



MEMORANDUM

TO: Stephen Hunter, Chair and Members of the Village of Dobbs Ferry Planning Board

FROM: Valerie Monastra, AICP
Sam Justiniano, Planning Analyst

CC: Dan Roemer, Building Inspector
Anthony Oliveri, P.E., Village Engineer
Dan Pozin, Village Attorney

DATE: November 23, 2022

RE: 10 Hamilton Avenue (Rivertown Square)

Mario Lombardo ("Applicant") is seeking Site Plan approval for the construction of a 1,149 sq. ft. pergola with a retractable roof and walls for exterior dining for up to 60 patrons ("Project"). The proposed pergola will be located in the area designated for outdoor dining, but it will enable this space to be used during inclement weather. The Applicant provided a letter from the owner, Regency Centers, that permits the submission of a Site Plan application. The property is located at 10 Hamilton Avenue, Section Block and Lot 3.180-156-2 ("Project Site") and is in the CP, Chauncey Park Zoning District.

GENERAL AND PROCEDURAL COMMENTS

1. **County Board Referral.** A notification was sent to Westchester County Planning Board per sections 239 L, M, and N of the New York State General Municipal Law and section 277.61 of the County Administrative Code because the project is within 500 feet of the boundary of the Village of Dobbs Ferry and within 500 feet of the Saw Mill Parkway.
2. **Village Clerk Notification.** Per Section 239 NN of the New York State General Municipal Law, this project will require notification to the Village of Ardsley and the Town of Greenburgh as it is a site plan review and within 500 feet of the adjacent municipality. Notice shall be given by mail or electronic submission at least ten days prior to the public hearing(s).
3. **SEQR.** This application is categorized as a Type II action under SEQR because it consists of the "construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with land use controls." No additional SEQR review is necessary.

4. **Site Plan Approval.** This application requires Site Plan approval by the Village Board of Trustees and a recommendation from the Planning Board per Section 300-52 of the Zoning chapter. A public hearing conducted by the Village Board will be required for Site Plan approval.
5. **Zoning.** The project site is in the CP, Chauncey Park Zoning District. The Applicant provided a bulk table for the CP district. The proposed pergola will meet the bulk requirements of the district.

This project will increase the seating by 60 patrons. The Applicant proposes to use the existing parking lot to accommodate the additional patrons. A review of the prior site plan approval was undertaken, and there were no restrictions on the parking that would prevent Lombardo's from accessing the existing spaces for their proposed expansion. The Building Department affirms that the existing parking can accommodate the additional seating.

6. **Site Plan.** The Applicant must demonstrate adequate ingress and egress for individuals using the ADA-accessible ramp for the restaurant and connecting businesses. The proposed location of the pergola would be located adjacent to the existing ADA-accessible ramp and appears to block sidewalk access. The Applicant has not shown that this project, as proposed, will meet ADA compliance requirements. This includes having an accessible clearance of at least three (3) feet. If the Applicant cannot meet this requirement, we suggest that the size of the outdoor area be decreased to allow for accessible clearance.



Figure 1 shows the existing ADA ramp and the sidewalk area that has been identified on the site plan as the location of the proposed pergola.

7. **Architectural and Historic Review Board.** This application will require Architectural and Historic Review Board approval.
8. **Local Waterfront Revitalization Consistency.** The Village Board will need to make a consistency determination with the Village's LWRP per §300-52 (D) as part of its final Site Plan approval. The Applicant has provided a Coastal Consistency Form.

SUBMISSION MATERIALS

The following materials were submitted by the Applicant and examined by our office for the preparation of this review:

- Narrative Letter by Gotham Design Planning and Development Ltd. dated May 11, 2022
- Coastal Assessment Form dated May 5, 2022
- Short Environmental Assessment Form Part 1 dated May 5, 2022
- Letter from Regency Centers, signed by Michael McAndrews and dated January 13, 2022
- Site Plans by Gotham Design Planning and Development Ltd. dated June 17, 2022
 - Sheet CS List of Drawings;
 - Sheet A-2 Site Plan
 - Sheet A-2.1 Proposed Floor Plan
 - Sheet A-3.1 Pergola Elevations and Renderings
- Letter from Gotham Design Planning and Development Ltd. Dated November 14, 2022
- Circulation Diagram, Undated.