



**VILLAGE OF DOBBS FERRY**  
112 Main Street  
Dobbs Ferry, New York 10522  
TEL: (914) 231-8500 • FAX: (914) 693-3470

**RESOLUTION X-2021**

**VILLAGE OF DOBBS FERRY PLANNING BOARD RESOLUTION  
GRANTING SITE PLAN APPROVAL**

**Property: 54 Clinton Avenue  
(Section Block and Lot 3.80-46-2 and MDR-H, Mixed Density Residential Historic)**

**Background**

WHEREAS, Michael Lewis ("Applicant") and Elias and Roubi Eliopoulos ("Owner") are seeking Site Plan approval to make modifications, renovations, and additions to an existing single-family residence. The proposed work will consist of the renovation and conversion of an existing 3.5 story mansion to a multi-family residence containing four (4) units: one (1) three-bedroom apartment and three (3) two-bedroom apartments, as well as finishing the cellar to include storage and mechanical equipment ("Project"). The subject property is a 0.62-acre lot located at 54 Clinton Avenue, Section Block and Lot 3.80-46-2 ("Project Site") and is in the MDR-H, Mixed-Density Residential Historic, zoning district; and

WHEREAS, the Project is classified under the State Environmental Quality Review Act (SEQRA) implementing regulations as an Unlisted Action, in accordance with Article 8 of the State Environmental Conservation Law and 6 NYCRR § 617 and the Planning Board assumed the role of Lead Agency on November 4, 2021; and

WHEREAS, the Planning Board conducted a duly noticed public hearing on December 9, 2021, and it was concluded on January 6, 2022, during which all those wishing to be heard were given the opportunity to be heard and to provide written comments; and

WHEREAS, the Planning Board carefully examined and considered the materials submitted by the Applicant in support of the Project, including as follows:

1. Site Plan application dated October 14, 2021;
2. Architect drawings prepared by Michael Lewis, revised November 18, 2021;
3. Engineering drawings prepared by Hudson Engineering dated November 18, 2021;
4. Coastal Assessment Form dated October 14, 2021; and
5. Short Environmental Assessment Form dated October 14, 2021; and

WHEREAS, the Planning Board also reviewed and examined letters, reports, and memorandum from the Board's consultants and the Planning Board's recommendation and considered the testimony and comments obtained during the public hearing process; and

WHEREAS, while taking the above-mentioned into account, the Planning Board has now deliberated in public on the Applicant's request for approval of the Project; and

### **Planning Board Determination**

WHEREAS, the Planning Board is familiar with the Project Site and the general vicinity and has reviewed the application in accordance with Chapter 300, Zoning and Land Use, of the Village Code; and

WHEREAS, the Planning Board considered, among other things, traffic access; walkways; circulation and parking; stormwater; landscaping and screening; lighting; noise; natural and environmentally sensitive features; and whether the proposed project will exceed the capabilities of existing municipal roads or utility services; and

WHEREAS, Planning Board has now concluded its review of the Applicant's proposal and finds that the Applicant has satisfactorily addressed the criteria for granting approval in accordance with Section 300-52(D) of the Village Code including consistency with the Village's Local Waterfront Revitalization Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the Village of Dobbs Ferry finds that the Project is an Unlisted Action under SEQRA, Article 8 of the State Environmental Conservation Law and 6 NYCRR Part 617, and based upon the review of the EAF Part I, II, and III, and all application materials and consultant reports that were prepared for this action, the Planning Board adopts a Negative Declaration in connection with the Project; and

BE IT FURTHER RESOLVED, the Planning Board determines that pursuant to Section 300-52 (E) of the Zoning and Land Use chapter of the Village Code the Applicant's requested waiver from the requirements of Appendix B, Dimensional Tables, in Chapter 300 will be consistent with the purpose of promoting the health, safety or general welfare of the community and said chapter, and hereby grants the following:

1. A waiver from a maximum height of three (3) stories and 30 feet, where the Applicant is proposing a building height of 3.5 stories and 36.8 feet;
2. A waiver from the maximum building coverage of 5,462.34 sq. ft., where the Applicant is proposing 6,071.4 sq. ft.;
3. A waiver from the maximum lot coverage of 10,924.67 sq. ft., where the Applicant is proposing 12,047.5 sq. ft.;
4. A waiver from the maximum square footage of an accessory building of 800SF, where the Applicant is proposing 1,091.3 sq. ft.; and

BE IT FURTHER RESOLVED, the Planning Board hereby finds that a proper case exists for requiring that a park be suitably located for playground or other recreational purposes within the Village and the Planning Board finds in accordance with Section 300-52(J) Reservation of Parkland Park that a park cannot be suitably located on the property requiring payment of a fee in accordance with the Master Fee Schedule for the three (3) additional residential units.

NOW, THEREFORE, BE IT RESOLVED, the Planning Board of the Village of Dobbs Ferry determines that based upon the findings and reasoning set forth below the application for Site Plan approval is granted subject to the following conditions:

1. Approved Plans. Except as otherwise provided herein, all work shall be performed in strict compliance with the plans submitted to the Planning Board and approved by the Planning Board as follows:

- a. Site Plans prepared by Michael Lewis Architects, PC, last revised November 18, 2021, and include the following sheets:
      - i. A-001.01 Existing and Proposed Site Plans
      - ii. A-002.01 Unit and Coverage Diagrams
      - iii. A-100 Cellar Demo & Construction Plans
      - iv. A-101 1st Floor Demo & Construction Plans
      - v. A-102 2nd Floor Demo & Construction Plans
      - vi. A-103 3rd Floor Demo & Construction PlansA-4 Roof Plan
      - vii. A-104 Attic Demo & Construction Plans
      - viii. A-105 Roof Demo & Construction Plans
      - ix. A-501 East Existing & Proposed Exterior Elevations
      - x. A-502 North Existing & Proposed Exterior Elevations
      - xi. A-503 West Existing & Proposed Exterior Elevations
      - xii. A-504 South Existing & Proposed Exterior Elevations
      - xiii. A-505 Garage Construction Plan & Proposed Exterior
    - b. Engineering drawings prepared by Hudson Engineering dated November 18, 2021, and including the following sheets:
      - i. C-1 Stormwater Plans
      - ii. C-2 Stormwater Details
  2. The following conditions must be met before the Planning Board Chair may sign the approved Site Plan ("Final Site Plan"):
    - a. The following Language shall be added to the plan: "Approved subject to all requirements and conditions of January 6, 2022, resolution of the Planning Board of the Village of Dobbs Ferry, New York. Any change, erasure, modification, or revision of this plan, absent re-approval from the Planning Board, shall void this approval."
    - b. The Planning Board's approval is conditioned upon Applicant receiving all approvals required by other governmental approving agencies without material deviation from the Approved Plans. Evidence of compliance with conditions and any such approvals must be submitted to the Village Building Department.
    - c. The Applicant must address to the full satisfaction of the Village Engineer, all outstanding stormwater, stormwater maintenance agreement, and engineering issues raised in the hearings and documents submitted to the Board including the engineering letter dated December 8, 2021.
    - d. The Applicant shall pay all outstanding consultant review and legal fees in connection with the Planning Board and review of this application.
  3. Force and Effect.
    - a. No portion of any approval by the Planning Board shall take effect until (1) all conditions are met, (2) the final site plan is signed by the chair of the Planning Board, and (3) the final site plan signed by the Planning Board has been filed with the Land Use Officer.
    - b. Within 180 days after receiving approval of a site plan, with or without modifications, the applicant shall submit two paper copies and one electronic copy of the site plan to the Board of Trustees and/or the Planning Board for stamping and signing. This time frame may be extended for a maximum of two ninety-day periods.

4. Landscaping. In accordance with §300-44, required landscape improvements shall be installed prior to issuance of a certificate of occupancy for all structures. However, if the landscaping is not able to be installed prior to a certificate of occupancy being issued due to winter weather or other site limitations, the property owner shall post a financial guarantee for the improvements equal to 115% of the cost of improvements so that the certificate can be issued. Installation of the landscape improvements shall then be completed before June 30 of the following year. This guarantee shall be released upon acceptance by the Village of the completed landscaping.
5. Commencing Work. No work may be commenced on any portion of the site without first contacting the Building Inspector to ensure that all permits and approvals have been obtained and to establish an inspection schedule. The Project must adhere to all applicable State and Village Codes.
6. Issuance of Certificate of Occupancy. No certificate of occupancy shall be issued until all improvements shown on the site plan are installed or a sufficient performance guaranty has been posted for improvements not yet completed. The performance guaranty shall be posted in accordance with the procedures specified in Village Law §7-725-a or 7-730, as applicable. The amount and sufficiency of such performance guaranty shall be determined by the Land Use Officer. The amount of such guaranty shall be in the form of 95% surety and 5% cash.

Motion By:

Seconded by:

<b>CHAIRMAN HUNTER</b>	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
<b>STEPHEN BROSNAHAN</b>	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
<b>ROB LANE</b>	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
<b>ALLEN HALE</b>	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
<b>LAURA HAUPT</b>	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
<b>PETER WINDER, 1<sup>ST</sup> ALTERNATE MEMBER</b>	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
<b>VOTE TOTALS</b>	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
<b>RESULT:</b>	<b>MOTION:</b>				

I hereby attest that the above Resolution was approved by the Planning Board at its January 6, 2022, meeting and that I have been authorized to sign this Resolution by decision of the Planning Board.

Date