Farrakhan and referred to the number of Jewish people living in Greenburgh and its villages.

Mr. Stahn said he knows that the CGCA does not get involved in political issues, but he wanted to bring these issues to the attention of civic leaders. Madelon O'Shea said the CGCA will share his concerns with its membership list and they can determine whether or not they wish to do anything. Dorrine Livson said anyone wishing to receive copies of Mr. Stahn's emails should reach out to her at [dlivson1@gmail.com](mailto:dlivson1@gmail.com) or via the CGCA website.

Mr. Stahn said he thinks it is time to institute term limits and age limits. He noted he is 76 years old and he thinks we need to turn our responsibilities over to capable younger people. Ella Preiser said she has found that younger people do not appear very interested in stepping into our shoes. Mr. Stahn recalled when Supervisor Feiner first came to Greenburgh over 32 years ago he was in favor of term limits.

### **COUNCILMAN FRANCIS SHEEHAN RESPONDS**

Councilman Francis Sheehan asked for and was given time to respond to Ken Stahn's comments. First, Mr. Sheehan expressed surprise that the issue of Councilwoman Hendrickx holding two jobs was still being raised. He noted the issue was debunked in a front page news story a few weeks ago, which reported the "Hatch Act" applies only to federal employees in the Executive Branch of government. There is no conflict of interest because she is not working for anyone in the Executive Branch. Mr. Sheehan noted this issue keeps re-surfacing in an apparent attempt to get Ms. Hendrickx off the Town Board.

Mr. Sheehan said Mr. Stahn should be praising vacationing DPW Commissioner Rich Fon for communicating from a foreign country by cell phone about a snow storm instead of criticizing him. Mr. Sheehan noted the Town has a hierarchy and deputies take over when a Commissioner is absent. He noted Deputy DPW Commissioner Frank Morabito did a marvelous job and the Town received no complaints during the recent storm. [Note: Later on in the discussion, Mr. Stahn said he would like to make one correction. He indicated he wasn't picking on Commissioner Rich Fon but rather Supervisor Paul Feiner for not knowing where his department heads are. Mr. Sheehan said he had no disagreement.]

Regarding the polo shirts, Mr. Sheehan stated that the Parks & Recreation Department decided to buy shirts for all employees so members of the public could identify employees. He noted Supervisor Feiner is the only one

well known and recognizable in the Town. Mr. Sheehan said this is really a trivial matter, but the polo shirts are basically a work shirt so when Town employees attend a community event, members of the public know who they are interfacing with.

Regarding attendance at meetings, Mr. Sheehan noted that the Greenburgh law states a quorum must be present in person and meetings must be held in a place where the public can attend. As long as a quorum is present in person, other members can participate via Zoom. He said Councilwoman Hendrickx was complying with the law. He noted he too has missed every meeting in person since his wife's tragic accident, but he has attended meetings via Zoom. He said even though he was not physically present at meetings he has been working, preparing resolutions, etc. He noted when a person trivialized his wife's accident and compared it to a fender bender at the Odell House, he had to turn his camera off because he was overcome with emotion.

Mr. Sheehan said he did not understand the comments regarding the number of Jewish people living in the Villages and in Unincorporated Greenburgh and could not respond to them.

Mr. Sheehan also responded to comments made earlier at tonight's CGCA meeting when Ella Preiser and Madelon O'Shea mentioned questionable behavior at recent Town Board meetings. He agreed the last Town Board meeting was an embarrassment with residents calling out from the auditorium. He noted there was a "clock management problem" as well. Board members kept interrupting public speakers and the clock was stopped and there was so much back and forth some speakers received more than five minutes. He said he frankly doesn't know the right answer. He would like the public to have five minutes with the Board responding at the end of the five minutes. However, he noted if the Board cuts off the microphone, they will be accused of depriving speakers of First Amendment rights. Mrs. O'Shea said the Town Attorney should step in and halt some of the discussion. Mr. Sheehan said Town Attorney Danko has on some occasions but has been overruled by Supervisor Feiner who is Chair of the meeting.

Mrs. O'Shea mentioned that she attended a Town Board meeting in November with another member of the public. She noted both of them were so uncomfortable, neither one is willing to attend in person again. She said this is unusual because she spent many years of her life attending numerous meetings in Town Hall and was fine, whether she went alone or with her husband or someone else.

#### **BRIGHTVIEW DEVELOPMENT ON DOBBS FERRY ROAD BEGUN**

Major Fareed mentioned that the BrightView development company doing work at the Metropolis Country Club site reached out to the Juniper Hill community that ground had been broken and work is proceeding. Mr. Fareed noted that the community is concerned about the number of trucks and construction vehicles coming through. He said some large trucks have been observed backing up onto the sidewalk on Fair Street and there is concern that the sidewalk not be damaged. The company promised to stay in touch, keep the community apprised of events and promised to follow up on any problems. Mr. Fareed noted that Councilwoman Gina Jackson has been very responsive as well.

#### **EXPLOSIVE NOISE LIKELY WAS A "CRYOSEISM"**

Mike Burdi asked if anyone heard two loud explosions that took place in the area north of Elmsford last Monday (1/20/25) about 2:30 AM. He said another explosion occurred at 10:30 PM. He noted there were no sirens or other apparent responses to these noises. Bill Sullivan who also lives nearby heard the noises and said they were likely from a "cryoseism" - which is somewhat akin to an earthquake. He noted a cryoseism is also called a "frost quake" or "ice quake" and can happen when there is a sudden drop in temperatures, from warm to freezing. Any water that has seeped underground rapidly freezes and the resulting rapid expansion can cause the dirt and rock to crack and explode causing the noise.

### **ESCO vs. CON ED - STILL A SAVINGS FOR THOSE “OPTED OUT”**

Ella Preiser reported that the second month of this new 14-month ESCO contract in which the Town enrolled Greenburgh residents and small business owners for electric supply has been costly. She noted her cost per kWh and that of the Livson family was 10.64¢, mainly for the month of December. Ken Stahn’s cost was 11.06¢. While these costs were more than one cent higher than the costs for the month of November, they were still more than one cent cheaper per kWh than the 12.178¢ those enrolled in the ESCO paid for 50% renewable electricity. Mike Burdi noted his Con Ed bill was over \$600. Madelon O’Shea said her bill was \$878.09. Dorrine Livson reminded that when comparing the dollar amount for the monthly bill, one must not only consider the cost per kWh or therm but also compare the number of kWhs or therms used. Mr. Burdi mentioned that this month’s bill was for 33 days compared to last year’s bill for 32 days. It was noted that bills for the month of January, for electricity supply from both Con Edison and the ESCO, will likely be even more expensive, mainly because of the recent extremely cold weather.

### **MISCELLANEOUS**

**East Irvington Awaits Sidewalk, Flooding Addressed.** Ellen Foley said she is hoping that the year 2025 will be the magic year when East Irvington will finally see a sidewalk. She noted the community has had assurances for the past two years that there is money in the budget but so far she hasn’t seen any plans. She did note, however, that there have been some improvement on Cayuga Lane, Willow Lane and Mountain Road in terms of drainage, so hopefully residents won’t get flooded. Results will be determined during the next big rainstorm.

**Parkway Gardens has Good News.** Lloyd Cort said Parkway Gardens has some good news to report. He noted a while ago there was an accident at the corner of South Road and Hillside Avenue that busted the wall. He said he complained time and time again, and it has finally been fixed. He noted this is good news for everyone in the community and those who drive by because it was aesthetically terrible to look at.

**Thank you Dora. Thank you Carmela. Thank you Shelly.** The CGCA wishes to thank Dora Ashley for continuing to maintain the CGCA website. The CGCA thanks Carmela Greco-Acevedo for previous efforts arranging CGCA Zoom meetings and for training Shelly Livson to take over this duty. A special “Thank You” to Shelly for agreeing to do this.