

MINUTES OF THE MEETING  
WESTCHESTER COUNTY PLANNING BOARD  
Webex Online Video Conference  
Tuesday, January 4, 2022

PLANNING BOARD MEMBERS PRESENT BY VIDEO CONFERENCE:

Richard Hyman, Chair (Village)  
Bernie Thombs (Town)  
Daniel Finger (Town)  
Holly Hasbrouck (Town)  
Renee Toback (City)  
Robert Baron (Village)  
Ximena Francella (City)  
Kathleen O'Connor, Commissioner, Department of Parks, Recreation and Conservation  
Gayle Katzman for Hugh Greechan, Department of Public Works & Transportation  
Vincent Kopicki, Department of Environmental Facilities

PLANNING BOARD MEMBERS ABSENT:

Dwight Douglas (City)  
James Arndt (City)

STAFF PRESENT BY VIDEO CONFERENCE:

Norma Drummond, Commissioner  
Anthony Zaino, Assistant Commissioner  
David Kvinge, Assistant Commissioner  
Naomi Klein, Director of Transportation Planning  
Bill Brady, Chief Planner  
Lukas Herbert, Associate Planner  
Michael Lipkin, Associate Planner  
Ted Leimbach, Associate Planner  
Michael Vernon, Planner

VISITORS PRESENT BY VIDEO CONFERENCE:

Blanca Lopez, Office of the County Executive  
Gregory Casciato, County Board of Legislators  
Lisa Hochman, County Board of Legislators  
Nat Federici, Department of Environmental Facilities  
Chris Bradbury, Village Administrator, Village of Rye Brook  
Anthony Oliveri, Village of Rye Brook consulting engineer AI Engineering  
Greg Rivera, Visitor

I. Call to Order

Richard Hyman, Chair, called the meeting of the Planning Board to order at 9:01 a.m.

II. Meeting Dates

Mr. Hyman stated that the next meetings of the County Planning Board are scheduled for Tuesday, February 1, 2022; Tuesday March 1, 2022; and Tuesday, April 5, 2022, all at 8:30 A.M. Mr. Hyman asked if the meetings are to be in-person. Ms. Drummond stated that the NYS Executive Order regarding online public meetings has been extended until February, so the February meeting will be hosted again on Webex. Mr. Hyman asked if the meeting should begin at 9:00 A.M. instead of 8:30 A.M., Ms. Drummond recommended that the meeting remain 8:30, as the agenda is full.

III. Adoption of Minutes

Mr. Hyman asked if there were any edits or comments to the minutes of the Board meeting of December 7, 2021. Ms. Hasbrouck clarified that her statement regarding fatalities near exit 10 of I-287 along Westchester Avenue was in reference to vehicular accidents, not pedestrian accidents. A motion to approve the amended minutes of the December 7, 2021 meeting of the Planning Board was made by Mr. Baron, seconded by Ms. O'Connor, and approved unanimously by the Board.

IV. Chairman's Remarks

Mr. Hyman informed the Board that Ms. O'Connor received a response from Con Edison regarding their tree trimming practices. Mr. Hyman stated that their response is inadequate and is similar to what they state on their website. He said that there were no answers to the questions raised in the Board's letter. Mr. Hyman also stated that he has photos of their tree trimming practices, and that he will inquire with an arborist to determine if the utility is following best practices. He noted that municipalities should recognize that Con Edison's replanting policy requires new street trees to be of species that will not grow into power lines. Ms. O'Connor agreed that the current trimming practices are causing damage, which should be recognized by the company.

V. Commissioner's Remarks

Ms. Drummond informed the Board that the video of the re-inauguration ceremony for County Executive George Latimer is available online and encouraged the members to watch it to see what he defines as his priorities for his second term; many of which involve the Planning Department. She then stated that Mr. Greechan and herself are initiating a discussion regarding a redesign of Westchester Avenue to incorporate the County's Complete Streets policy and will soon gather appropriate staff to begin an internal study.

Ms. Drummond informed the Board of recent staff changes. Executive Secretary Tyneshia Royal is retiring this month, and Assistant Commissioner Anthony Zaino will retire in March. David Kvinge has been promoted to Assistant Commissioner. She stated that further staff changes are pending.

VI. Referrals

- A. Ratification of actions taken by staff in response to planning and zoning actions referred to the County Planning Board November 16, 2021 through December 31, 2021

Mr. Hyman asked if there were any comments regarding the Referrals report. He questioned why the letter for MTV 21-002B stated there were no further comments. Mr. Herbert responded that the site plan is not under Board jurisdiction, so only standard comments were included.

A motion to adopt the Referrals report was made by Ms. Hasbrouck, seconded by Mr. Finger, and unanimously approved by the Board.

**VII. Matters for Board Action**

**A. Election of Vice Chair**

Mr. Thombs nominated Mr. Douglas to continue his role as Vice Chair. Ms. Hasbrouck seconded the nomination, and the Board unanimously approved Mr. Douglas's re-nomination as Vice Chair.

**B. BPL26 – Flood Mitigation – Avon Circle and Westchester Avenue, Village of Rye Brook, Amendment of the Planning Board Report on 2022 Capital Project Requests**

Mr. Kvinge presented a proposed flood mitigation project for the East Branch of the Blind Brook, in the Village of Rye Brook. The project would create a subsurface detention basin under the Port Chester Middle School baseball fields, which would be elevated and restored. A stormwater bypass pipeline would also be installed for stream overflow during heavy storms. The mitigation measures are to protect against flooding in the area, especially within the Rye Ridge Condominiums. \$3,800,000 was requested for the capital budget amendment. Mr. Kvinge explained that the BPL26 capital project is a general allocation, so that when specific projects are identified, these site-specific projects must be submitted as a capital budget amendment with a Planning Board report and recommendation for approval. Mr. Hyman asked if there is a means for emergency projects to retroactively receive funding from this budget allocation. Mr. Kvinge responded this is not possible under the current bond structure, and another source would have to be created for such funding.

Mr. Hyman asked if the design of the flood mitigation measures have accounted for the new construction at the Rye Ridge Shopping Center. Ms. Toback asked if there was any potential impact downstream. Mr. Bradbury stated that flows downstream would not be increased. Mr. Hyman asked the length of time the ballfields would be closed for construction. Mr. Oliveri estimated four to six months of construction. Mr. Bradbury stated that the Middle School is aware of and supports the project.

Ms. Toback asked if any consideration was given to relocating the residents of the condominiums instead of adding infrastructure and diverting water. She stated that future development in the area should be restricted to not increase flood issues in the neighborhood. Mr. Bradbury responded that these developments are older and would most likely not be approved under current regulations and best practices.

Mr. Baron asked if there was any consideration to utilize the new drainage route to add pedestrian and bicycle pathways to increase connectivity in the area, especially as the site is close to new

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developments proposed along Westchester Avenue. Mr. Bradbury stated that there have been pedestrian improvements added in the neighborhood to accommodate students in the school. Mr. Baron stated bicycle connectivity should be discussed.

A motion to approve the resolution adopting the amendment was made by Ms. Hasbrouck, seconded by Ms. Francella, and unanimously approved by the Board, with Mr. Finger abstaining.

**VIII. Other Business**

Ms. Hasbrouck began a discussion regarding pending State legislation that would permit two and three-family housing within single family residential zones under certain criteria throughout the state. Mr. Hyman noted that similar laws have been passed or are being considered in other states. Ms. Hasbrouck stated she agrees with the basic tenant of the law. Ms. Drummond stated she is concerned about neighborhoods that utilize septic systems. Mr. Hyman stated that parking and community character could be impacted if care is not taken.

**IX. Adjournment**

On a motion made by Ms. O'Connor, which was seconded by Ms. Hasbrouck and unanimously approved by the Board, the meeting was adjourned at 9:54 a.m.