

COUNCIL OF GREENBURGH CIVIC ASSOCIATIONS

Minutes of Meeting – Monday, July 28, 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), Mike Burdi (Suburban Manor), Evelyne Cantave (Beaver Hill), Paul Colten (Hilltop Farms), Lloyd Cort (Parkway Gardens), Alan Fishman (Northern Greenville), Ellen Foley (East Irvington), Maria Pecora and Bill Sullivan (Sprain Brook Parkway), Ella Preiser (Beaver Hill), Dylan Pyne (Edgemont Community Council), David Rosenbaum (Ardsley Estates), Carol Sarcinella (Hartsdale Park), and Carol Wielk (Secor Homes). Also in attendance was Greenburgh Town Councilman Francis Sheehan.

Treasurer Livson reported that the balance in the checking account, as of June 30, 2025, remains the same at \$744.31. Minutes of the May 19, 2025 meeting were approved with further clarification to Dylan Pyne's comment regarding the ability of the Edgemont School District to absorb additional students if ADUs are allowed, and with changes suggested by Carol Wielk to include actual comments by the Town Attorney's regarding the "Animal Control Law." These changes will be made before the Minutes are posted on the CGCA website (cgca.info).

PATIO.COM LOSES LAWSUIT

Madelon O'Shea reported that Patio.com, located at the corner of Central Avenue and Old Army Road, filed an Article 78 lawsuit against the Town, the ZBA, the Building Inspector and Deputy Building Inspector after the ZBA denied a variance to permit continued outdoor display and sale of furniture and other items. The store argued it had displayed items outside for decades. The Building Inspector indicated that was a "nonconforming use" and under the current Zoning Ordinance only fully enclosed retail stores are permitted. He determined the store's "grandfathered" right to continue such outdoor display and sale expired because the store was out of business for more than six months. The Town presented photographic evidence to the ZBA and court that the store was not operating for about three years, as well as records showing no water usage and numerous complaints from community members about the neglect of the property. On July 14, 2025 the court upheld the ZBA ruling in support of the Building Inspector's decision to deny the request for a variance. Mrs. O'Shea thanked Councilman Francis Sheehan for providing a copy of the court decision and said Deputy Town Attorney Ed Lieberman should be commended for his effort regarding this lawsuit.

CGCA SUPPORTS GRANT FOR NEW ACCESS TO EAST RUMBROOK PARK

A discussion took place about CD&C Commissioner Garrett Duquesne's email seeking civic group support for a grant to develop new vehicular access to/from East Rumbrook Park. Dorrine Livson explained that the State DOT has decided to align the exit and entrance ramps of the Sprain Brook Parkway on Dobbs Ferry Road. The current entrance into the Park would be eliminated and only used as an emergency route. A new entrance to both the existing Park and the 14.2-acre annex to the Park that the developer of homes on the former Elmwood Country Club property must contribute to the Town will be built further to the west on Dobbs Ferry Road.

Mrs. Livson commented that East Rumbrook Park was built with federal and state funding and is therefore open to everyone in the U.S. She noted since 2017 she has been championing the idea that the 14.2-acre annex be developed as a "universal park" providing opportunities for children and adults of all ages, including those with various handicapping conditions, to meet, recreate and interact. She noted according to the state, there are 13 different "disabled" categories. She said she has sent out information about the 30 best playgrounds around the world designed for the disabled, but she would like to see all 14.2-acres developed with playgrounds, various equipment, trails, and open spaces available for all to use to develop recreational as well as social skills. When she brought this idea up at a Parks & Recreation Advisory Committee meeting last week, five members of the group supported the idea. She said she plans to reach out to all ten public school districts in Greenburgh, as well as local private and parochial schools and seek their support for a universal park instead of just more ballfields.

Madelon O'Shea noted that Commissioner Duquesne requested that he receive responses by 5:00 PM on Wednesday of this week. Carol Wielk mentioned that Mr. Duquesne's letter included a conceptual diagram of the park showing two huge athletic fields. She expressed concern that supporting his letter meant supporting the conceptual plans. Those present at the meeting voted to fully support the Town's request for the \$675,000 state grant to construct the necessary entrance. A second vote was taken to support the development of a universal park on the entire 14.2-acre parcel to serve all ages, including the handicapped and disabled, which would be unique to the nation. A CGCA letter indicating this support will be prepared. Civic leaders were encouraged to send support from their individual areas regarding the grant and the concept of a universal park.

TOWN ENDURES ANOTHER TORRENTIAL RAIN STORM

Madelon O'Shea mentioned the extreme flooding that took place at Fulton Park (7/14/2025). She noted property owners reported not only rain water damage, but sewers that backed up into their homes. Dorrine Livson noted that six to eight homes on Windom Street, Lark Avenue and Westchester View Lane also were inundated with water and sewage. One property owner received three and a half feet of water in their basement. Mrs. Livson said she advised the owners to inform the Town about the sewage. The Town came out to take a look but she had heard no feedback. Carol Wielk said Jean Lane property owners also received water from Ferncliff Cemetery. She noted the Town is working with the Cemetery to address this discharge of water on to neighboring property. Mrs. O'Shea noted even a home on Miller Terrace in the Fulton Park area was flooded. Mrs. Livson said that presumably Westchester County was working with the Fulton Park neighbors to address the flooding.

Ms. Wielk noted CD&C Commissioner Garrett Duquesne said the Town received seven (7) inches of rain in three hours. Mike Burdi asked Councilman Francis Sheehan whether the Town maintains the infrastructure to address these kinds of storms. Mr. Sheehan mentioned that our infrastructure is built to accommodate a 25-year storm, which is typical throughout the U.S. He noted there is nothing anyone can do to accommodate a 100-year storm. He said he was out on Dobbs Ferry Road and watched the dirt pouring down from the Bright View construction site - the whole street was brown. He said more than 30 people were rescued from their cars. He said he received a call from his daughter about a car stuck on Hillside Avenue with children in the car. He called the police which found two cars with children in them that had to be towed out of the water.

Mr. Sheehan said the Town received emails urging that this should not happen again. But he noted there is nothing the Town can do to prevent this from happening again. He said the Town hires a meteorologist that provides extremely accurate data that helps the Town save a lot of money by allowing the DPW to clean out debris in advance when necessary. He said this wasn't a storm that the Town knew about. The Town was caught by surprise. No one predicted the storm would be that bad. He said some Town infrastructure was so undermined by this storm, it now must be repaired.

Ella Preiser mentioned that businesses north of Elmsford in the Route 9A corridor were heavily impacted and the road was closed. She noted promised work has never been done and the Saw Mill River (and the Bronx River) need dredging. Mr. Sheehan said the Army Corps of Engineers did a great job in Ardsley but didn't find it was cost effective to do anything for Babbitt Court. Mrs. Preiser noted the ACoE also did a great job in Chappaqua but nothing in between Chappaqua and Ardsley and we should be demanding that the state and federal government provide more help. Mr. Sheehan said the Town is asking Westchester County to do an IMA to address some issues. For example, he said we know there are backups on County waterways. The County says they aggressively clean them out but the Town has drone footage showing it doesn't take long before they are clogged again. Ms. Wielk asked about the IMA? Mr. Sheehan responded it is an "Inter-Municipal Agreement." Mike Burdi mentioned that historically the Bronx River Parkway gets flooded and must close, often multiple times a year. He suggested we should invite the state and federal government to get involved. Mrs. Livson suggested the Town could host such a meeting so government officials could learn of all the problems instead of hearing about them piecemeal. Mr. Sheehan said we know what the problems are and we know the solutions, but the issue is where are the resources? Ms. Wielk mentioned this is a particularly important issue now since the national

government is slashing funding and it will be necessary to have the state increase funding. Mrs. Livson suggested that we should forego sidewalks and instead fix the infrastructure with the money. Mrs. O'Shea mentioned that the Bronx River has flooded Scarsdale High School since she was in 7th grade.

ADU HEARING ADJOURNED - SOME QUESTIONS REMAIN UNANSWERED

Madelon O'Shea said she promised CD&C Commissioner Garrett Duquesne that the CGCA would put out the message that the August 6th Public Hearing on the proposed Accessory Dwelling Unit (ADU) legislation has been adjourned to September 10, 2025.

Mrs. O'Shea mentioned she and the CGCA have received no response to questions raised about whether lending institutions have agreed to second mortgages or home equity loans for an ADU. She said there was an article in the *Wall Street Journal* Saturday and Sunday (July 19 & 20) about a bill that would make back yard homes easier to finance. The article said that lending institutions (credit unions and banks) don't want to lend unsecured money, and financing an ADU is unsecured. The bill would get the government to act as security on the loans. The article mentions that otherwise, ADUs will only be built in areas where people have the funds and don't need a second mortgage to put a tiny house in their backyard.

Paul Colten reported that Amazon sells tiny homes. He said if you go on their website and search for "folding home," you will come across 100s of pre-fab units costing from \$5,000 to \$60,000. Most are constructed of steel. He said he didn't know if they will comply with the Town's building codes. He said various sizes are available including multi-bedroom units that come in a box, and you "unfold" them. Mike Burdi indicated that the price is attractive, but to obtain all necessary permits and connections with utilities, it would likely cost at least \$150,000 or more. Carol Wielk questioned whether these units could withstand a 100-year storm. Mr. Colten suggested they are probably sturdier than mobile homes. Most have some resistance to elements, but research would be needed regarding particular structures. Ellen Foley mentioned any outside structure is supposed to be compatible with homes in the neighborhood. She said she heard NY Governor Kathy Hochul was hoping a bill for \$150,000 would pass so that residents under certain income levels could apply for a grant from the state to construct an ADU. Mrs. Foley said she hoped any ADU law would prohibit blacktopping the front yards for parking. Dorrine Livson urged her to send an email to Commissioner Duquesne about her concerns. Mr. Burdi noted New York City provides low interest loans for ADUs up to 800 sq. ft. in size. He mentioned they require water sensors to be installed. He also mentioned that 11 people died in an illegal apartment in the City.

SUBDIVISION REQUEST FOR ARDSLEY ESTATES CONTINUES

David Rosenbaum provided an update on the request for a subdivision in the Ardsley Estates neighborhood. He noted the Town was fantastic in response to his FOIL request and provided more than 2,000 pages of documents the same afternoon. He found the full history of the Ardsley Estates subdivision. He said he has used AI to locate documents relevant to this case. The records include Westchester County's reason - low water pressure issues for denying building on some of the lots, including the lot the applicant is trying to currently subdivide. Mr. Rosenbaum said he has spoken at three Planning Board hearings and has supplied three sets of documents to the Board. More civic association residents have joined him in opposition and have contributed money to retain counsel. Justice Spolzino is representing them. The record is supposed to close today but their attorney has requested that it be adjourned so he has time to get up to date and submit comments.

Mr. Rosenbaum noted on July 16, before the Public Hearing opened, the Planning Board members stepped outside with the Town Attorney for more than an hour. It is not known whether it had to do with this case, but when the Board members returned, there was some push back because his group had originally retained the attorney for advice only and not to represent them before the Board. He noted some of the Board members seemed sympathetic. The applicant's attorney argued they were only looking for subdivision approval and not applying for any development at this time. However, the applicant's attorney acknowledged he would be less than honest if he didn't state that someone might eventually be interested in building a house there.

Mr. Rosenbaum stated the Planning Board is supposed to evaluate the Town Code and the potential impact on the neighborhood. The applicant's attorney has argued a subdivision is not against the code. The Planning Board is grappling with the implications that a future development may be against the best interests of the Town and community. Mr. Rosenbaum stated the restrictive covenant he found precludes building a house on the site.

Mr. Rosenbaum said his group prefers that the Planning Board deny all three applications - for subdivision, tree removal and wetlands permits. The reason is if the Planning Board approves all three permits, the applicant will not have to come back before the Planning Board for any development but would simply go to the Building Department for permits. They have asked if the subdivision is approved, the wetlands and tree removal permits be denied. He noted they raised some concerns about wetlands and flooding and drainage in the areas that were not brought out at prior hearings, as well as how wild life would be impacted. They are also asking the Planning Board to reverse the SEQRA Negative Declaration that it issued stating there would be no negative impact on the environment and to issue a Positive Declaration so that a proper Environment Impact study can be conducted.

Madelon O'Shea inquired if the group had submitted copies of the FOILED documents to the Planning Board. Mr. Rosenbaum indicated the documents from the County Health Department and Fire Department were submitted as well as the letter from the original attorney for the development acknowledging they had to go from 37 to 34 homes, based on the findings. Dorrine Livson asked whether the restriction regarding low water pressure was still an issue. Mr. Rosebaum said he could find nothing that suggests that has changed in the last 30 years. The County will allow boosters on the entire subdivision but not on individual lots.

TOWN CONSIDERING A SIDEWALK "DISTRICT"

Madelon O'Shea reported that she understands a possible "sidewalk district" is in the thought process. She noted if you create a district, it goes to the state and means everyone within its borders makes a financial contribution. As the code stands now, if a sidewalk is on the Town right-of-way abutting a property, the property owner is responsible for removing leaves, snow and other debris, repairing it when needed, and liable if someone slips and falls on it. Ellen Foley said she understands the Town has 12 miles of sidewalks and received grant money to build some of those sidewalks. She asked if all of them would go into a "district?"

Councilman Francis Sheehan noted right now there is a disparity in the Town. He said heavily used sidewalks on some residential streets, such as Columbia Avenue, are plowed by Parks & Rec because some of the neighbors didn't want a sidewalk. The Town also maintains the sidewalk on Ardsley Road because it is to the rear of the adjacent homeowners' properties. He said it is not fair that some property owners are exempt from having to maintain a sidewalk while others who objected to a sidewalk are told they must maintain it and to notify their insurance company because they are now liable. He said it is a complicated situation. Should there be one sidewalk district for the entire Town? Is a referendum necessary? What happens if a referendum doesn't pass? He said he is mainly concerned that we don't treat residents differently.

Mrs. O'Shea asked: Who would be taxed? Mr. Sheehan responded if there is one district, it would likely be part of the "B" budget that all unincorporated property owners pay. He said he doesn't think the Town plans to install sidewalks over the objections of residents along roads that are not heavily used by pedestrians. He noted he hasn't seen hard data, but agreed the Town must determine the cost of maintenance.

Mrs. Foley said that most people in East Irvington don't have sidewalks but want one on Taxter Road. She noted the road is hazardous and heavily used by big trucks bringing leaves and yard waste to the Town's transfer station. She said roads in the area are horse and buggy two-lanes built years ago, with a lot of traffic and speeding today. She said a sidewalk would help kids boarding and leaving school buses and those wanting to walk to the park that former Commissioner Gerry Byrne built. Mr. Sheehan mentioned that some residents did not want a sidewalk on

their side of Taxter Road. Mrs. Foley said she understands that the sidewalk can't be built on one side because of outcroppings. She said maintenance costs should be in the budget.

Dorrine Livson noted a sidewalk has been recommended on West Hartsdale Avenue and some people don't want one because they would have to maintain it. She agreed that the Town should pick up the costs for maintenance and snow removal. Mr. Sheehan said that is the purpose of a sidewalk district. He said Parks & Rec could coordinate with DPW for snow removal. Mike Burdi said he spoke to Supervisor Paul Feiner about two issues. (1) Recommending the Town should fly a drone to see how heavy pedestrian traffic is, and (2) whether property owners should be responsible for a sidewalk placed in the Town-owned right-of-way in front of their property.

Mr. Sheehan recalled the controversy when a sidewalk district was proposed for a sidewalk on Seeley Place in Edgemont years ago. There were many hearings. Other streets were suggested for sidewalks. Many people wanted sidewalks but it appeared that no one wanted them on their side of the street because of maintenance and liability issues.

ESCO PRICES HIGHER AGAIN

Ella Preiser reported that once again, for the fourth month in a row, residents and small business owners who the Town enrolled in an ESCO are paying 12.17 cents per kWh for their electricity supply, which is higher than the Con Edison monthly average price of 10.40 cents per kWh. Her price and that of the Livson family, mainly for the month of June, was 10.56 cents per kWh. Ken Stahn's price was 10.65 cents per kWh. During six of the past eight meter readings, those who opted out of this contract have saved money. There are still six months to go on the current 14-month contract with the ESCO.

As reported last month, the Town Board has already agreed to Westchester Power securing another contract with an ESCO for electricity supply. Councilmembers Francis Sheehan and Gina Jackson voted "no" re this extension. Mr. Sheehan said he voted "no" because a message had not been sent to homeowners, as promised, if the ESCO cost was higher than the average Con Edison rate three months in a row. He said he supported the concept of participating in this Community Choice Aggregation program, and he thinks most people who wanted to "opt out" have done so. He said there also was supposed to be an initial mailed notice but the Town was later told it couldn't be put in with the original mailing. Mike Burdi said many people don't know about the program. He suggested putting a notice on the Town's cable channel about the ESCO and one's ability to "opt out." Mr. Sheehan said some people have been saying "What are they complaining about? It's less than two cents a month difference." He acknowledged it does add up. Mr. Burdi said his cost was also in the 10 cents per kWh range and even though there was a lot of air conditioning use, his June bill cost only \$6.00 more than last year. But he agreed that people on fixed incomes watch every penny.

Mr. Sheehan suggested we are comparing apples with oranges. He said those in the ESCO are purchasing 50% renewable sources rather than the "dirty" fuel in the average Con Edison supply. Mrs. Preiser pointed out that some of the usual Con Edison supply is not dirty, but comes from nuclear, hydropower, wind, solar and other renewable sources. She noted even more clean energy was available to Con Edison when Indian Point was in operation. Mr. Burdi mentioned that NY Governor Kathy Hochul supports building another huge nuclear power plant upstate near Niagara Falls.

MISCELLANEOUS

Civic Association Map Needs Updating. Madelon O'Shea mentioned that the map of civic groups that the Town has posted on the GIS is very outdated. She urged civic group leaders to take a look at the map on the Town's website and provide updated information. [On the left side of the screen on the GIS, click on "Layers" and then "Civic Association Map."] Ella Preiser said the boundaries on the GIS map look like the hand drawn map Payson Clark provided the Town almost 51 years ago [12/18/1974].

Concern Expressed about Construction. Lloyd Cort said some residents have contacted him about noise and a lot of construction going on at 7 Shatterhand Place, a road off of County Center Road in the Hillside Wyndover area, abutting the Parkway Gardens neighborhood. He said he stopped by the site and noted a sign on the door that says the Town has given approval for construction.

No News re Fortress Bible Property. Madelon O'Shea reported that she asked CD&C Commissioner Garrett Duquesne whether there was any news regarding development on the Fortress Bible property. He said "no." Paul Colten said hopefully the property owners will contact the President of the Hilltop Farms Civic Association about any proposals.

Direct Link to Town's Web Page Sought. Paul Colten commented that he is bothered when the Town sends emails about new postings on the gblist. Because they are not encoded, he gets a link which forces him to open another browser to go to the Town's web page. Carol Wielk said she also found this troubling. Councilman Francis Sheehan promised he would look into this matter.

Next CGCA Meeting. The next meeting is scheduled at 7:30 PM on Monday, August 25, 2025 via Zoom.

Thank You Dora. Thank You Shelly. The CGCA extends its appreciation to Dora Ashly for maintaining the CGCA website and to Shelly Livson for arranging the CGCA Zoom meetings.