

DRAFT MINUTES – NOT TO BE USED AS AN OFFICIAL DOCUMENT

A regular meeting of the Zoning Board of Appeals was held on February 9, 2022. Present: Chairman Peter Hofmann, Jeremy Gutman, Jon Maass, Dan Roemer/Building Inspector, and Ms. Valerie Monastra/Village Consulting Planner. Excused: Trustee Liaison Michael Patino, Bruce Gombos, Paul Monte and 1st Alternate Joseph Capasso.

Chairman Hofmann called the meeting to order.

1. Adopt Zoning Board of Appeals Minutes for meeting of January 12, 2022

Approval of the January 12, 2022 meeting minutes will be tabled to the next meeting of the Board.

2. 50 Judson Avenue – Public Hearing for proposed plans to construct a new deck & addition to home

The plan submittal form is as follows:

StevenSeconArchitect, P.C.
145 Palisade Street, Suite 403
Dobbs Ferry, New York 10522
914.674.2950 tel.
914.693.1537 fax
Steven@seconarchitect

TRANSMITTAL

RECEIVED
JAN 25 2022


To:	Date: January 24, 2022	Re: 50 Judson Avenue	Cc: Jonathan Newman
Mr. Ed Manley, Dan Roemer Building Inspector Village of Dobbs Ferry 112 Main St Dobbs Ferry NY 10522		<u>ZONING SUBM.</u>	
		Sent by: Hand	

Sent for: ☒ Review ☒ Forwarding to Board ☐ Record ☐ Denial ☐ Please call to discuss

No. of copies	Date	Items
1		Plan submission form
1	01 24 22	\$200 check for zba applic
4	12 23 21	Denial letter
4	varies	Zba applic and worksheet
4		surveys
4		Architectural and site drawings

These drawings are being submitted for the purpose of filing to be on the next zoning board hearing. We will submit the affidavits of mailing shortly. Please call with any questions or if further information is required.

Respectfully submitted,


Steven Secon, AIA

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Plan Submittal Form

Address: 50 Judson Ave

Application #: Zoning Board of Appeals

Project: 50 Judson Ave

Name: Steven Secon Architect

Email: steven@seconarchitect.com

Phone: 914 980 5532

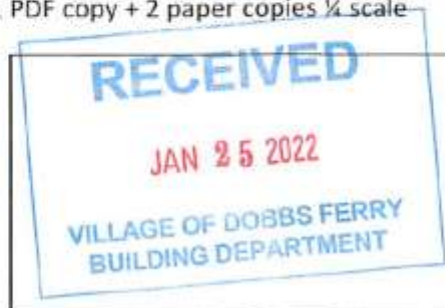
Plans attached are being submitted for (check appropriate box):

- ☐ Building permit application 1 PDF copy & 2 paper copies ¼ scale
- ☐ Amendment to an application or permit, 2 sealed copies
- ☐ Final As Built to close permit, 1 sealed copy
- ☐ Final survey to close permit, 1 sealed copy

Plans attached are submitted at the direction of the Building Inspector for review by the following board (check all that apply):

- ☐ BOT- 1 PDF copy + 5 paper copies ¼ scale
- ☐ PB - 1 PDF copy + 7 paper copies ¼ scale
- ☒ ZBA - 1 PDF copy + 4 paper copies ¼ scale
- ☐ AHRB – 1 PDF copy + 2 paper copies ¼ scale

Received Stamp:



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Application to the Zoning Board of Appeals is as follows:

**RULES OF THE ZONING BOARD OF APPEALS
VILLAGE OF DOBBS FERRY, NEW YORK**

1. Regular meetings of the Board are held on the second Wednesday of each month. Three members constitute a quorum for the transaction of any business.
2. Special meetings may be called by the Chairman at any time. Notice of such Special Meeting shall be given by mailing a notice thereof, addressed to each member at the address within the Village furnished by him for that purpose, at least three days before such meeting.
3. Any application to the Zoning Board of Appeals shall be made on forms prescribed by this Board. ~~Eight~~^{Ten} 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 at which the application shall be considered. The applicant shall be required to notify all owners of property within two hundred (200) feet of the subject property by certified mail, return receipt requested, at least ten (10) days prior to the meeting. Certification of noticing must be submitted to the Village Clerk's Office no later than 2:00 p.m. on the Friday preceding the meeting.
4. Every application or appeal must be accompanied by:
 - a. An accurate plot plan to scale, showing location of all existing structure.
 - b. Drawings showing the exact location, dimension and nature of construction 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.
5. The applicant is required to show proof of title to or legal interest in the premises by deed, or contract of sale, or other document.
7. The applicant is required to submit a completed Environmental Assessment Form in accordance with the State Environmental Quality Review Act (SEQR). The Department of Environmental Conservation has made this form available on its website – www.dec.state.ny.us.
8. The applicant shall pay all fees and charges as prescribed from time to time by the Board of Trustees. By resolution of the Board of Trustees adopted on November 1, 1983, said fees and charges are as follows:
 - a. Two hundred dollars (\$200) upon filing the application.
 - b. Other expense reasonably necessary for review or processing of the application.

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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: 01 21 22

Applicant's Name: Steven Secon Architect Telephone: 914 980 5532

Property Location: 50 Judson Ave

Sheet: 3.120, Block: 116, Lots/Parcel: 5

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 b Section: Sch A Subdivisions: Appendix B

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).

Steven Secon
Applicant

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss:

On this 20 day of Jan, 20 22 before me personally came Steven Secon, 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.

STEVEN SECON
Notary Public, State of New York
No. 01SE6216355
Qualified in Westchester County
Commission Expires January 11, 2024
Notary Public

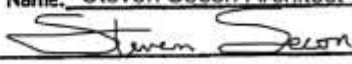
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SEQR

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 Steven Secon Arch		2. PROJECT NAME Perillo-Newman Residence	
3. PROJECT LOCATION: Municipality Dobbs Ferry		County Westchester	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc. or provide map) 50 Judson Ave			
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/Alteration			
6. DESCRIBE PROJECT BRIEFLY: additions and driveway modifications			
7. AMOUNT OF LAND AFFECTED: Initially 0.01 acres Ultimately 0.01 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. requires zoning variances			
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:			
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 zoning board, planning board, architectural review board			
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: Steven Secon Architect		Date: 01 20 22	
Signature: 			

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.

<p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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:</p>	
<p>_____ Name of Lead Agency</p>	
<p>_____ Print or Type Name of Responsible Officer in Lead Agency</p>	<p>_____ Title of Responsible Officer</p>
<p>_____ Signature of Responsible Officer in Lead Agency</p>	<p>_____ Signature of Preparer (If different from responsible officer)</p>
<p>_____ Date</p>	

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(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.

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The Zoning Worksheet is as follows:

ZONING WORKSHEET

Address	SBL	Zone	Use
50 Jackson Ave.	3-120-116-5	RF-3	Single Fam Res

Table 1: Floor Areas

Story	Existing Area	Existing Habitable Area	Area of Renovation	New Area
1st	2046	1434	879	889

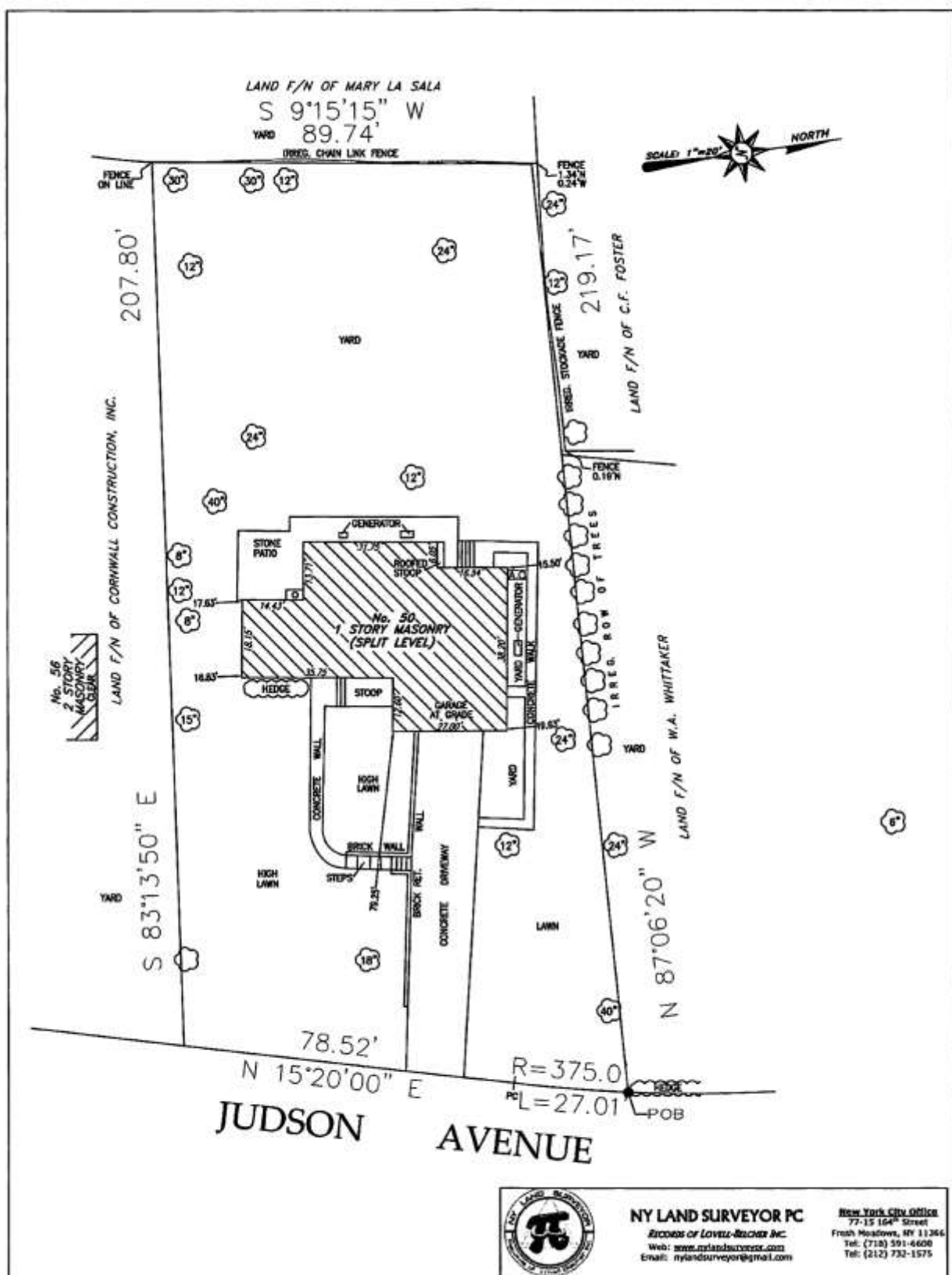
Table 2: Building Dimensions

	Existing	Proposed	Minimum Allowable
Lot Area (ft. ²)	20,627	20,627	15,000
Lot Width (ft.)	78.5	78.5	100'
Lot Depth (ft.)	207	207	100'
Coverage by Building (%)	10%	14%	20% MAX
Coverage by Impervious Surfaces (%)	21%	25%	40% MAX
Front Yard Set Back (ft.)	79.2	79.2	30'
Rear Yard Set Back (ft.)	22.6	70.9	25'
Side Yard Set Back, Each (ft.)	16.8	13.9 *	15'
Side Yard Set Back, Both (ft.)	32.3	30.7 *	40.

* Variance requested

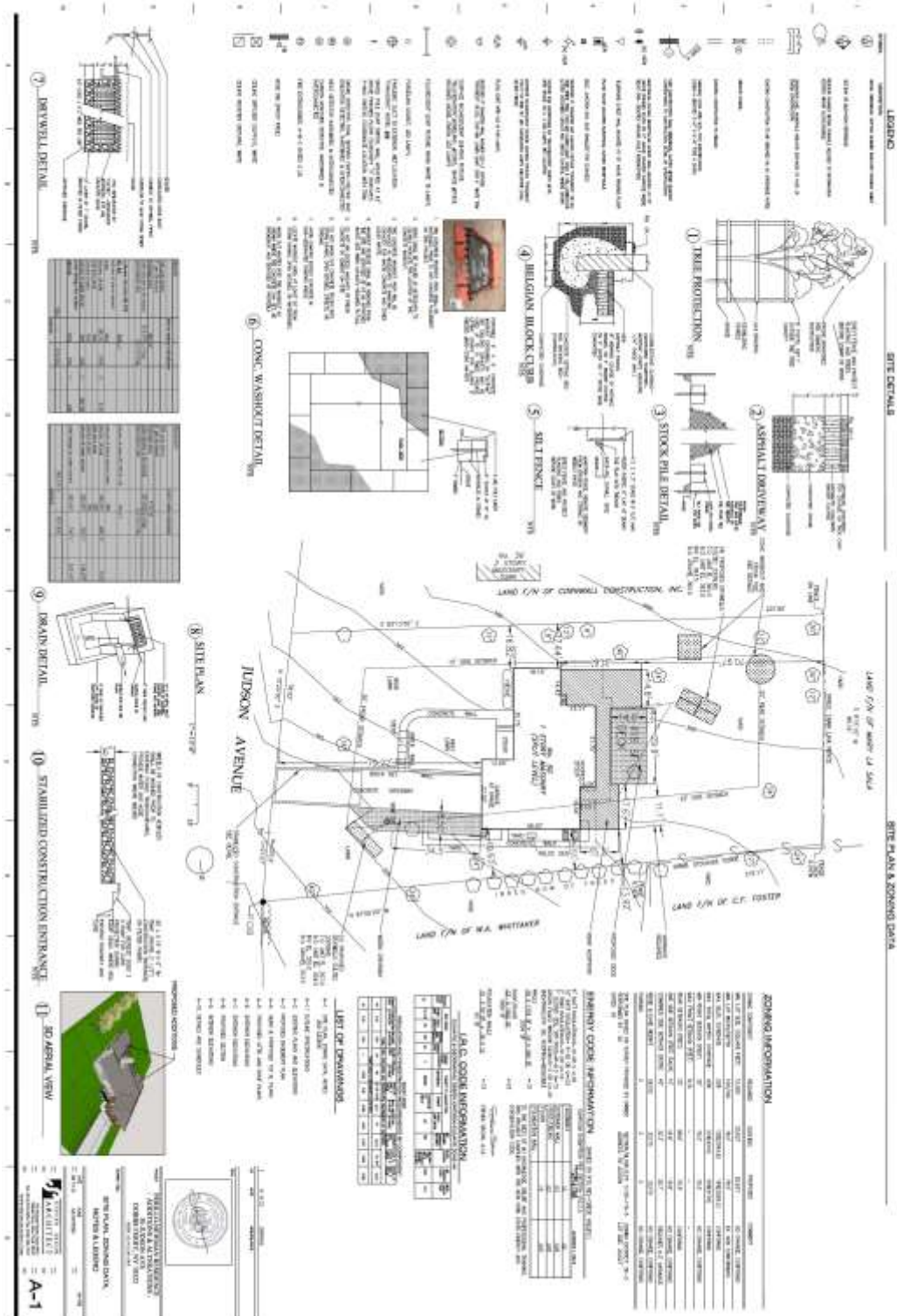
Table 3: Height

	Existing	Proposed	Allowed
Number of Stories	1	1	2.5
Grade to Ridge (OF+MDR-1)	22	22	28
Grade to Eave (OF+MDR-1)	15	15	22
Grade to Mid-point of Roof (All Other)	18.5	18.5	—



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Drawings are as follows:



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ADMINISTRATIVE INFORMATION

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50. SIGNATURE

41. AGENCY USE ONLY (Leave blank)

42. DATE

43. TIME

44. LOCATION

45. OFFICER

46. TITLE

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47. RANK

48. BRANCH

49. GRADE

50. SIGNATURE

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42. DATE

43. TIME

44. LOCATION

45. OFFICER

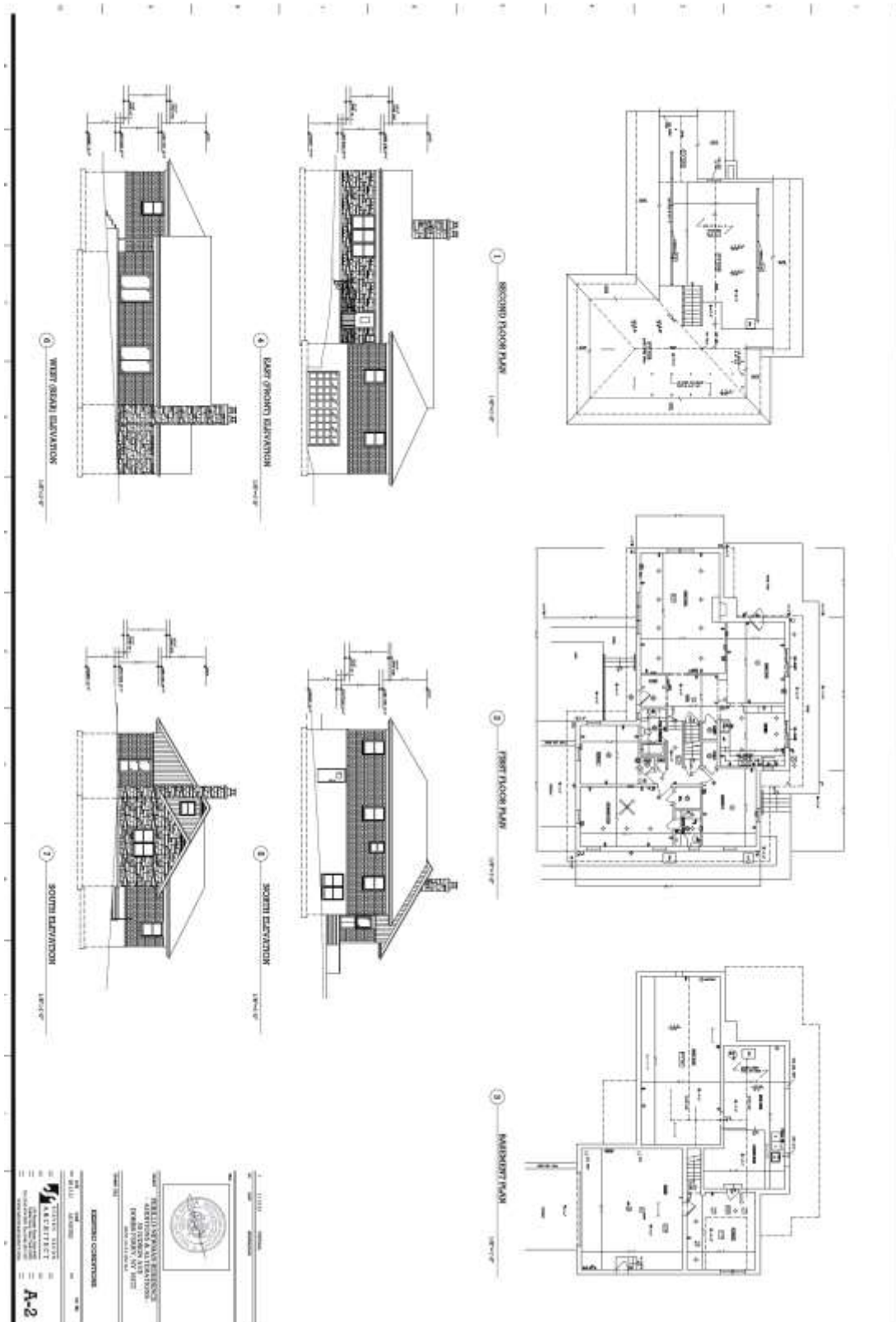
46. TITLE

47. RANK

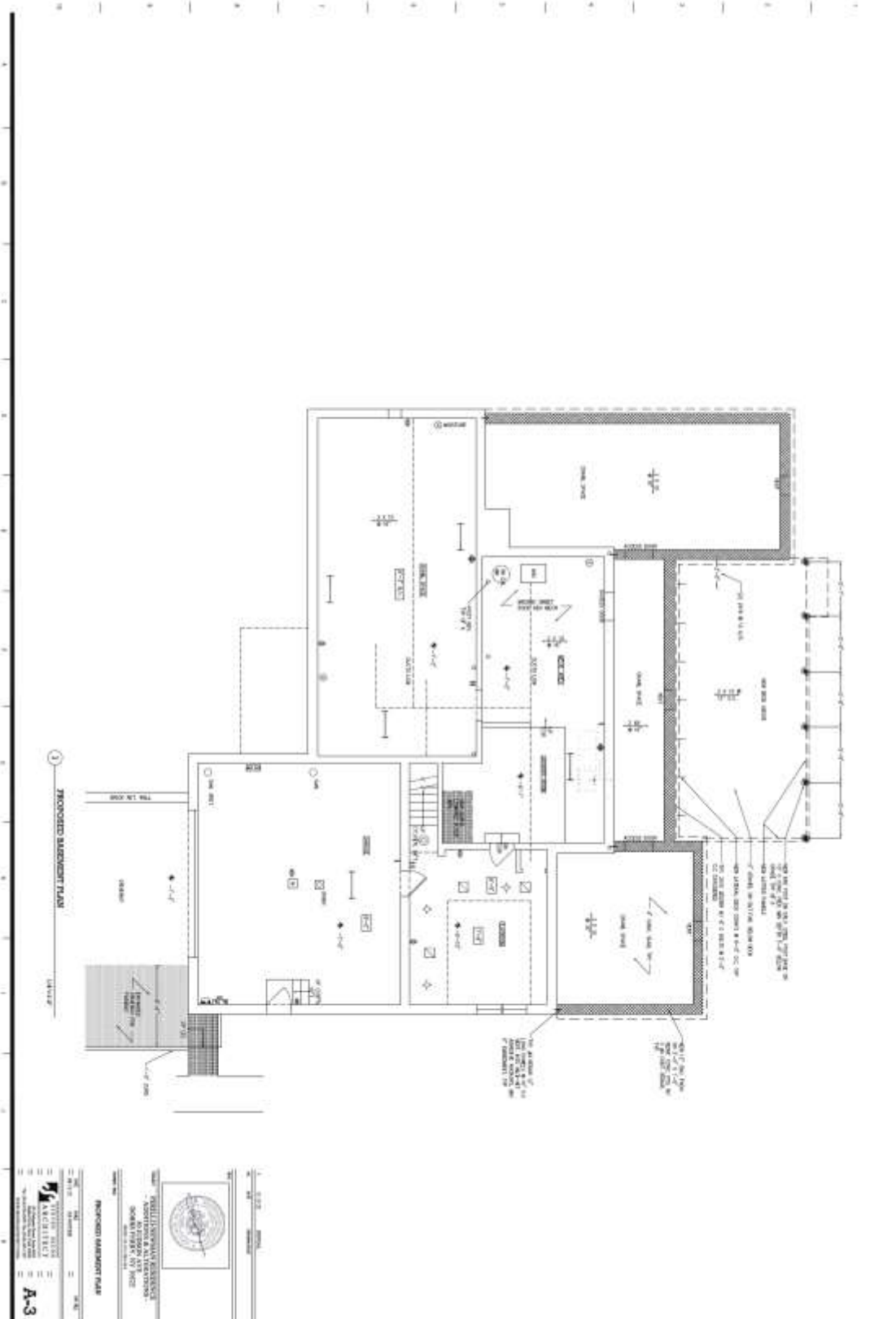
48. BRANCH

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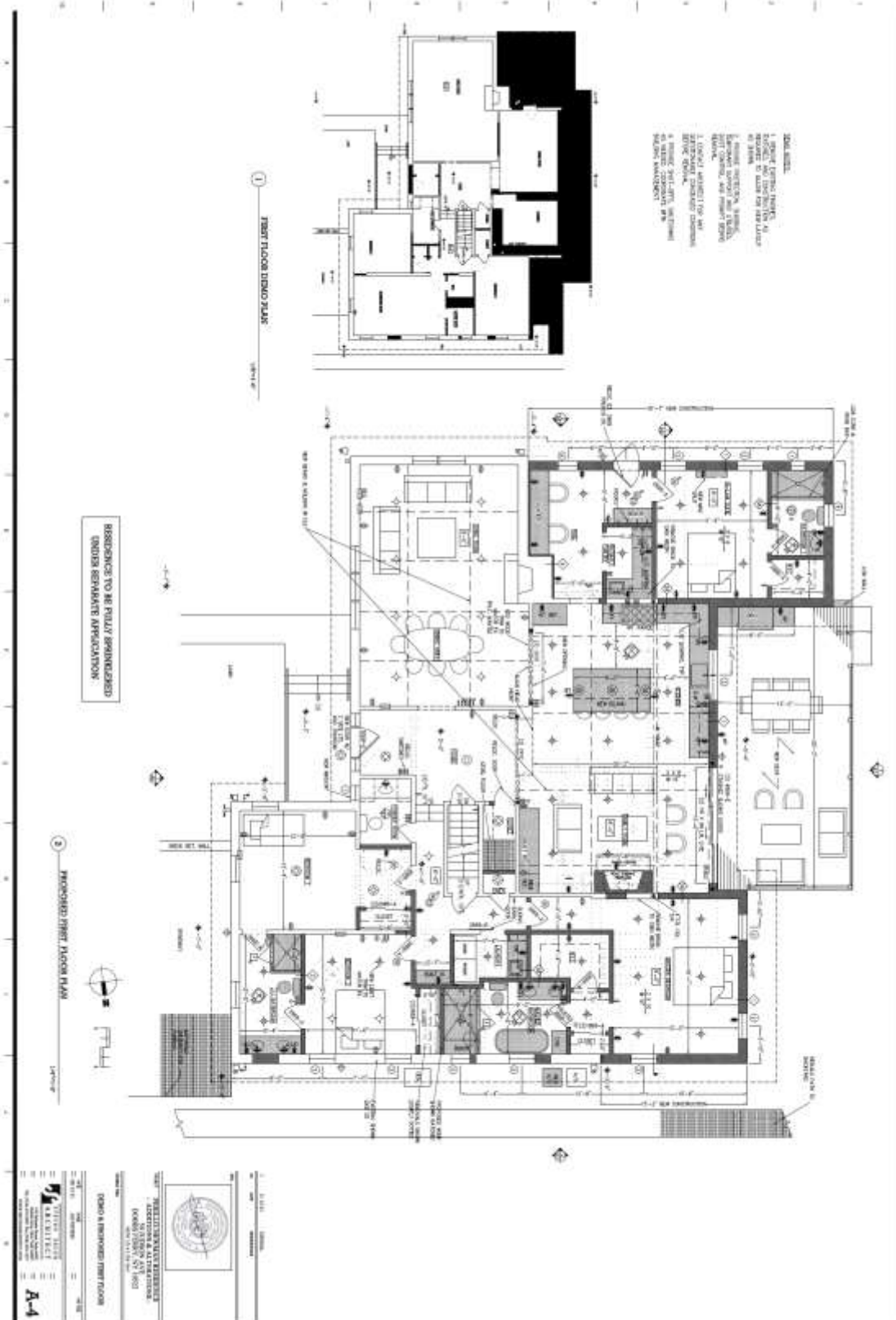
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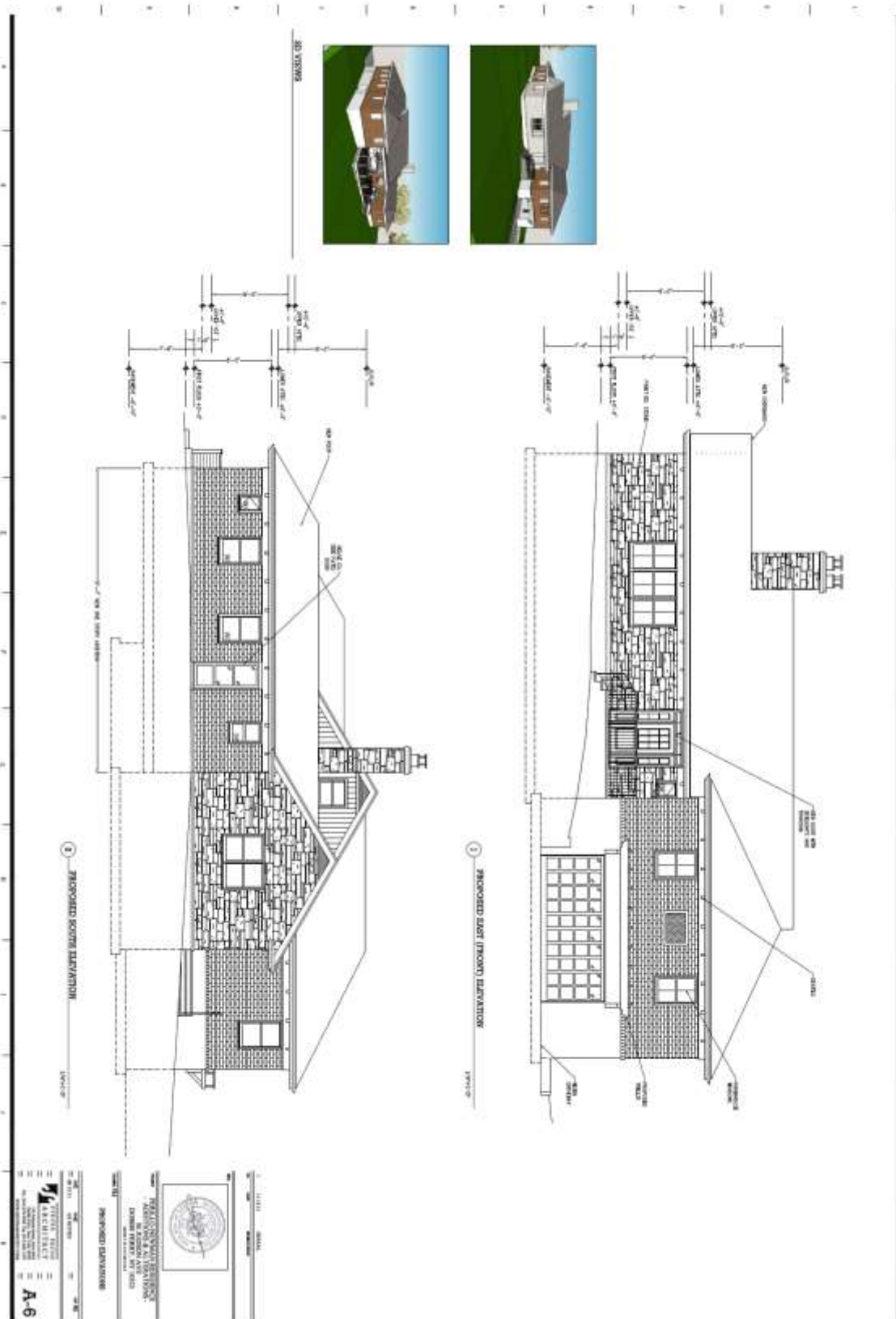


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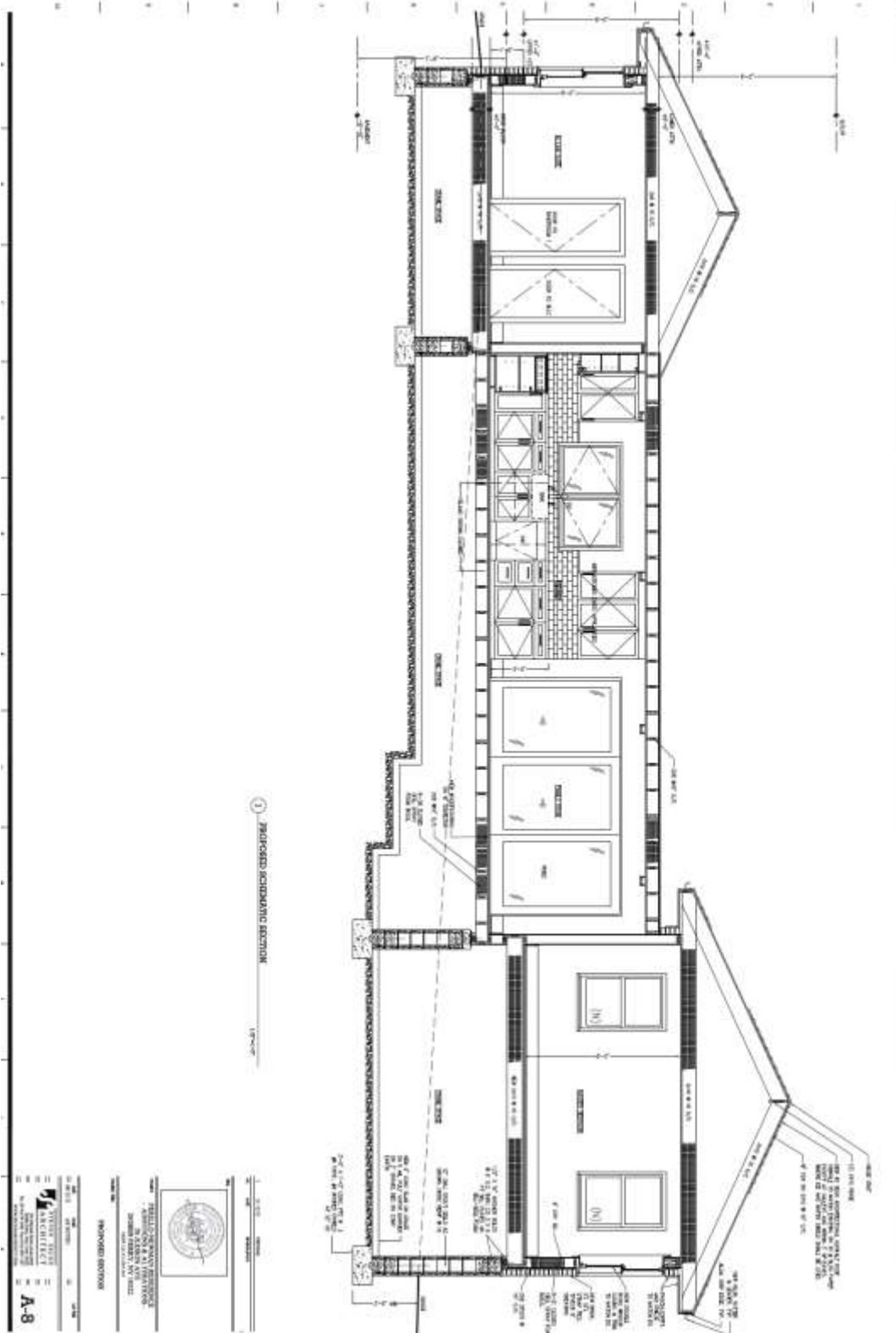


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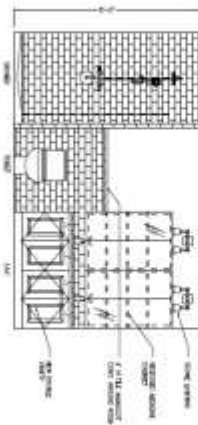
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1. PROPOSED INNOVATION EVALUATION



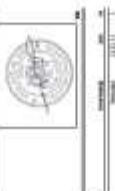
PROPOSED MASTER BATHROOM EVALUATION



③ 積極的な「環境教育」



PROPOSED IN-LAW SUITE BATHROOM



PHILLIPS NEWMAN CONSULTING &
— ASSOCIATES & ARCHITECTS —
1011 EIGHTH AVE
LEXINGTON, KY 40502
502/333-1100

1000

PROCEEDINGS INTERNATIONAL SYMPOSIUM

100

[illegible]

STATIONER **RECORD**
= **STATIONER** **RECORD**
= **STATIONER** **RECORD**

[illegible]

-W-

11

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3 **POOR TYPES**

(1) Poor

1 **BUILT TYPES**

2 **POOR TYPES**

(1) Poor

1 **BUILT TYPES**

2 **POOR TYPES**

(1) Poor

1 **BUILT TYPES**

FRESH SCHEDULE									
DATE	TIME	TEAM	CLUBS	RECORDS	REMARKS				
1	10:00 AM	1	1	1					
2	10:00 AM	2	2	2					
3	10:00 AM	3	3	3					
4	10:00 AM	4	4	4					
5	10:00 AM	5	5	5					
6	10:00 AM	6	6	6					
7	10:00 AM	7	7	7					
8	10:00 AM	8	8	8					
9	10:00 AM	9	9	9					
10	10:00 AM	10	10	10					
11	10:00 AM	11	11	11					
12	10:00 AM	12	12	12					
13	10:00 AM	13	13	13					
14	10:00 AM	14	14	14					
15	10:00 AM	15	15	15					
16	10:00 AM	16	16	16					
17	10:00 AM	17	17	17					
18	10:00 AM	18	18	18					
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31	10:00 AM	31	31	31					
32	10:00 AM	32	32	32					
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34	10:00 AM	34	34	34					
35	10:00 AM	35	35	35					
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39	10:00 AM	39	39	39					
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41	10:00 AM	41	41	41					
42	10:00 AM	42	42	42					
43	10:00 AM	43	43	43					
44	10:00 AM	44	44	44					
45	10:00 AM	45	45	45					
46	10:00 AM	46	46	46					
47	10:00 AM	47	47	47					
48	10:00 AM	48	48	48					
49	10:00 AM	49	49	49					
50	10:00 AM	50	50	50					
51	10:00 AM	51	51	51					
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54	10:00 AM	54	54	54					
55	10:00 AM	55	55	55					
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58	10:00 AM	58	58	58					
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63	10:00 AM	63	63	63					
64	10:00 AM	64	64	64					
65	10:00 AM	65	65	65					
66	10:00 AM	66	66	66					
67	10:00 AM	67	67	67					
68	10:00 AM	68	68	68					
69	10:00 AM	69	69	69					
70	10:00 AM	70	70	70					
71	10:00 AM	71	71	71					
72	10:00 AM	72	72	72					
73</									

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Letter dated December 23, 2021 from Mr. Dan Roemer/Building Inspector to Mr. Jonathan Newman/50 Judson Avenue:



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

12-23-21

Jonathan Newman
50 Judson Ave.
Dobbs Ferry, NY 10522

Re: 50 Judson Ave.

S/B/L 3.120-116-5

Dear Mr. Newman

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

The property is located in the OF-3 Zone. Requiring two variances.

1. The required minimum side yard setback is 15'
You have a proposed a setback of 13'9"
#1 thus requiring a variance of 1'3"
2. The required minimum (both) side yard setback is 40'
You have proposed a setback of 30'7"
#2 thus requiring a variance of 9'3"

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

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The Affidavit of Notice is as follows:



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



Affidavit of Notice

I Steven Secon, Architect

Attest to the fact that I have sent via Certified Mail, the attached letter to all the neighboring properties within a 200' radius of the subject property at: 50 Judson Ave.

And have attached the mailing list I received from the Tax Assessor's office located at 177 Hillside Ave. White Plains, NY 10607. Contact person Anthony Fabrizzio 914-993-1522 or afabrizzio@greenburghny.com

I have noticed for the following review boards;

- ☐ Board of Trustees
- ☒ Planning Board
- ☒ Zoning Board of Appeals
- ☒ Architectural & Historic Review Board

I understand that it is my responsibility to retain Post Office proof of these mailings, should any of the listed properties claim they were aggrieved by this project and believe they were not properly noticed.

Applicant signature:

Steven Secon

Witnessed by Notary:

Steven Secon

STEVEN SECON
Notary Public, State of New York
No. 01560216355
Qualified in Westchester County
Commission Expires January 11, 2024

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Date 01 25 22

Via Certified Mail



Dear Neighbor:

This is a notification that the owner of the property located at:

❖ 50 Judson Ave

Has filed an application with the Village of Dobbs Ferry to do the following:

↓ build a 1st floor addition and deck, widen diverway

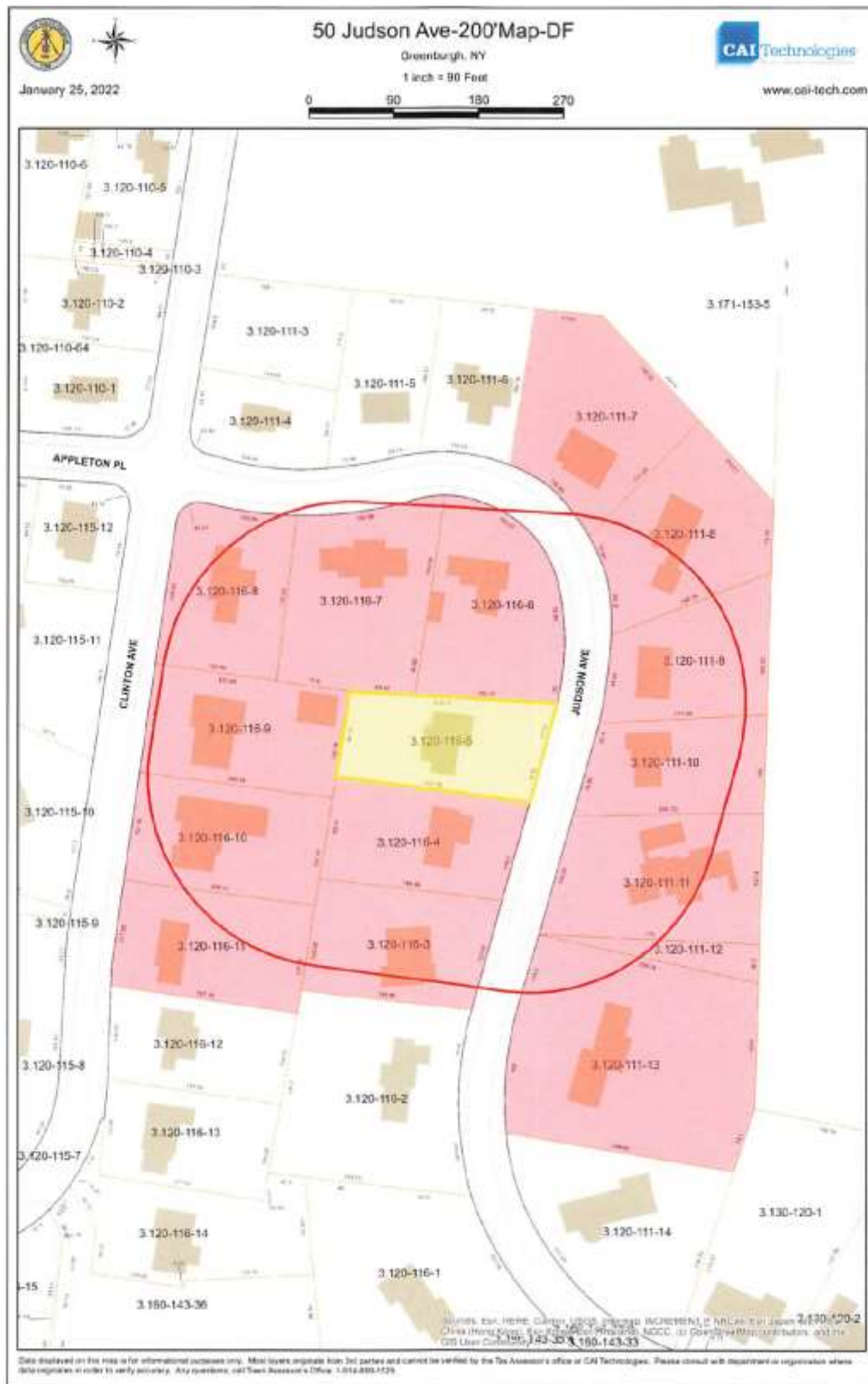
The applicant will present the proposal to the following checked Board/Boards at their next available meeting, please check the calendars and agendas on the village web site for the exact date they will first appear before the board:

- Board Of Trustees; meet 2nd & 4th Tuesdays at 7:30 PM
- ✗ Planning Board; meet 1st Thursday at 8:00 PM
- ✗ Zoning Board of Appeals; meet 2nd Wednesday at 8:00 PM
- ✗ Architectural & Historic Review Board; meet 2nd & 4th Mondays at 8:00 PM

The meetings are held in the Village Board room located at 112 Main St and the plans are on file at the Building Department. Any comments or questions pertaining to this application should be voiced at the appropriate board meeting.

Owner name:

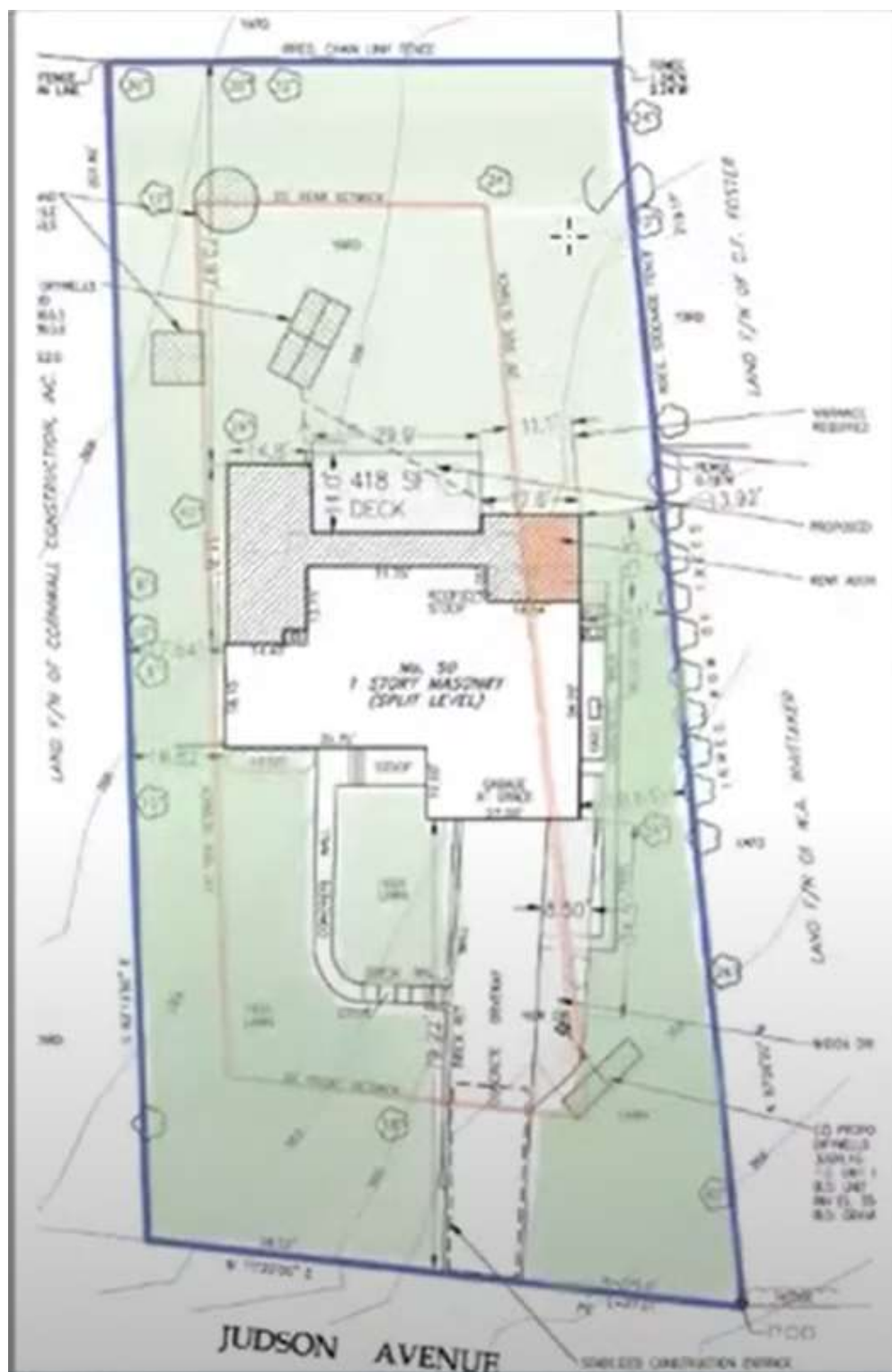
Michelle Perillo and Jonathan Newman



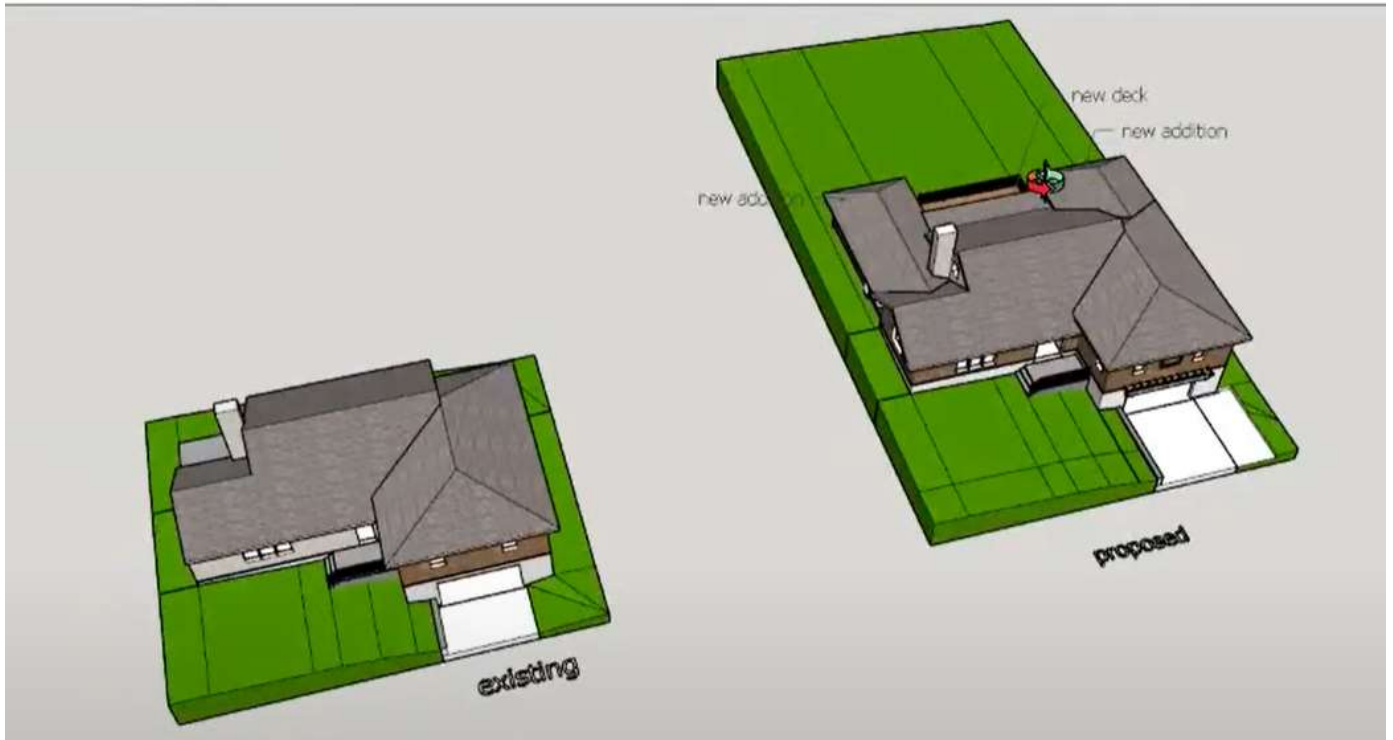
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Mr. Steven Secon/Architect was present to represent the application.

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



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Mr. Secon displayed the following correspondence:

Dated: 12/07/21

Honorable Board Members:

We are a neighbor of Jonathan and Michelle Newman at 50 Judson Avenue, Dobbs Ferry, NY. We have discussed and reviewed their plans for the addition and improvements to their house. We support their project and welcome the improvements to our neighborhood and hope that you will approve their project.

Sincerely,

Robert Ruck
C H Ruck
56 Judson Ave

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January 3, 2022

Honorable Board Members:

We are a neighbor of Jonathan and Michelle Newman at 50 Judson Avenue, Dobbs Ferry, NY. We have discussed and reviewed their plans for the addition and improvements to their house. We support their project and welcome the improvements to our neighborhood and hope that you will approve their project.

Sincerely,



David and Justine McPherson
51 Judson Ave
Dobbs Ferry, NY 10522

Motion by Mr. Gutman, seconded by Chairman Hofmann to close the public hearing for 50 Judson Avenue proposed plans to construct a new deck and addition to home.

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 type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" 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 type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" 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 checked="" type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	3 AYE	0 NAY	0 ABSTAIN	0 RECUSE	3 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

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Motion by Mr. Gutman, seconded by Mr. Maass to approve the application of 50 Judson Avenue to construct a new deck and addition to home in accordance with the plans submitted.

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 type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" 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 type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" 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 checked="" type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	3 AYE	0 NAY	0 ABSTAIN	0 RECUSE	3 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.

3. 39 Riverside Place – Public Hearing for proposed plans to construct a new home

Plan Submittal Form is as follows:

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Plan Submittal Form

Address: 39 Riverside Place

Application #: A-2021-0715

Project: Sharp Residence

Name: Greg Sharp

Email: gregsharp@casedevelopment.com

Phone: (917) 597-1982

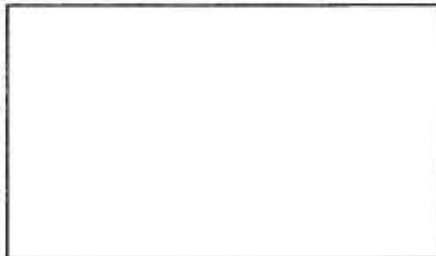
Plans attached are being submitted for:

Building permit application 1 PDF copy & 2 paper copies ¼ scale
Amendment to an application or permit, 2 sealed copies
Final As Built to close permit, 1 sealed copy
Final survey to close permit, 1 sealed copy

Plans attached are submitted at the direction of the Building Inspector for review by the following board:

BOT- 1 PDF copy + 5 paper copies ¼ scale
PB - 1 PDF copy + 7 paper copies ¼ scale
ZBA - 1 PDF copy + 4 paper copies ¼ scale
AHRB – 1 PDF copy + 2 paper copies ¼ scale

Received Stamp:



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**APPLICATION TO ZONING BOARD OF APPEALS
VILLAGE OF DOBBS FERRY**

Note: Four 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: 1-18-2022
Applicant's Name: Greg Sharp Telephone: 917-997-1982
Property Location: 99 Riverside
Sheet: 3.00 Block: 36 Lots/Parcel: 26

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: _____ Section: _____ Subdivisions: _____

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).


Applicant

STATE OF NEW YORK
COUNTY OF WESTCHESTER) ss:

On this 18 day of January, 2022, before me personally came Greg Sharp, 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.


Notary Public

ROSEANNE TENORE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01TE6138230
Qualified in Westchester County
My Commission Expires December 19, 2025

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**APPLICATION TO ZONING BOARD OF APPEALS
VILLAGE OF DOBBS FERRY**

Note: Four 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: 1-10-2022
Applicant's Name: Greg Shear Telephone: 917-997-1982
Property Location: 99 Riverside
Sheet: 3.00 Block: 36 Lots/Parcel: 26

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: _____ Section: _____ Subdivisions: _____

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).


Applicant

STATE OF NEW YORK
COUNTY OF WESTCHESTER) ss:

On this 18 day of January 2022 before me personally came Greg Shear, 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.


Notary Public

ROSEANNE TENORE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01TE6138230
Qualified in Westchester County
My Commission Expires December 19, 2025

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SEQR

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

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. <input type="checkbox"/> Yes <input type="checkbox"/> No	
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. <input type="checkbox"/> Yes <input type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
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: <u>no</u>	
C2. Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character? Explain briefly. <u>no</u>	
C3. Vegetation or fauna, fish, shellfish, or wildlife species, significant habitats, or threatened or endangered species? Explain briefly. <u>no</u>	
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. <u>no</u>	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly. <u>no</u>	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly. <u>no</u>	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly. <u>no</u>	
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly.	

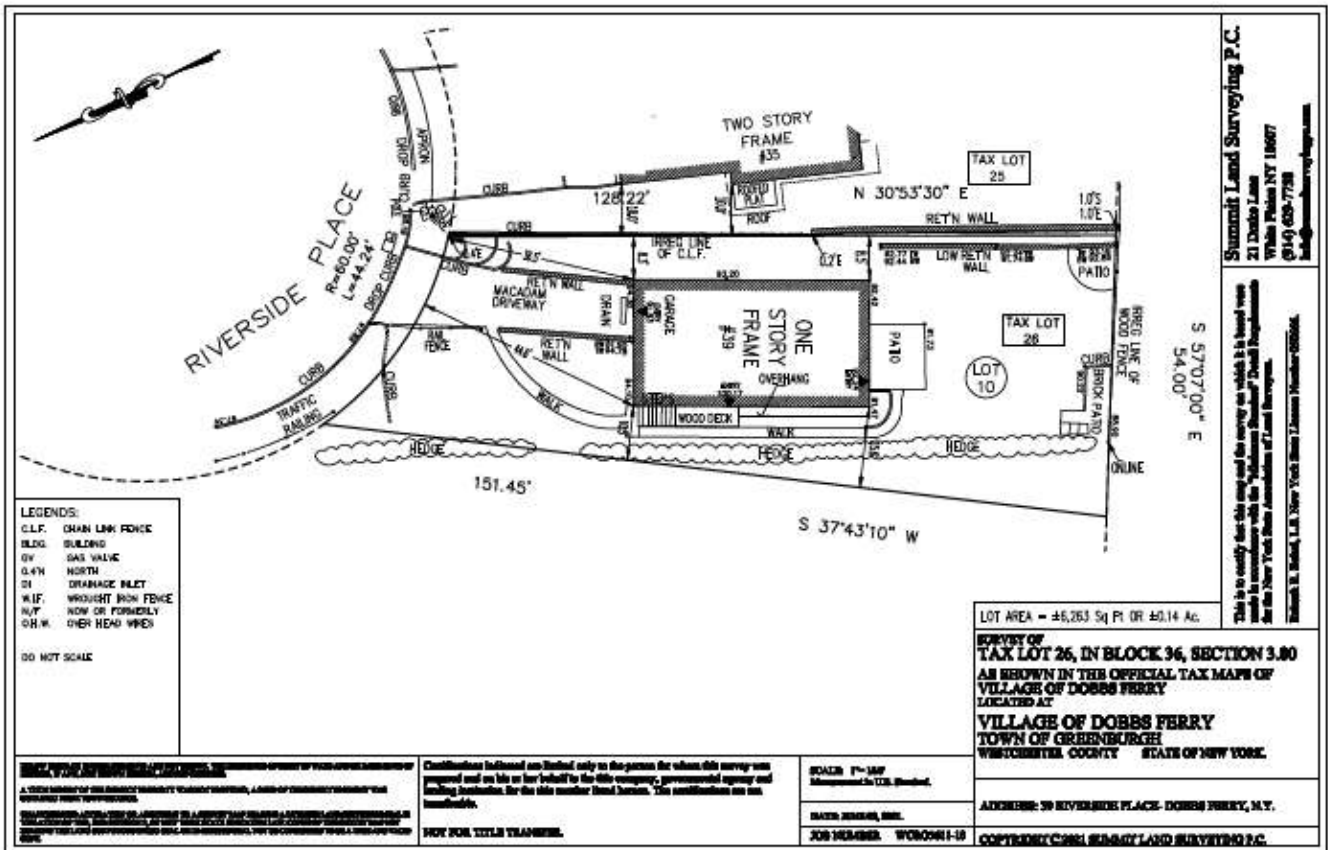
PART III--DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

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.

<input type="checkbox"/> 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. <input checked="" type="checkbox"/> 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 _____	

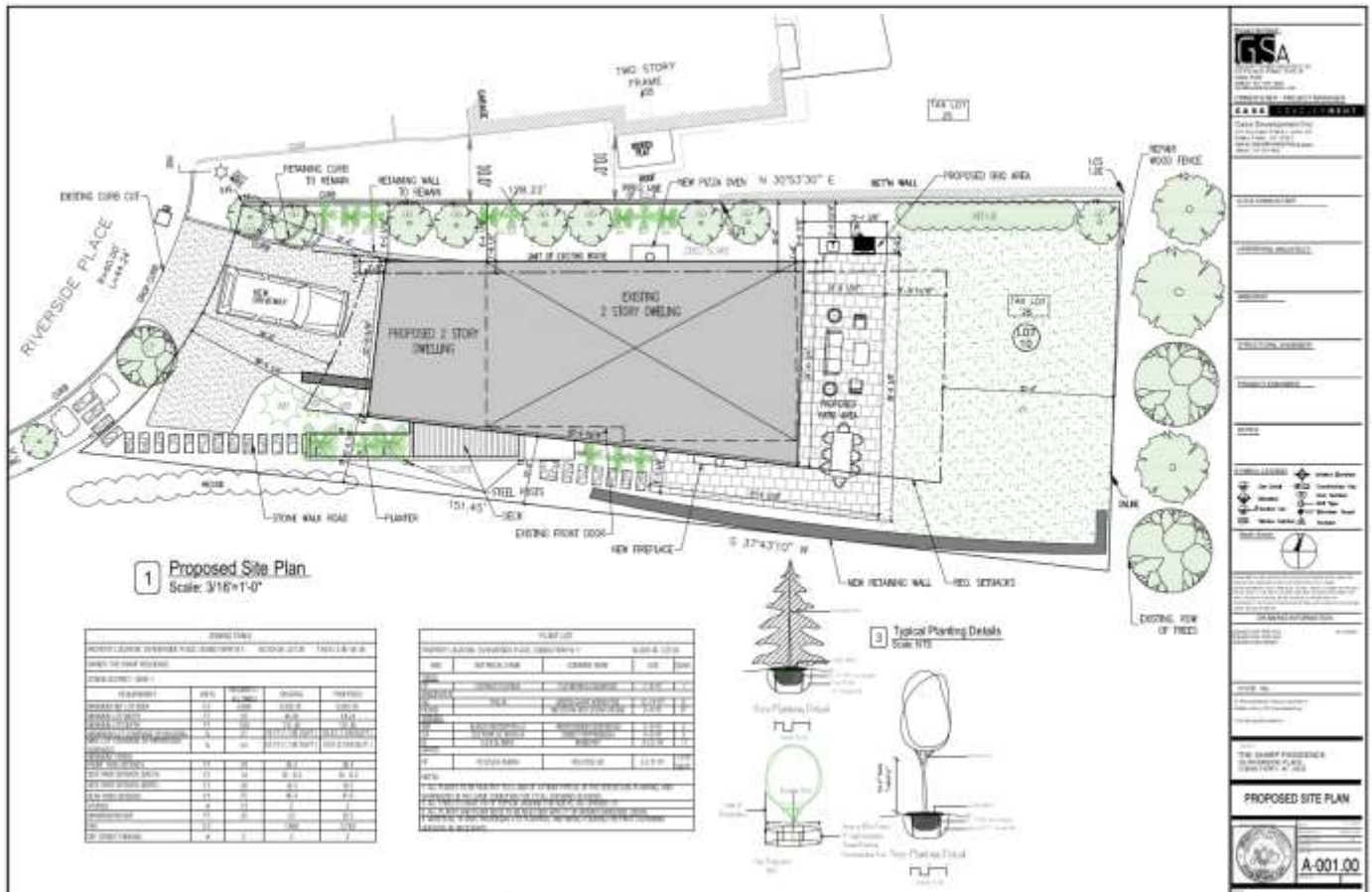
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EXISTING CONDITIONS		
		
1 Existing Basement Floor Plan Scale: 1/8" = 1'-0"	2 Existing First Floor Plan Scale: 1/8" = 1'-0"	3 Existing Roof Floor Plan Scale: 1/8" = 1'-0"
		
4 Existing Front Elevation Scale: 1/8" = 1'-0"	5 Existing Side Elevation Scale: 1/8" = 1'-0"	
		
6 Existing Rear Elevation Scale: 1/8" = 1'-0"	7 Existing Back Elevation Scale: 1/8" = 1'-0"	
		
8 Front View...		
		
9 Right View...		
		
10 Back View...		
		
11 Left View...		

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FSA
 FEDERAL SAVINGS ASSOCIATION
 NATIONAL AUTO SAVINGS BANK
 10000 W. 10th Avenue, Suite 1000
 Denver, CO 80202-1500
 (303) 750-1000
 FAX (303) 750-1001

CLASSIFICATION
 Class: Commercial
 Code: 0000
 Date: 01/01/00
 Issued: 01/01/00
 Expiry: 12/31/00
 Status: Active

ACCOUNT INFORMATION
 Account Number: 12345678901234567890
 Account Type: Checking

ACCOUNT BALANCE
 Current Balance: \$1,234.56
 Available Balance: \$1,234.56

ACCOUNT HISTORY
 Transaction History:
 01/01/00 \$1,000.00 Deposit
 01/15/00 \$234.56 Deposit
 02/01/00 \$100.00 Withdrawal
 02/15/00 \$100.00 Deposit
 03/01/00 \$100.00 Withdrawal
 03/15/00 \$100.00 Deposit
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DRAFT MINUTES – NOT TO BE USED AS AN OFFICIAL DOCUMENT

Letter dated January 13, 202 from Mr. Dan Roemer/Building Inspector to Mr. Gregory Sharp/39 Riverside Place 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

01/13/2022

Gregory Sharp
39 Riverside Pl.
Dobbs Ferry, NY 10522

Re: 39 Riverside Pl.

S/B/L 3.80-36-26

Dear Mr., Sharp

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

The property is located in the MDR-1 Zone. Requiring two variances.

1. The required side yard setback is 10' the proposed addition to the non-conforming setback is 8'3", thus requiring a variance for 1'9" at the side yard.
2. The required combine side yard setback is 20' the proposed combine side yard setback is 18'3", thus requiring a variance for 1'9" at the combine side yard setback.

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", with a long, sweeping horizontal line extending to the right.

Dan Roemer
Building Inspector

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Affidavit of Notice is as follows:



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



Affidavit of Notice

STATE OF NEW YORK)
COUNTY OF WESTCHESTER)

) ss.:

- I, Gary Shays, having been duly sworn, hereby deposes and says:
1. On Dec 22nd 2021 I forwarded the notice attached as Exhibit 1 by Certified Mail to owners of properties within a 200' radius of the property located at: 24 Riverside, which is the subject of review for certain land use approvals in the Village of Dobbs Ferry; and
 2. I have attached as Exhibit 2 the mailing list of the relevant property owners requested and received from the Town of Greenburgh Tax Assessor located at 177 Hillside Ave. White Plains, NY 10607, 914-989-1520, assessor@greenburghny.com; and
 3. I have retained proof of these mailings and will make them available upon request or as otherwise required by the Village of Dobbs Ferry.

Dated: Westchester, New York
December 22, 2021

Signed: [Signature]
Print name: Gary Shays

Sworn to before me this
22 day of December, 2021

Roseanne Tenore
Notary Public

ROSEANNE TENORE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01TE0138230
Qualified in Westchester County
My Commission Expires December 19, 2025

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Gregory Sharp Architect, RA, AIA
145 Palisade St. Suite 211
Dobbs Ferry, NY 10522
917.597.1982

December 22th, 2021

Certified Mail

Application # A2021-0715

Property is within 200' of the proposed project.



Dear Neighbor

This is a notification that the owner of the property located at:

39 Riverside Place, Dobbs Ferry, NY 10522

Has filed an application with the Village of Dobbs Ferry to do the following:

**Addition and complete renovation of the existing house at
39 Riverside Place, Dobbs Ferry.**

The applicant will present the proposal to the following Board at their next available meeting.

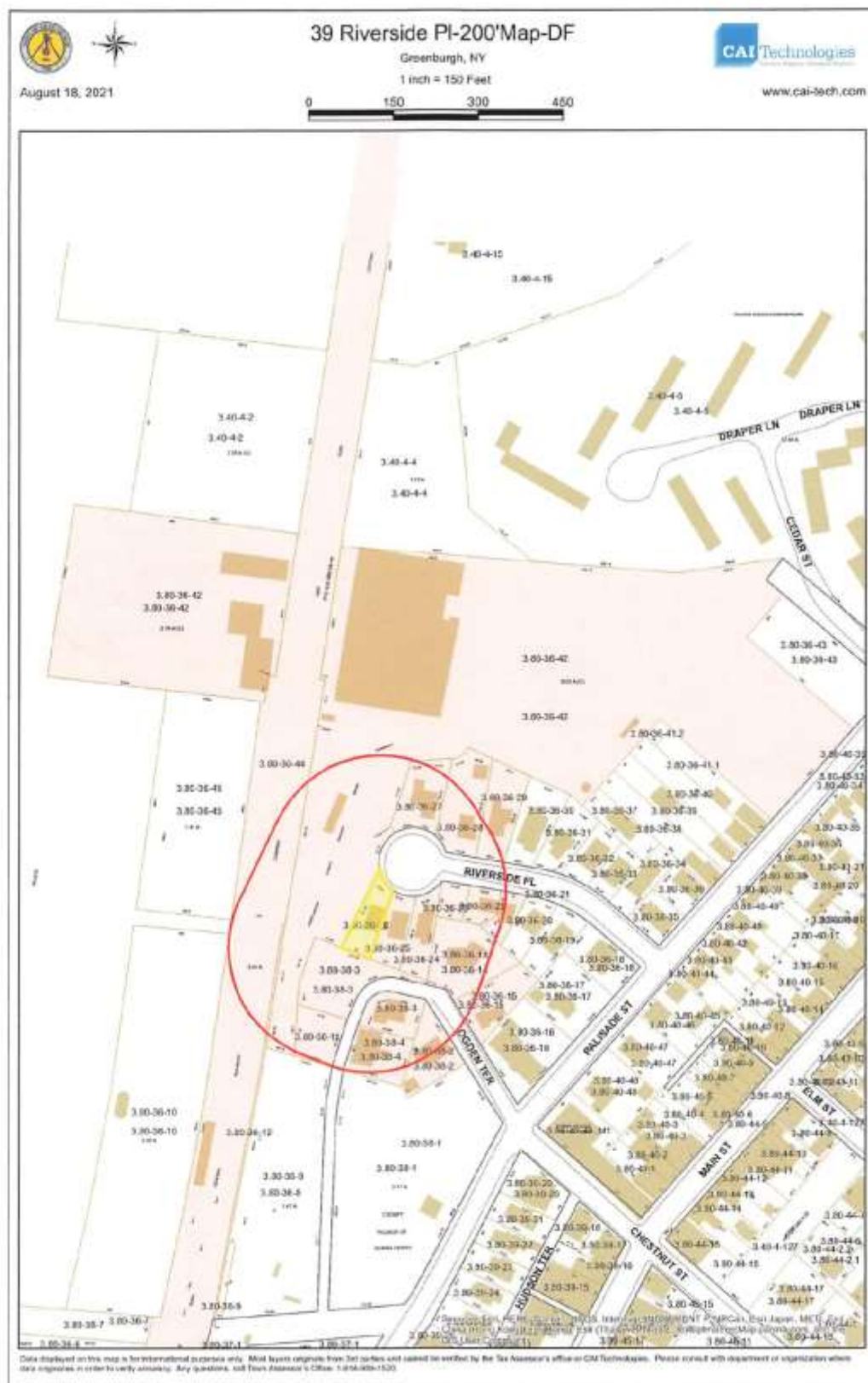
- Board of Trustees; meet 2nd & 4th Tuesday at 6:30PM
- ✓ **Planning Board; meet 1st Thursday at 7:30PM**
- ✓ **Zoning Board of Appeals; meet 2nd Wednesday at 8:00 PM**
- ✓ **Architectural & Historic Review Board; meet 2nd & 4th Mondays at 8:00PM**

During this pandemic crisis, Statutory Board meetings will be conducted remotely. You will be able to participate via Zoom by internet or telephone, or you can watch the meeting live stream on YouTube. The videos can also be viewed after each meeting on YouTube and will be posted to our website.

For Public Hearings, we will accept emailed comments in advance of the hearing. Please email ldreaper@dobbsferry.com by 3pm the day before the hearing. For Zoom participants we will also enable the option for participants to "raise their hand" and voice their concern or question.

Owner name:

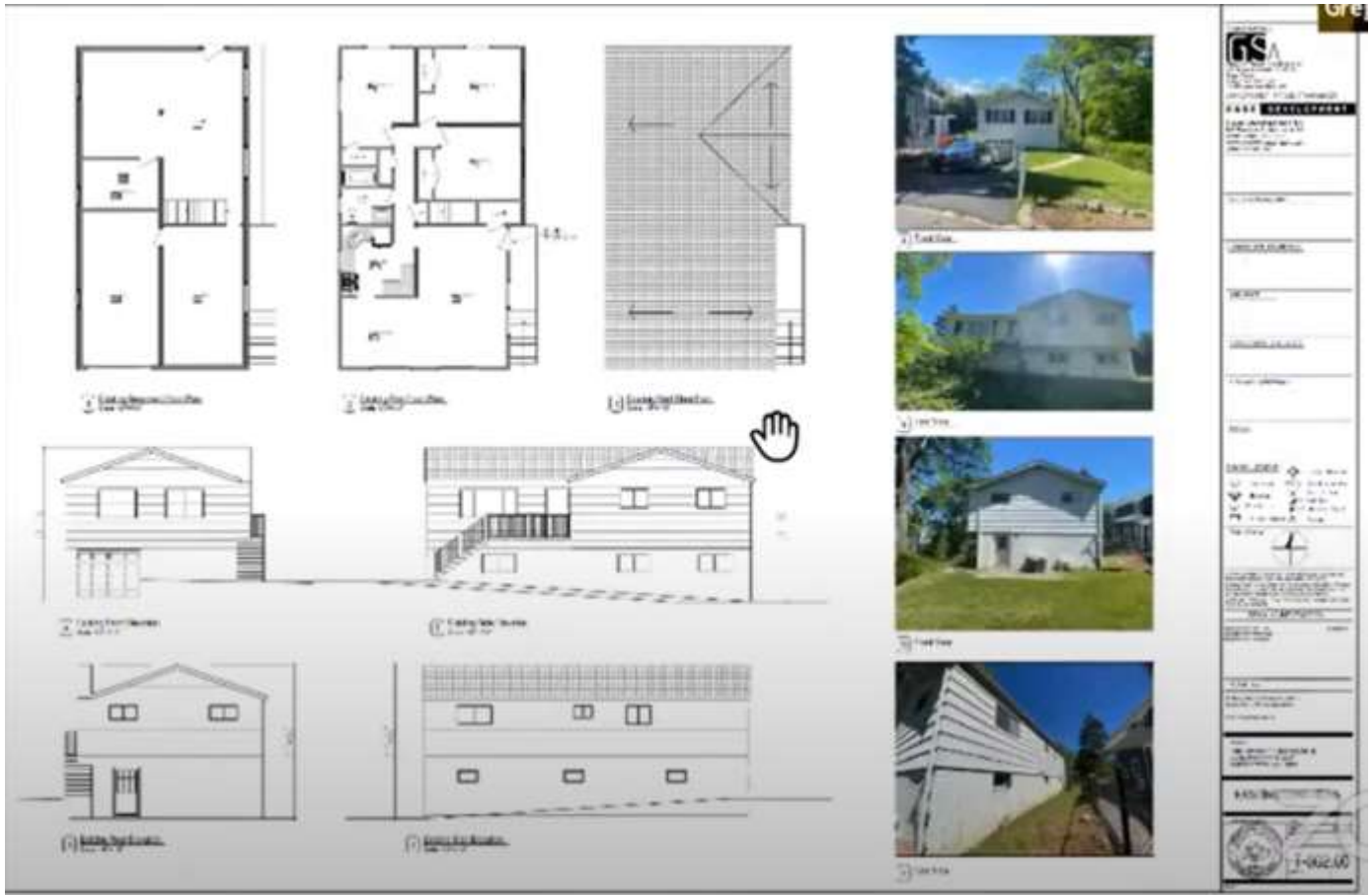
**THE SHARP RESIDENCE
Greg & Bridget Sharp**

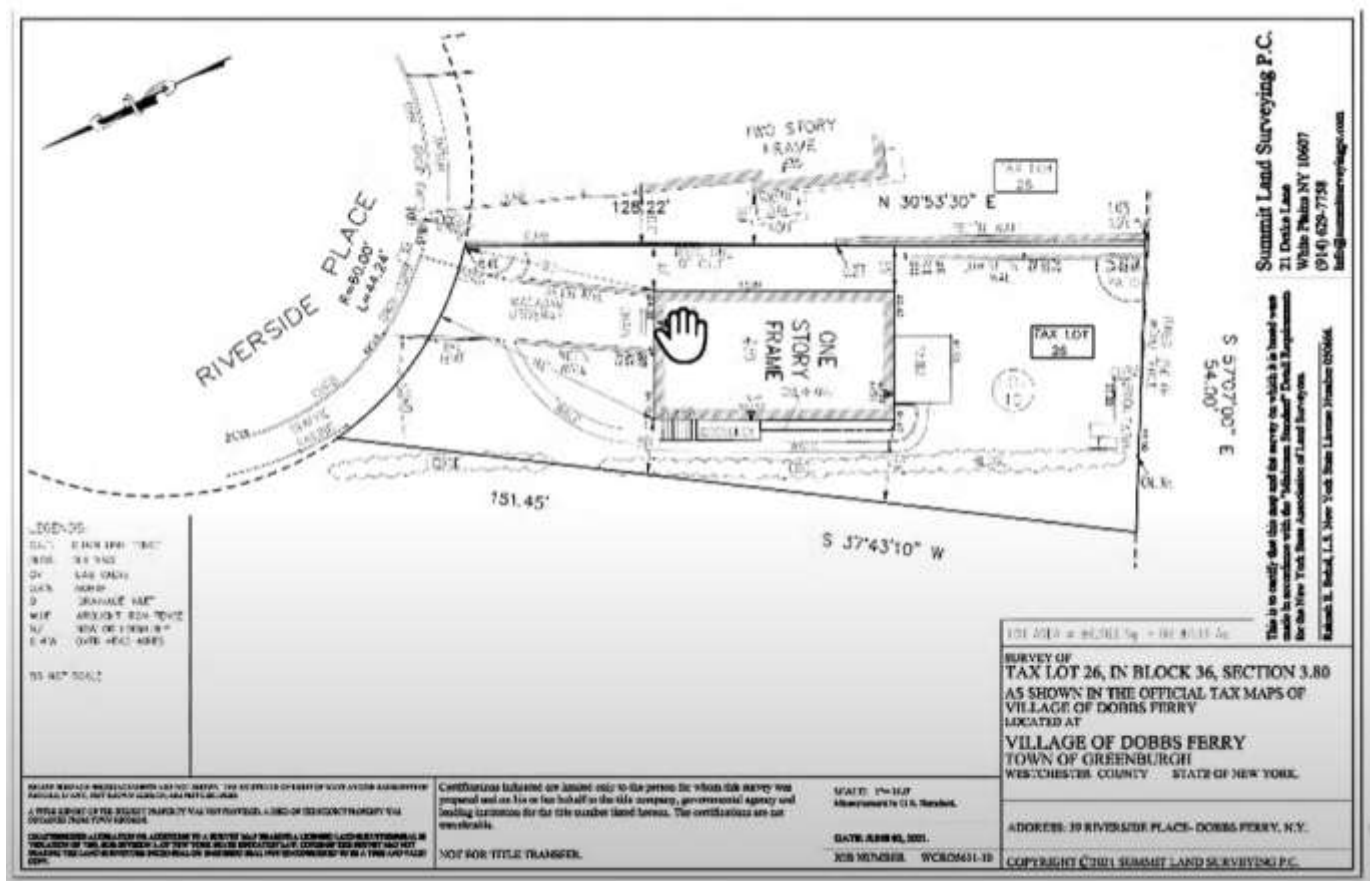


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Mr. Greg Sharp/Homeowner, was present to represent the application.

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





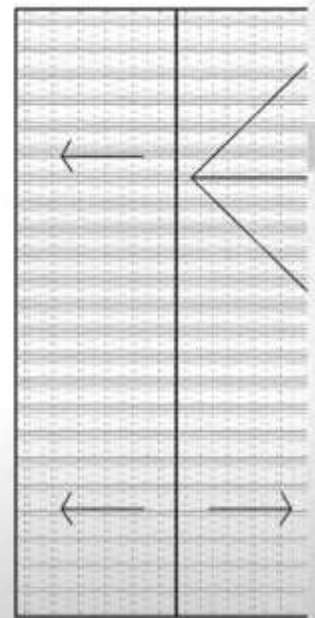
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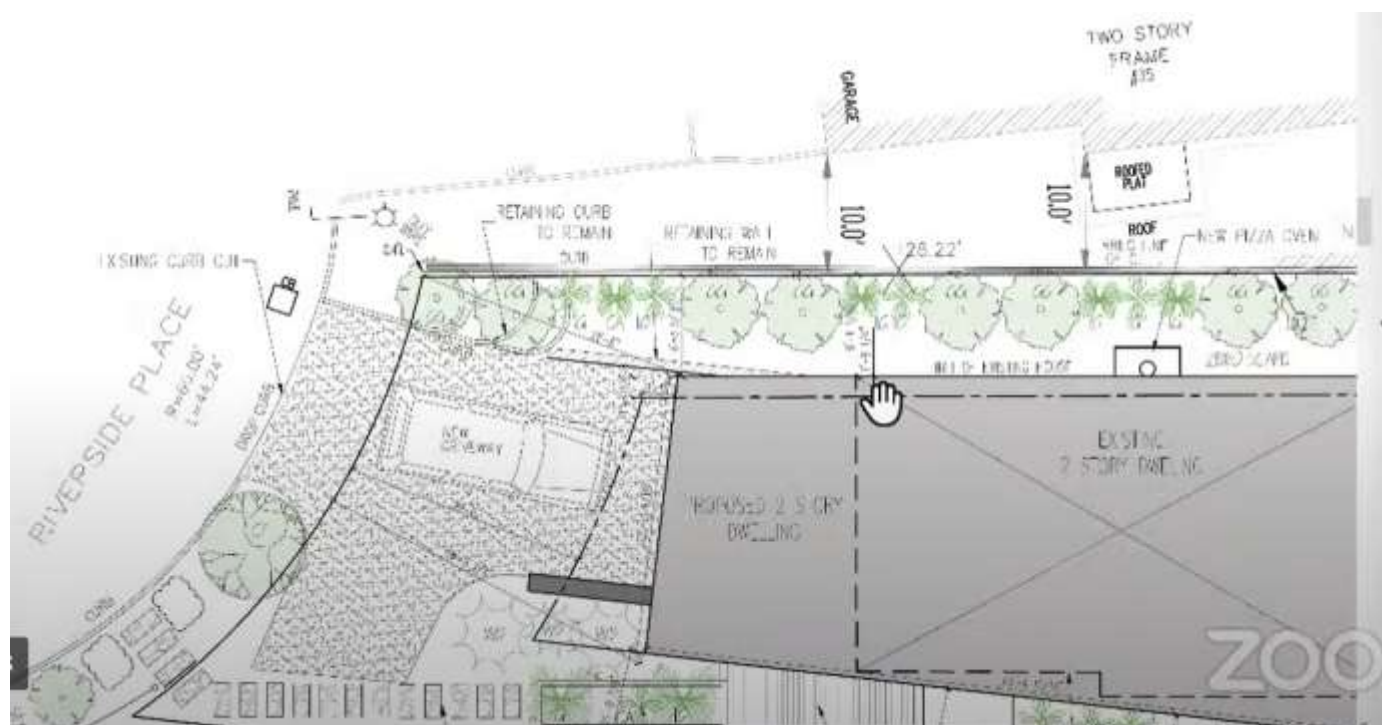
1 Existing Basement Floor Plan
Scale: 1/8" = 1'-0"



2 Existing First Floor Plan
Scale: 1/8" = 1'-0"



3 Existing Roof Floor Plan
Scale: 1/8" = 1'-0"



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

The following people addressed the Board: William Crawford/35 Riverside Place.

Motion by Chairman Hofmann, seconded by Mr. Maass to close the public hearing for 39 Riverside Place for proposed plans to construct a new home.

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 type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" 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
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JOSEPH CAPASSO, 1ST ALTERNATE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	3 AYE	0 NAY	0 ABSTAIN	0 RECUSE	3 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

Motion by Chairman Hofmann, seconded by Mr. Maass to approve the application of 39 Riverside Place to construct a new home in accordance with the plans submitted.

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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 type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" 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
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JOSEPH CAPASSO, 1ST ALTERNATE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	3 AYE	0 NAY	0 ABSTAIN	0 RECUSE	3 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.

The meeting adjourned at 8:31 p.m.

RESOLUTION 2-2022

RESOLUTION OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF DOBBS FERRY IN THE MATTER OF THE APPEAL AND APPLICATION OF JONATHAN NEWMAN ("OWNER") OF PROPERTY LOCATED AT 50 JUDSON AVENUE, 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 3.120, BLOCK 116, LOT 5 IN THE OF-3 ,ONE-FAMILY RESIDENTIAL 3 ZONING DISTRICT

WHEREAS, this application involves property located at 50 Judson Avenue, Village of Dobbs Ferry, County of Westchester and State of New York and designated as Section Block and Lot 3.120-116-5, in the OF-3, One-Family 3, 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 construct an addition onto the house; 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 January 21, 2022;
2. Building Inspector denial letter dated December 23, 2021;

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3. Site Plans and Architectural drawings by Steven Secon Architect (Sheets A-1 through A-10) dated August 13, 2021; and

WHEREAS, the Owner is seeking the following area variances from Table B-1, Chapter 300, Zoning and Land Use:

1. nine (9) feet and three (3) inches for the minimum required combined side yard setback;
2. one (1) foot and three (3) inches for the one side yard setback;

WHEREAS, pursuant to the applicable provisions of law and after due notice and publication, a public hearing was held on February 9, 2022, at which time all those wishing to be heard were given the opportunity to be heard, and the public hearing was closed on February 9, 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 Applicant is proposing to expand their house to include living space for a parent.

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

The geometry of the existing lot is deep and narrow, and the northern property boundary is angled towards the house. The existing house encroaches into the side yard setback and the Applicant is proposing to construct the addition along the existing house lines. As a result, this causes further incursion into the side yard setback due to the angle of the northern property line.

C. Whether the variance is substantial.

The ZBA does not consider the requested variances as substantial.

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

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The proposed addition will not be seen from any public roadway and the Board finds that there will be no adverse effect on the physical or environmental conditions in the neighborhood or community resulting from the granting of these minor area variances.

E. Whether the alleged difficulty was self-created.

The ZBA finds that while the proposed addition expands further into the side yard, the existing building footprint was not a self-created difficulty, and the proposed addition will be in alignment with the existing structure. The ZBA finds that the location of proposed addition is appropriate for the overall purpose of the project.

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 9 day of February 2022.

Motion by: Mr. Gutman Seconded by Mr. Maass

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
RUCE GOMBOS	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
REMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
ON MAASS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
AUL MONTE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, ALTERNATE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
TOTALS	3 AYE	0 NAY	0 ABSTAIN	0 RECUSE	3 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

I hereby attest that the application was approved by the Zoning Board of Appeals at its February 9, 2022, meeting, and that I have been authorized to sign this Resolution by decision of the Zoning Board of Appeals.


Chairman Hofmann

Date: February 9, 2022

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RESOLUTION 3-2022

RESOLUTION OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF DOBBS FERRY IN THE MATTER OF THE APPEAL AND APPLICATION OF GREGORY SHARP (“OWNER”) OF PROPERTY LOCATED AT 39 RIVERSIDE PLACE, 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 3.80, BLOCK 36, LOT 26 IN THE MDR-1, MIXED DENSITY RESIDENTIAL 1 ZONING DISTRICT

WHEREAS, this application involves property located at 39 Riverside Place, Village of Dobbs Ferry, County of Westchester and State of New York and designated as Section Block and Lot 3.80-36-26, in the MDR-1, MDR-1, 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 construct a new house; 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:

4. Zoning Board of Appeals application dated January 18, 2022;
5. Building Inspector denial letter dated January 13, 2021;
6. Site Plans and Architectural drawings by Gregory Sharp Architects (Sheets T-001.00 through T-002.000 and A-001.00 through A-005.00) dated December 10, 2021; and

WHEREAS, the Owner is seeking the following area variances from Appendix B, Dimensional Tables of Chapter 300, Zoning and Land Use:

3. one (1) foot and nine (9) inches for the minimum required combined side yard setback;
4. one (1) foot and nine (9) inches for the one side yard setback;

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WHEREAS, pursuant to the applicable provisions of law and after due notice and publication, a public hearing was held on February 9, 2022, at which time all those wishing to be heard were given the opportunity to be heard, and the public hearing was closed on February 9, 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:

2. 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 Applicant is proposing to construct a new house along the current footprint and foundation wall of the existing structure.

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

The lot is a pre-existing non-conforming lot. At the request of the neighbor, the Applicant is proposing to extend the footprint of the house towards the front property line instead of towards the rear property line, to maintain the neighbor's view of the Hudson River. As a result, the extension towards the front property line causes a further incursion into the side yard setback.

C. Whether the variance is substantial.

The ZBA does not consider the requested variances as substantial.

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

The Board finds that the proposed construction will be an improvement to the neighborhood and there will be no adverse impact on the physical or environmental conditions in the neighborhood or district from the granting of these minor area variances.

E. Whether the alleged difficulty was self-created.

The ZBA finds that while the proposed addition expands further into the side yard, the existing building footprint was not a self-created difficulty, and the proposed new house will be constructed along the current footprint and foundation wall of the existing structure. The ZBA finds that the location of proposed addition is appropriate for the overall purpose of the project.

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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 9th day of February 2022.

Motion by: Chairman Hofmann Seconded by Mr. Maass

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
RUCE GOMBOS	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
REMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
ON MAASS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
AUL MONTE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, ALTERNATE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
TOTALS	3 AYE	0 NAY	0 ABSTAIN	0 RECUSE	3 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

I hereby attest that the application was approved by the Zoning Board of Appeals at its February 9, 2022, meeting, and that I have been authorized to sign this Resolution by decision of the Zoning Board of Appeals.

Chairman Hofmann


Date: February 9, 2022