

COUNCIL OF GREENBURGH CIVIC ASSOCIATIONS

Minutes of Meeting – Monday, March 24, 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 Anzer (Hunter Lane), Mike Burdi (Suburban Manor), Lorraine Cantori (Greenburgh Action Alliance - Hartsdale), Paul Colten (Hilltop Farms), Lloyd Cort (Parkway Gardens), Major Fareed (Juniper Hill), Alan Fishman (Northern Greenville), Ellen Foley (East Irvington), Alicia Ford (Parkway Homes), Maria Gomez (Fulton Park), Richard Grant (Hartsdale Park), Neil Grunstein (East Irvington), John Malone (Juniper Hill), Maria Pecora & Bill Sullivan (Sprain Brook Parkway), Ella Preiser (Beaver Hill), Dylan Pyne (Edgemont Community Council), Carol Sarcinella (Hartsdale Park) and Carol Wielk (Secor Homes). Also joining the meeting at 8:00 PM was Leslie Davis, Chair of the Town of Greenburgh Sustainability & Energy Efficiency Committee

Treasurer Livson noted as of February 28, 2025 there is \$719.31 in the checking account. She said she will be depositing a check for \$25.00 later this week leaving a total of \$744.31 remaining. Copies of the February 24 CGCA meeting were not available and will be voted on at next month's meeting.

QUESTIONS ABOUT "ILLEGAL" DRIVEWAY STILL NOT RESOLVED

The long drawn out saga about illegal driveways continues. At the March meeting, the ZBA again heard the case about a two-car garage that was legally built at the rear of a house in 1962 but there was no approval recorded for a driveway to reach that garage from the street. The variance which was originally applied for in September 2024 has now been adjourned to the May 15, 2025 ZBA meeting.

Meanwhile Notices of Violation have been issued to at least five other neighbors for their driveways. Each individual case is different and the ZBA does not plan to hear them as one case. At least three owners have been instructed to apply for a permit for side yard setbacks to legalize the existing non-conforming use. They will be issued a denial and told they have to apply for a variance. Hopefully the Town and Building Department will not demand punitive fees and the ZBA will not require any costly remedies.

Those present at the CGCA meeting expressed concern that this is not how residents should be treated. It appears that the Building Department years ago did not have a problem with driveways that didn't meet setbacks requirements. At least that is how it appears from a drive around Greenburgh since many driveways appear close to side lot lines. People who bought their homes with driveways that were installed decades ago should not face costly review processes or fines and imprisonment for something they did not do.

TACO BELL PLANS FOR CENTRAL AVENUE UNDER DISCUSSION

Madelon O'Shea reported that last week the Planning Board held a pre-submission conference with the applicant seeking to open a Taco Bell fast food establishment on Central Avenue near the Four Corners, at the former Dunkin' Donuts and Honey Ham site. Plans are to demolish the existing building and reconfigure the site. Eight variances will be needed. Mrs. O'Shea noted in the business section of the *Wall Street Journal* last week, there was a half-page article devoted to how Taco Bell wants to automate and have robots take orders and make tacos for a faster and smoother operation. There are no plans to have fewer employees. She said she doesn't understand the need for eight or nine employees per shift if robots will be doing the work.

Paul Colten asked if there would be a drive-thru. The answer was yes. Mrs. O'Shea said the current set up includes a "U" shape driveway with one side for entering and the other side for exiting. The new plans call for only one curb cut, the one closest to the Pet Cemetery. She noted it used to be difficult getting in and out when Dunkin' Donuts was there, but she suspects things will get worse. She said Central Avenue is a state road and the DOT may prohibit left turns in and out. Mr. Colten noted a fair amount of drive-thru business empties out onto Route 9A from the KFC/Taco Bell establishments at the Elmsford ShopRite site. Alan Fishman mentioned

that the church, which is almost directly across Central Avenue from the site, will probably generate a huge amount of traffic after Sunday services.

There was no discussion about lighting or signage at the Planning Board meeting. Mrs. O'Shea expressed concern because there is multifamily housing next to the site. She noted the business plans to stay open until midnight or later. Under code regulations, notice of a Public Hearing is only sent to the renting agent or superintendent of apartment houses. That means the occupants will likely have no notice about potential lighting that may flood their homes.

Mr. Colten mentioned that prices are getting higher and higher and people are starting to wean themselves off of fast food because it is no longer economical. He said it now costs \$15 to \$20 to eat at a Taco Bell. Businesses are currently offering coupons to build a loyalty base and encourage people to come in, but that may end.

Mr. Colten asked how traffic was at the Chick-fil-A (CFA) on Central Avenue, south of Underhill. [Note: there are two sites. One in the Midway Shopping Center in Greenburgh and one further south in the City of Yonkers.] Alicia Ford said she had been down that way twice lately and traffic has quieted down a lot. Mr. Colten noted residents have legitimate concerns about traffic generated by the CFA that will open at the Route 119/Old Kensico Road site because of the many events that will occur at the nearby Westchester County Center.

SUSTAINABILITY & ENERGY EFFICIENCY DISCUSSED

Leslie Davis, Chair of the Town of Greenburgh Sustainability & Energy Efficiency Committee joined the meeting at 8:00 PM and was welcomed by all. Those present introduced themselves and identified the areas where they live. Ms. Davis said her daytime job was with the Archdiocese of New York, working on New York City compliance and implementing energy efficiency projects. She noted once your neighbors know what you do, they start asking questions and that is how she got involved with the Town. She said things are at a critical state right now with the proposed rate increases Con Edison is seeking. [Note: The request is for an 11.4% increase for delivery of electricity and a 13.3% increase for delivery of natural gas effective January 1, 2026.]

Ms. Davis said she was very happy last Monday to present information to the Parkway Gardens Civic Association and welcomed the opportunity to share information tonight. She said her desire is to provide civic associations and community residents with information on what they can do to help reduce costs, because this really is affecting everyone, regardless of wealth. She noted a number of people are on fixed incomes and every time the rate goes up, it creates problems. She said she has a deck of information that she will forward to Madelon O'Shea and Dorrine Livson who will circulate it to all on the CGCA mailing list.

Ms. Davis noted her first effort is to help everyone understand the Con Edison bill they receive. She said a frequent question is why delivery charges are so much higher than supply charges. She noted there is a bill in Albany asking the Public Service Commission to require Con Edison to come up with another formula for their delivery charges. Right now the bill passed the Senate and is on the floor in the Assembly. Another question is about the inflation reduction act. What does it mean now that we have a new federal administration? Will some of the tax credits be taken away? Ms. Davis said she understands the tax credits came about in 2022. They are part of the tax law, and some of the add-ons allowed non-profit organizations to have credits. Because it is a tax law, it will not be that easy to dismantle by executive order. It is set to expire in 2026. She said the law is useful if you purchase a solar array for your home, because the cost is reduced by the tax credit.

Ms. Davis said the other areas she speaks about is programs offered by the state and utilities giving incentives for projects, whether it is solar, to do some energy efficiency upgrades or to implement such things as air source heat pumps. Helpful information can be provided for those at various income levels. There are free or greatly reduced programs to conduct an energy audit of your home and do some of the implementation.

Ms. Davis said before introducing new technology, you want to think about reducing your load. She noted, depending on income levels, there are programs to get your home audited and see where you can reduce the energy use and provide money to help reduce the need. She urged everyone to look at things like “vampire” energy - i.e., unplug appliances not in use, and consider air filtration in your home - like installing insulation and caulking windows. These efforts can save energy and make the surroundings more comfortable.

Ms. Davis said there is power in numbers. Sustainable Westchester did this once regarding Community Solar but there is another program - “Here Comes Solar.” A group of residents get together and install solar as a group. This reduces the costs to the vendor who can pass along the savings to the homeowners. It has been very successful in New York and there may be opportunities for programs in Westchester. She noted solar is one way to reduce energy costs and over time it will pay off. Lloyd Cort said he read today that Elon Musk wants to get rid of solar energy because it is just a fake. He is planning to introduce information that everyone in America will be paying only \$50 to \$60 a month for energy. Ms. Davis said she hasn’t heard what Mr. Musk has stated but she knows he was not in favor of wind energy. If there is a new technology that is better than solar, she is sure we will all hear about it, and a \$50 to \$60 a month bill would be awesome.

Lorraine Cantori mentioned the “Tesla Towers” in Texas created by Nikola Tesla. She noted they were shunned for years and never used. They are tall structures with spheres at the top that apparently were built to capture energy from the environment and pass it along without wires. She suggested these towers are most likely what Mr. Musk was talking about. Carol Wielk said if he has a great product, he should bring it out and let the market decide.

Ms. Davis noted there are many different technologies, sitting in some lab somewhere, and scientists coming up with something better. She noted people are working on solar panels that capture more energy. She said there are actual solar panels now that turn with the sun and capture more energy. She noted not every property can use solar panels, but there are “Community Solar” programs that you can buy into which offer some discount. Alex Anzer asked how many years it takes for a return on investment in solar. Ms. Davis said it depends on the size of the array, the price you are paying right now for the panels and the amount of electricity generated, but generally the average break-even point is about 15 years. She noted some people only gain enough energy to run a refrigerator, others get enough to run the entire home.

Madelon O’Shea asked whether you have to go through a costly permitting process in Greenburgh. Ms. Davis said the process is complicated if you are talking about a solar farm, but for a single family home the process is much simpler. The only thing you have to be concerned about is getting a certified electrician.

Ms. Davis said she also wanted to speak about the Public Service Commission, which is the body that oversees Con Edison. Con Edison and other power companies must go before the PSC for delivery rate changes. She said County Legislator Jewel Williams Johnson and some other politicians are fighting against this latest rate increase. Ms. Davis noted there is a place where individual residents can go to make their voice heard regarding the proposed rate increase and she will provide that information. She noted what she had provided tonight was just an overview and she would welcome the opportunity to provide more in-depth answers to questions that may exist, and guide people through some of the processes. She noted going to the Con Edison website can be confusing. Mrs. O’Shea said the CGCA will make sure the information she is providing will be distributed to all on the CGCA membership list.

Mrs. Davis thanked everyone for allowing her to speak and in turn was thanked for the information she provided tonight. She was invited to stay for the rest of the meeting.

UNUSUAL FENCE CONTROVERSY DISCUSSED

Neil Grunstein, who lives in the East Irvington area, said he has served on his area's civic association board for about ten years and has spent plenty of time trying to help neighbors resolve issues. He noted he recently stumbled upon a personal controversy involving his own property regarding fencing. A week and a half ago, without any forewarning, he learned his next door neighbor planned to begin erecting an 8-foot high deer fence along his property line. Mr. Grunstein said thankfully he was able to get Supervisor Paul Feiner involved and they were able to sit down with the neighbor and explain what the appropriate neighborly thing to do was. Mr. Grunstein said they came to an agreement, but it was a very stressful process and he decided nobody should have to go through this again.

Mr. Grunstein said the homes in East Irvington are not all on square or rectangular lots. He noted his property's side lot line is his neighbor's rear property line, and his home is at the bottom of a massive 40-foot high hill. The fencing company came to his door and informed him they were about to erect the fence on his property's side yard line. Because it was his neighbor's rear lot line, an 8-foot high fence was allowed. To hide this view, Mr. Grunstein would only be allowed to put up a 6-foot high fence. The "conflicting standards" law means it should default to a six foot fence for both of them, which is what finally happened after a lot of haggling back and forth and some sleepless nights.

Mr. Grunstein noted that in all of the nearby municipalities he checked, including Greenburgh's villages, if you want to put a fence up on your property line, you are required to apply for a permit and notify the neighbors within 200 feet, including all common property line owners, and give them two weeks to review the application and submit any concerns. He noted this is a much more civil way to do things than what he went through. He questioned why Greenburgh can't do what other municipalities do. Leslie Davis asked whether the neighbor even looked at the code before he asked anyone. She acknowledged it is not always easy to find information on the Town's website. Mr. Grunstein said the neighbor hired a professional fence installer and a surveyor who knew exactly what the code permitted. Everything they planned was permitted under the code. Carol Wielk pointed out in Greenburgh you do not even need a permit to erect a fence, provided it is not higher than 6 feet in a front or side yard or 8 feet high in the rear yard. Ms. Davis said because you don't need a permit, does not mean that there aren't rules you have to follow.

Mr. Grunstein mentioned that Mr. Feiner suggested taking this issue to the Planning Board. Dylan Pyne questioned why it should be directed to the Planning Board since it has no authority. Ms. Davis questioned whether Mr. Feiner was saying you should have to come before the Planning Board on each case. Mr. Grunstein responded that Mr. Feiner felt there should be a process rather than have neighbors fighting it out. Mr. Feiner also suggested informing the CGCA to start building consensus among civic groups. Ms. Davis hoped the leader of her civic group would start attending CGCA meetings. She agreed that any wording in the code should be a default that causes the least harm to everyone. She noted conflicting standards could apply to other situations. Ella Preiser said the issue properly belongs before the Town Board which is the only body that can amend the Zoning Ordinance. Any proposed amendment would be referred to the Planning Board for its review and recommendation before the amendment is officially enacted.

Mr. Grunstein said he lives in a very hilly neighborhood with a 40-foot high rock wall in his back yard. The fence goes up to the top part of the cliff so he stands in his back yard, like within a high security prison.

Madelon OShea mentioned there are so many loop holes in the Zoning Ordinance, and there have been other similar circumstances over the years regarding side yards and back yards. She noted many years ago the Town Board formed a committee (ZORC) and hired a consultant to update the Zoning Ordinance. The committee decided to put the project on hold until after the Comprehensive Plan was adopted to include any code changes recommended in the Plan. Mrs. Preiser, who served on ZORC, noted the Comp Plan was adopted in 2016 and the Town has totally ignored the money spent and work done to update the Zoning Ordinance. She said it is

embarrassing to tell people the Town is operating with a mainly 45 year old document officially known as the “1980 Town of Greenburgh Zoning Ordinance.” Of course, multiple amendments have been added to the code over the past 44+ years, which in some cases make matters worse.

A unanimous vote was passed to urge the Town Board to address this “conflicting standard” issue.

ESCO COST LESS FOR ELECTRICITY TWO MONTHS IN A ROW FIRST TIME IN 27 MONTHS

Ella Preiser reported that the average Con Edison cost for electricity supply in January was 12.45 cents per kWh. Supervisor Paul Feiner’s monthly email bragged that this cost was higher than the 12.17¢ cost charged by the ESCO in which the Town enrolled thousands of residents and small business owners. Mrs. Preiser noted that her cost and that of the Livson family was actually 12.29¢ cents per kWh for electricity supply, mainly for the month of January. Ken Stahn’s cost was 12.56¢ cents per kWh.

Mrs. Preiser noted that her January Con Edison bill was the highest bill she has ever paid in the 61 years she has been living at her house, but January was a very cold month, the bill was for 33 days (Dec. 27, 2024 to Jan. 29, 2025), and the majority of her bill was for gas for heat, cooking, bathing, etc. She said that her cost for the electricity supply was only a tad more than one-tenth of one penny (0.0011 cents) per kWh higher than what the ESCO charged. That amounted to a total of \$0.47 extra she paid for the month of January, which is chump change compared to the hundreds of dollars she has saved over the previous 26 months by “opting out” of these ESCO contracts.

She noted that the average Con Edison cost for electricity supply in February was 13.10¢ per kWh. This was the second time that the average Con Edison cost was higher than what the ESCO charged. Her cost and that of the Livson family was even higher - 13.24¢ cents per kWh, slightly more than one penny (0.0106 cents) per kWh. Her entire bill was lower than the January bill, but it only covered 30 days (January 29 to February 28). She noted she used less electricity than in January, but paid \$4.07 more for electricity supply in February because she opted out of the ESCO contract. Ken Stahn’s cost for this billing cycle was 12.41 cents per kWh.

Madelon O’Shea noted that her last two Con Edison bills were so high she decided to pay them by credit card to earn the points for mileage. Mike Burdi noted his January and February bills were extremely high but the cost was mainly for gas, not electricity.

Mrs. O’Shea asked if the ESCO uses the same delivery as Con Edison. The answer is “yes.” Mrs. Preiser urged everyone to look at page 2 of their Con Edison bill. The top of the page gives the breakdown for electricity. On the left side are details about “Your Supply Charges,” including the cost you pay per kWh and the number of kilowatts used. On the right side of the page are details about “Your Delivery Charges,” including the cost to send those kilowatts over Con Edison’s wires and grid to the electric meter in your home. It makes no difference which supplier you purchase electricity from. And it makes no difference if you are paying for 100% renewable energy, 50% renewable energy or the standard supply. Every house on the block will be receiving the same electricity supply over the same wires. Con Edison is the company that delivers electricity to all homes in Greenburgh. Mrs. Preiser mentioned as long as she can recall, the delivery charges have always been more expensive than the supply charges.

The present contract with the ESCO will expire the end of this year and Westchester Power is currently organizing municipalities so it can go out to bid for a new contract. The Town has not yet weighed in, but it is likely it will agree to a new contract. Greenburgh has been part of this Community Choice Aggregation program since it was launched by Sustainable Westchester in 2016.

RATE INCREASE SOUGHT FOR DELIVERY CHARGES

Mike Burdi pointed out that the rate increases Con Edison is seeking for delivery charges (11.4% increase for delivery of electricity and a 13.3% increase for delivery of natural gas effective January 1, 2026) before the Public Service Commission is mainly to enhance infrastructure in New York City. He questioned why Westchester County users should be paying for the city, and why an attorney is being hired for the municipalities to address the PSC when the county has its own attorneys. Municipalities have been asked to chip in to pay the attorney \$100,000. Depending on the number of municipalities agreeing, the cost will be less than \$5,000 each. He said he believes the money could be better used for something else.

Carol Wielk disagreed with Mr. Burdi and said she thinks it is important to have someone representing the consortium at the table as well as Westchester County. The noted \$5,000 is rather cheap and it will be less as more join the group.

Carol Sarcinella was having trouble participating at the meeting and posted a comment that Dorrine Livson read into the record. It said: "There is a drastic need to improve the infrastructure which is quite old. Con Ed is in the process going street by street. We would all be quite dismayed when we are without gas or electricity because of breakdowns. If we want improvements, we have to pay!"

COMPLAINTS ABOUND RE LEAF BLOWER NOISE

Now that spring clean-up time has arrived, so have complaints about the noise from leaf blowers. Under the Town's noise ordinance, no gardening equipment is supposed to exceed 75 dBAs. Yard work is only permitted Monday through Friday from 8:00 AM to 8:00 PM, on Saturdays and holidays from 9:00 AM to 6:00 PM and on Sundays from 11:00 AM to 6:00 PM. Under the law, no more than one leaf blower is permitted on a residential lot of less than 10,000 square feet and no more than three leaf blowers are permitted on larger lots.

Madelon O'Shea said the law should apply to everyone - golf courses, schools, religious properties and Town owned properties, not just single family homeowners. There are questions whether the noise from most gas-powered lawn mowers is less than 75 decibels. Ella Preiser said the main problem regarding enforcement of the Noise Ordinance is the fact that the Town has only a limited number of noise meters, and measurements must be taken from the complainant's property. By the time a police officer arrives with a noise meter, the gardener is generally long gone.

Alan Fishman noted that a few years ago he bought a battery operated leaf blower. It has three speeds and differing lower noise levels less than 75 dBAs. Dorrine Livson said she printed out both the Noise Ordinance and the Leaf Blower Law and will give the copies to her gardener.

Alicia Ford noted that there is a neighbor in Valimar, who regularly comes out every Sunday at 8:00 PM to mow his lawn and do other yard work. Mrs. O'Shea suggested writing to the homeowner's association at Valimar informing them of the Noise Ordinance. Ms. Ford said she also has a next door neighbor who does yard work on Sunday evenings and she will inform this neighbor of the Town requirements.

Alex Anzer expressed concern about how to get the Noise Ordinance enforced against the noise coming from car alarms at the Jeep Dealership behind his house. The dealership has a large parking lot and to locate the vehicle it wants to service, it sets off the car alarm. He said he called the police and was told to talk to the Town. Mrs. Preiser reiterated that the police are the only ones who can enforce the Noise Ordinance and they must do so with a noise meter to be sure the sound exceeds the decibels allowed under the law. The problem again is the limited number of noise meters [and limited number of officers] and the fact that car alarms will not be sounding if the dealer knows there is an officer standing by with a meter. She noted this is another case where changes should be made to the law.

TOWN PROFITS FROM LATE FEES

Lorraine Cantori said that she finally received a response to her FOIL request about how much money is collected in late fees from those not paying taxes on time. She was shocked to learn that for the tax year 2023, the late fee collected for the Greenburgh school districts was \$1,422,129.50 and the penalty for late Westchester County taxes collected was \$374,273.31. She noted she spoke with a person with the Westchester County tax office who told her all of those late fees go to the Town.

Ella Preiser noted that the Town is allowed to keep any payments received as late fees because under the law, the Town is responsible for paying the exact full amount of money due for taxes on specified due dates to the school districts, county, villages, etc. regardless of whether or not everyone has paid the taxes on time.

Thank you Dora. Thank you Shelly. These are two very important people who make it possible for the CGCA to continue operating effectively.