

DRAFT MINUTES – NOT TO BE USED AS AN OFFICIAL DOCUMENT

A regular meeting of the Zoning Board of Appeals was held on January 12, 2022. Present: Chairman Peter Hofmann, Bruce Gombos, Jeremy Gutman, Jon Maass, Paul Monte and 1st Alternate Joseph Capasso; Dan Roemer/Building Inspector, and Ms. Valerie Monastra/Village Consulting Planner. Excused: Trustee Liaison Michael Patino.

Chairman Hofmann called the meeting to order.

1. Adopt Zoning Board of Appeals Minutes for meetings of July 14, 2021 and September 8, 2021

Motion by Chairman Hofmann, seconded by Mr. Gombos to approve the meeting minutes of July 14, 2021 and September 8, 2021 as amended.

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	0 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

2. 21 Bellair Drive - Public Hearing for proposed plans to construct a new deck to existing home

Public hearing legal notice is as follows:

DRAFT MINUTES – NOT TO BE USED AS AN OFFICIAL DOCUMENT



VILLAGE OF DOBBS FERRY
Building Department
112 Main Street
Dobbs Ferry, New York 10522

PUBLIC HEARING LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Dobbs Ferry Zoning Board of Appeals will conduct a public hearing in the 2nd floor Board Room at Village Hall, 112 Main Street on Wednesday, January 12, 2022 at 8:00 p.m., or as soon as the matter may be heard, concerning proposed plans to construct a new deck to home at 21 Bellair Drive located in the OF-5 Zone. The following determinations made by the Dobbs Ferry Building Inspector have been appealed:

1. The required minimum combined side yard set-back is 10'. The proposed is a set-back of 4' 3". Thus requiring a variance of 5' 9".
2. The required minimum (both) side yard set-back is 25'. The proposed is a set-back of 10' 8". Thus requiring a variance of 14' 4".

The ZBA members will be present in the Board Room to conduct the hearing. All other interested parties have a choice to attend in-person or virtually through the videoconferencing service Zoom which can be accessed by: (i) typing "join.zoom.us" on your web browser and entering the Webinar ID 873 6907 9914; Passcode: 248129; or (ii) using the direct link: <https://us02web.zoom.us/j/87369079914?pwd=dGQ0SzVlbnZhcW9BdUZvdWdNUmVuZz09>; or (iii) dialing telephone number 929 205 6099. Parties may also provide written comments in advance of the hearing to the Village Clerk, 112 Main Street or by e-mail LDreaper@dobbsferry.com. Further details on the proposed application and instructions for participation may be found online at the Village of Dobbs Ferry website www.dobbsferry.com

BY ORDER OF THE ZONING BOARD OF APPEALS

January 3, 2022

DRAFT MINUTES – NOT TO BE USED AS AN OFFICIAL DOCUMENT

Application to the Zoning Board of Appeals is as follows:

APPLICATION TO ZONING BOARD OF APPEALS
VILLAGE OF DOBBS FERRY

Note: Eight copies of the application must be filed with the Clerk of the Board, no later than 2:00 p.m., twenty-one (21) days prior to the date of the meeting.

Date Filed: _____

Applicant's Name: Cathrine Hill and Jay Robert Telephone: 646-715-6855 and 504-231-3324

Property Location: 21 Bellair Dr. Dobbs Ferry NY 10522

Sheet: N/A, Block: 3, Lots/Parcel: 0031600144003, LOT 23 & 24

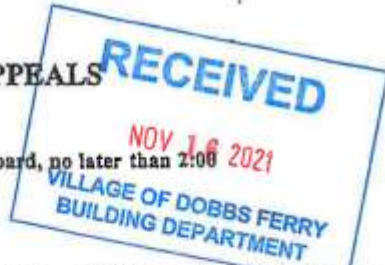
The undersigned applicant requests a hearing before the Zoning Board of Appeals based on the following:
(check one)

☒ Appeals decision of Building Inspector ☐ Special Permit

Every application or appeal must be accompanied by an accurate plot plan to scale showing location of all existing structures, and also drawings showing the exact location, dimensions, and the nature of all proposed structures. These requirements will ordinarily be best met with surveys and architect's drawings. The Board may require that surveys and/or drawings be prepared and signed by duly accredited surveyors, engineers, or architects. Applicant is required to show proof of title to or legal interest in the premises, by deed or contract of sale, or other document. This application or appeal is made pursuant to the authorization contained in the Building Zoning Ordinance.

Article: 300 Section: 34 Subdivisions: (4)(C)

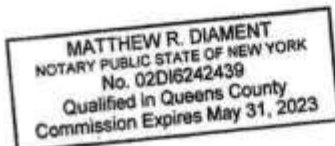
The basis of the relief sought by the undersigned pursuant to the provisions of the Building Zoning Ordinance is as follows: (Set forth briefly all pertinent facts and use additional sheets if necessary).



Cathrine Hill and Jay Robert
Applicant

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss:

On this 15th day of November, 20 21 before me personally came Cathrine Hill and Jay Robert who came duly sworn deposes and says that he/she read the foregoing application and knows the content thereof and that the same is true to his/her own knowledge.



Matthew R. Diamant
Notary Public

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Letter dated December 23, 2021 from Jay Robert and Catey Hill to Mr. Ed Manley is as follows:

Jay Robert and Catey Hill
21 Bellair Drive
Dobbs Ferry, NY 10522

December 23, 2021

Ed Manley
Dobbs Ferry Building Dept.
112 Main Street
Dobbs Ferry, NY 10522

BY HAND

Dear Mr. Manley -

As per your request during our phone call yesterday, please find enclosed the 4 sets of corrected drawings for 21 Bellair Drive, which remove the notes on A-2 and A-3 saying the deck does not require a variance. I note that after our call the architect reviewed the code and these new drawings are slightly modified further by moving the edge of the right side of the deck in, so that it is now 5 feet from the property line. These drawings are otherwise identical to the previously submitted drawings. The architect advised me that the deck now complies with all five requirements of "permitted projections into required setbacks" in accordance with Chapter 300 – 34(B)(4)(c) of the zoning code, but we, of course, respectfully leave that determination to you.

Thank you again for your courtesies and prompt consideration of our application during the holidays - we really appreciate it!

Kind regards and wishing you and your loved ones a happy holiday,

Jay Robert and Catey Hill



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Letter dated December 21, 2021 from Mr. Dan Roemer/Building Inspector to Robert Jay and Catey Hill is as follows:



VILLAGE OF DOBBS FERRY
Building Department
112 Main Street
Dobbs Ferry, New York 10522
TEL: (914) 231-8511 • Droemer@dobbsferry.com • FAX: (914) 693-3470

12-21-21

Robert Jay & Chathrine Hill
21 Bellair Dr.
Dobbs Ferry, NY 10522

Re: 21 Bellair Dr.

S/B/L 3.160-144-3

Dear Ms. Hill,

Pursuant to a review of the submitted proposed plans to construct a new deck, the following determinations were made.

The property is located in the OF-5 Zone. Requiring two variances:

1. The required minimum side yard setback is 10'
You have a proposed a setback of 4'3"
#1 thus requiring a variance of 5'9"
2. The required minimum (both) side yard setback is 25'
You have proposed a setback of 10' 8"
#2 thus requiring a variance of 14'4"

For these reasons your proposal, as submitted, is denied pending zoning board review.

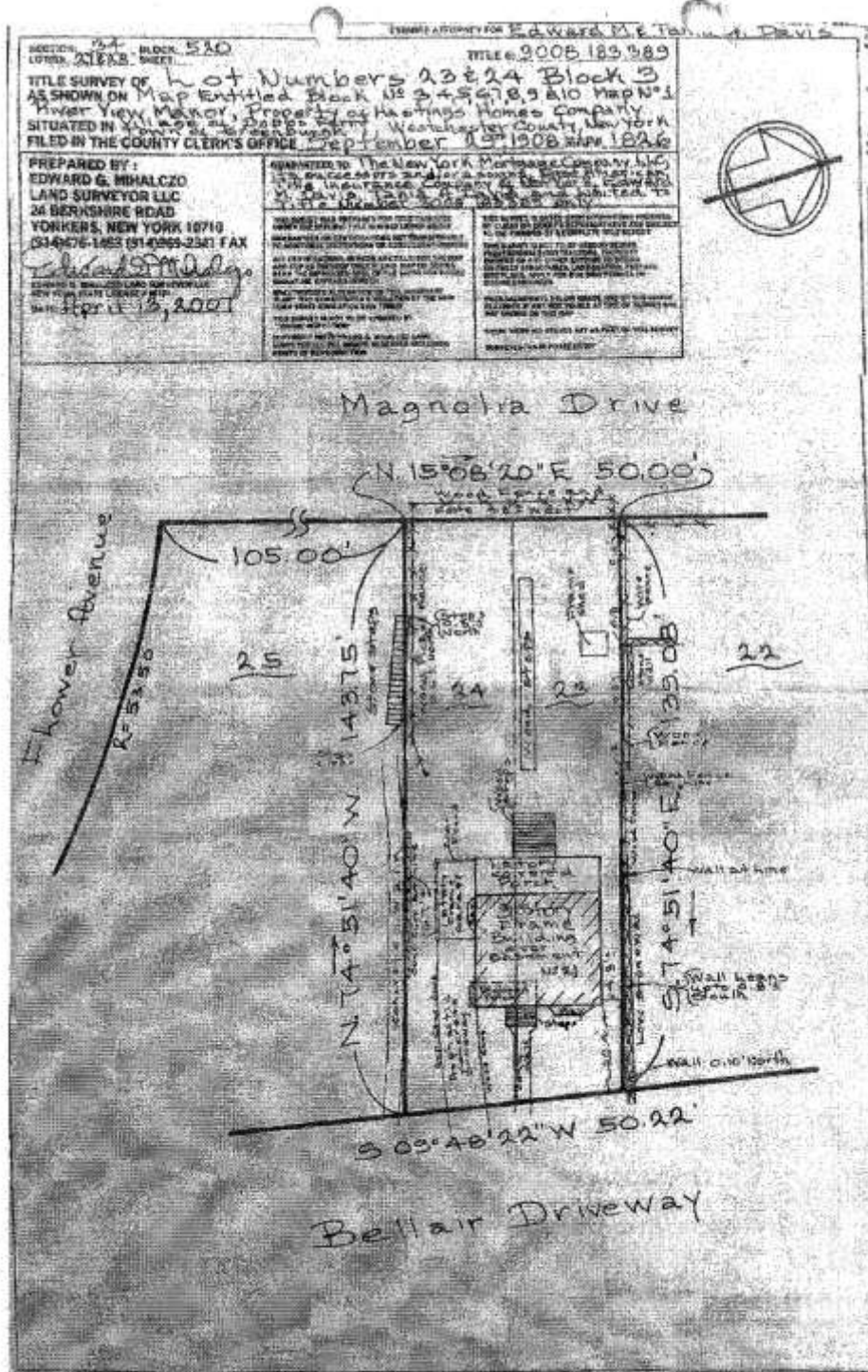
If you have any questions, please contact the Building Department at (914) 231-8511.

Respectfully,

Dan Roemer
Building Inspector

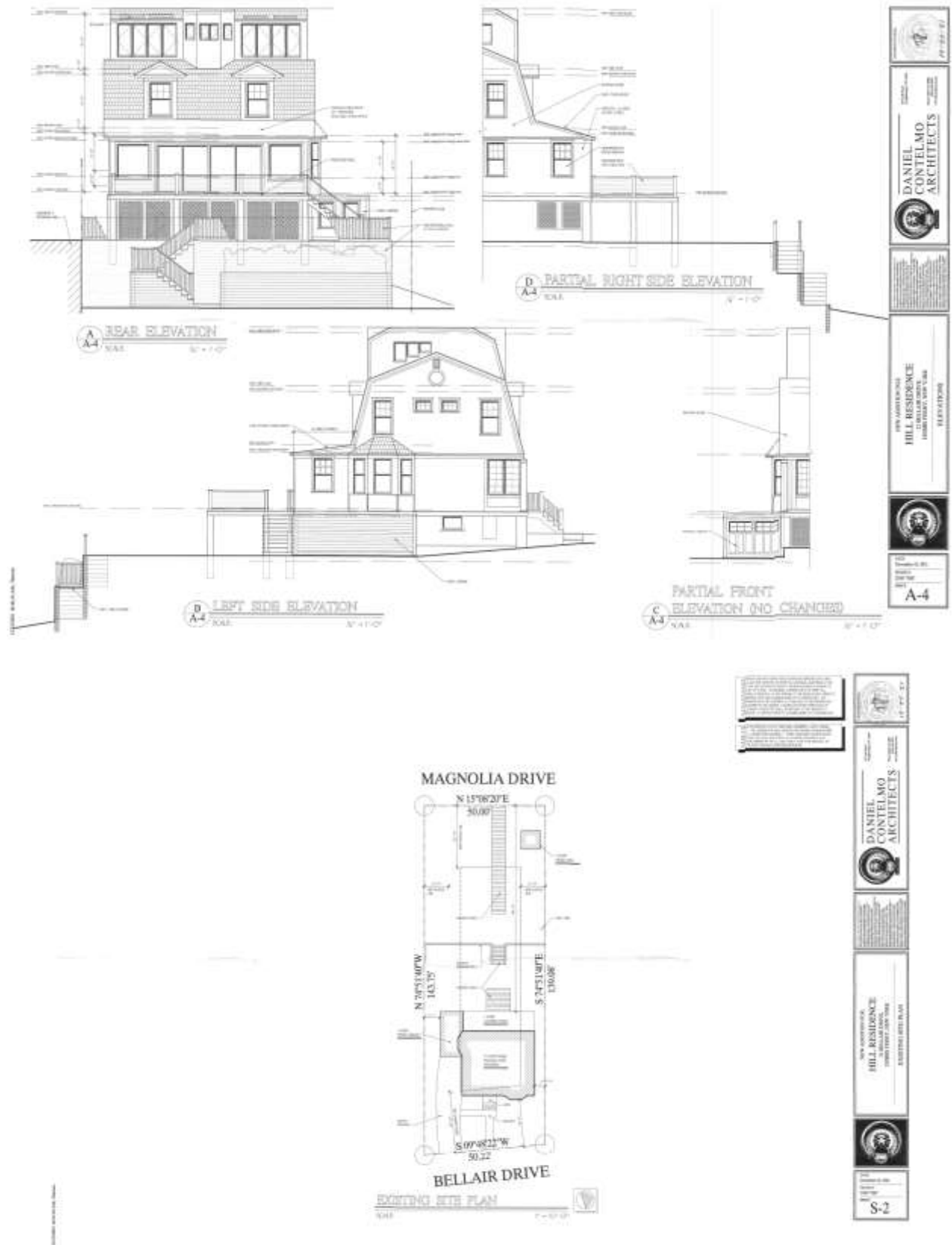
DRAFT MINUTES – NOT TO BE USED AS AN OFFICIAL DOCUMENT

21 Bellair Drive Survey is as follows:

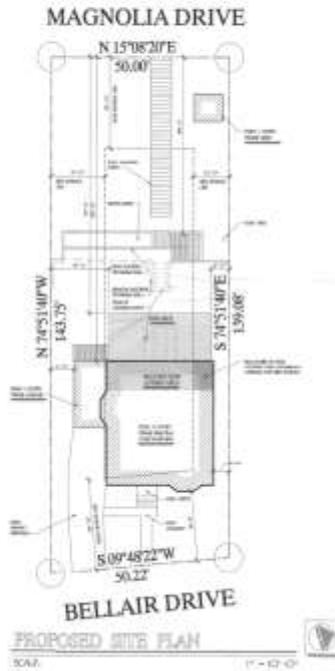


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DRAFT MINUTES – NOT TO BE USED AS AN OFFICIAL DOCUMENT



Seal of the City of St. Louis, Missouri

DANIEL CONTELMO ARCHITECTS

1111 BELLAIR DRIVE
HILL RESIDENCE
JANUARY 12, 2022
PROPOSED SITE PLAN

Scale: 1" = 32'-0"

S-3

DRAFT MINUTES – NOT TO BE USED AS AN OFFICIAL DOCUMENT

Short Environmental Assessment Form is as follows:

SEQR

PROJECT I.D. NUMBER

617.21
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I-PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR <u>Cathrine Hill</u>		2. PROJECT NAME <u>Hill Residence</u>	
3. PROJECT LOCATION: Municipality <u>Village of Dobbs Ferry</u> County <u>Westchester</u>			
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc. or provide map) <u>21 Bellair Dr.</u> <u>Dobbs Ferry NY 10522</u>			
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/Alteration			
6. DESCRIBE PROJECT BRIEFLY: <u>Addition to living room, deck expansion,</u> <u>repair broken retaining wall</u>			
7. AMOUNT OF LAND AFFECTED: Initially <u>0.008</u> acres Ultimately <u>0.008</u> acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly. <u>The existing porch and deck will extend over the setback line.</u>			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: <u>residential single family</u>			
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) and permit/approvals <u>Village of Dobbs Ferry, Zoning Board of Appeals</u>			
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency name and permit/approval			
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Applicant/Sponsor Name: <u>Cathrine Hill</u>		Date: _____	
Signature: <u>Cathrine Hill</u>			

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

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SEQR

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:</p> <p>C2. Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character? Explain briefly.</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly.</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly.</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.</p> <p>C6. Long term, short term, cumulative, or other affects not identified in C1-C5? Explain briefly.</p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.</p>	
<p>D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly.</p>	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D or Part II was checked yes, the determination and significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency	
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)
Date	

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PROJECT I.D. NUMBER _____

617.21
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

SEQR

PART 1-PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR <i>Catharine Hill</i>	2. PROJECT NAME <i>Hill Residence</i>
3. PROJECT LOCATION: Municipality <i>Village of Dutchess</i> County <i>Westchester</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc. or provide map) <i>21 Bellair Dr.</i>	

(Note: In the event of joint tenancy, the singular will be construed as necessary)
The following documents must be submitted or the application will not be accepted:

1. Copy of deed or contract of sale _____
2. Application completely filled out _____
3. Environmental Assessment form _____
4. Survey of property _____
5. Plans showing profiles of proposed alteration/addition _____
6. Copy of denial from Building Inspector or Architectural Board of Review _____

Note: Certification of noticing to area property owners must be submitted to the Village Clerk's Office no later than 2:00 p.m. on the Friday preceding the meeting.

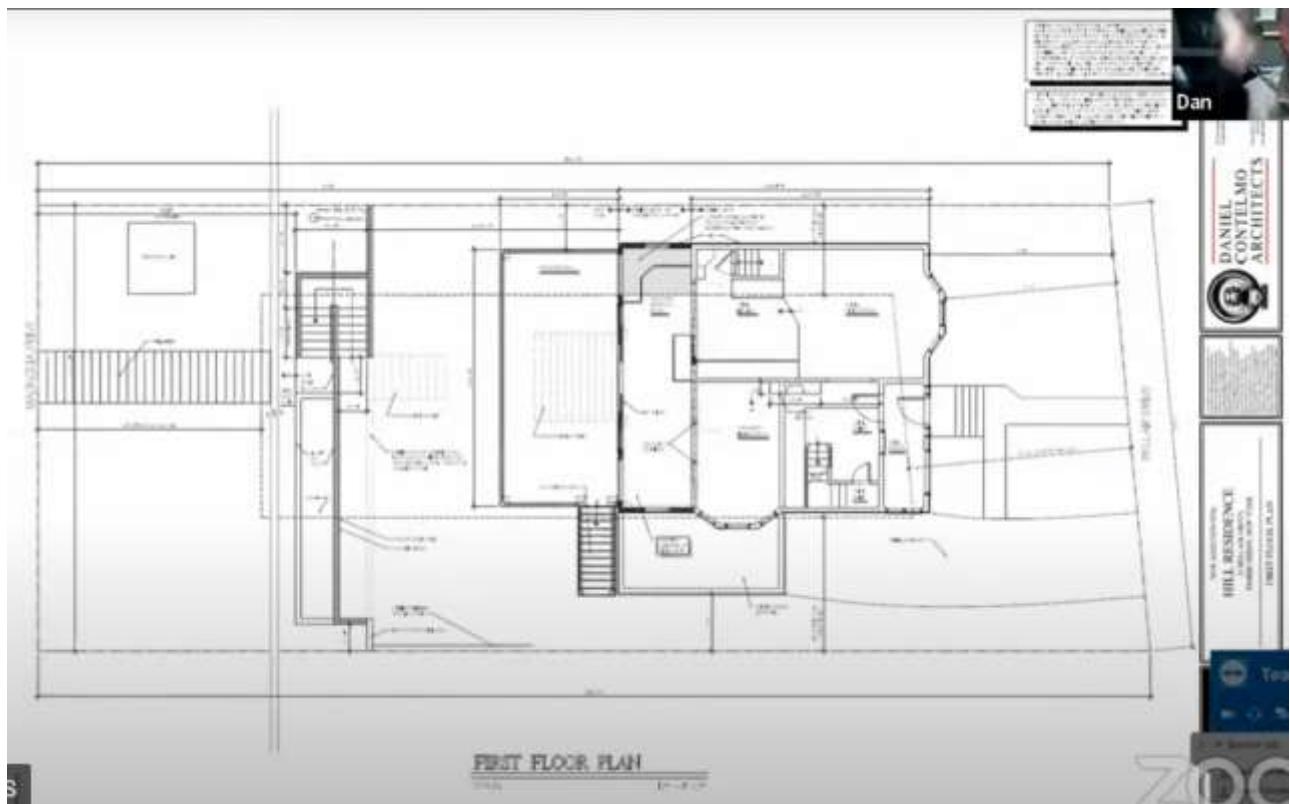
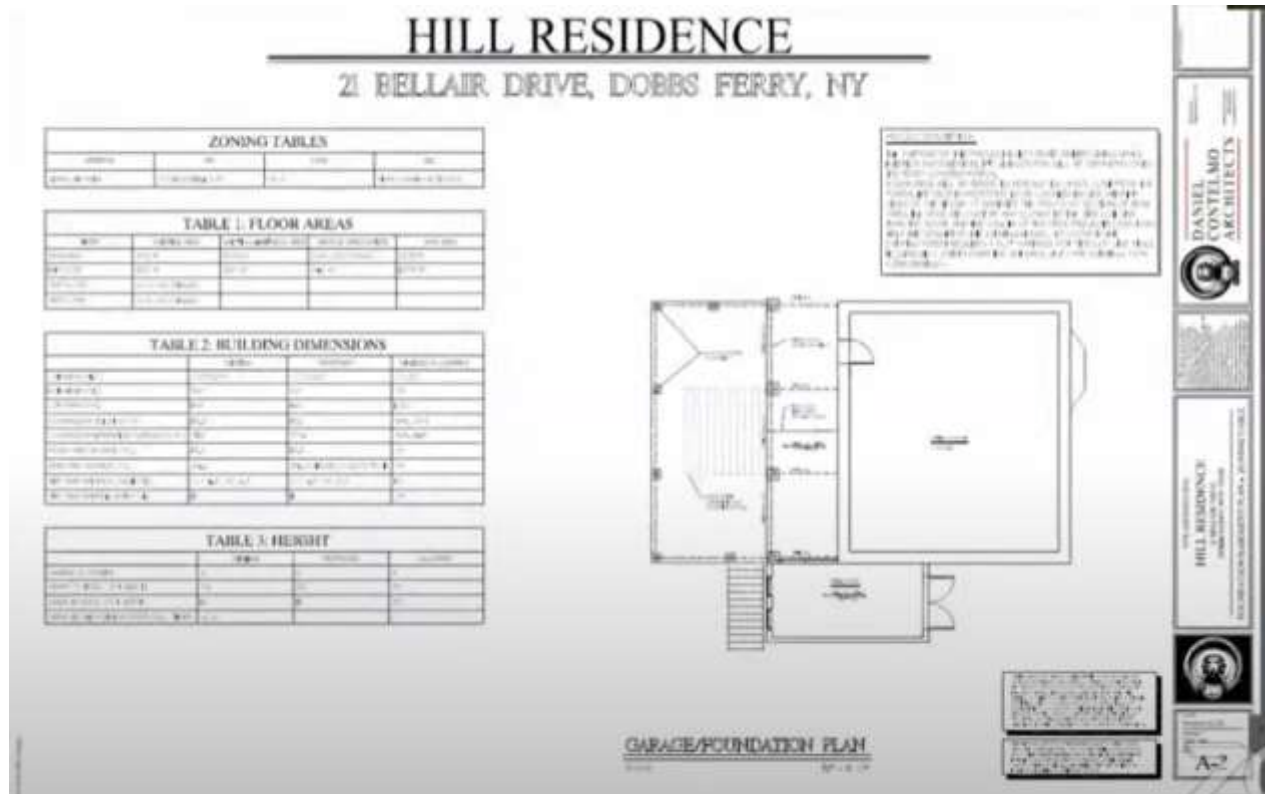
Ms. Laurie Kaplan and Mr. John Bortz were present. Ms. Kaplan said they just went down to Village Hall to come to the meeting. Ms. Kaplan said they never got a notification that it was going to be on Zoom and they thought it was hybrid. Ms. Kaplan said they had pictures that they wanted to share and they are distressed that there was not communication that they would not be able to do that.

Chairman Hofmann apologized to Ms. Kaplan and Mr. Bortz.

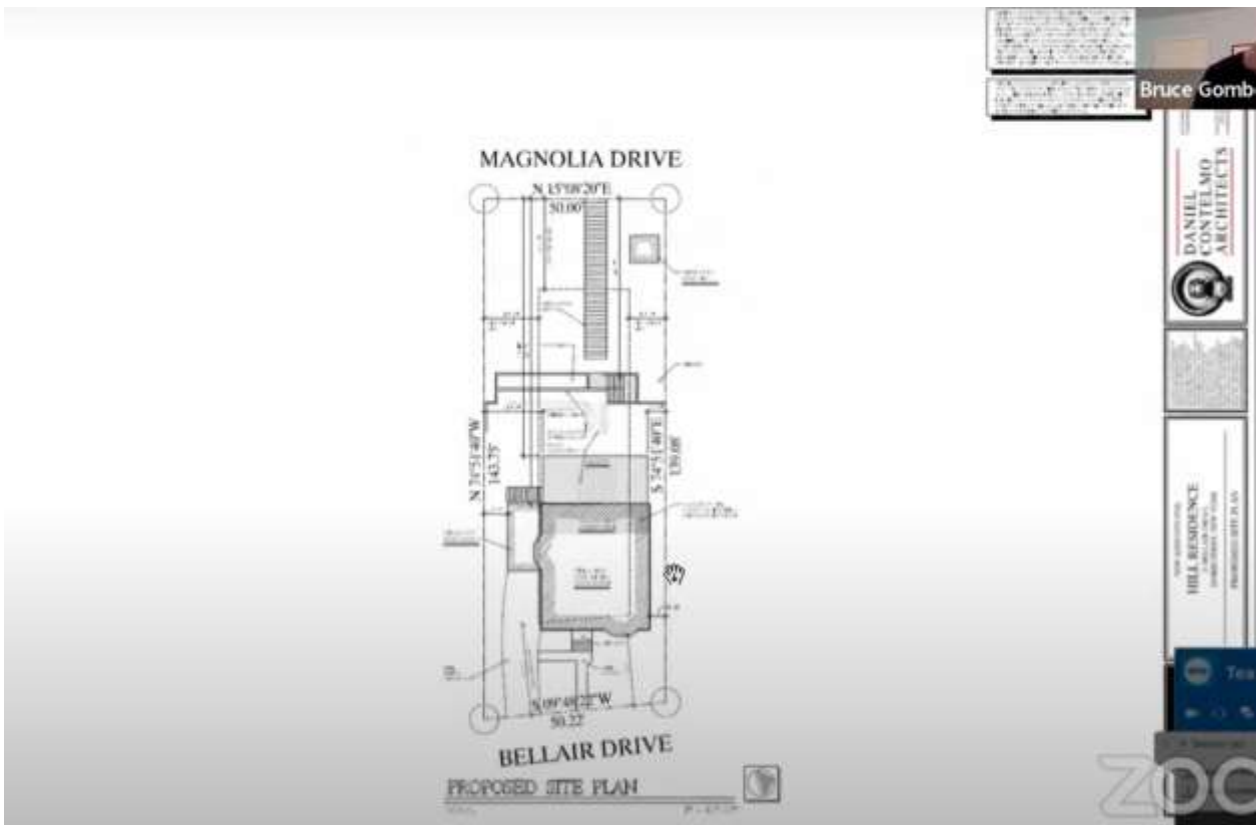
Mr. Daniel Contelmo/Architect, Ms. Therese Noonan/Contelmo Architects, Mr. Jay Robert and Ms. Catey Hill were present to represent the application.

Mr. Contelmo and Ms. Noonan discussed the proposed application and displayed the following slides:

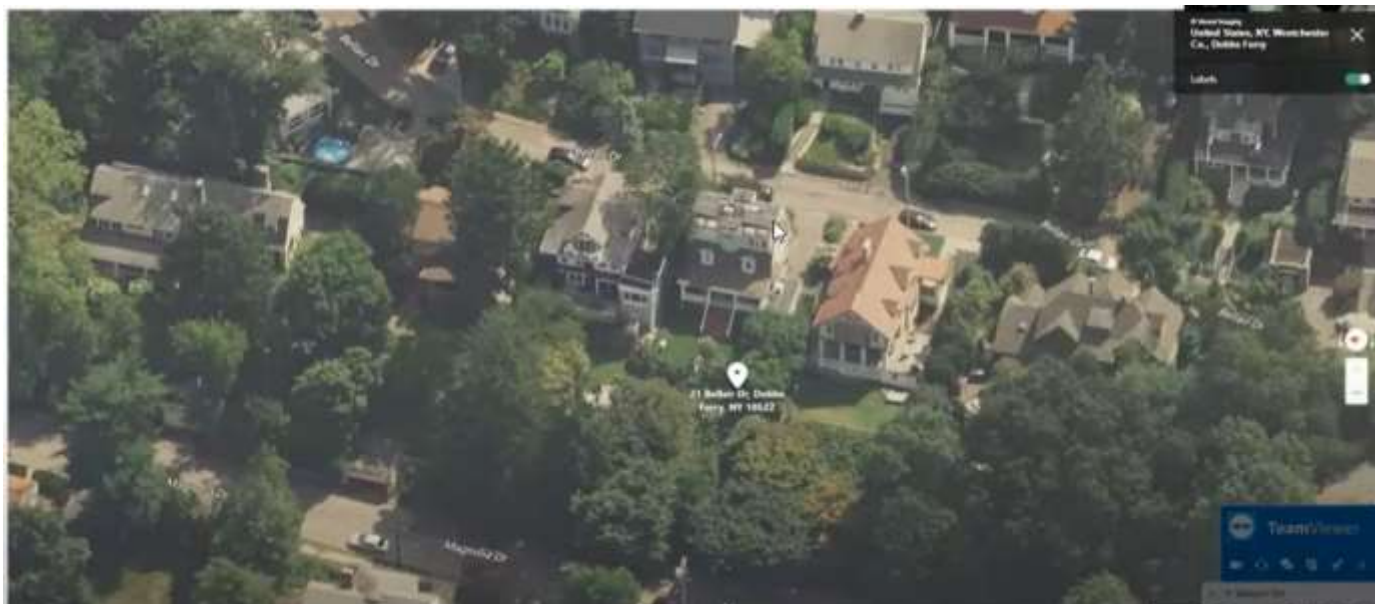
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A discussion was held and Mr. Contelmo and Ms. Noonan addressed questions from the Board.

The following people addressed the Board: Mr. John Bortz and Ms. Laurie Kaplan/25 Bellair Drive.

Motion by Mr. Gombos, seconded by Chairman Hofmann to close the public hearing for the application of 21 Bellair Drive for proposed plans to construct a new deck to existing home.

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CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	0 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

The Board discussed the proposed application

Mr. Gombos asked the applicants if it would be ok with them, for voting purposes, to separate the two variances.

The discussion continued.

Mr. Roemer addressed questions from the applicant.

Ms. Kaplan said they were ok with the Board voting only on the variance for the porch.

Motion by Mr. Gombos, seconded by Chairman Hofmann to approve the variance for the porch as requested, with an understanding that the work has to proceed exactly as shown on the plans, drawings and specifications; and specifically that we are excluding any discussion or variance for the proposed deck.

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	0 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

Our Planner is directed to prepare a written decision reflecting the deliberations and vote of the Zoning Board on this matter. The written decision will be signed by the Chair and filed with the Village Clerk with a copy attached to tonight's meeting minutes.

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3. 45 Northfield Avenue – Public Hearing for proposed plans to construct a new covered terrace and patio

Application to the Zoning Board of Appeals is as follows:

<p style="text-align: center;">APPLICATION TO ZONING BOARD OF APPEALS VILLAGE OF DOBBS FERRY</p>		<p style="text-align: center;">RECEIVED DEC 23 2021 VILLAGE OF DOBBS FERRY BUILDING DEPARTMENT</p>
<p>Note: Eight copies of the application must be filed with the Clerk of the Board, no later than 2:00 p.m., twenty-one (21) days prior to the date of the meeting.</p>		
<p>Date Filed: <u>12-22-2021</u></p>		
<p>Applicant's Name: <u>PADRIAC STRENSCHWEIDER</u> Telephone: <u>914-693-5093</u></p>		
<p>Property Location: <u>45 NORTHFIELD AVENUE</u></p>		
<p>Sheet: <u>3.100</u>, Block: <u>83</u>, Lots/Parcel: <u>4</u></p>		
<p>The undersigned applicant requests a hearing before the Zoning Board of Appeals based on the following: (check one)</p>		
<p><input checked="" type="checkbox"/> Appeals decision of Building Inspector <input type="checkbox"/> Special Permit</p>		
<p>Every application or appeal must be accompanied by an accurate plot plan to scale showing location of all existing structures, and also drawings showing the exact location, dimensions, and the nature of all proposed structures. These requirements will ordinarily be best met with surveys and architect's drawings. The Board may require that surveys and/or drawings be prepared and signed by duly accredited surveyors, engineers, or architects. Applicant is required to show proof of title to or legal interest in the premises, by deed or contract of sale, or other document. This application or appeal is made pursuant to the authorization contained in the Building Zoning Ordinance:</p>		
<p>Article: <u>300</u> Section: <u>2A</u> Subdivisions: <u>B.</u></p>		
<p>The basis of the relief sought by the undersigned pursuant to the provisions of the Building Zoning Ordinance is as follows: (Set forth briefly all pertinent facts and use additional sheets if necessary).</p>		
<p><u>A. VARIANCE TO PERMIT AN INCREASE IN BUILDING COVERAGE FROM THE EXISTING 28.11% TO 37.4%, WHERE 27% IS THE PERMITTED LIMIT.</u></p>		
<p><u>A VARIANCE TO PERMIT A REDUCTION IN IMPERVIOUS COVERAGE FROM 64.48% TO 59.19%, WHERE 54% IS THE PERMITTED LIMIT.</u></p>		
<p>Applicant: <u>[Signature]</u></p>		
<p>STATE OF NEW YORK) COUNTY OF WESTCHESTER) ss:</p>		
<p>On this <u>22</u> day of <u>12</u>, 20<u>21</u> before me personally came <u>PADRIAC STRENSCHWEIDER</u> who came duly sworn deposes and says that he/she read the foregoing application and knows the content thereof and that the same is true to his/her own knowledge.</p>		
<p><u>[Signature]</u> Notary Public</p>		
<p>DEBRA SILLER NOTARY PUBLIC STATE OF NEW YORK WESTCHESTER COUNTY LIC. #01816205087 COMM. EXP. <u>5-04-2025</u></p>		

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Letter dated December 17, 2021 from Mr. Dan Roemer/Building Inspector to Harvinder Julka is as follows:



VILLAGE OF DOBBS FERRY

Building Department

112 Main Street

Dobbs Ferry, New York 10522

TEL: (914) 231-8511 • Droemer@dobbsferry.com • FAX: (914) 693-3470

12/17/2021

Harvinder Julka
45 Northfield Ave.
Dobbs Ferry, NY 10522

Re: 45 Northfield Ave.

S/B/L 3.100-83-4

Dear Mr. Julka,

Pursuant to a review of the submitted proposed plans to construct a new covered terrace and patio, the following determinations were made.

The property is located in the OF-6 Zone. Requiring two variances.

1. The max lot coverage by building is 27%, the legal non-conforming lot coverage by building is 28.11%, the propose lot coverage by building is 37.44% thus requiring a variance for 9.33% building coverage.
2. The max lot coverage by impervious surface is 54%, the existing legal non-conforming impervious lot surface is 64.48%, and the proposed impervious lot surface is 68.37%, thus requiring a variance for 3.69%.

For these reasons your proposal, as submitted, is denied pending zoning board review.

If you have any questions, please contact the Building Department at (914) 231-8511.

Respectfully,

A handwritten signature in black ink, appearing to read "Dan Roemer", is written over a horizontal line.

Dan Roemer
Building Inspector

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Public Hearing Legal Notice is as follows:



VILLAGE OF DOBBS FERRY
Building Department
112 Main Street
Dobbs Ferry, New York 10522

PUBLIC HEARING LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Dobbs Ferry Zoning Board of Appeals will conduct a public hearing in the 2nd floor Board Room at Village Hall, 112 Main Street on Wednesday, January 12, 2022 at 8:00 p.m., or as soon as the matter may be heard, concerning proposed plans to construct a new covered terrace and patio to property located at 45 Northfield Avenue located in the OF-6 Zone. The following determinations made by the Dobbs Ferry Building Inspector have been appealed:

1. The max lot coverage by building is 27%, the legal non-conforming lot coverage by building is 28.11%. The proposed lot coverage by building is 37.44%. Thus requiring a variance for 9.33% building coverage.
2. The max lot coverage by impervious surface is 54%, the existing legal non-conforming impervious lot surface is 64.48%. The proposed impervious lot surface is 68.37%. Thus requiring a variance for 3.69%.

The meeting will be conducted in the Board Room at Village Hall using a hybrid method combining the options of in-person and virtual attendance. This method meets the Village's goal of protecting public health and complies with New York State law Chapter 147 of the Laws of 2021, Part E, which permits virtual participation by Board Members. Those who wish to attend virtually through the videoconferencing service, Zoom, can access by: (i) typing "join.zoom.us" on your web browser and entering the Webinar ID 873 6907 9914; Passcode: 248129; or (ii) using the direct link: <https://us02web.zoom.us/j/87369079914?pwd=dGQ0SzV1bnZhcW9BdUZvdWdNUmVuZz09>; or (iii) dialing telephone number 929 205 6099. Parties may also provide written comments in advance of the hearing to the Building Department 112 Main Street or by e-mail BoardComments@dobbsferry.com. Further details on the proposed application and instructions for participation may be found online at the Village of Dobbs Ferry website www.dobbsferry.com

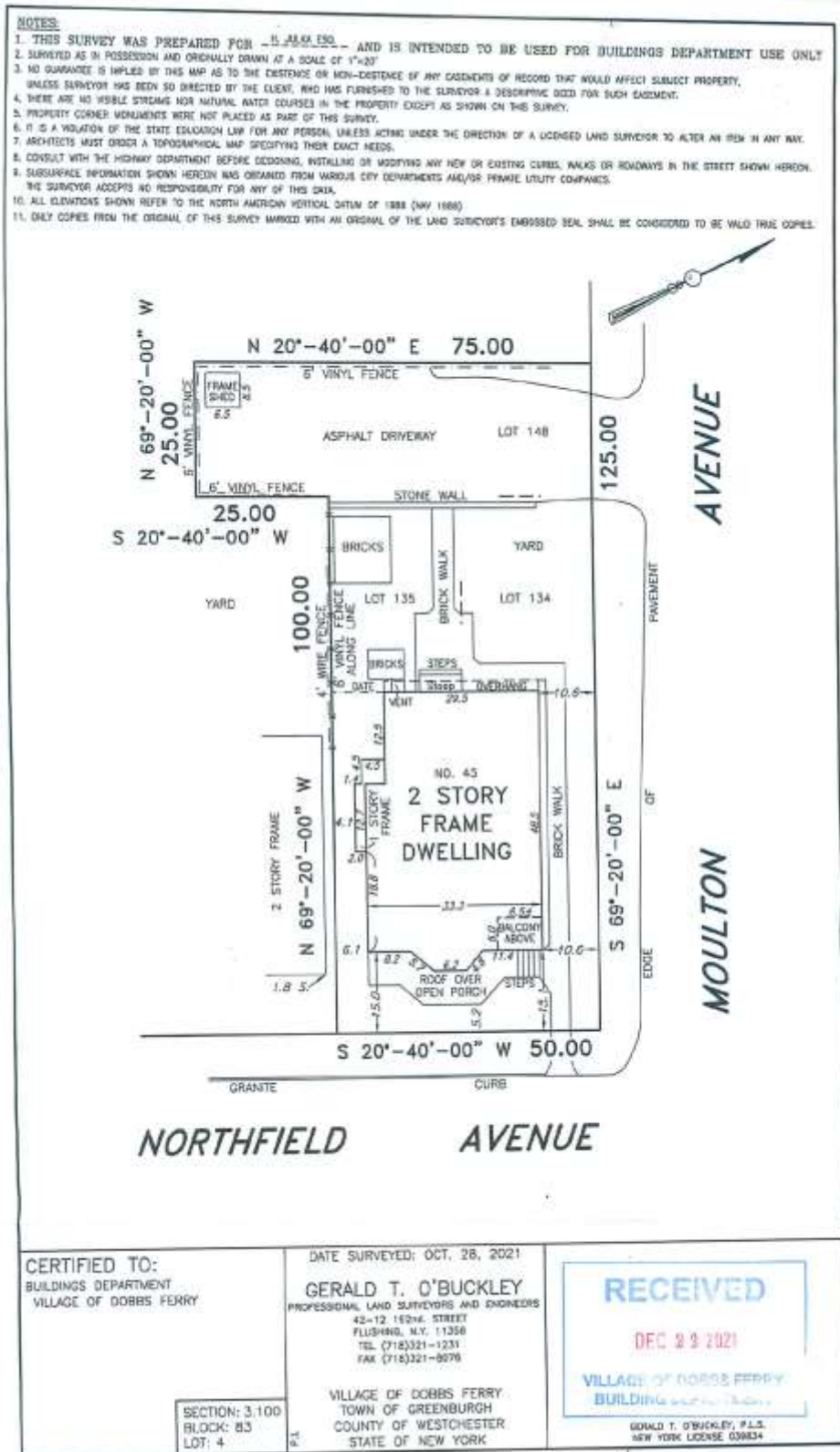
BY ORDER OF THE ZONING BOARD OF APPEALS

Dated: December 28, 2021

Elizabeth Dreaper
Village Clerk

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45 Northfield Avenue survey is as follows:



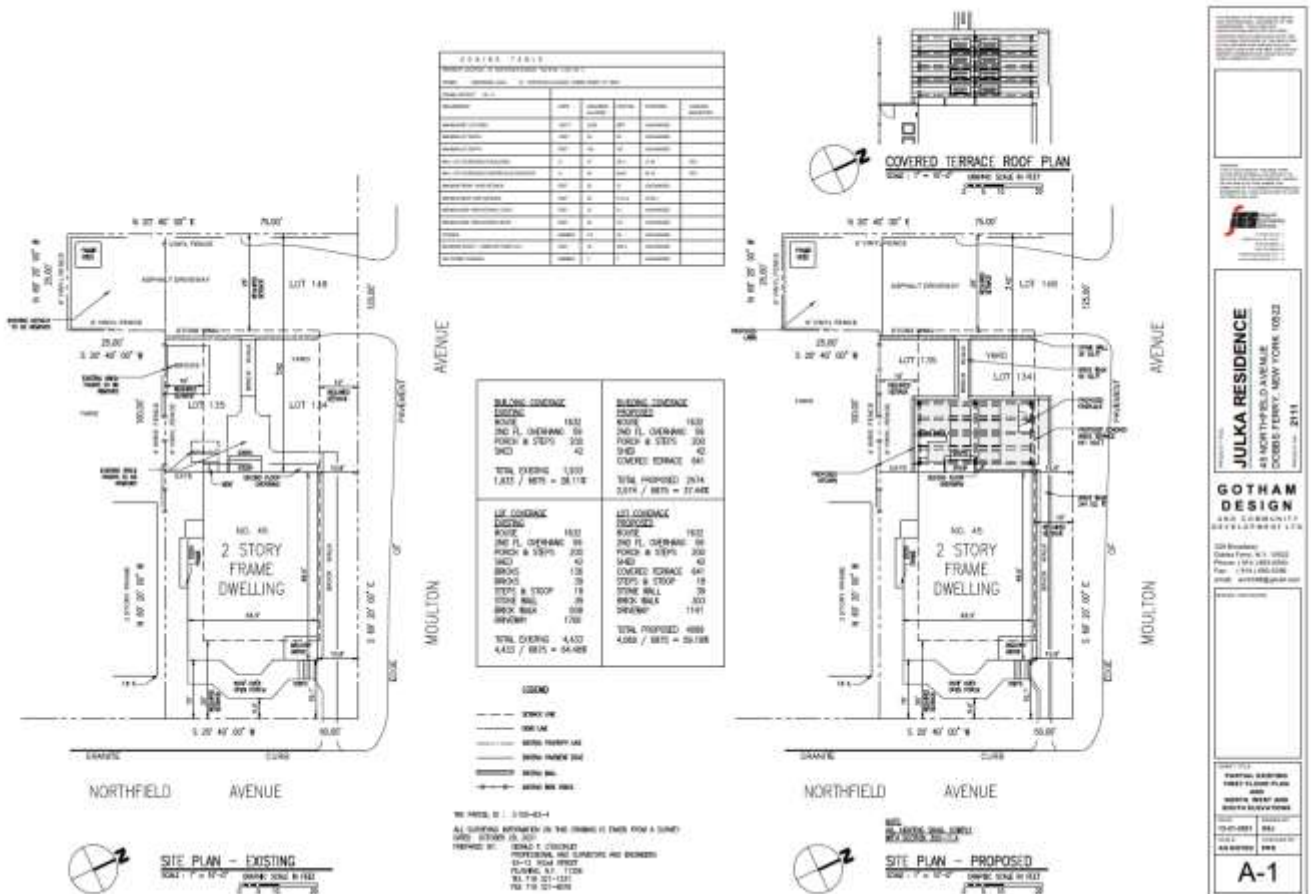


JULKA RESIDENCE
 40 MORTIMER AVENUE
 DOVER COURT, NEW YORK 10022
 Tel: 212 691 2111

GOTHAM DESIGN
 100 Broadway
 New York, NY 10038
 Phone: 212 414 2000
 Fax: 212 414 2002
 Email: info@gothamdesign.com
 Website: www.gothamdesign.com

EX-1
 100 Broadway
 New York, NY 10038
 Phone: 212 414 2000
 Fax: 212 414 2002
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 Website: www.gothamdesign.com

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Letter dated December 21, 2021 from Mr. Paddy Steinschneider/Gotham Design & Community Development, Ltd. to Mr. Dan Roemer/Building Inspector is as follows:

GOTHAM

Padriac Steinschneider
Gotham Design & Community Development Ltd.
329 Broadway
Dobbs Ferry, New York 10522
(914) 693-5093 • Fax: (914) 693-5390
(914) 906-4802 cell • arch329@gmail.com

December 21, 2021

Dan Roemer, Assistant Building Inspector
Dobbs Ferry Building Department
112 Main Street
Dobbs Ferry, New York 10522

Re: Julka Residence
45 Northfield Avenue

Dear Dan:

This letter is to submit an application to the Zoning Board of Appeals for the above referenced property. The proposed work includes the following:

1. Removal of approximately 1,022 square feet of existing impervious surface area.
2. The construction of a terrace with approximately 641 square feet of impervious surface area.
3. Construction of an open roof structure covering the proposed terrace. The open roof structure will be a heavy timber structure with a metal roof.
4. The proposed terrace will include an outdoor fireplace and an outdoor kitchen.

While we are reducing the impervious surface area from the existing 4,433 square feet, or 64.48% of the lot area, to 4,069 square feet, or 59.19%, we will still be exceeding the permitted 54% limit, which would be 3,713 square feet of the 6,875 square foot lot. We will need a variance for impervious surface area to permit the proposed work to exceed the permitted 3,713 square feet by 356 square feet, which is 5.2% of the lot area.

The existing buildings on the site have a coverage of approximately 1,933 square feet, or 28.11% of the lot area, where the OF-6 zoning district permits a maximum of 27%. We anticipate that, while the covered terrace is open on three sides and not conditioned space, it will still be considered part of the building. We are proposing a structure with a site coverage of approximately 641 square feet, which will increase the total building coverage to 2,574 square feet or 37.4% of the lot area. This will exceed the permitted building coverage of 1,856 square feet by 718 square feet, which is 10.44% of the lot area, requiring a variance for building coverage.

In support of this application, we have submitted the following:

- A. The fully executed application to the Zoning Board of Appeals, including the Zoning Worksheet.
- B. A completed Environmental Assessment Form.

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Letter to Assistant Building Inspector Dan Roemer
Re: 45 Northfield Avenue - Julka Residence
December 21, 2021
Page 2 of 2.

- C. A copy of the survey of the property prepared by Gerald T. O'Buckley, L.S., dated October 28, 2021.
- D. A set of three drawings prepared by Gotham Design & Community Development Ltd., under the supervision and review of Sirus Miandoabi, P.E., dated as issued 12-21-2021.

A Notice has been sent via certified mailing to all property owners located within 200 feet of the subject property that this property will be under consideration by the Zoning Board of Appeals, the Planning Board, and the Architectural and Historic Review Board.

It is our understanding that your office has already issued a denial letter for the application for a building permit based on the two required variances that are described in this letter.

Please let me know if there is anything else that you need to process this application.

Thank you for your time and attention.

Sincerely,

Gotham Design & Community Development, Ltd.
Paddy Steinschneider, President
As Agent for Ranu Julka, Owner

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The Short Environmental Assessment Form is as follows:

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
45 Northfield Avenue,			
Name of Action or Project: 45 Northfield Avenue, Dobbs Ferry, New York 10522			
Project Location (describe, and attach a location map): Southwest corner of the intersection of Northfield Avenue and Moulton Avenue in the Village of Dobbs Ferry, Westchester County			
Brief Description of Proposed Action: Construction of a covered terrace with a site coverage of approximately 641 square feet			
Name of Applicant or Sponsor: Padriac Steischneider for Ranu Julka, Owner		Telephone: 914-693-5093	
		E-Mail: arch329@gmail.com	
Address: 329 Broadway			
City/PO: Dobbs Ferry		State: New York	Zip Code: 10522
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			0.1578 acres 0.1578 acres 0.1578 acres
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

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5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

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14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
On-site stormwater detention system. _____		

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Padriac Steinschneider</u> Date: <u>12-22-2021</u> Signature: _____ Title: <u>Agent for the Owner</u>		

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Zoning Worksheet is as follows:

ZONING WORKSHEET

Address	SBL	Zone	Use
45 NORTHFIELD AVENUE	3.100-83-4	OF-6	SINGLE FAMILY

Table 1: Floor Areas

Story	Existing Area	Existing Habitable Area	Area of Renovation	New Area
1st. Floor	1632	1632	0	
2nd. Floor	1645	1618	0	
Porch Addition	0	0	0	641

Table 2: Building Dimensions

	Existing	Proposed	Minimum Allowable
Lot Area (ft. ²)	6875	6875	5000
Lot Width (ft.)	50	50	50
Lot Depth (ft.)	125	125	100
Coverage by Building (%)	28.11	37.4	27
Coverage by Impervious Surfaces (%)	64.48	59.19	54
Front Yard Set Back (ft.)	5.2	5.2	20
Rear Yard Set Back (ft.)	62	42	25
Side Yard Set Back, Each (ft.)	10	10	10
Side Yard Set Back, Both (ft.)	20.6	20.6	20

Table 3: Height

	Existing	Proposed	Allowed
Number of Stories	TWO	TWO	TWO + 1/2
Grade to Ridge (OF+MDR-1)		NO CHANGE	
Grade to Eave (OF+MDR-1)		NO CHANGE	
Grade to Mid-point of Roof (All Other)		NO CHANGE	

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Mr. Paddy Steinschneider/Gotham Design & Community Development Ltd. and Mr. & Mrs. Julka were present to represent the application.

Chairman Hofmann read the legal notice for the application.

Mr. Steinschneider discussed the proposed application and displayed the following slides:

Julka Residence 45 Northfield Avenue Dobbs Ferry



January 12, 2022 Zoning Board of Appeals

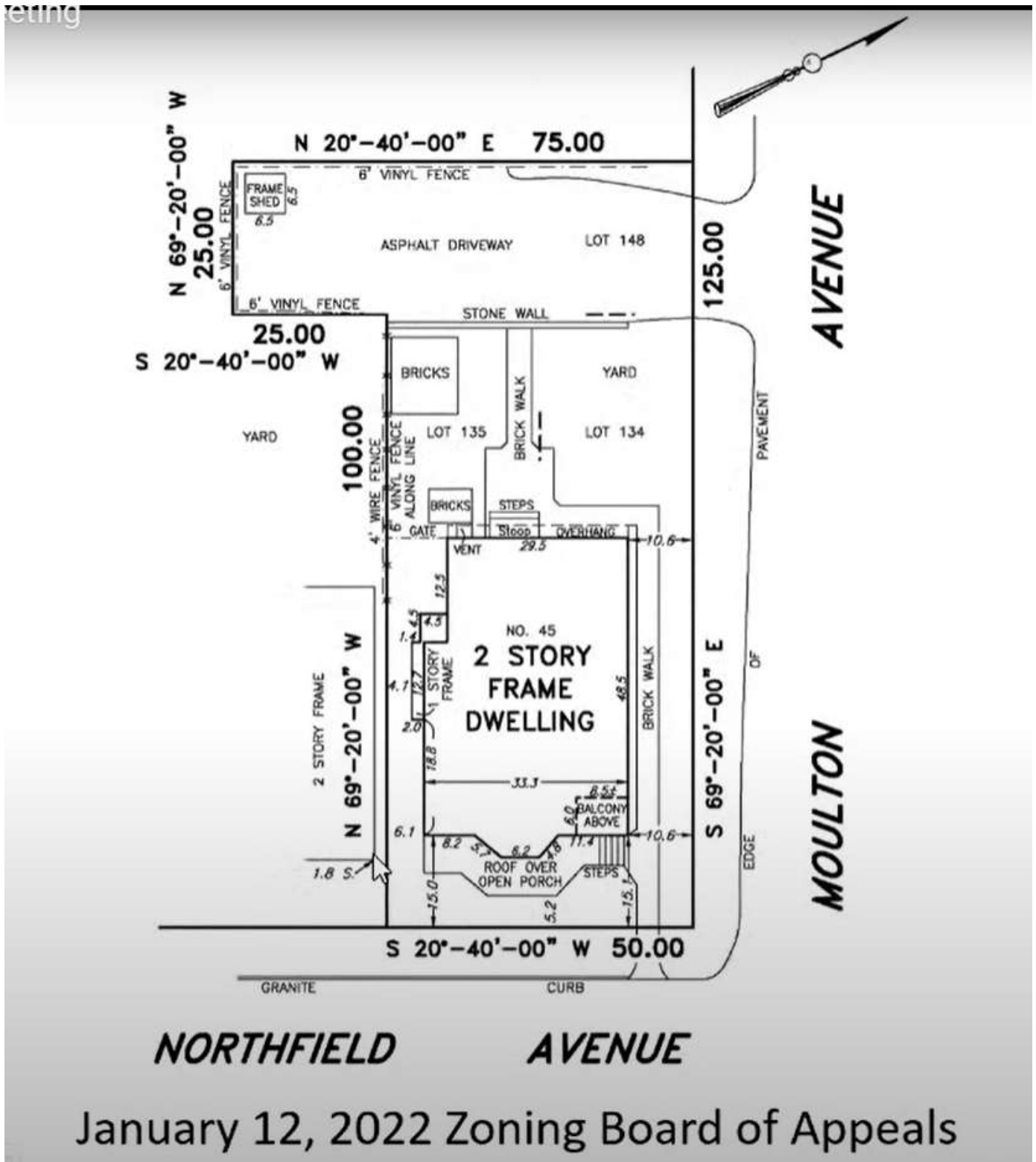
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<p><u>BUILDING COVERAGE</u> <u>EXISTING</u></p> <p>HOUSE 1632 2ND FL. OVERHANG 59 PORCH & STEPS 200 SHED 42</p> <p>TOTAL EXISTING 1,933 1,933 / 6875 = 28.11%</p>	<p><u>BUILDING COVERAGE</u> <u>PROPOSED</u></p> <p>HOUSE 1632 2ND FL. OVERHANG 59 PORCH & STEPS 200 SHED 42 COVERED TERRACE 540</p> <p>TOTAL PROPOSED 2,431 2,431 / 6875 = 35.36%</p>
<p><u>LOT COVERAGE</u> <u>EXISTING</u></p> <p>HOUSE 1632 2ND FL. OVERHANG 59 PORCH & STEPS 200 SHED 42 BRICKS 136 BRICKS 39 STEPS & STOOP 18 STONE WALL 39 BRICK WALK 508 DRIVEWAY 1760</p> <p>TOTAL EXISTING 4,433 4,433 / 6875 = 64.48%</p>	<p><u>LOT COVERAGE</u> <u>PROPOSED</u></p> <p>HOUSE 1632 2ND FL. OVERHANG 59 PORCH & STEPS 200 SHED 42 COVERED TERRACE 540 STEPS & STOOP 0 STONE WALL 39 BRICK WALK 298 DRIVEWAY 1141</p> <p>TOTAL PROPOSED 3,951 3,951 / 6875 = 57.5%</p>

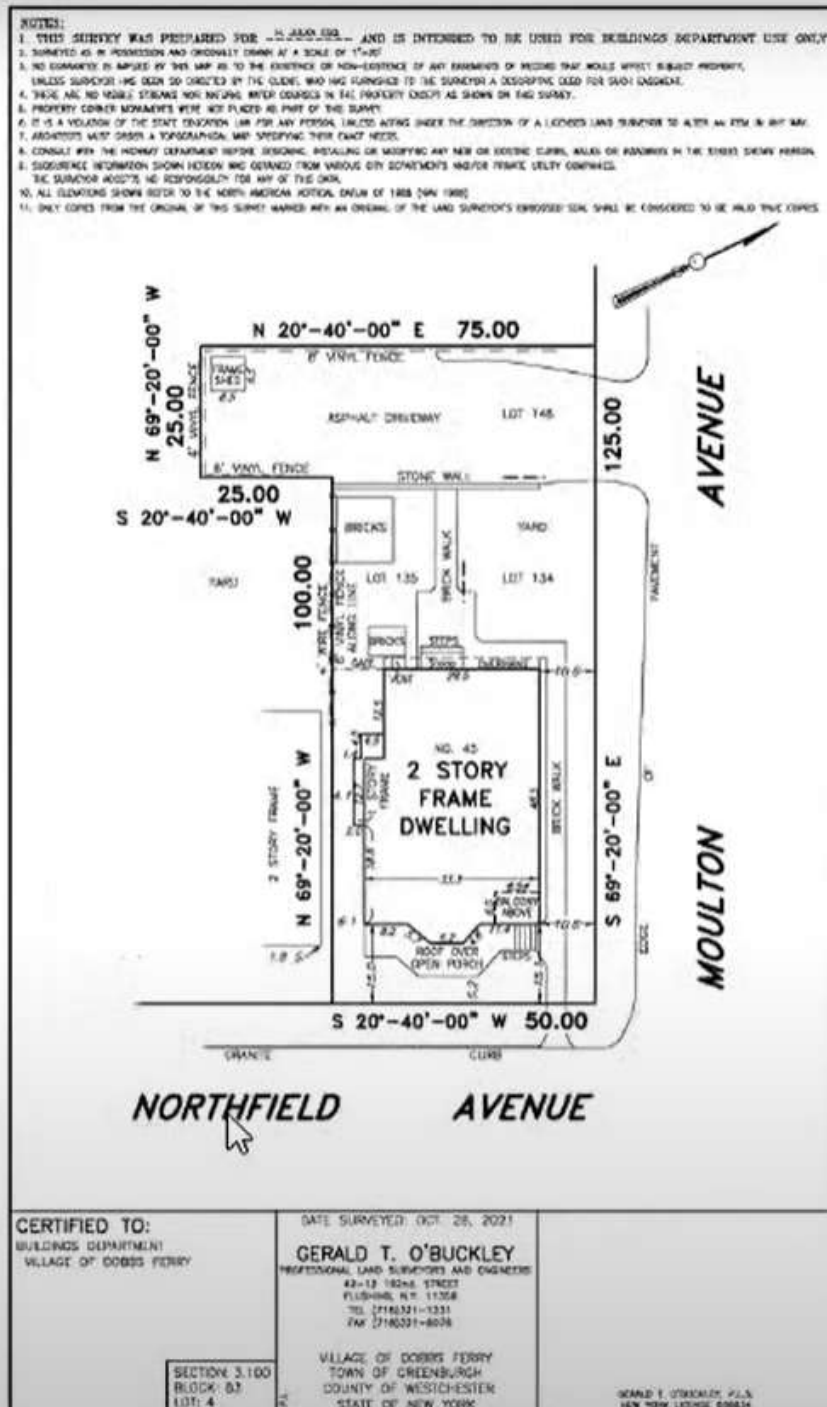
Coverage Calculations

January 12, 2022 Zoning Board of Appeals

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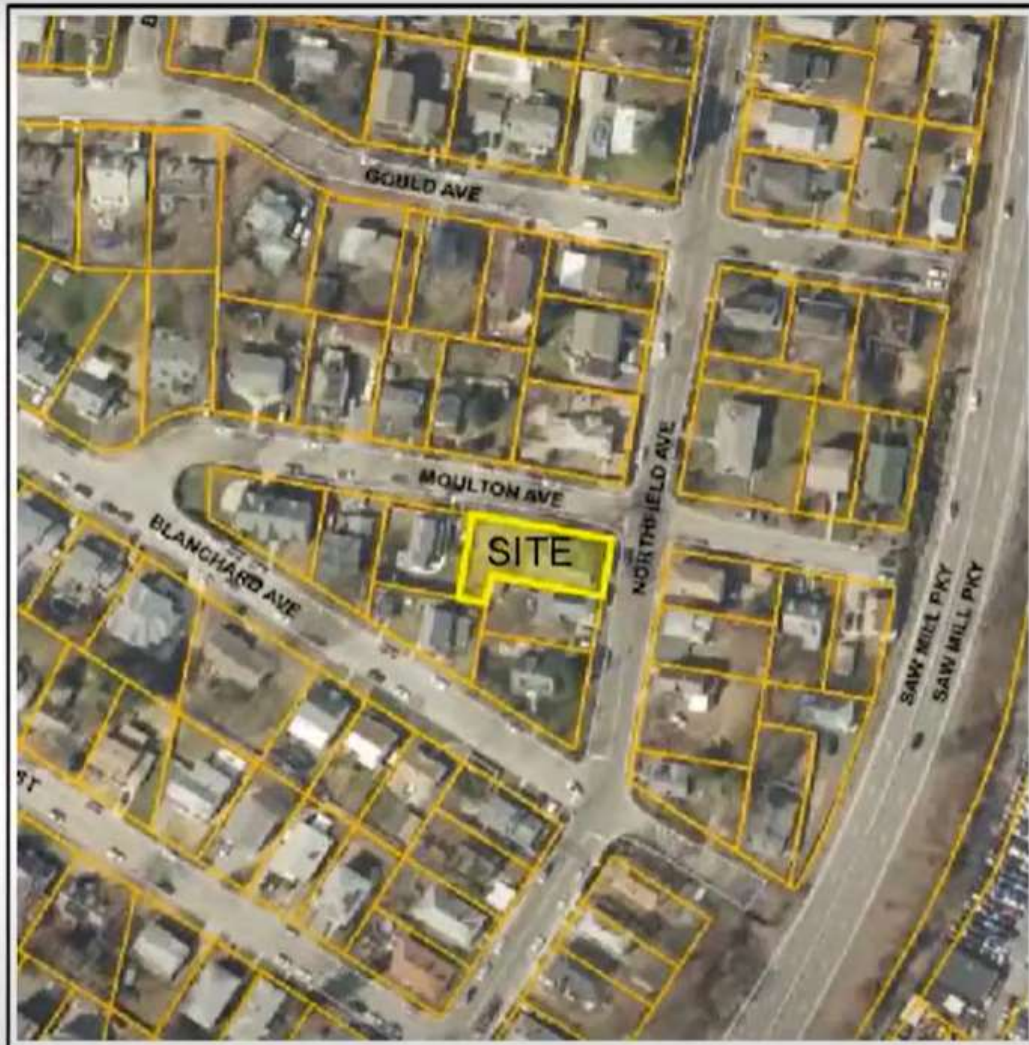


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January 12, 2022 Zoning Board of Appeals

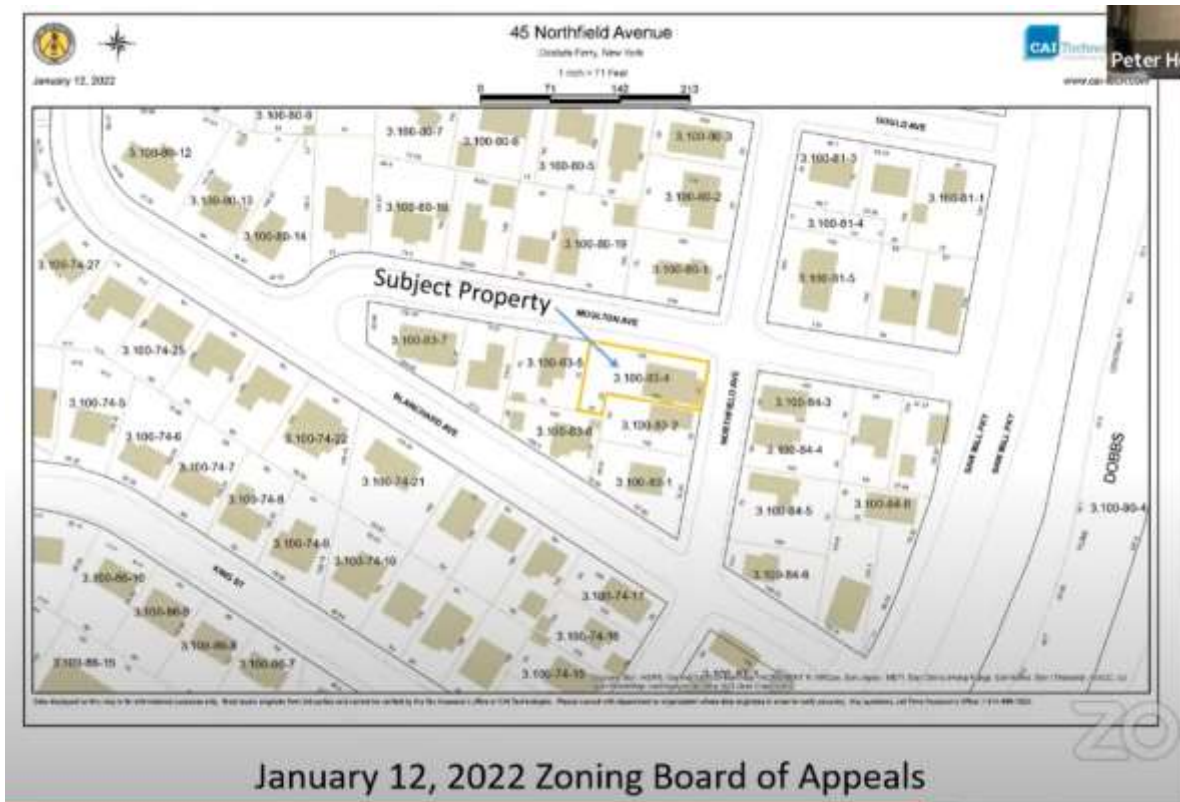
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AERIAL LOCATION MAP
NOT TO SCALE

January 12, 2022 Zoning Board of Appeals

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45 Northfield Avenue – Subject Property
January 12, 2022 Zoning Board of Appeals



45 Northfield Avenue – Subject Property
January 12, 2022 Zoning Board of Appeals

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Northfield Avenue Looking South
January 12, 2022 Zoning Board of Appeals



Homes Across Northfield from the Subject Property
January 12, 2022 Zoning Board of Appeals

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Homes Next Door to Subject Property on Moulton
January 12, 2022 Zoning Board of Appeals

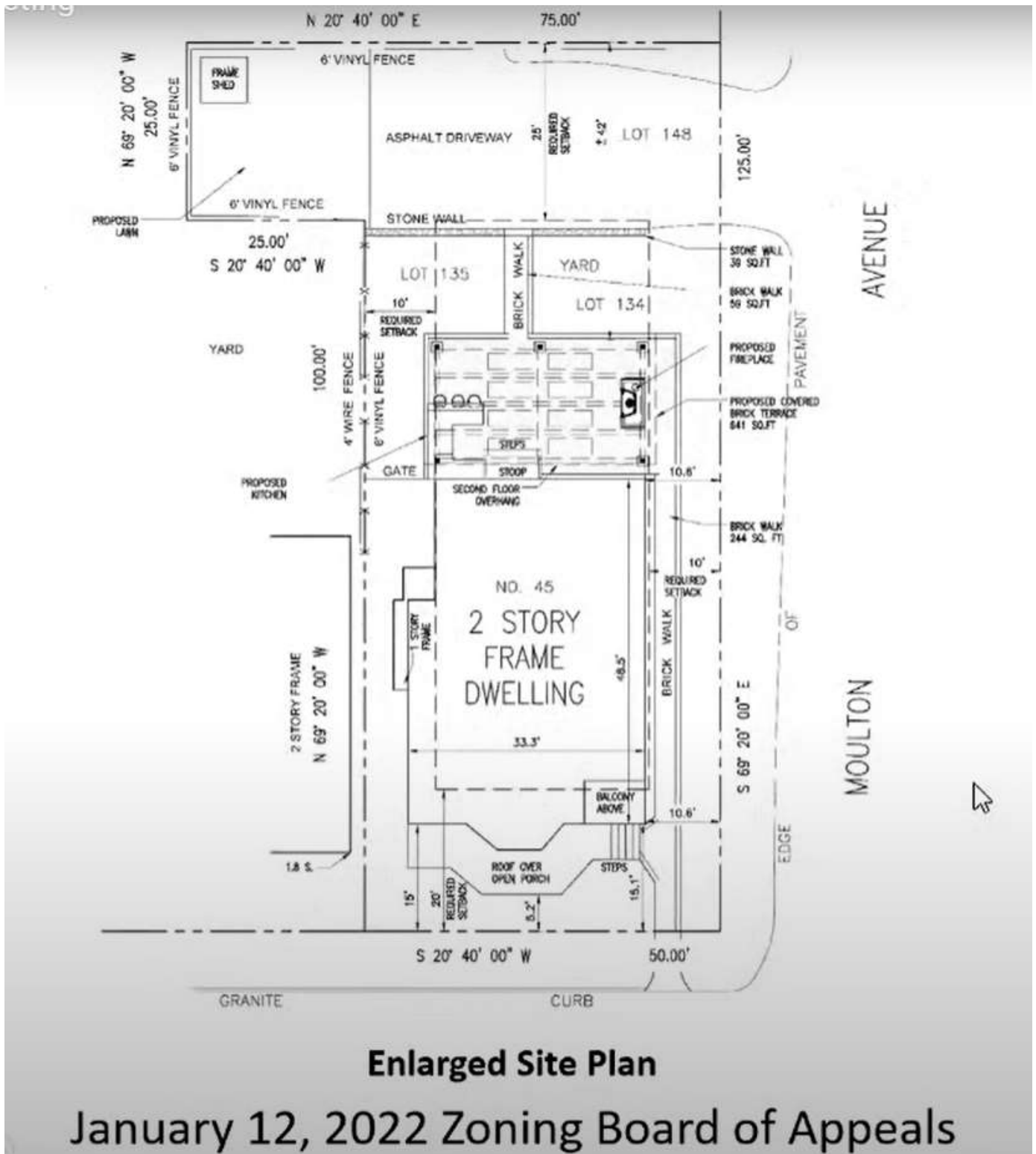


Homes Across Moulton from the Subject Property
January 12, 2022 Zoning Board of Appeals

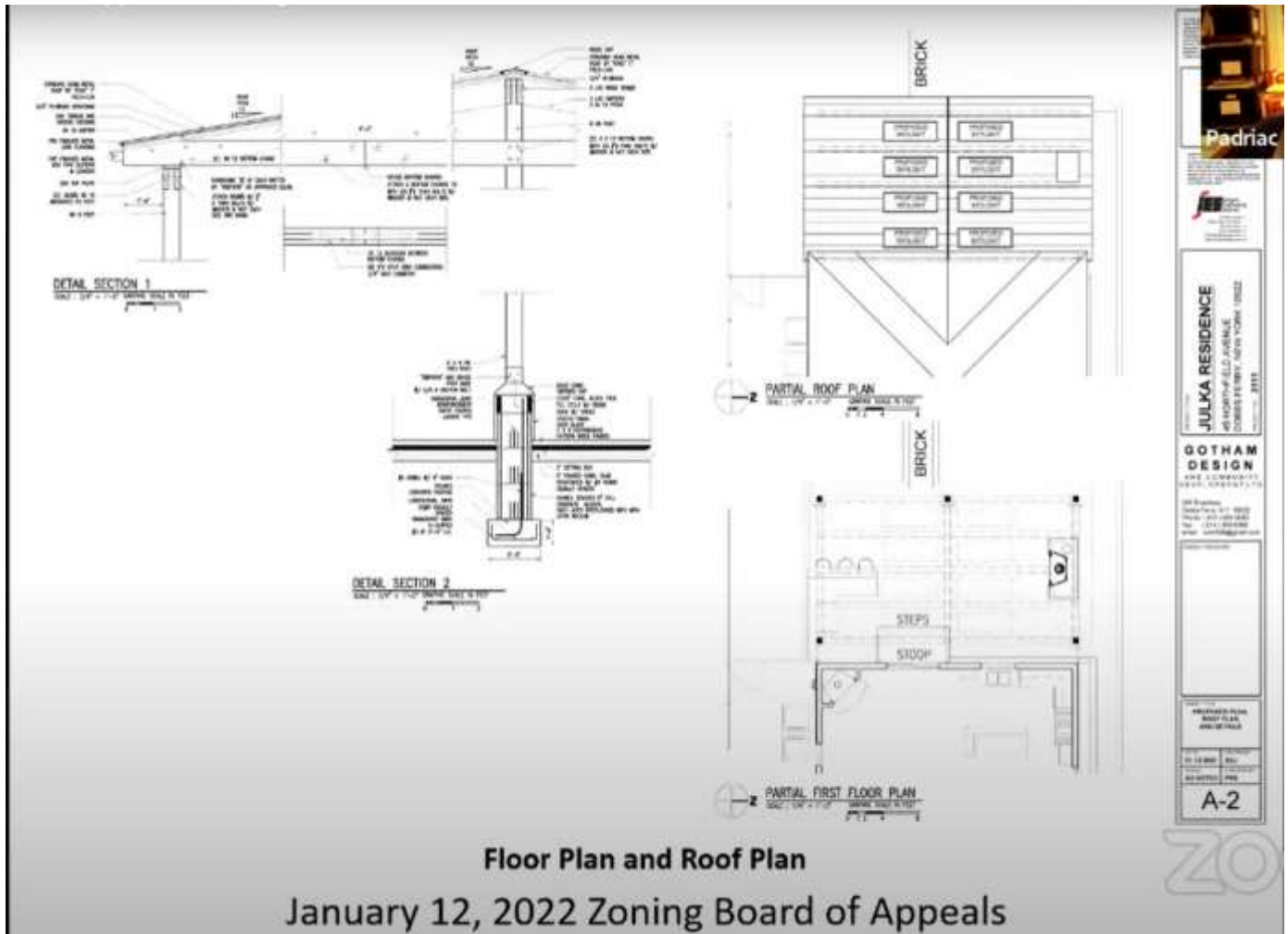
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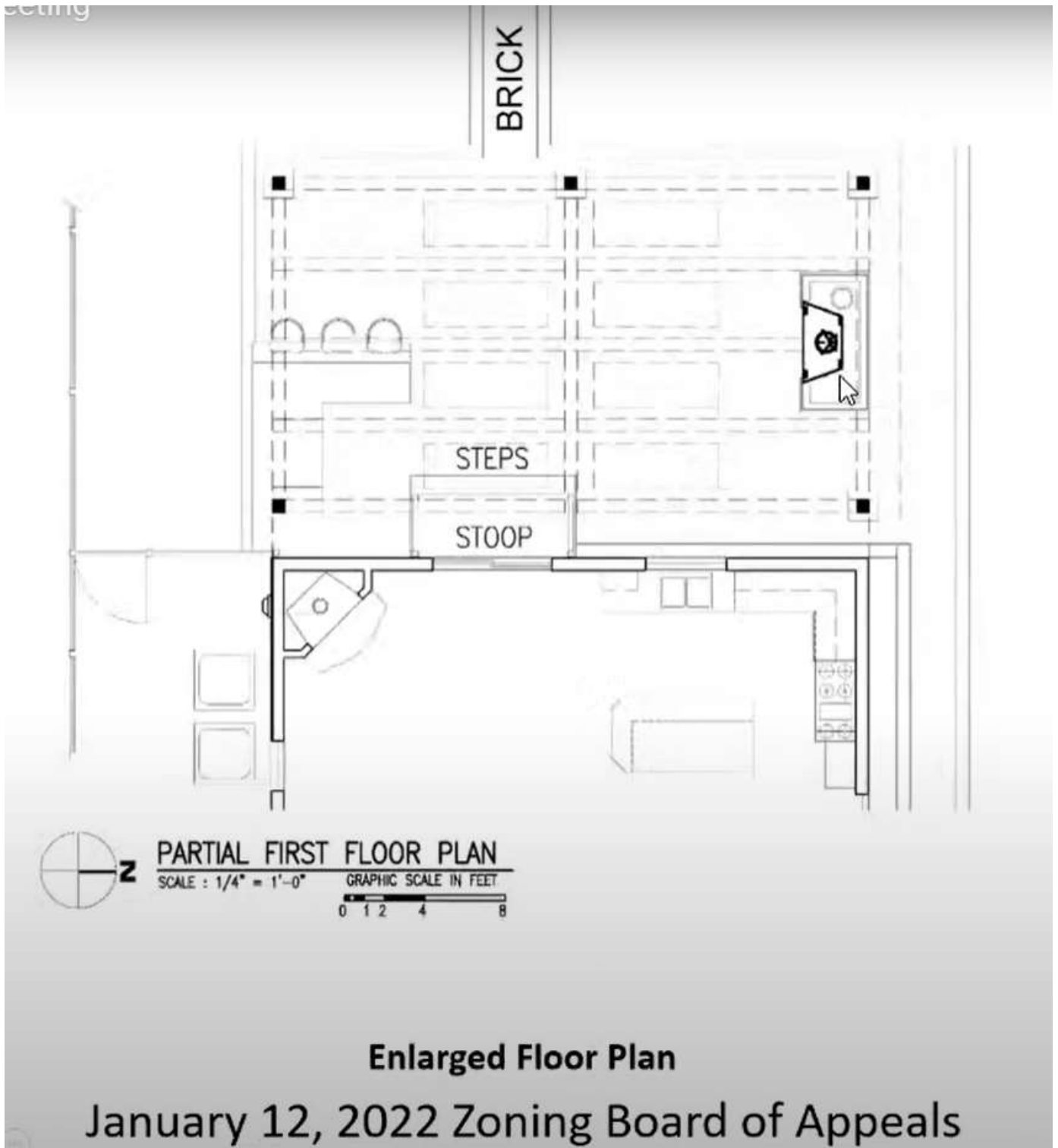
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Enlarged West Elevations

January 12, 2022 Zoning Board of Appeals

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A discussion was held and Mr. Steinschneider and Mr. Julka addressed questions from the Board.

Mr. Roemer said Mr. Steinschneider is going to have to submit new plans before the Board votes on this because it's totally changed from what the application was and what the plans are actually showing. Mr. Roemer said the drawings being shown this evening need to be formally submitted to the Village and maybe even a correct survey.

Chairman Hofmann said if the Board approves an application it is approved according to the plan submitted.

Mr. Steinschneider said they have done most of the work already and there is no reason not to submit all of that and to give the Board the benefit of the complete drawings.

No one from the public addressed the Board.

The discussion continued and Mr. Steinschneider and Mr. Julka addressed questions from the Board.

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Chairman Hofmann said the application will be before the Board at the next meeting in February.

Motion by Chairman Hofmann, seconded by Mr. Monte to adjourn the meeting.

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	0 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

The meeting adjourned at 9:45 p.m.

RESOLUTION 1-2022

**RESOLUTION OF THE ZONING BOARD OF APPEALS
OF THE VILLAGE OF DOBBS FERRY IN THE MATTER OF THE APPEAL AND APPLICATION OF
ROBERT JAY AND CATHRINE HILL (“OWNER”) OF PROPERTY LOCATED AT 21 BELLAIR DRIVE,
DOBBS FERRY, N.Y., (“PROPERTY”) WHICH APPEAL IS FROM A DECISION OF THE BUILDING
INSPECTOR OF THE VILLAGE OF DOBBS FERRY AFFECTING THE PREMISE DESIGNATED ON
THE TAX ASSESSMENT MAPS OF THE VILLAGE OF DOBBS FERRY AS SECTION 3.160, BLOCK
144, LOT 3 IN THE OF-5 ,ONE-FAMILY RESIDENTIAL 5 ZONING DISTRICT**

WHEREAS, this application involves property located at 21 Bellair Drive Village of Dobbs Ferry, County of Westchester and State of New York and designated as Section Block and Lot 3.160-144-3, in the OF-5, One-Family 5, Zoning District; and

WHEREAS, the Owner sought relief from the Chapter 300, Zoning and Land Use, of the Village of Dobbs Ferry, New York and requests a variance to enclose a porch; and

WHEREAS, in accordance with Article 8 of the Environmental Conservation Law (SEQRA) and the implementing regulations (6 NYCRR Part 617), the Zoning Board of Appeals (“ZBA”) has considered all of the impacts of the action and has determined that the Proposed Action is a Type II because it consists of the construction or expansion of a single-family residence on an approved lot (6 NYCRR § 617.5(c)(11)); and

WHEREAS, the Zoning Board of Appeals has reviewed the application materials including the following:

1. Zoning Board of Appeals application dated November 15, 2021;

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2. Building Inspector denial letter dated December 21, 2021;
3. Site Plans and Architectural drawings by Daniel Contelmo Architects (Sheets A-2 through A-4 and S-1 through S-3) dated December 22, 2021; and

WHEREAS, the Owner is seeking an area variance of 5 feet 9 inches from the minimum required side yard setback of Table B-1, Chapter 300, Zoning and Land Use, and an area variance of 14 feet and 4 inches from the (both) side yard setback of Table B-1, Chapter 300, Zoning and Land Use; and

WHEREAS, pursuant to the applicable provisions of law and after due notice and publication, a public hearing was held on January 12, 2022, at which time all those wishing to be heard were given the opportunity to be heard, and the public hearing was closed on January 12, 2022; and

WHEREAS, members of the ZBA are familiar with the property and its location; and

NOW, THEREFORE, BE IT RESOLVED, the Zoning Board of Appeals has investigated this application and has given its full consideration to the testimony presented at the hearing and hereby finds that based upon the findings, reasoning, and conditions set forth below the application to the Zoning Board of Appeals for the requested variance is granted:

1. In accordance with Section 7-712-b of the New York State Village Law and Section 300-24 of the Zoning and Land Use chapter of the Village of Dobbs Ferry, the ZBA must determine whether the benefit to the Applicant, if the variance is granted, outweighs the detriment to the health, safety, and welfare of the neighborhood and community. In rendering its determination and decision, the Zoning Board of Appeals finds the following:

A. Whether an undesirable change will be produced in the character of the neighborhood or be detrimental to nearby properties.

The ZBA finds that the benefits to the property outweigh the possible detriment to the neighborhood. The existing porch will be enclosed to provide additional living space to the property owner.

B. Whether the benefit sought can be achieved by some method other than an area variance.

The existing porch will be enclosed and is designed to align with the northern wall of the existing house. As a result, the proposed side setback will be in alignment with the existing house. The house is a pre-existing non-conforming building.

C. Whether the variance is substantial.

The ZBA does not consider the requested variances as substantial because the property owner is requesting to enclose an existing porch and retain the same footprint as the existing porch.

D. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

There will be no adverse effect on the physical or environmental conditions in the neighborhood or community resulting from the granting of the side yard variances because the

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property owner is seeking approvals to enclose an existing porch which is located in the rear of the house and the overall footprint of the existing porch will remain the same.

E. Whether the alleged difficulty was self-created.

The ZBA finds that while the proposed enclosure would require the side yard variances, the existing building footprint was not a self-created difficulty, and the proposed addition will be located within the same footprint as the existing porch.

2. All construction shall comply with all requirements of the Building Department and any other department, agency or board having jurisdiction.

This order was duly made by the Zoning Board of Appeals on the 12 day of January 2022.

Motion by: Mr. Gombos Seconded by Chairman Hofmann

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	0 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

I hereby attest that the application was approved by the Zoning Board of Appeals at its January 12, 2022, meeting, and that I have been authorized to sign this Resolution by decision of the Zoning Board of Appeals.


Chairman Hofmann

Date: January 12, 2022