

**PRESENT:**

Edward Plotkin, Chairman  
Niall Cain  
Stephen Hunter  
Bettina Speyer

**ABSENT:**

John Cryan

**ALSO PRESENT:**

Frank Farrington, Trustee Liaison  
Jack Goldstein, Village Engineer  
Kevin Plunkett, Village Attorney

Chairman Plotkin called the meeting to order at 8:00 p.m. in the Village Board Room and a quorum was present.

**I. Minutes**

The minutes of the July 7, 2005 meeting were adopted without change.

**II. Announcements**

On a motion by Chairman Plotkin, seconded by Stephen Hunter and adopted by an affirmative vote of all Planning Board members attending, a six month extension of the St. Cabrini site plan approval was granted.

**III. Action Items**

**1. 1<sup>st</sup> 90 Day Extension, Coburn Subdivision**

**Discussion:**

- This is the first request for a ninety day extension for the subdivision which was approved in February.

**Action:**

On a motion by Stephen Hunter, seconded by Bettina Speyer and adopted by an affirmative vote of all Planning Board members attending, request for ninety day extension on Coburn Subdivision is granted.

**2. Pre-Submission Conference for The Village Market Site Plan (Stop & Shop Supermarket)**

**Discussion:**

- Henry Hocherman, Esq., Lawrence Wagner, P.E., Kenneth Narva, AIA, and Tim Mahoney present, representing the applicant.
- The application is for site plan approval to enlarge the existing Stop & Shop Supermarket in the Village of Dobbs Ferry from approximately 35,000 sq. ft. to approximately 52,000 sq. ft. There will be approximately 9,000 sq. ft. of additional retail along Broadway and about 250 – 260 cars both on grade and on a single deck.
- The Board discussed concerns they have with the proposed site plan.
- Chairman Plotkin said the Planning Board will be making a site plan recommendation to the Board of Trustees. Those who have comments or questions should send them in writing to the Planning Board at Village Hall.
- Mr. Plunkett will discuss the SEQRA lead with the Board of Trustees and refer back to Mr. Hocherman.

**Action:**

The applicant will address the concerns of the Board at the next meeting.

Chairman Plotkin said Pre-submission status continues until the next Planning Board meeting on October 6, 2005 at 8:00 p.m., with the possibility that this will be a formal meeting.

**3. Open Public Hearing for Fitness Center & Retail Stores, at 50 Livingstone Avenue (45 Stanley Avenue)**

**Discussion:**

- Chairman Plotkin said the Fire Chief noted suggestions and concerns regarding 50 Livingstone Avenue at the Round Table meeting held on August 30, 2005 that the applicant needs to address.
- John Kirkpatrick, Esq. and Mr. Paddy Steinschneider present, representing the applicant.
- Mr. Kirkpatrick reviewed the proposal for the Fitness Center and Retail Stores at 50 Livingstone Avenue.
- Chairman Plotkin noted that the Village Engineer gave the applicant a list of twenty different issues, primarily relative to engineering, that need to be addressed.

- Mr. Steinschneider discussed environmental responsibility and height of the building. The applicant has draft answers on some of the negative declaration issues.
- Chairman Plotkin noted that this is still a work in progress and the water table depth is 7".
- The Village Attorney discussed the status of SEQRA. The SEQRA EAF was dated June 15, 2005, it is a new submission and we need to start the process of SEQRA all over. Mr. Plunkett will discuss the SEQRA lead with the Board of Trustees and refer back to Mr. Kirkpatrick.

**Action:**

The applicant will address the concerns of the Board and the Fire Chief at the next meeting.

Chairman Plotkin said the Public Hearing will continue at the next Planning Board meeting on October 6, 2005 at 8:00 p.m.

**4. Continuation of Pre-Submission Conference for Special Use Permit for Cingular Wireless Antenna System, on building located at 128 Ashford Avenue (Dobbs Ferry Hospital)**

**Discussion:**

- Ms. Lucia Ciochio, Esq., for the applicant, was present to represent the application.
- Ms. Ciochio has almost completed her response to the Village Engineer's comments. Ms. Ciochio noted that the response to item #2 was submitted in April and that additional drawings were submitted on July 20, 2005.
- Chairman Plotkin said the Planning Board can waive the requirement on the second item.
- Ms. Ciochio discussed the requirements for a removal bond. A draft document will be submitted to the Village Attorney for his review.
- The applicant's engineer will certify the Radio Frequency Analysis Report.
- Ms. Ciochio discussed the requirement that there be an agreement in place to provide for co-location.
- The Village Attorney discussed the status of SEQRA. Typos in the EAF that were noted in April have been corrected and the SEQRS EAF was submitted on July 20, 2005.
- Chairman Plotkin noted that on page 8 of 21, under approvals required, there is approval of the Village Board for the site plan and that this is on a recommendation and the applicant did not have the Village Board listed. Ms. Ciochio said she will make that correction.

**Action:**

The applicant will address the concerns of the Board at the next meeting.

Chairman Plotkin said the Public Hearing will be scheduled for the next meeting on October 6, 2005 at 8:00 p.m.

**5. Continuation of Public Hearing for Schaeffer (2-Lot) Subdivision & Site Plan, 22 Russell Place**

**Discussion:**

- No one present to represent the application
- Village Engineer noted that the applicant requested to be taken off the agenda

**Action:**

Chairman Plotkin said the Public Hearing will continue at the next meeting on October 6, 2005 at 8:00 p.m.

**6. Pre-Submission Conference for 207 Ashford Avenue Site Plan – Three Family House**

**Discussion:**

- Chairman Plotkin said this is a pre-submission conference for a site plan for a three family house.
- Mr. Doug Austrian was present to represent the application.
- Mr. Austrian said he has been in contact with the Building Department and the Village Engineer and has responded to his comments. There are still a few more technical things that have to be worked out.
- The Village Attorney discussed the status of SEQRA. Mr. Austrian said he submitted the short form. Chairman Plotkin said he did not remember seeing the SEQRA form for this application. Mr. Austrian said the form was in the packet submitted to the Building Department. The Village Attorney asked the applicant to submit another form if it could not be located.

**Action:**

The Planning Board will try to uncover the SEQRA form, in the case where it cannot be found the applicant will submit another copy.

Chairman Plotkin said we will schedule the Public Hearing for the next meeting on October 6, 2005 at 8:00 p.m.

**7. Continuation of Public Hearing for Pateman Application for Site Plan Approval (1 Residential Lot), 18 Allen Street**

**Discussion:**

- Mr. Charles Pateman was present to represent the application.
- Mr. Pateman said this is a continuation of the Public Hearing to cover the SEQRA issue. A short form EAF was submitted with the original site plan application and this will be considered a Type II action under SEQRA if the construction is of a single family house. At the last meeting the Board asked the applicant to look at lowering the house. The applicant has addressed this and submitted a site plan.
- Chairman Plotkin said the Board will not look at this tonight.
- The Board discussed angles and elevation.
- Mr. Pateman addressed the Board's concerns regarding retaining walls.
- Mr. Vincent Coulihan, neighbor residing at 27 Allen Street, was present to express his concern about the security of the retaining walls in the rear and the blind spot where the driveway comes out on Allen Street.
- Chairman Plotkin said the Board will address the concerns about the driveway.
- Chairman Plotkin asked Mr. Pateman to address the concerns about the rear site and access to the road at the next meeting.

**Action:**

The applicant is required to respond to all concerns of the Board at the next meeting.

Chairman Plotkin said the Public Hearing will continue at the next meeting on October 6, 2005 at 8:00 p.m.

**8. Continuation of Pre-Submission Conference for Subdivision & Site Plan Approval (2 Residential Lots – One Developed), Lots 68 & 72, Livingston Avenue**

**Discussion:**

- John Kirkpatrick Esq., and Jonathan Walker were present to represent the application
- Mr. Kirkpatrick said there is an existing three family house at 72

Livingston on two tax lots, each about 100 ft x 60 ft. The proposal is to change this to a two family house and maintain the four parking spaces and reduce the coverage slightly by taking off some pieces of the house. The house will sit on one of the old tax lots and the tax lot to the south, 68 Livingston Avenue, can then be used for the construction of a second two family house which would have it's access from Livingston into a garage. It would have four parking spaces off Livingston and the existing house would continue to have its four parking spaces. There is a front yard setback on the new house that is a little too close and three of the parking spaces in the existing three family house do not meet Code. We have an application with the Zoning Board of Appeals to meet Code to get a variance for the parking spaces.

- The Board discussed the waivers that would be required.
- The Village Attorney would like to verify if the Planning Board is authorized to waive the height and bulk requirements and setbacks pertaining to this application.
- Chairman Plotkin said the Board will schedule a site visit and the public may attend if they desire to.

**Action:**

The Planning Board will visit the site on September 17, 2005 at 9:00 a.m.

Chairman Plotkin requested for the applicant to do a rendering of what the property will look like so the Board can see what they are being asked to waiver.

Chairman Plotkin said the Pre-Submission Conference for Subdivision & Site Plan Approval will continue at the next meeting on October 6, 2005 at 8:00 p.m.

**9. Pre-Submission Conference for Water's Edge Subdivision & Site Plan  
(Land Purchased from St. Christopher's School)**

**Discussion:**

- Mr. Alfred DelBello, Esq., Ms. Jacqueline Finkelstein, principal, Mr. Paddy Steinschneider, Design Consultant and Mr. Paul Petretti, Engineer, were present to represent the application.
- Mr. DelBello said the site is between St. Christopher's and the Hastings property line, which includes the streets of Atilda, Constance and Fairlawn. It is a 3.8 acre site and the applicant is interested in developing a subdivision on the site. They met with the neighbors to take their concerns into consideration. A seventeen lot plan was submitted to the

Planning Board. This evening a plan that has less than seventeen lots is being presented. There will be fifteen units in the new plan.

- The Village Attorney said he is still looking into a potential zoning issue based upon the law that was recently passed by the Board of Trustees which does not permit paper streets to be used for frontage in the development of property. Mr. DelBello has come up with a theory that the linear frontage on improved streets should be the base figure to calculate whether you have frontage for the entire subdivision. There are many lots here that are going to be developed that are on paper streets now. The Village Attorney suggested that the Board can hear the applicant's presentation tonight and between now and the next meeting he will grapple with what is a significant zoning issue because it can take the density from the number you may hear tonight.
- Mr. DelBello said they have over 500 feet on improved streets.
- Chairman Plotkin said the issue here is taking the whole area and dividing it by the feet that they have along the improved streets, not the paper streets.
- Mr. Petretti discussed the plans that have been submitted.
- Mr. Steinschneider discussed the elevation of the building.
- The Board is concerned about the impact this will have on the community.
- Chairman Plotkin said the legal issue may change the whole scope of the project and that the Board and the Village Attorney needs to determine the legal aspects in respect to the application.

**Action:**

The Board will get the legal decision on how many units can legally be built.

If anyone cares to comment they should do so in writing, send letters to the Board at Village Hall and they will be taken into consideration at the next meeting. No comments will be taken on this until it goes to a Public Hearing.

Chairman Plotkin said the Board will do a site walk on their own.

Chairman Plotkin said the Pre-Submission Conference for Subdivision & Site Plan approval will be continued at the next meeting on October 6, 2005 at 8:00 p.m.

**10. Pre-Submission Conference for 397 Broadway – New Commercial Building**

**Discussion:**

- Mr. Dan Stoyka was present to represent the application.

- The proposal is for a building of approximately 27,000 sq. ft. over four stories, approximately 7,000 ft. each. The current zoning law allows four stories for a maximum height of fifty feet. The property has a sewer easement toward the back of it which will restrict development in the rear of the property, as well as a stream that flows through the back of it. The change being proposed in terms of access is to change access to it toward the center of the block between Cedar Street and where Broadway makes it turn north. Parking will be below the four stories and in the area in the back. Between thirty and forty parking stalls will be developed. Parking spaces are currently not 9' x 20', they are 8 ½' x 18'. The proposal is for ground story retail, second story office space and two stories of residential above that, about 27,000 sq. ft. of space for a 31% lot coverage which falls below the maximum allowable.
- Chairman Plotkin said the Village will have to look at the property the Village is acquiring there.
- Board has concerns about the steepness of the driveway and would like to see a streetscape.

**Action:**

The applicant is required to respond to all concerns of the Board at the next meeting.

Chairman Plotkin said Pre-Submission Conference for a new commercial building will be continued at the next meeting on October 6, 2005 at 8:00 p.m.

**11. Pre-Submission Conference for 33 Main Street – Proposed 8 Residential Units & 29 Village Controlled Parking Spaces**

**Discussion:**

- Mr. Paddy Steinschneider was present to represent the application.
- Mr. Steinschneider said they are still in an investigatory way on the application.
- At the previous meeting the Board was concerned about maintaining streetscape and making the parking structure look beautiful.

**Action:**

Chairman Plotkin said the Pre-Submission Conference for the proposed eight residential units and twenty-nine Village controlled parking spaces will be continued at the next meeting on October 6, 2005 at 8:00 p.m. .



**12. Continue Review of Changes to the Official Map, & Make Recommendations to Board of Trustees**

Chairman Plotkin read the Planning Board recommendation to the Board of Trustees.

The Board is concerned about the implications of demapping paper streets to property owners and existing residences.

The Village Attorney said the Village has taken a two step process toward approaching the problems and concerns that have come to the Board of Trustees and to the Planning Board. First, the Zoning Code has been changed so that frontage for purposes of zoning and building can only be on improved public streets. If any lots on paper streets have no frontage, they would have to get a variance from the Zoning Board. The second step is the question of having a number of these paper streets remain on maps that you have already identified and on subdivisions that were laid out long before there were Planning and Zoning Boards and environmental concerns. We have studied the effect of the change of the zoning law which says you can't use paper streets for frontage, because you can get a variance. The Zoning Board can grant variances. Secondly, most of the lots on paper streets are backyard lots or continuous lots to lots on improved streets in the front. The Village Attorney is comfortable that we are not confiscating a significant number of lots. There may be a situation where one or two lots which have been owned individually for generations can come in and say we are landlocked if they don't get a variance. Demapping is a process of taking the streets off the official map and subdivision map, it's not extinguishing the easement that exists there for people who have continuous ownership. So we are not taking the easement which gives them the right to come in for the variance. The Board of Trustees does not want paper streets being used for frontage.

**Action:**

On a motion by Chairman Plotkin, seconded by Stephen Hunter and adopted by an affirmative vote of all Planning Board members attending, the Planning Board will forward it's recommendation to the Board of Trustees.

**IV. Adjournment**

Chairman Plotkin adjourned the meeting at 11:21 p.m.