

DRAFT MINUTES – NOT TO BE USED AS AN OFFICIAL DOCUMENT

A regular meeting of the Zoning Board of Appeals was held on May 12, 2021. Present: Chairman Peter Hofmann, Bruce Gombos, Jeremy Gutman, Jon Maass, and 1st Alternate Joseph Capasso and Dan Roemer/Assistant Building Inspector, and Ms. Valerie Monastra/Village Consulting Planner. Excused: Paul Monte and Trustee Liaison Michael Patino.

Chairman Hofmann called the meeting to order.

1. Adopt Zoning Board of Appeals Minutes for meetings of April 14 2021

Motion by Chairman Hofmann, seconded by Mr. Gombos to approve the meeting minutes of April 14, 2021 as 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 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 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 checked="" 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	1 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

2. 16 Tiernans Lane – Public hearing for proposed addition and add second story to existing house

The following Application to the Zoning Board of Appeals was submitted:

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

04/14/2021

Nina Lesser
16 Tiernans Ln
Dobbs Ferry, NY 10522

Re: 16 Tiernans Ln

S/B/L 3.80-45-30

Dear Ms. Lesser,

Pursuant to a review of the submitted proposed plans to construct an addition and new full second floor to your existing home, the following determinations were made.
The property is located in the B Zone.

1. The required minimum individual side yard set-back is 10'.
You have proposed a left set-back of 6".
Thus requiring a variance of 9'-6"
2. The required minimum individual side yard set-back is 10'.
You have proposed a right set-back of 2'-1.5".
Thus requiring a variance of 7'-10.5"
3. The required minimum combined side yards set-back is 20'.
You have proposed a combined side yards set-back of 2'-2".
Thus requiring a variance of 17'-4.5"
4. The required minimum front yard set-back, based on your calculation of prevailing is 7'-4".
You have proposed a front set-back of 2'-3.25".
Thus requiring a variance of 5'-.75"
5. The required minimum rear yard set-back is 25'.
You have proposed a rear set-back of 21'-4.75".
Thus requiring a variance of 3'-7.25"

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) 231-8513.

Respectfully,

Ed Manley
Land Use Officer

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

RECEIVED

APR 20 2021

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: NINA LESSER Telephone: 914-826-5547
AND STEPHEN SHENG

Property Location: 16 TIERNAN LANE

Sheet: 3.80, Block: 45, Lots/Parcel: 30


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 19th day of April, 2021 before me personally came Karl A. Soderstrom, 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.

KARL A. SODERSTROM
Notary Public, State of New York
No. 01SO4604936
Qualified in Westchester County
Commission Expires Dec. 31, 2021


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

1. APPLICANT/SPONSOR NINA LESSER AND STEPHEN SHENG	2. PROJECT NAME 16 TIERNAN LANE
3. PROJECT LOCATION: Municipality 16 TIERNAN LANE, DOBBS FERRY, NY County WESTCHESTER	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc. or provide map) 16 TIERNAN LANE - NEAR THE TOP OF TIERNAN LANE DEAD END ON THE WEST SIDE OF THE STREET, NORTH OF THE OLB CROTON AQUEDUCT	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/Alteration	
6. DESCRIBE PROJECT BRIEFLY: RENOVATION OF AN EXISTING 1-STORY + BASEMENT HOUSE AND ADDITION OF ONE STORY AND ROOF DECK	
7. AMOUNT OF LAND AFFECTED: Initially 403 SF acres Ultimately 414SF acres (NO CHANGE TO FOOTPRINT)	
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. THE CURRENT FOOTPRINT DOES NOT COMPLY WITH THE SIDE YARD OR FRONT YARD SETBACKS, BUT WE ARE NOT PROPOSING TO CHANGE THE FOOTPRINT AT THOSE SETBACKS	
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: THE HOUSE IS ON A RESIDENTIAL STREET	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) and permit/approvals	
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: NINA LESSER	Date: _____
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.

OVER

1

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SEQR

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



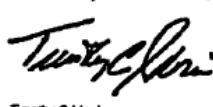
A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input checked="" 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:	NO
C2. Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character? Explain briefly.	NO
C3. Vegetation or fauna, fish, shellfish, or wildlife species, significant habitats, or threatened or endangered species? Explain briefly.	NO
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.	NO
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.	NO
C6. Long term, short term, cumulative, or other affects not identified in C1-C5? Explain briefly.	NO
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.	NO
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 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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<small>The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.</small>		 *603223678DED0021*	
Westchester County Recording & Endorsement Page			
Submitter Information			
Name:	Robin Schemitsch	Phone:	914-395-2285
Address 1:	7 Dempsey Place	Fax:	914-395-1028
Address 2:		Email:	PostClosing@recordandreturn.com
City/State/Zip:	Eastchester NY 10709	Reference for Submitter:	RR-W-41202-20 RS
Document Details			
Control Number:	603223678	Document Type:	Deed (DED)
Package ID:	2020111700346001001	Document Page Count:	3
		Total Page Count:	4
Parties <input type="checkbox"/> Additional Parties on Continuation page			
1st PARTY		2nd PARTY	
1:	CAMPBELL PAMELA A	1:	LESSER NINA B
	- Individual		- Individual
2:		2:	SHENG STEPHEN K
			- Individual
Property <input type="checkbox"/> Additional Properties on Continuation page			
Street Address: 16 TIERNANS LN		Tax Designation: 3.80-45-30	
City/Town: GREENBURGH		Village: DOBBS FERRY	
Cross-References <input type="checkbox"/> Additional Cross-Refs on Continuation page			
1:		3:	
2:		4:	
Supporting Documents			
1: RP-5217		2: TP-584	
Recording Fees		Mortgage Taxes	
Statutory Recording Fee: \$40.00		Document Date:	
Page Fee: \$20.00		Mortgage Amount:	
Cross-Reference Fee: \$0.00		Basic: \$0.00	
Mortgage Affidavit Filing Fee: \$0.00		Westchester: \$0.00	
RP-5217 Filing Fee: \$125.00		Additional: \$0.00	
TP-584 Filing Fee: \$5.00		MTA: \$0.00	
RPL 291 Notice Fee: \$10.00		Special: \$0.00	
Total Recording Fees Paid: \$200.00		Yonkers: \$0.00	
Transfer Taxes		Total Mortgage Tax: \$0.00	
Consideration: \$300,000.00		Dwelling Type: Exempt: <input type="checkbox"/>	
Transfer Tax: \$1,200.00		Serial #:	
Mansion Tax: \$0.00			
Transfer Tax Number: 22601			
RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK		Record and Return To	
 Recorded: 12/28/2020 at 12:14 PM Control Number: 603223678 Witness my hand and official seal  Timothy C. Idoni Westchester County Clerk		<input type="checkbox"/> Pick-up at County Clerk's office Law Office of Matthew Metz 3535 Hill Blvd Yorktown Hgts, NY 10598	

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CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 23rd day of November, 2020

BETWEEN

PAMELA A. CAMPBELL, RESIDING AT 8 Mahican Park Avenue, Dobbs Ferry, New York, 10522

party of the first part, and

Stephen KE-WEN SHENG and NINA BETH LESSER, residing at 161 Villard Avenue, Hastings-on-Hudson, New York 10706

Husband and wife

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

Ten (\$10.00) Dollars and other valuable consideration dollars paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

Town of Greenburgh, Village of Dobbs Ferry, County of Westchester and State of New York, being more fully described in Schedule "A" annexed hereto and made a part hereof.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" when ever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


Pamela A. Campbell

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***Record and Return Title Agency, Inc.
Security Title Guarantee Corporation of Baltimore***

Title Number: RR-W-41202-20

SCHEDULE A DESCRIPTION

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Dobbs Ferry, Town of Greenburgh, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the southwesterly side of Tiernans Lane, distant 199.58 feet southeasterly as measured along the southwesterly side of Tiernans Lane from the southeasterly side of Main Street, formerly known as High Street, said point of beginning being the southeasterly corner of lands of Luigi DePaolo as acquired by deed recorded in Liber 7896 cp 727;

RUNNING THENCE southeasterly along the southwesterly side of Tiernans Lane, 23.58 feet to a point and the northwesterly line of lands of Mary Ann Salemo and others as acquired by deed recorded in Liber 9263 cp 42;

RUNNING THENCE southwesterly along the same and on a line forming an exterior angle of 72 degrees 01 minute 10 seconds with the southwesterly side of Tiernans Lane, 41.86 feet to a point and other lands of Stephen P. Marks;

THENCE northwesterly along the same and on a line forming an interior angle of 110 degrees 09 minutes 40 seconds with the last described line, 46.41 feet to the southeasterly line of said lands of DePaolo as above described;

RUNNING THENCE northeasterly along the same and on a line at right angles to the southwesterly side of Tiernans Lane, 68.48 feet to the point or place of BEGINNING.

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THE LAW OFFICE OF MATTHEW P. METZ
3535 HILL BOULEVARD- SUITE M
YORKTOWN HEIGHTS, NEW YORK 10598
TEL. (914)-243-5563
FAX (914)-243-0296
E-Mail: info@mpmetzlaw.com
Website: WWW.MPMetzLaw.Com

ORIGINAL RECORDED DEED
FOR YOUR PROPERTY

Dear Valued Client,

Enclosed herewith please find the Original Recorded Deed for the property you recently conveyed with our office. Please keep this in a safe place

If you have any questions regarding the enclosed, please feel free to contact our office. We look forward to speaking with you.

Very truly yours,

Susan Metz

Susan Metz, Esq.

Mr. Stephen Sheng/Senior Associate - Handel Architects and Ms. Nina Lesser were present to represent the application.

Chairman Hofmann said this is for a construction of an addition and new second floor for the existing home on 16 Tiernan's Lane located in the B Zone. Chairman Hofmann noted the following:

1. The required minimum individual side yard set-back is 10'. The proposed is a left set-back of 6". Thus requiring a variance of 9'-6".
2. The required minimum individual side yard set-back is 10'. The proposed is a right set-back of 2'-1.5". Thus requiring a variance of 7'-10.5".
3. The required minimum combined side yards set-back is 20'. The proposed is a combined side yards set-back of 2'-2". Thus requiring a variance of 17'-4.5"

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4. The required minimum front yard set-back, based on proposed calculation of prevailing is 7'-4". The proposed is a front set-back of 2'-3.25". Thus requiring a variance of 5'-.75"
5. The required minimum rear yard set-back is 25'. Thus requiring a variance of 3'-7.25".

Chairman Hofmann noted to the public that most of these are because the house was already built and most of these are the existing footprint.

Mr. Sheng and Ms. Lesser discussed the proposed application and displayed the following slides:

HOUSE RENOVATION/ADDITION
16 TERNING LANE, DOODS FERRY, NY 10523

CODE DATA
PROJECT DESCRIPTION: HOUSE RENOVATION/ADDITION
PROJECT LOCATION: 16 TERNING LANE, DOODS FERRY, NY 10523
APPLICANT: [Name]
DATE: [Date]
SCALE: [Scale]
SHEET: [Sheet]

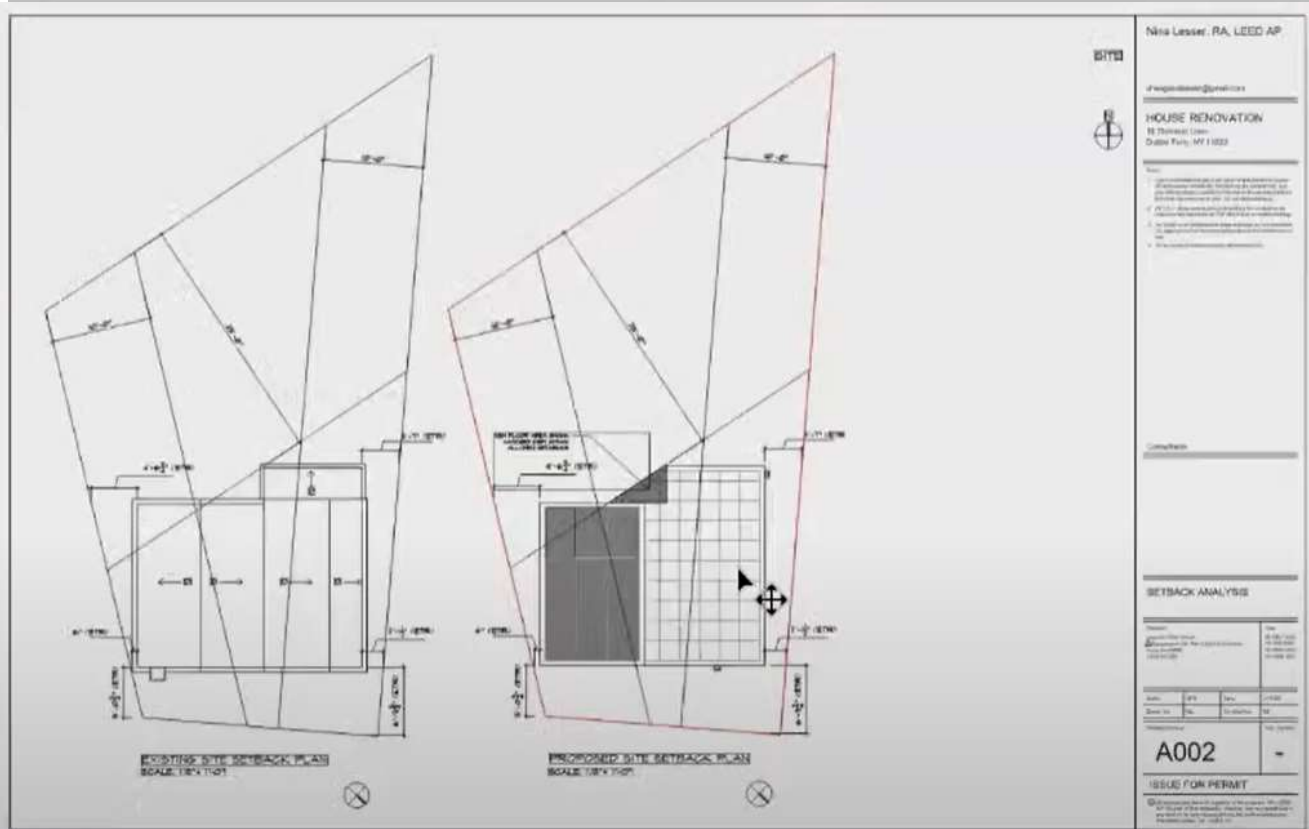
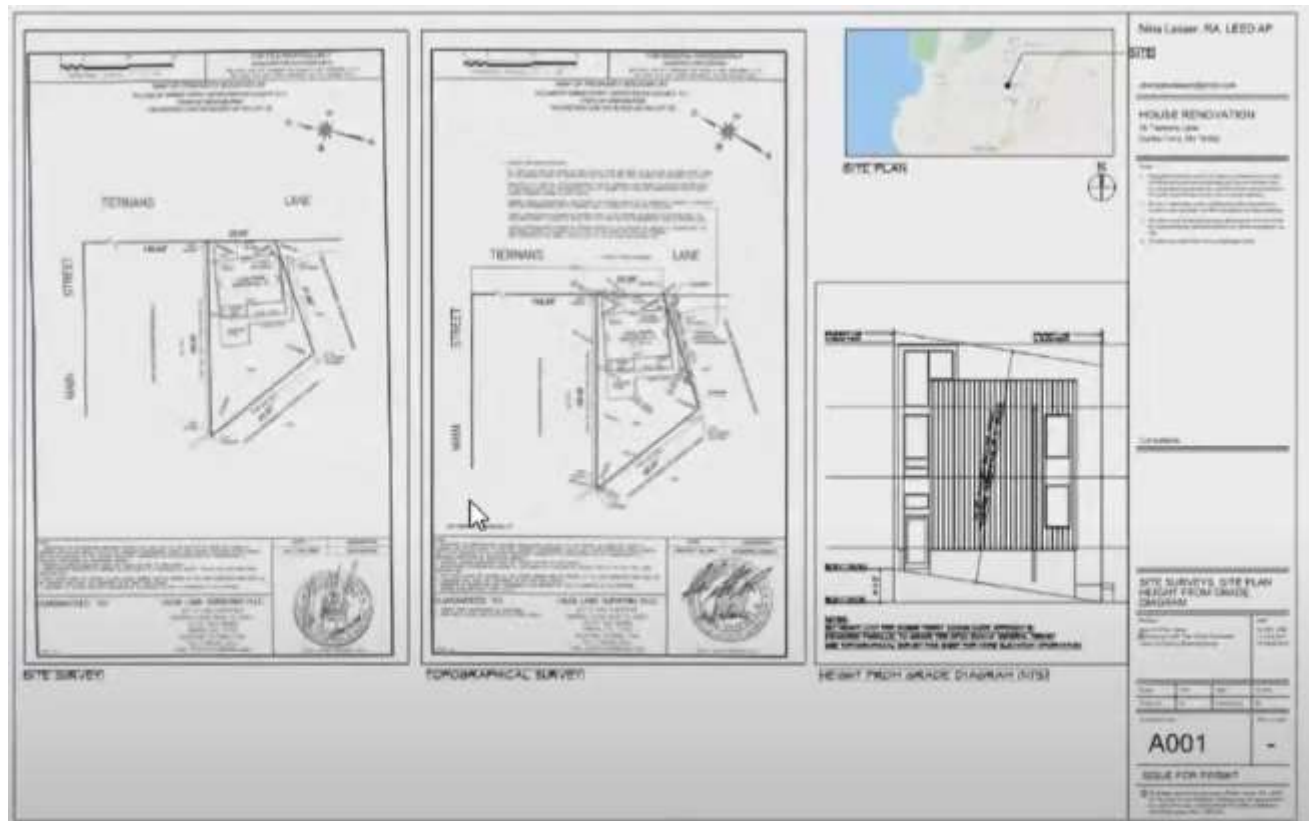
SCOPE OF WORK
RENOVATION OF EXISTING HOUSE
ADDITION OF [Description]
[Detailed list of work items]

GENERAL NOTES
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL MECHANICAL CODE BOOK (IMC).
2. ALL MATERIALS SHALL BE NEW UNLESS OTHERWISE NOTED.
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL MECHANICAL CODE BOOK (IMC).
4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL MECHANICAL CODE BOOK (IMC).
5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL MECHANICAL CODE BOOK (IMC).
6. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL MECHANICAL CODE BOOK (IMC).
7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL MECHANICAL CODE BOOK (IMC).
8. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL MECHANICAL CODE BOOK (IMC).
9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL MECHANICAL CODE BOOK (IMC).
10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL MECHANICAL CODE BOOK (IMC).

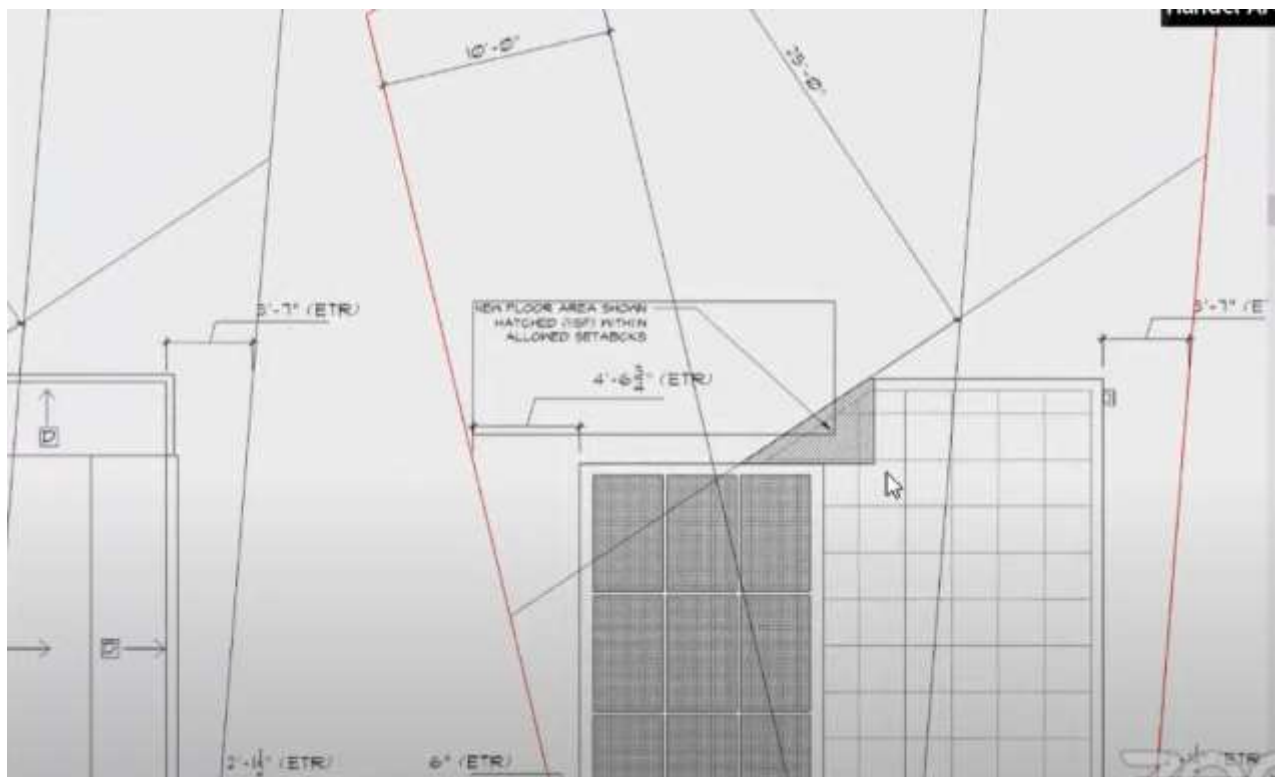
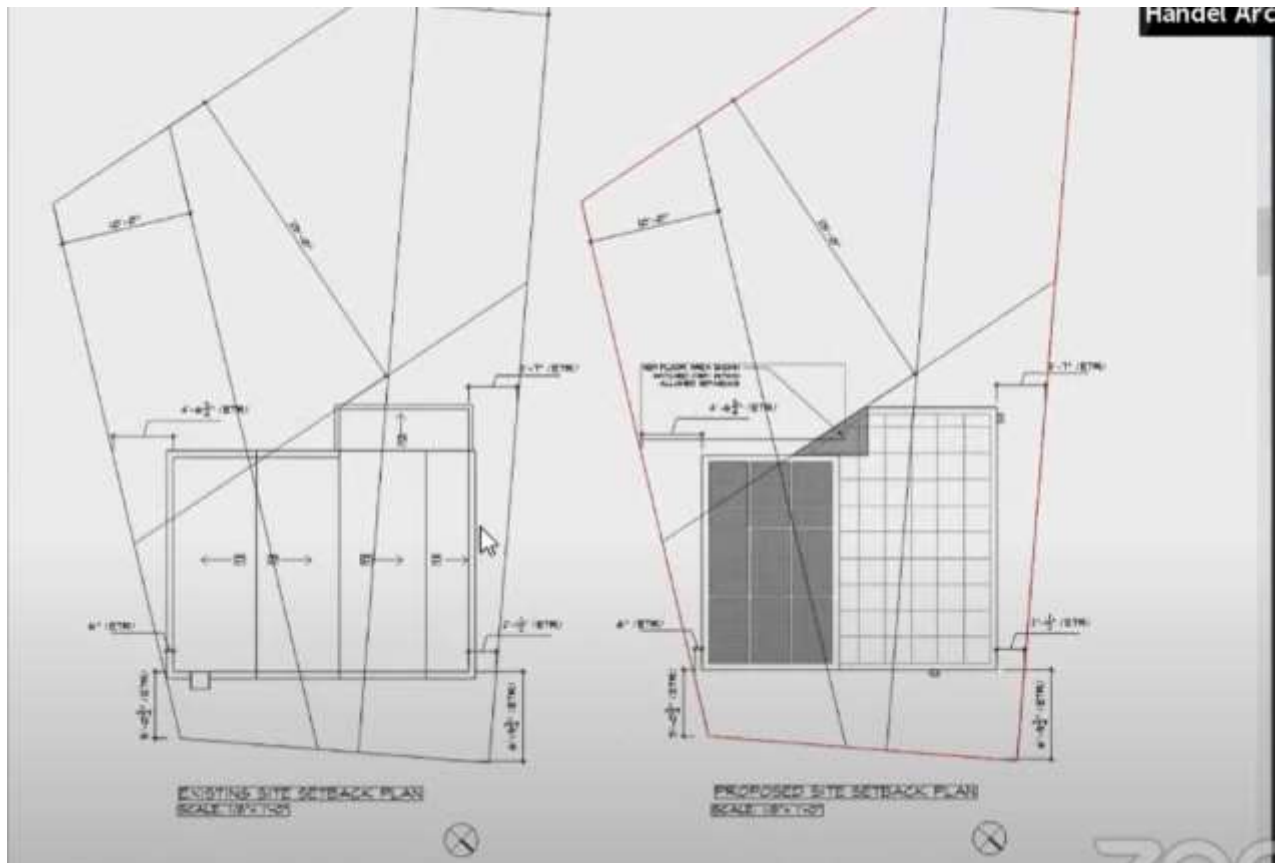
SCHEMATIC FLOOR PLAN
[Floor plan diagram showing existing and proposed footprints, dimensions, and room layouts.]

FILE SHEET
A000

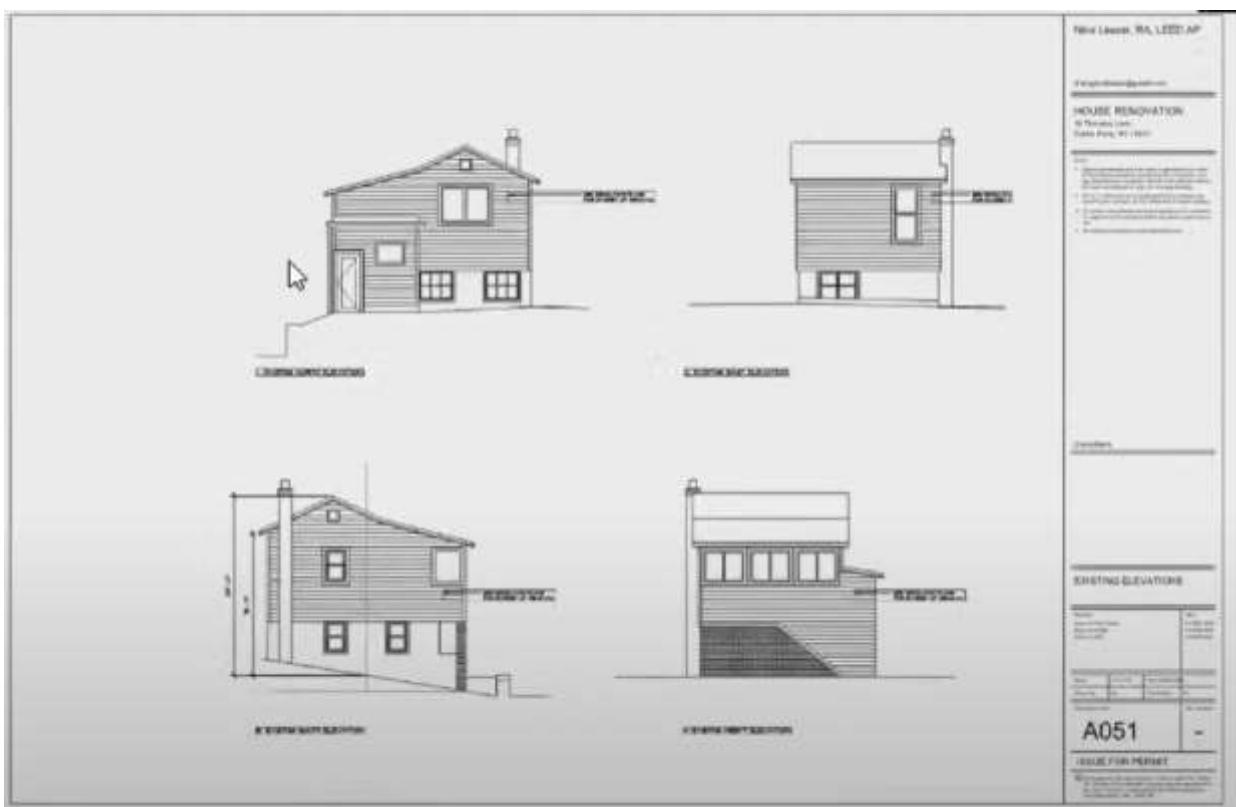
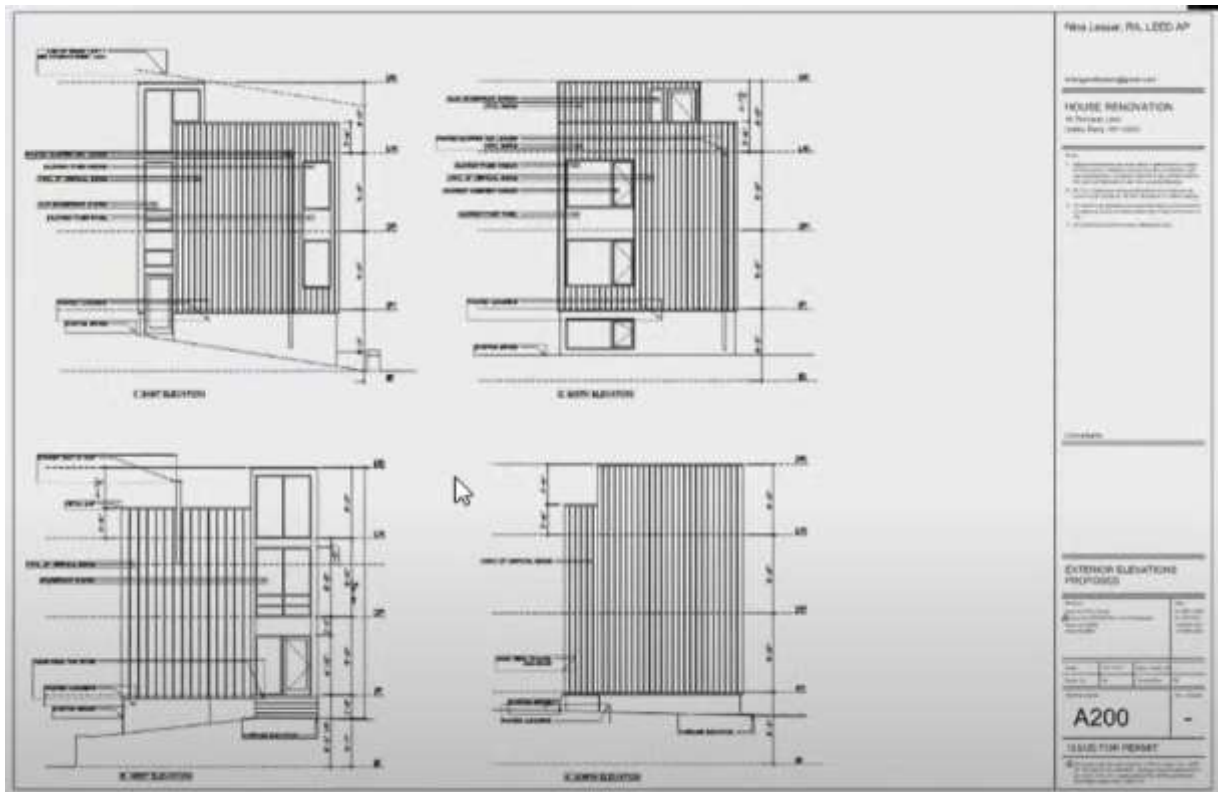
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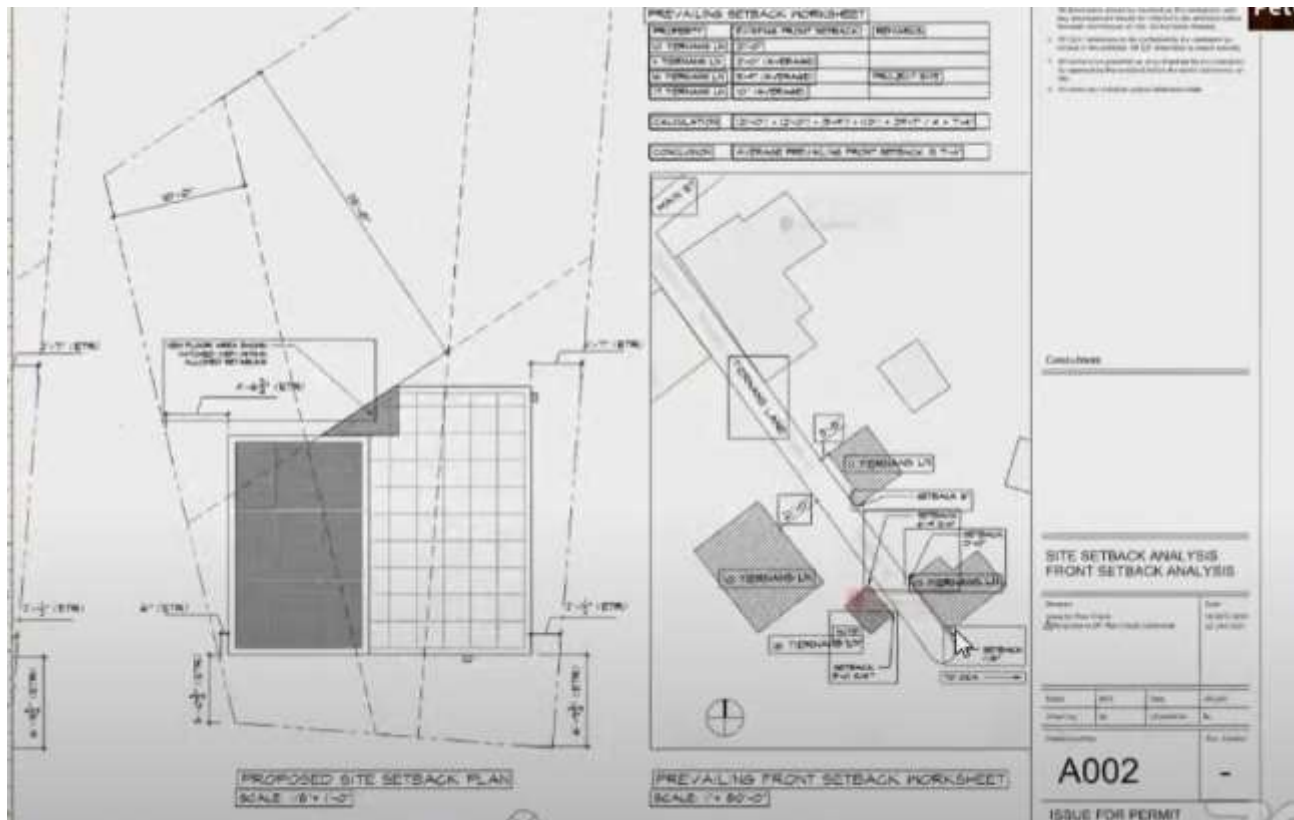
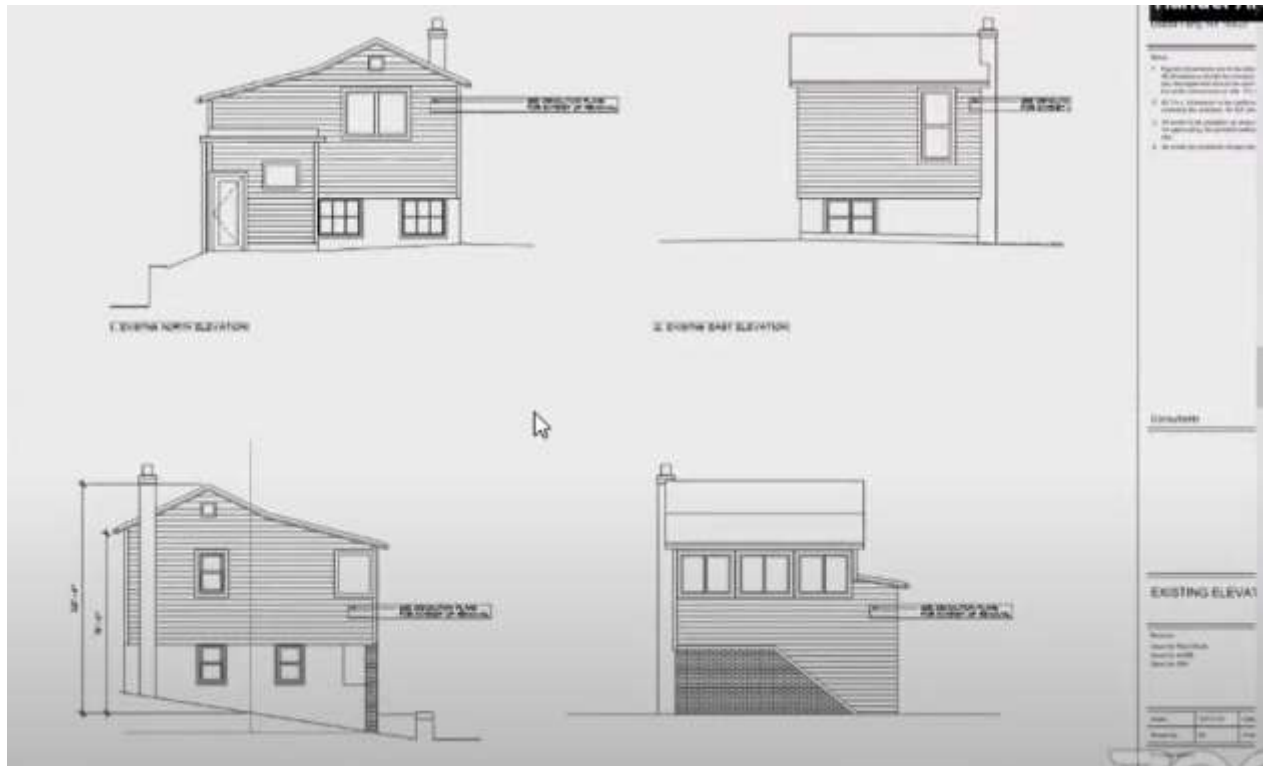
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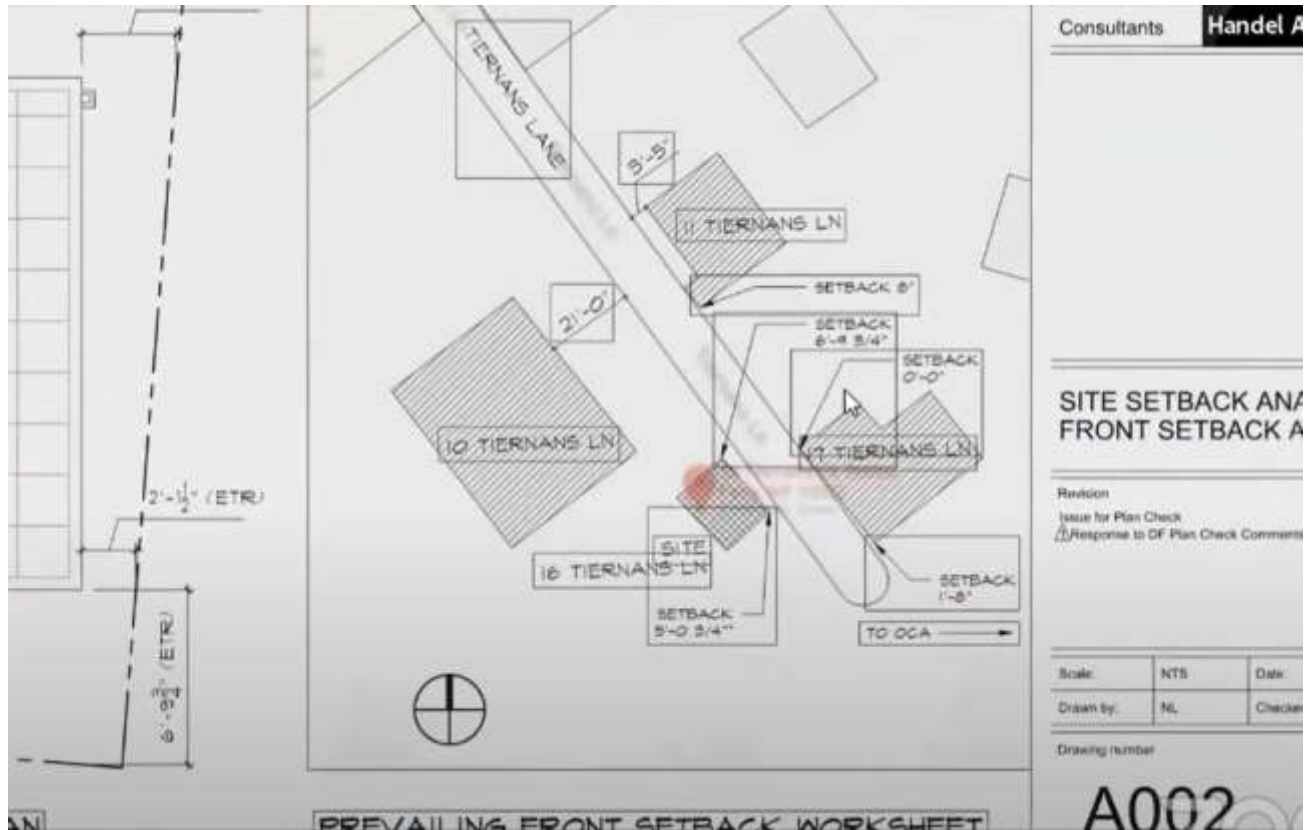
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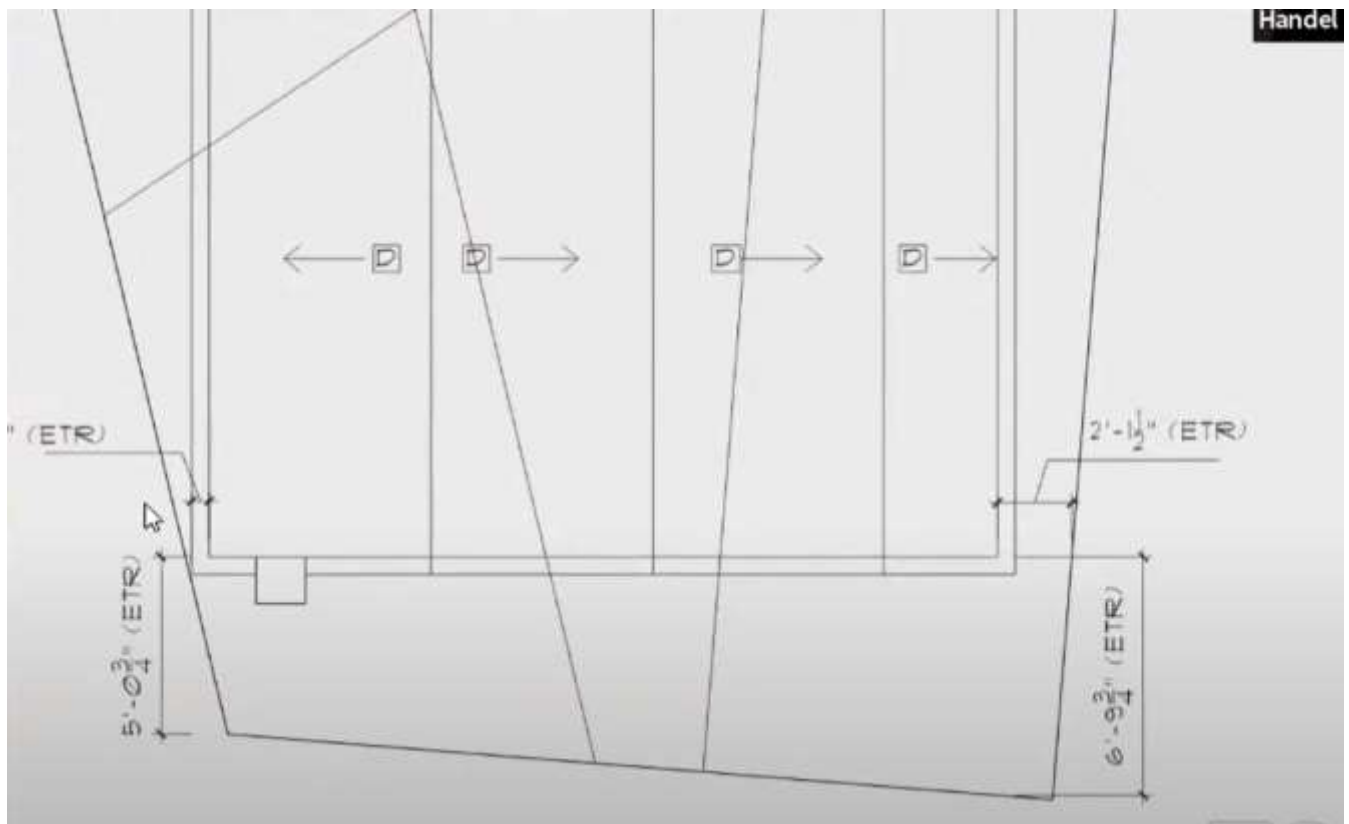
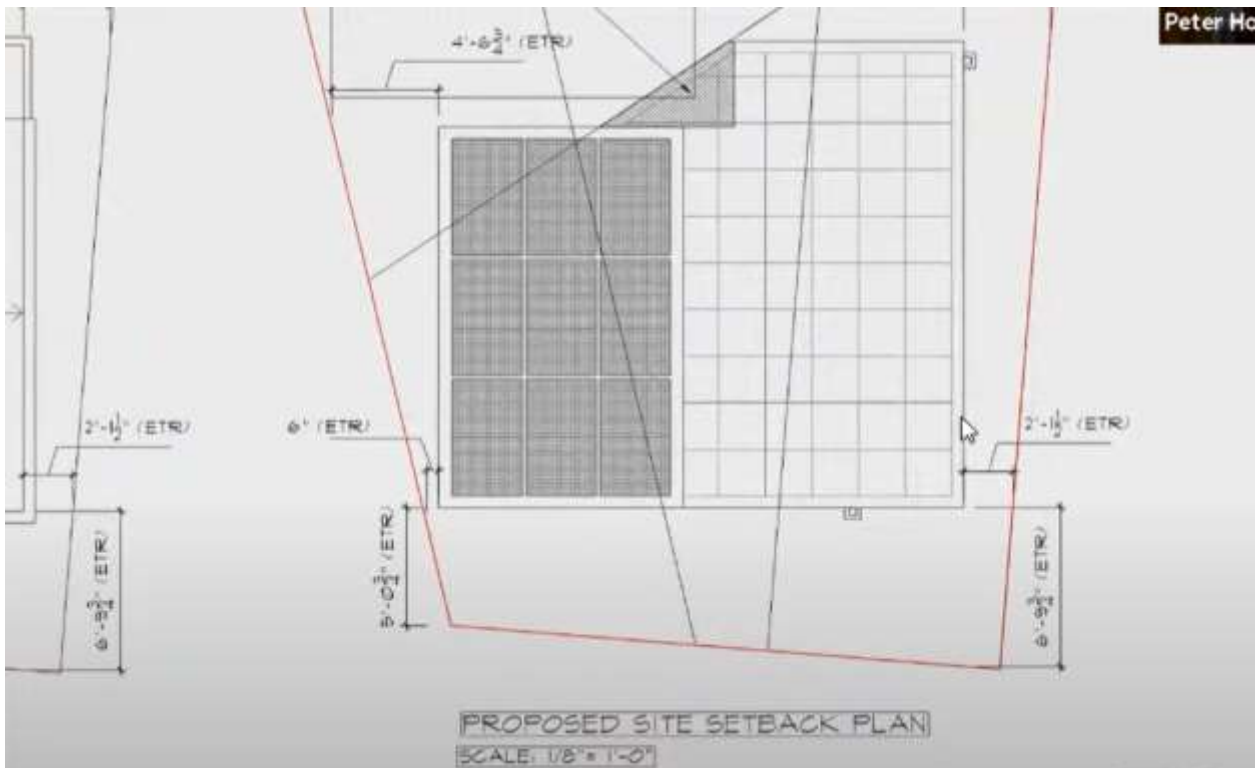
PREVAILING SETBACK WORKSHEET

PROPERTY	EXISTING FRONT SETBACK	REMARKS
10 TIERNANS LN	21'-0"	
11 TIERNANS LN	2'-0" (AVERAGE)	
16 TIERNANS LN	5'-9" (AVERAGE)	PROJECT SITE
17 TIERNANS LN	10" (AVERAGE)	

CALCULATION $(21'-0") + (2'-0") + (5'-9") + (10") = 29'-7" / 4 = 7'-4"$

CONCLUSION AVERAGE PREVAILING FRONT SETBACK IS 7'-4"

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Ms. Lesser said basically what they are proposing is to not change the footprint, they are asking for a variance on the setbacks, as the existing building is already over those lines.

A discussion was held and Ms. Lesser addressed questions from the Board.

Mr. Roemer addressed questions from the Board.

Mr. Gombos complimented Ms. Lesser on the overall quality of the document.

Chairman Hofmann said he thinks they are good drawings and all the variances we are talking about are because the house was built long ago on the spot where it was built long ago and there are no further encroachments that need variances.

No one from the public addressed the Board regarding the proposed application.

Motion by Chairman Hofmann, seconded by Mr. Maass to close the public hearing for the application of 16 Tiernans Lane for proposed addition and add second story to existing house.

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 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 checked="" 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	1 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

Motion by Chairman Hofmann, seconded by Mr. Gombos to approve the application of 16 Tiernans Lane for proposed addition and add second story to existing house, according to 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 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 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 checked="" 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	1 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

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3. 11 Myrtle Avenue – Public hearing for proposed plans to construct an addition to the existing house

The following Application to the Zoning Board of Appeals was submitted:

Plan Submittal Form

Address: 11 Myrtle Ave, Dobbs Ferry, NY 10522

Application #: A-2021-0006

Project: The Munits Residence

Name: Gregory Sharp

Email: gregsharp@casedevelopment.com

Phone: (917) 597-1982

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

- ☐ Building permit application 1 PDF copy & 2 paper copies 1/4 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 1/4 scale
- ☐ PB - 1 PDF copy + 7 paper copies 1/4 scale
- ☒ ZBA - 1 PDF copy + 4 paper copies 1/4 scale
- ☐ AHRB - 1 PDF copy + 2 paper copies 1/4 scale

Received Stamp:



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APPLICATION TO ZONING BOARD OF APPEALS
VILLAGE OF DOBBS FERRY

APR 21 2021

Village of Dobbs Ferry
Building Department

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: 4-21-2021
Applicant's Name: Greg Sharp Telephone: 917-597-1982
Property Location: 11 Myrtle Ave
Sheet: _____ Block: 17 Lots/Parcel: 3.50-17-1

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).

See Attached Letter.

Greg Sharp
Applicant

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss:

On this 21 day of April, 20 21, 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.

Roseanne Tenore
Notary Public

ROSEANNE TENORE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01TE6138230
Qualified in Westchester County
My Commission Expires December 19, 2021


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SEQR

PROJECT I.D. NUMBER
A2021-0006

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

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

1. APPLICANT/SPONSOR Gregory Sharp	2. PROJECT NAME The Munits Residence
3. PROJECT LOCATION: Municipality Dobbs Ferry County Westchester	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc. or provide map) 11 Myrtle Avenue	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/Alteration	
6. DESCRIBE PROJECT BRIEFLY: Renovation of Existing House	
7. AMOUNT OF LAND AFFECTED: Initially 12,277 sq ft. acres Ultimately 13,295 sq ft. 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.	
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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) and permit/approvals	
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: Gregory Sharp	Date: 4/21/2021
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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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.	
C2. Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character? Explain briefly.	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly.	
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.	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.	
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA? <input type="checkbox"/> Yes <input type="checkbox"/> No	
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input 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.

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

04/15/2021

Nathan Muntis
11 Myrtle Ave.
Dobbs Ferry, NY 10522

Re: 11 Myrtle Ave.

S/B/L 3.50-17-11

Dear Mr. Muntis,

Pursuant to a review of the submitted proposed plans to construct an addition and renovation to your property, the following determinations were made.

The property is located in the OF-2 Zone.

1. The required maximum lot coverage by impervious surfaces is 40%
You have proposed a coverage of 45.5%
Thus requiring a variance of 5.5%
2. The required minimum side yard set-back is 20'.
You have proposed a set-back of 19.8'.
Thus requiring a variance of .2'
3. The required minimum combined side yards set-back is 50'.
You have proposed a set-back of 46.4'.
Thus requiring a variance of 3.6'

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) 231-8513.

Respectfully,

Ed Manley
Land Use Officer

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To: Village of Dobbs Ferry
Zoning Board of Appeals
Building Department

From: Gregory Sharp Architect, PC
145 Palisade Street, Suite 211
Dobbs Ferry, NY, 10522
gregsharp@casedevelopment.com
917.597.1982

Date: April 21, 2021

Subject: Response to; DOB denial letter.
Job Location: 11 Myrtle Ave.
Tax Parcel No. 3.50-17-11
Owner / Nathan Munits
OF-2 Zone

In response to the comments prepared by Dobbs Ferry DOB, dated 4-15-2021, we have prepared responses for points 1-3 in this document.

1. The existing and proposed lot coverage is over by 5.5%. The existing coverage is over by 12,277 sqft. And the proposed is 13,295 or + 1,018sqft. This House was built in the 60's and therefore before any zoning was enacted. The Overage is caused because our parcel is a flag lot and our coverage incorporates the shared driveway for 2 other driveways creating a need for a Variance.
2. This House was built in the 60's and therefore before any zoning was enacted. The 19.8" set back is from the original house. We are not encroaching any further than the existing house condition.
3. This House was built in the 60's and therefore before any zoning was enacted. The combined set back of 46.4" set back is from the original house. We are not encroaching any further than the existing house condition.

We appreciate you time in reviewing this application. Please let us know if you have any questions or anything else that you need at this time.

Thank You

Greg Sharp

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Mr. Greg Sharp/Architect - Greg Sharp Architect and Ms. Meg Munits were present to represent the application.

Chairman Hofmann said this is for a construction of an addition and renovation to the home at 11 Myrtle Avenue located in the OF-2 Zone. Chairman Hofmann noted the following:

1. The required maximum lot coverage by impervious surfaces is 40%, the proposed is a coverage of 45.5%. Thus requiring a variance of 5.5%
2. The required minimum side yard set-back is 20', the proposed is a set-back of 19.8'. Thus requiring a variance of .2'
3. The required minimum combined side yards set-back is 50'. The proposed is a set-back of 46.4'. Thus requiring a variance of 3.6'.

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



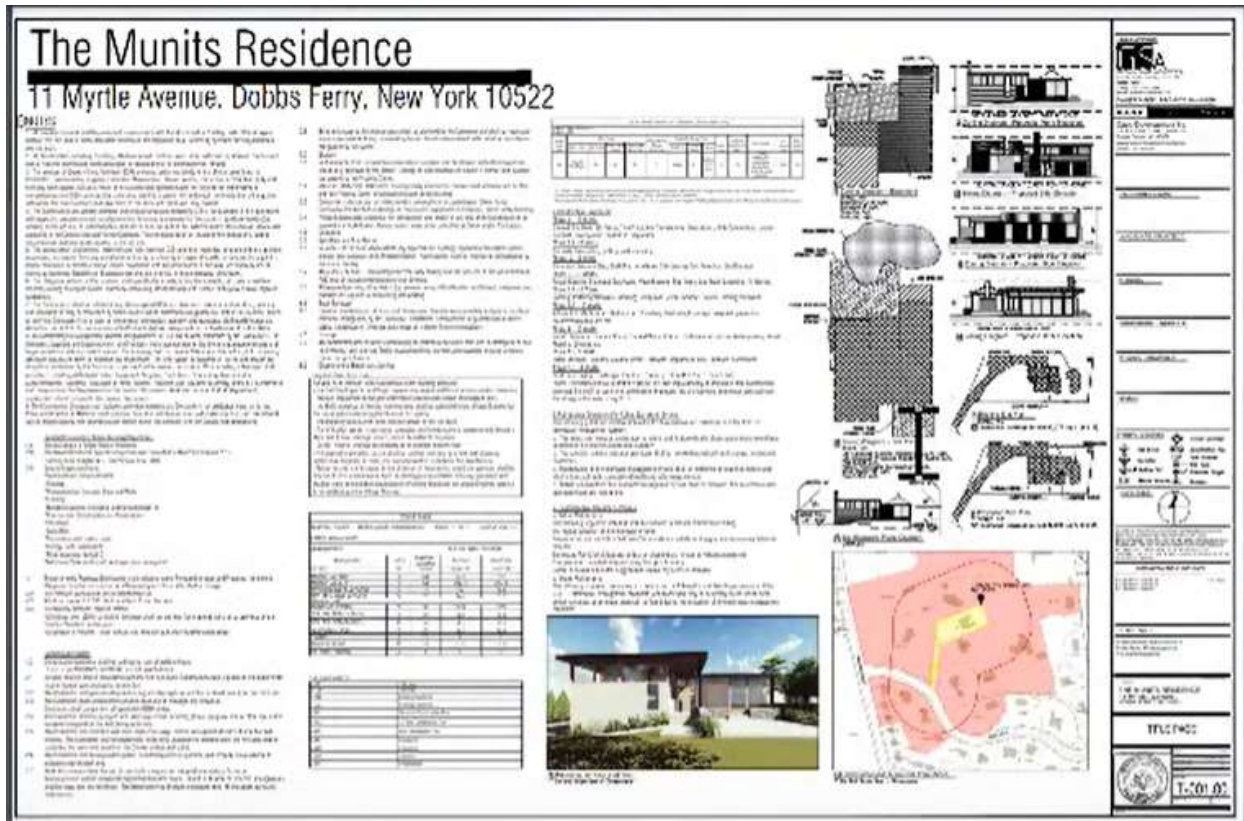
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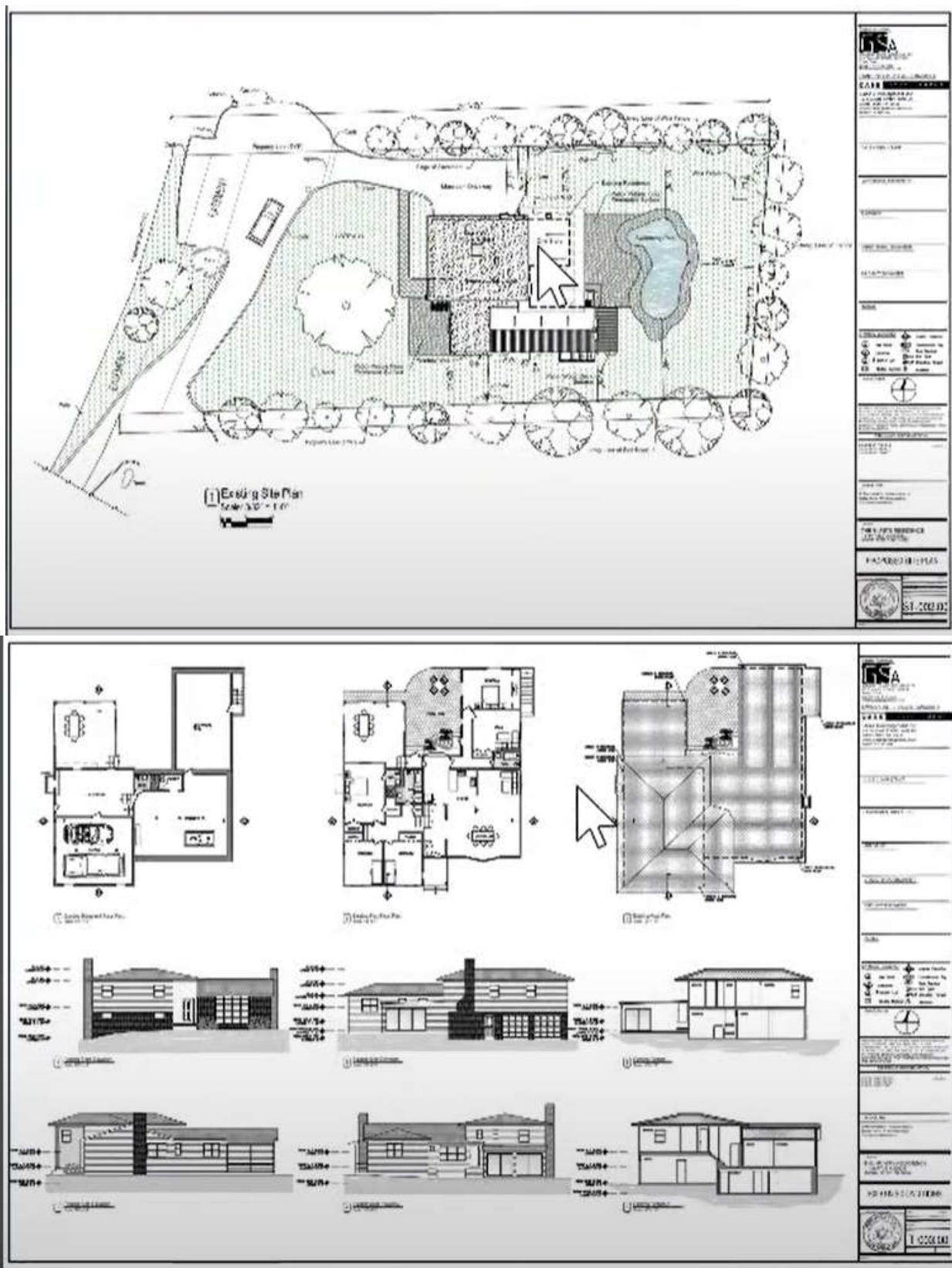


Mr. Sharp said the proposal is to basically utilize the current foundation of the house and to just add a small extension onto the rear of the house to go with their existing pool that is part of the house, as well as to modernize the facades of the house and updating the house in general. Mr. Sharp said it would be taking the existing foundation of the house and building on top of the first floor to create a new house. Mr. Sharp said the house is still a split level ranch historically, but we are adding some modern flourishes and hoping that we are able to move past this. Mr. Sharp said the zoning variances that we are requesting are based on the existing parameters of the house, not the new addition on the house, but lot coverage is due to the fact that we share a common driveway and therefore that's where footage is incorporated into our lot coverage and the setbacks were pre-existing.

Mr. Sharp continued discussion of the proposed application and displayed the following slides:

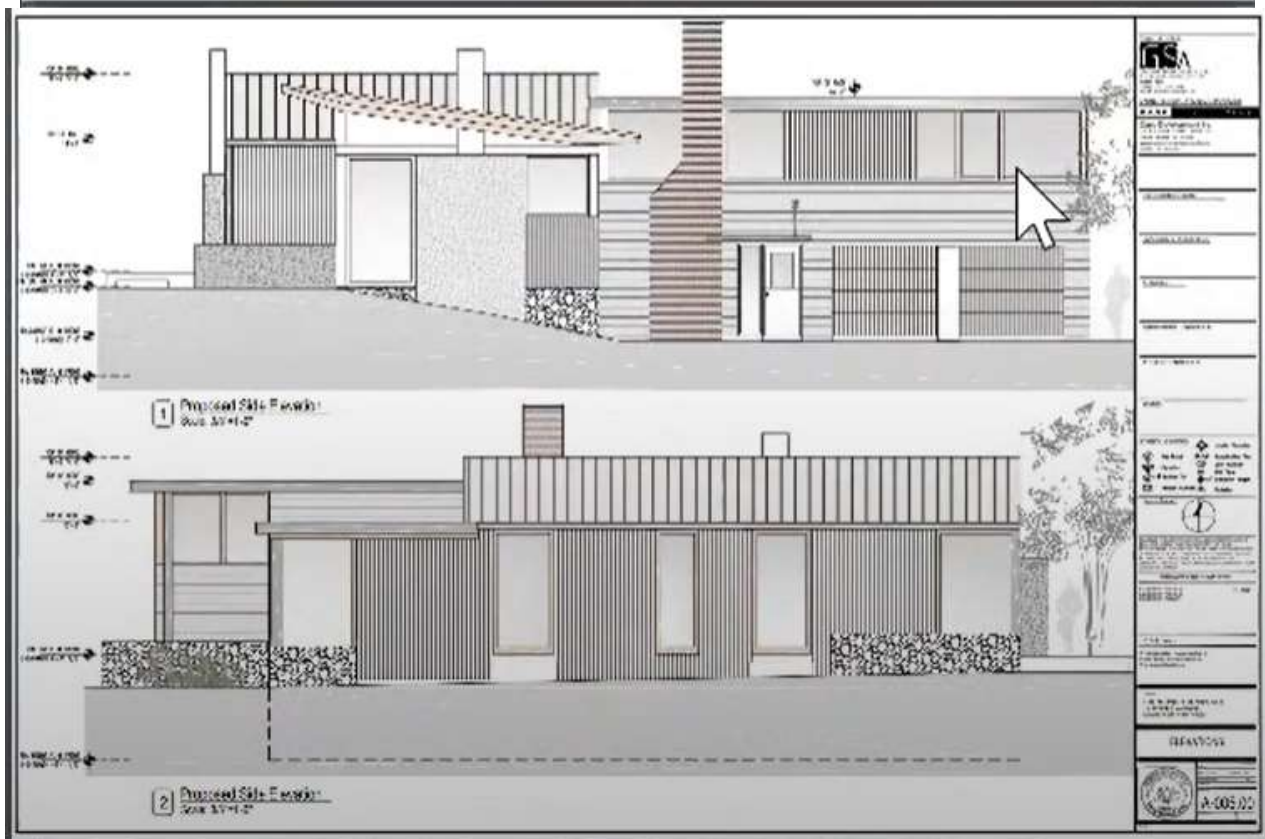
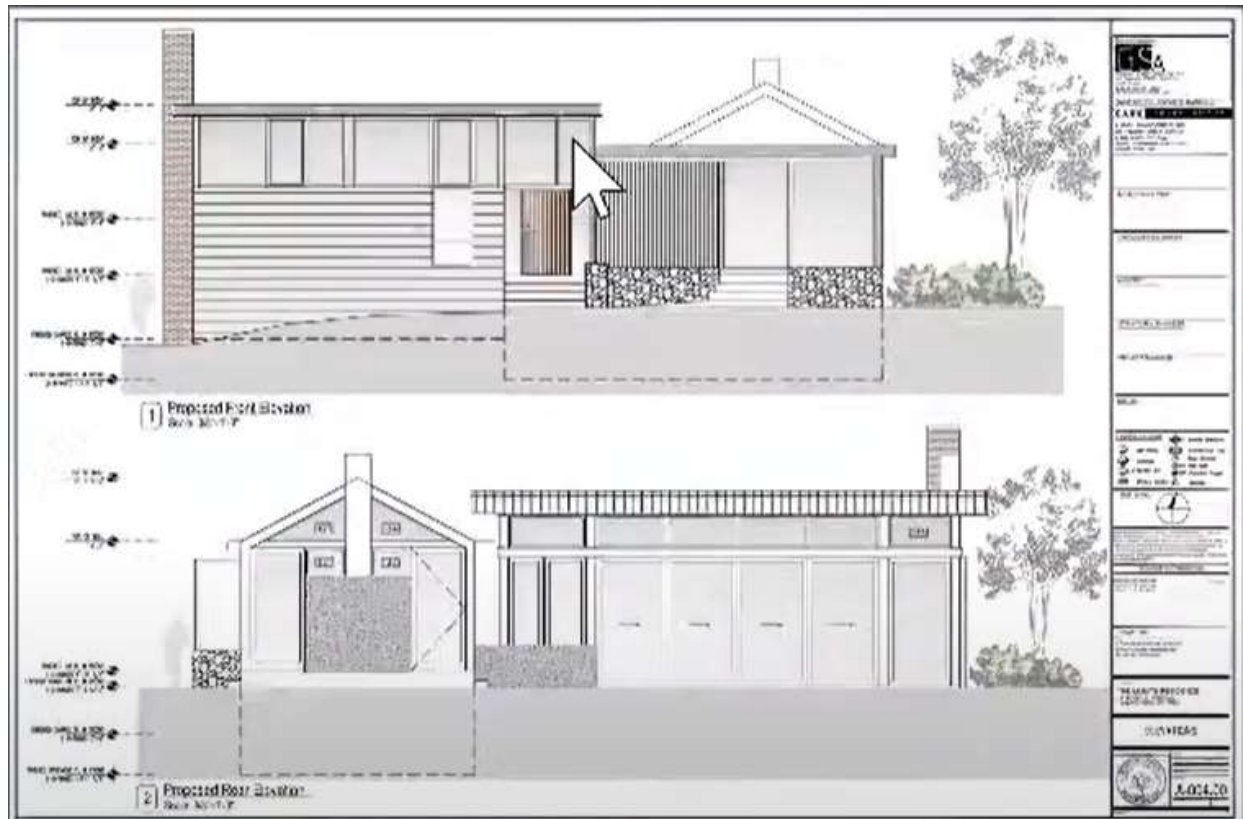
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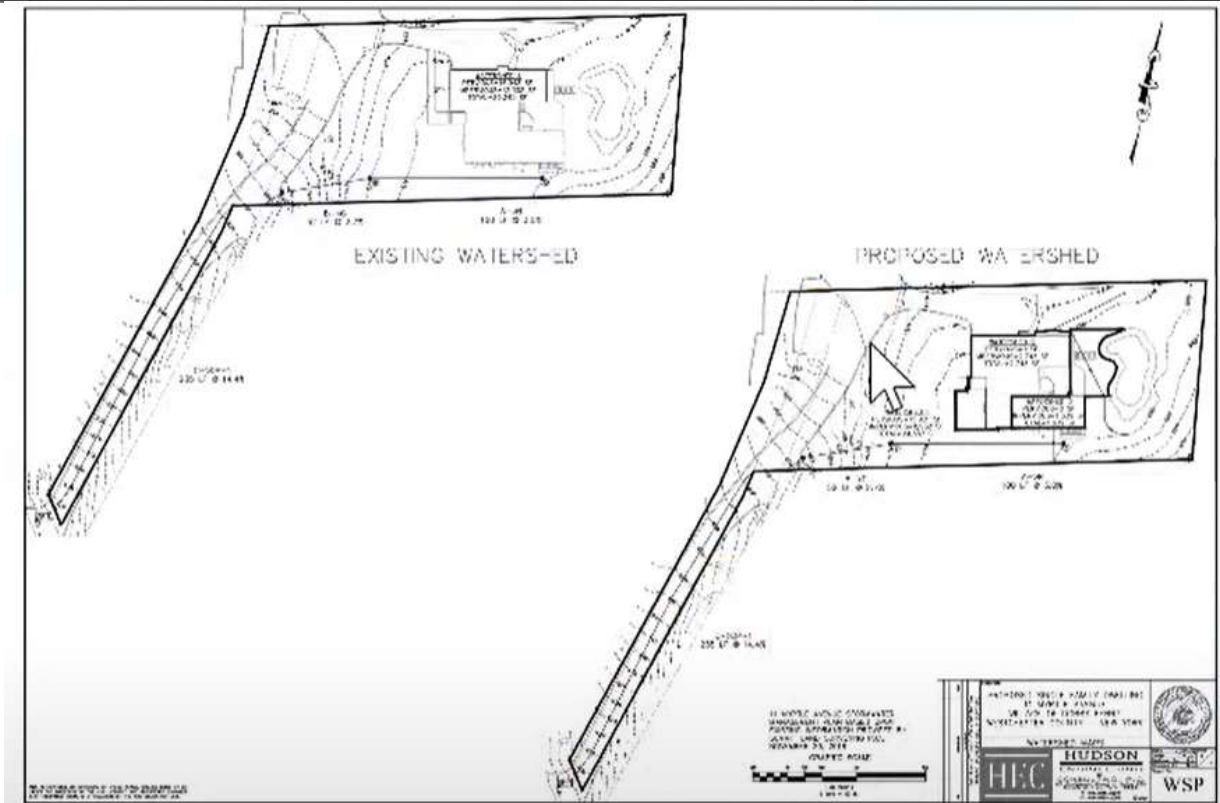
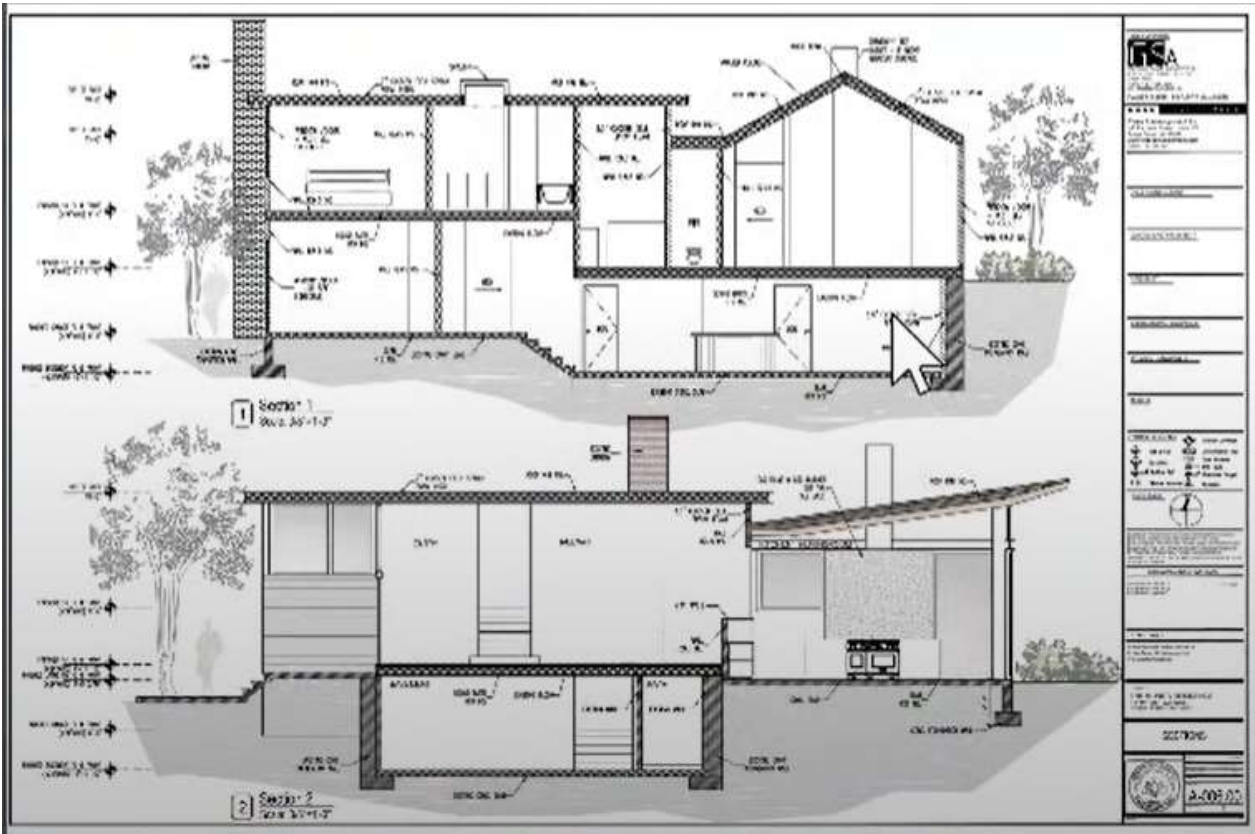




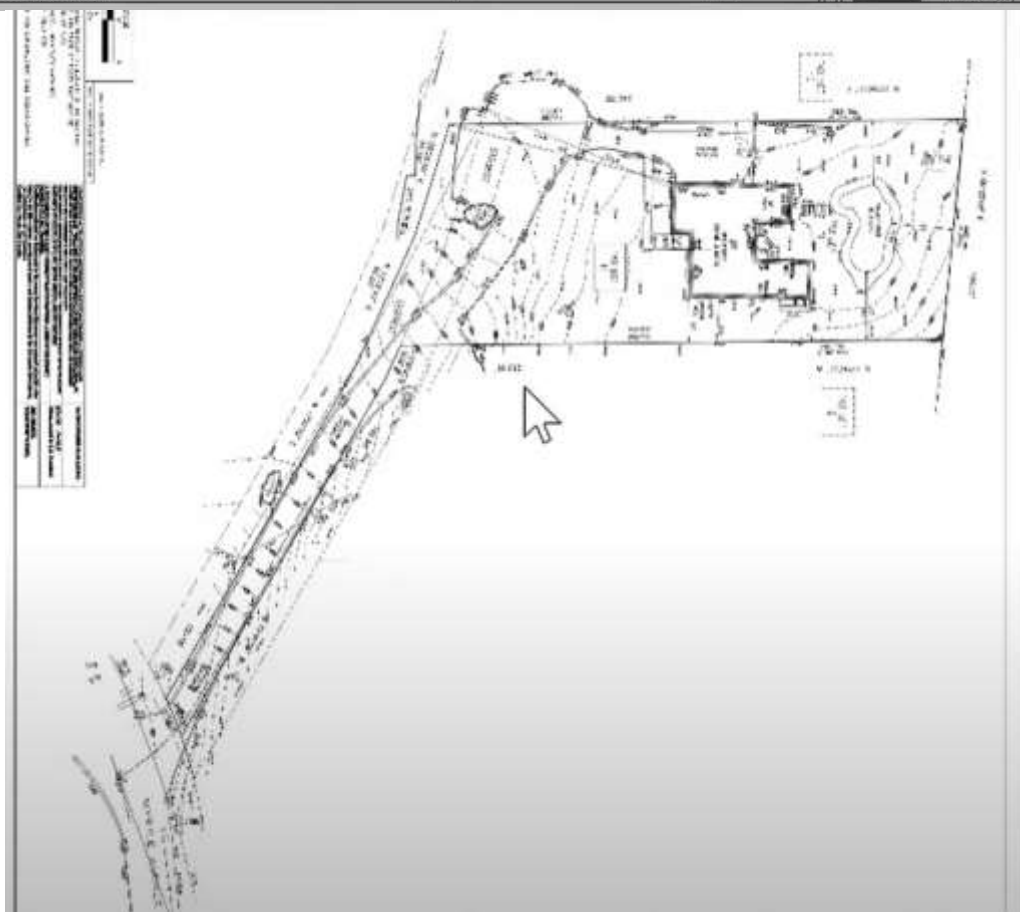
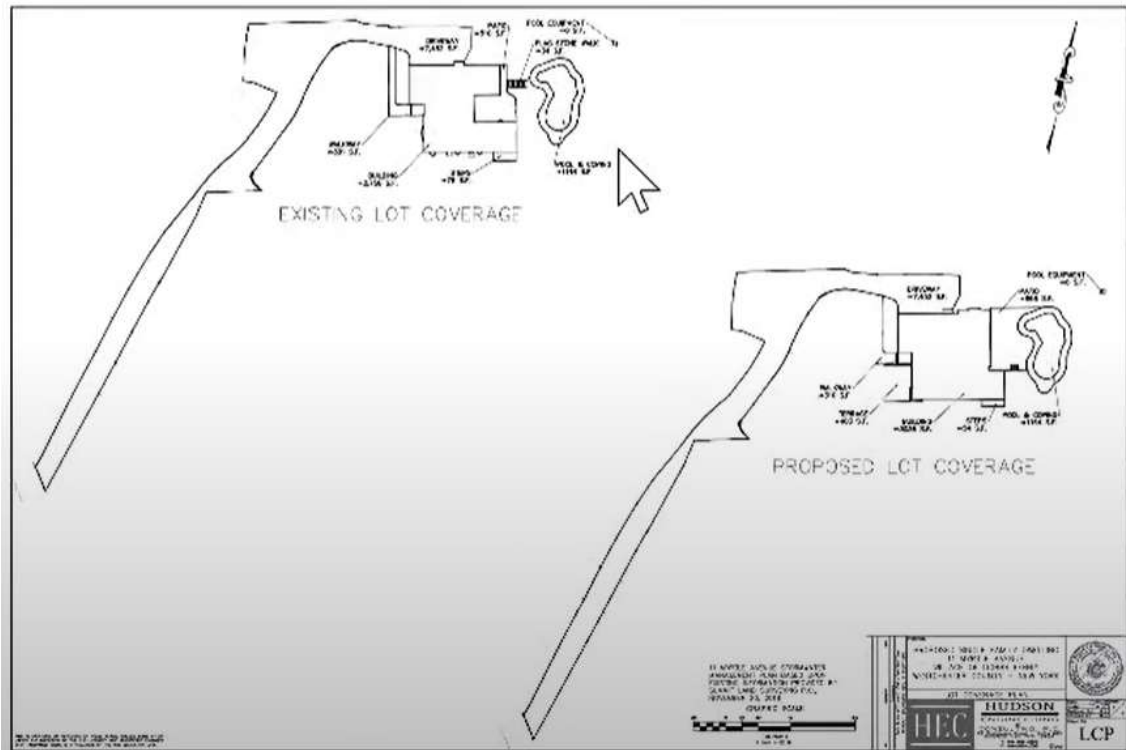
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Subject: Response to; DOB denial letter.
Job Location: 11 Myrtle Ave.
Tax Parcel No. 3.50-17-11
Owner / Nathan Munits
OF-2 Zone

In response to the comments prepared by Dobbs Ferry DOB, dated 4-15-2021, we have prepared responses for points 1-3 in this document.

1. The existing and proposed lot coverage is over by 5.5%. The existing coverage is over by 12,277 sqft. And the proposed is 13,295 or + 1,018sqft. This House was built in the 60's and therefore before any zoning was enacted. The Overage is caused because our parcel is a flag lot and our coverage incorporates the shared driveway for 2 other driveways creating a need for a Variance.
2. This House was built in the 60's and therefore before any zoning was enacted. The 19.8" set back is from the original house. We are not encroaching any further than the existing house condition.
3. This House was built in the 60's and therefore before any zoning was enacted. The combined set back of 46.4" set back is from the original house. We are not encroaching any further than the existing house condition.

We appreciate you time in reviewing this application. Please let us know if you have any questions or anything else that you need at this time.

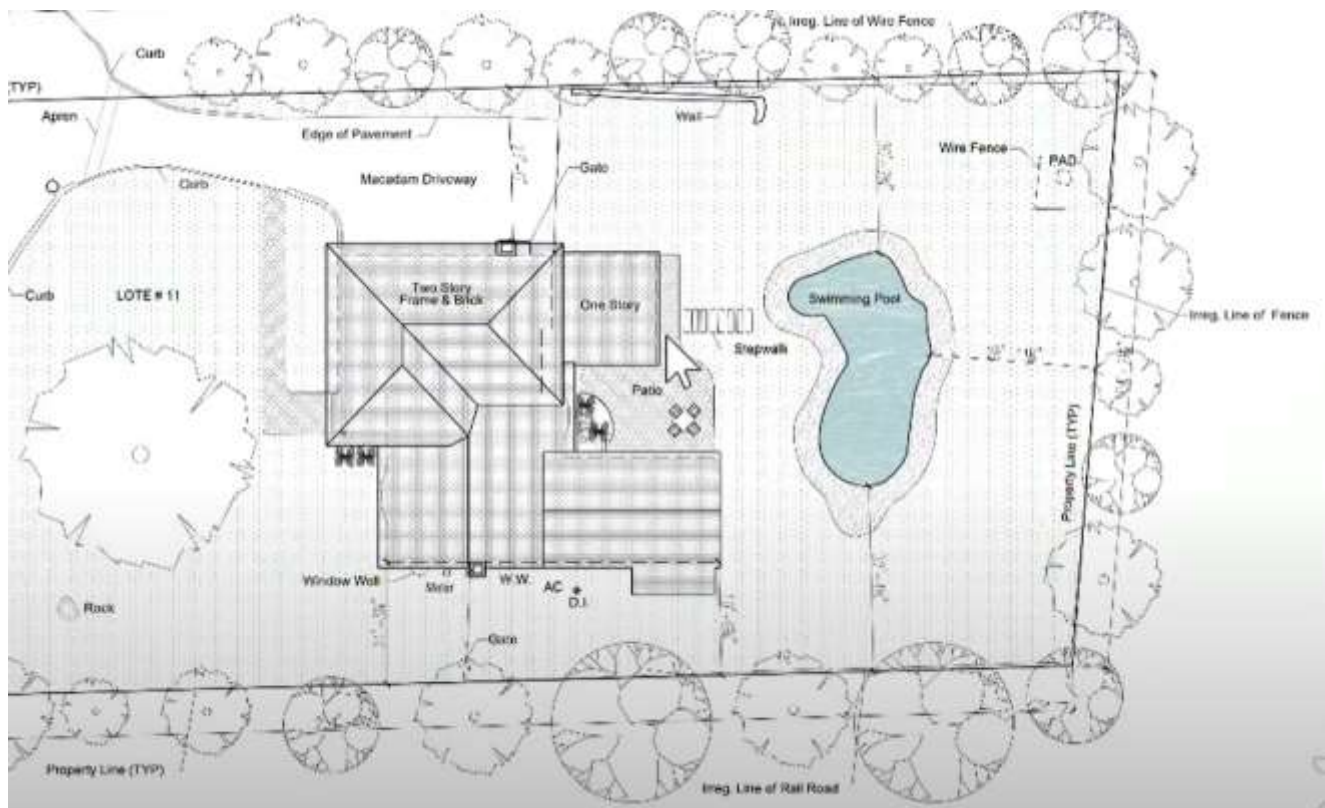
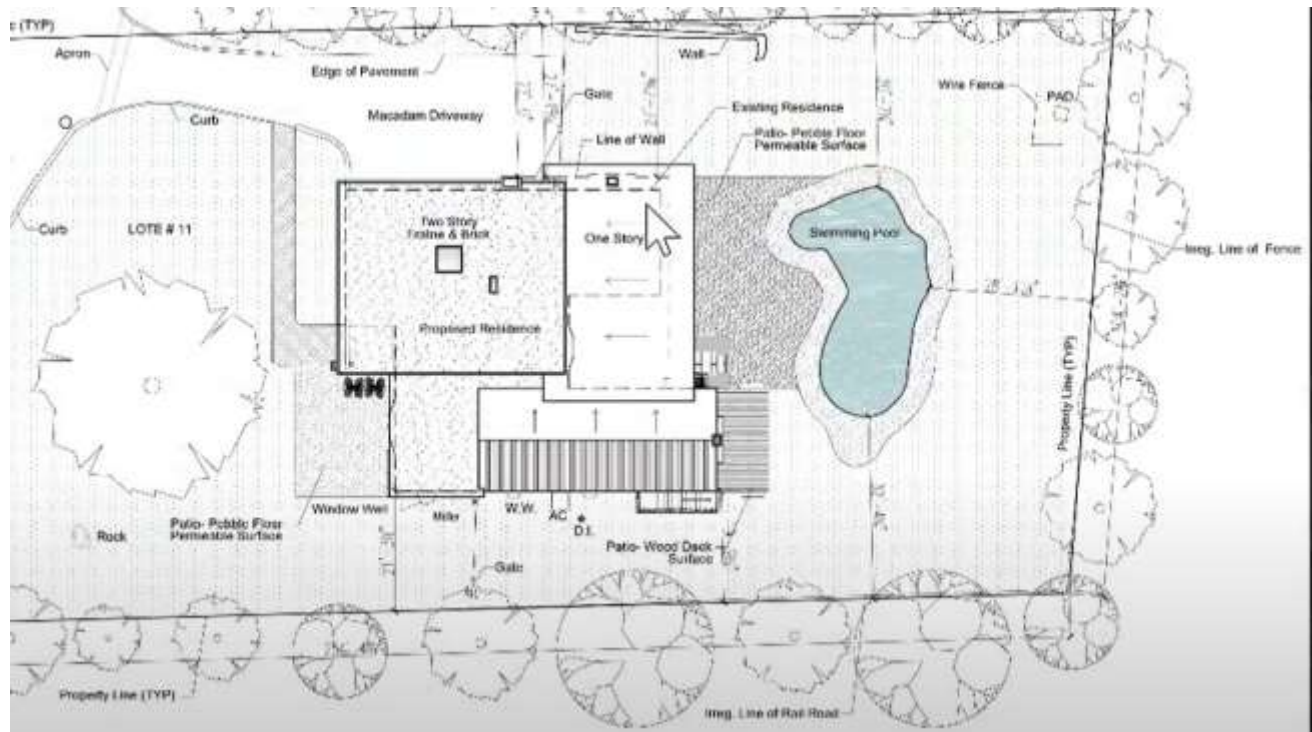
Thank You

Greg Sharp



2 Rendering of Proposed Front
On Not Scale See - Dimensions

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

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No one from the public addressed the Board.

Mr. Gombos asked if the proper noticing was done.

Mr. Sharp said the neighbors were properly notices.

Chairman Hofmann said the notices are sent by applicants, but they are not sent with the return receipt.

The following people addressed the Board: Ms. Laura Holzman/Neighbor. Ms. Holzman said she was informed about the project and her major concern is the construction noise.

Mr. Sharp addressed questions from Ms. Holzman. Mr. Sharp said there is no rock drilling, so we expect that it won't be as noisy of a venture as 1 Myrtle was. Mr. Sharp said they will work with everyone in a neighborly way.

Motion by Chairman Hofmann, seconded by Mr. Gombos to close the public hearing for the application of 11 Myrtle Avenue for proposed plans to construct an addition to the existing house.

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 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 checked="" 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	1 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

Motion by Chairman Hofmann, seconded by Mr. Gutman to approve the application of 11 Myrtle Avenue for proposed plans to construct an addition to the existing house, 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 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 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 checked="" 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	1 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

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4. 288 Ashford Avenue – Public hearing for proposed plans to construct roof over exterior stairs

The following Application to the Zoning Board of Appeals was submitted:

**APPLICATION TO ZONING BOARD OF APPEALS
VILLAGE OF BOWS 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: 3/30/2021
Applicant's Name: Arthur Gelbard Telephone: (914)260-3332
Property Location: 288 Ashford
Sect: 3.100 Block: 93 Lot/Block: 19

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 site drawings showing the exact location, dimensions, and the nature of all proposed structures. These requirements will ordinarily be met only 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 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 93 Section 3.100 Subdivision lot 19

The facts of the matter sought by the undersigned pursuant to the provisions of the Building Zoning Ordinance is as follows (Set forth briefly all pertinent facts and use numbered items if convenient).

This 3-family house was constructed circa 1925. At unknown date, it was converted from a one to a three family dwelling. Taxes have been paid on the house as a three-family dwelling at least since 2010. The lot is roughly 75'-0" x 100'-0" and roughly 3,139.0 sf or 0.17 acres. The house on the southeast corner of Ashford Avenue and Irvington Place, is built on a steep slope which allows convenient access from different grade levels to the basement, 1st floor and attic. The south side of the house is 3'-2-1/2" from the side lot line leaving a pathway to the upper rear yard, where an exterior steel stair to the attic level was built at an unknown date. The pathway in the side yards provides important access the rear of the property. The corner of the exterior stair, open at its sides, is located 3'-9-3/8" to the property line at its closest point. The stair, with the proposed roof, allows important egress from the attic. This is an existing non-conforming situation in this (OF) District (according to Appendix B, minimum side yard is 10'-0"). But, the non-conformance is not increased by the addition of the roof. The character of the roof and stair matches local vernacular design. See attached plans, elevations, sections and details.

Arthur Gelbard
Applicant

STATE OF NEW YORK
COUNTY OF WESTCHESTER

On this 25 day of MARCH, 2021 before me personally came Arthur Gelbard
who being duly sworn depose and say that he is the owner of the property and the applicant
above and that he is not a party to this hearing.

JOHN M SUOZZO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01SU6070919
Qualified in Westchester County
My Commission Expires March 11, 2022



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

3/2/21

Arthur Gelbard
288 Ashford Ave
Dobbs Ferry, NY 10522

Re: 288 Ashford Ave

S/B/L 3.100-93-19

Dear Mr. Gelbard,

Pursuant to a review of the submitted proposed plans to construct a roof over your existing exterior stairs, the following determinations were made.
All new structure or extension of an existing non-conformity must comply to current zoning.
The property is located in the OF-6 Zone.
The required minimum side yard set-back is 10'.
You have proposed a set-back of 3'-9 3/8".
Thus requiring a variance of 6'-2 5/8"

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) 231-8513.

Respectfully,

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

Ed Manley
Land Use Officer

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SEQR

PROJECT I.D. NO. 19-001

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

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

1. APPLICANT/SPONSOR Arthur Gelbard	2. PROJECT NAME 288 Ashford Ave
3. PROJECT LOCATION Hamlet DOBBS FERRY	County WESTCHESTER
4. PRECISE LOCATION (Street address and map coordinates, prominent landmarks, etc. or provide map) 288 Ashford Ave - southeast corner of Ashford Ave and Irvington Street. Lots 561, 562, 563 (per survey), S/B/L 3.100-93-19	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/Alteration	
6. DESCRIBE PROJECT BRIEFLY: Construct roof over previously constructed exterior stair that leads to an apartment on the top floor of 3-story building.	
7. AMOUNT OF LAND AFFECTED: Acres 0.17 Some Unusually 0.17 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: Stair within side yard setback. 3'-9 3/8" From side lot line.	
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 Residential	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) and permit/approvals	
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: Arthur Gelbard	Date: MAR 22 2021
Signature: <i>Arthur Gelbard</i>	

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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Jointly prepared by the Real Property Section of the New York State Bar Association, the New York State Land Title Association, the Committee on Real Property Law of the Association of the Bar of the City of New York and the Committee on Real Property Law of the New York County Lawyers' Association

WARNING: NO REPRESENTATION IS MADE THAT THIS FORM OF CONTRACT FOR THE SALE AND PURCHASE OF REAL ESTATE COMPLIES WITH SECTION 5-702 OF THE GENERAL OBLIGATIONS LAW ("PLAIN LANGUAGE").

CONSULT YOUR LAWYER BEFORE SIGNING THIS AGREEMENT

NOTE: FIRE AND CASUALTY LOSSES AND CONDEMNATION

This contract form does not provide for what happens in the event of fire, or other casualty loss or condemnation before the title closing. Unless different provision is made in this contract, Section 5-1311 of the General Obligations Law will apply. One part of that law makes a Purchaser responsible for fire and casualty loss upon taking possession of the Premises before the title closing.

Residential Contract of Sale

Contract of Sale made as of July , 2020

BETWEEN

Francesco Salvi and Francesca Salvi
Address: 26 Ridgeway Circle, White Plains, NY 10605
Social Security Number/Fed. I.D. No.(s):
Arthur Gelbard
Address: P.O. Box 60H, Scarsdale, NY 10583
Social Security Number/Fed. I.D. No.(s):

hereinafter called "Seller" and

hereinafter called "Purchaser"

The parties hereby agree as follows:

1. Premises. Seller shall sell and convey and Purchaser shall purchase the property, together with all buildings and improvements thereon (collectively the "Premises"), more fully described on a separate page marked "Schedule A", annexed hereto and made a part hereof and also known as:

Street Address: 288 Ashford Ave., Dobbs Ferry, NY 10522

Tax Map Designation:

Together with Seller's ownership and rights, if any, to land lying in the bed of any street or highway, opened or proposed, adjoining the Premises to the center line thereof, including any right of Seller to any unpaid award by reason of any taking by condemnation and/or for any damage to the Premises by reason of change of grade of any street or highway. Seller shall deliver at no additional cost to Purchaser, at Closing (as hereinafter defined), or thereafter, on demand, any documents that Purchaser may reasonably require for the conveyance of such title

and the assignment and collection of such award or damages.

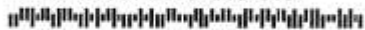
2. Personal Property. This sale also includes all fixtures and articles of personal property now attached or appurtenant to the Premises, unless specifically excluded below. Seller represents and warrants that at Closing they will be paid for and owned by Seller, free and clear of all liens and encumbrances, except any existing mortgage to which this sale may be subject. They include, but are not limited to, plumbing, heating, lighting and cooking fixtures, chandeliers, bathroom and kitchen cabinets and counters, mantels, door mirrors, switch plates and door hardware, venetian blinds, window treatments, shades, screens, awnings, storm windows, storm doors, window boxes, mail box, TV aerials, weather vane, flagpole, pumps, shrubbery, fencing, outdoor statuary, tool shed, dishwasher, washing machine, clothes dryer, garbage disposal unit, range, oven, built-in-microwave oven, refrigerator, freezer, air conditioning equipment

DRAFT MINUTES – NOT TO BE USED AS AN OFFICIAL DOCUMENT**Filing Local County Deeds**

P.O. BOX 610584
NORTH MIAMI, FL 33261

**PROPERTY DEEDS SERVICES**

GELBARD ARTHUR
288 ASHFORD AVE
DOBBS FERRY NY 10522-2037



T02990
11/25/2020

Property ID #	2022188
Date Sent:	11/25/2020
Please Mail By	12/15/2020
Service Fee:	\$94.00

X01VJ05983-DF0E44034

Property ID# 2022188

PLEASE MAIL BY:

DEC-15-2020

CONTACT US
infofilingservices@gmail.com
For Assistance or Questions
Regarding this Services

FLCD recommends that all USA Homeowners obtain a copy of their current Property Assessment Profile and current Grant Deed These documents can Validate the property was in fact transferred and or has interest to the individual(s) Public.

The "Property Assessment Profile" is a comprehensive property report that provides a wealth information on the property's makeup.

This important report includes Tax assessed value, Tax delinquency, Area Comparable values, legal description current owner information and parcel ID number. This report will return all pertinent property and owner information for the designated property Also provides information that can verify if property information is recorded correctly as a mistake can affect property taxes. The information on the report can also be used to contest your property taxes at the County level if you find you are paying higher property taxes that comparable properties in your area.

THIS SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY ANY GOVERNMENT AGENCY.
Services Provided can be found free of charge from County website. This is NOT a Bill.

DETACH AND MAIL**County RECORDS**

Name: GELBARD ARTHUR	Property ID# 2022188
Transfer Date: 5/11/2020	Purchase amount: \$ 760000
Sale Date: 5/11/2020	Property Use:

○ **Current Grant Deed:**

- • Grant Deed Provides legal evidence of ownership/interest
- • Shows Evidence that a transfer or interest was recorded
- • For the subject property or entity
- Shows evidence of subject property's Legal Description
- Shows Evidence to verify that recorded information is correct

Property Assessment Profile:

- County Tax & Assessment Information
- Total Assessor Value
- Total Tax Amount
- Subject Property Comparable Values
- Flood Report



PAYMENT METHOD:

DATE SENT
NOV-25-2020

DEED SERVICE
Fee
\$94.00

PLEASE MAIL
BY:
DEC-15-2020

CHECK/MONEY ORDER ENCLOSED ONLY
AMOUNT: \$94.00

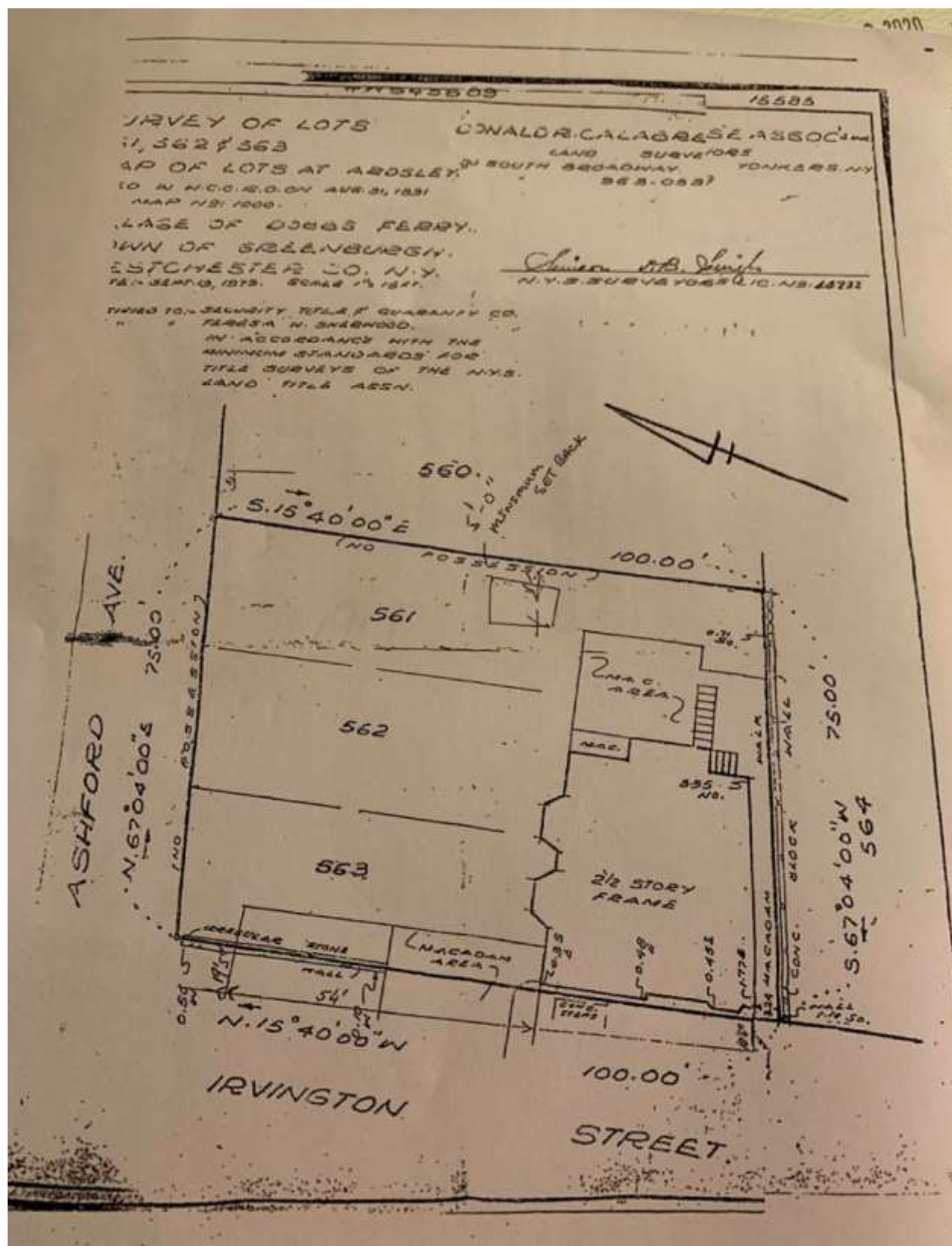
EMAIL:

PLEASE MAKE CHECK OR MONEY ORDER PAYABLE
TO:

Phone#

FLCD

RETURN THIS COMPLETED FORM WITH THE RETURN ENVELOPE INCLUDED. PLEASE ALLOW 2 WEEKS FOR Document to Delivered,
If You're not Satisfied with Services Provided, a Full Refund will be issue within 30 Days.



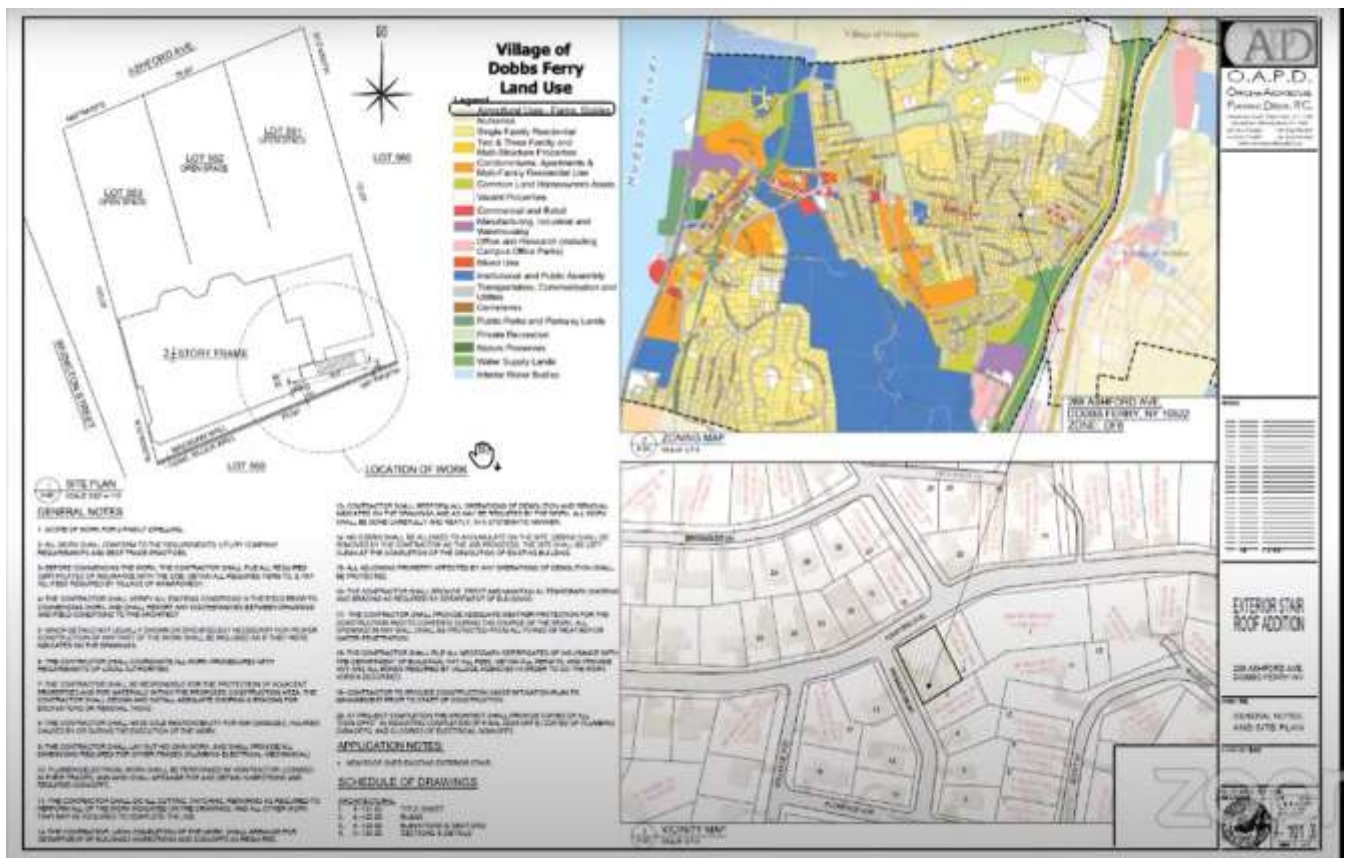
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Chairman Hofmann said this is to construct a roof over existing exterior stairs at 288 Ashford Avenue located in the OF-6 Zone. Chairman Hofmann noted the following:

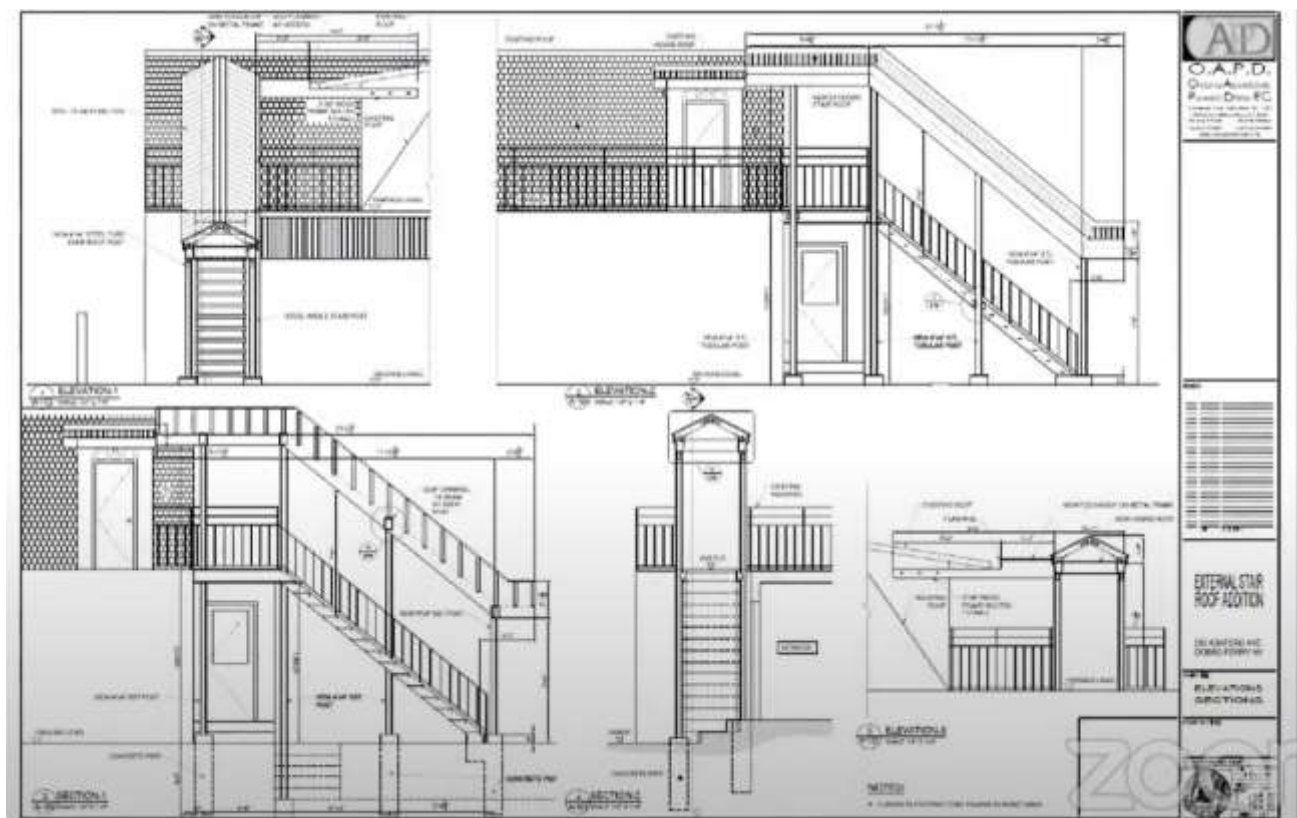
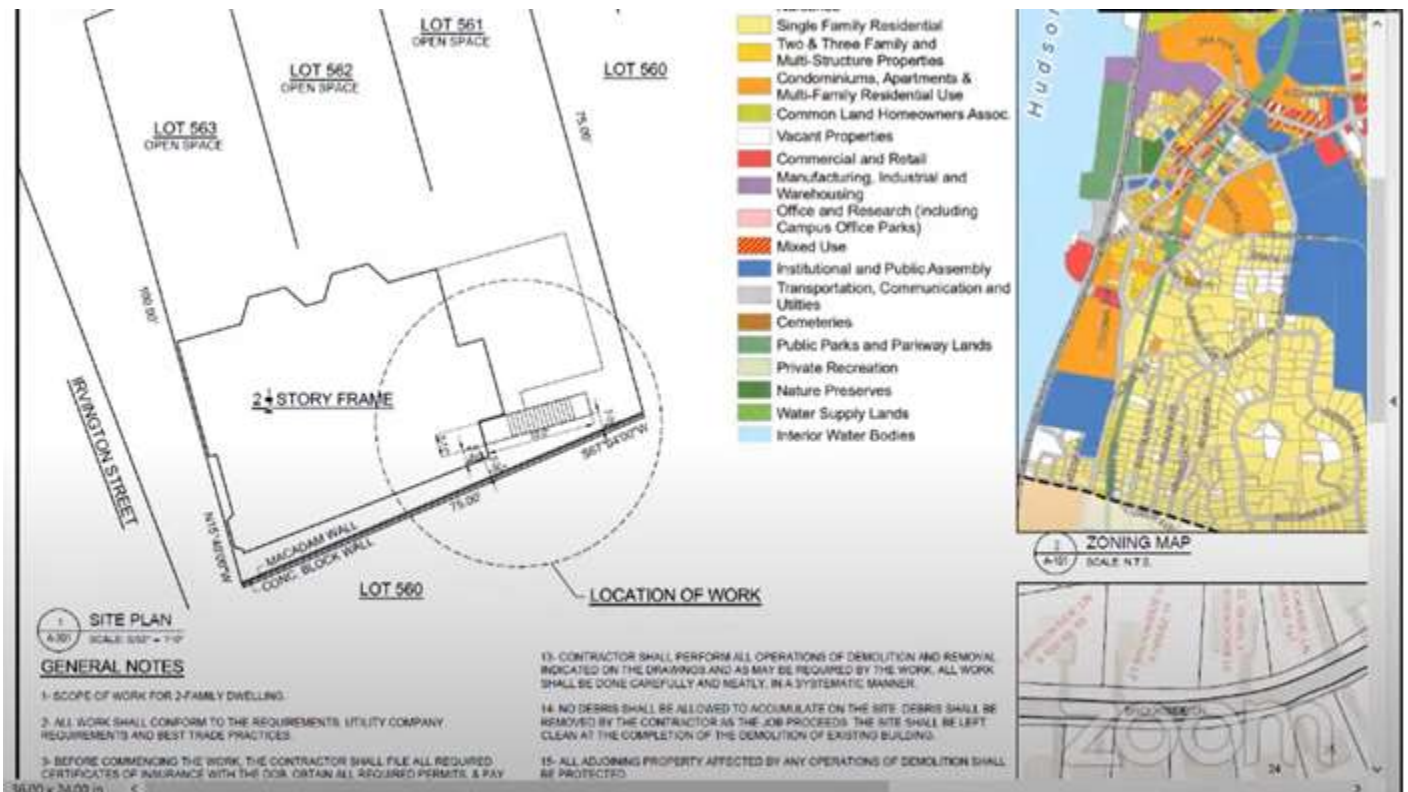
1. All new structure or extension of any non-conformity must comply with current zoning. The required minimum side yard set-back is 10'. The proposed is a set-back of 3'-9 3/8". Thus requiring a variance of 6'-2 5/8"

Mr. Arthur Yellin was present to represent the application.

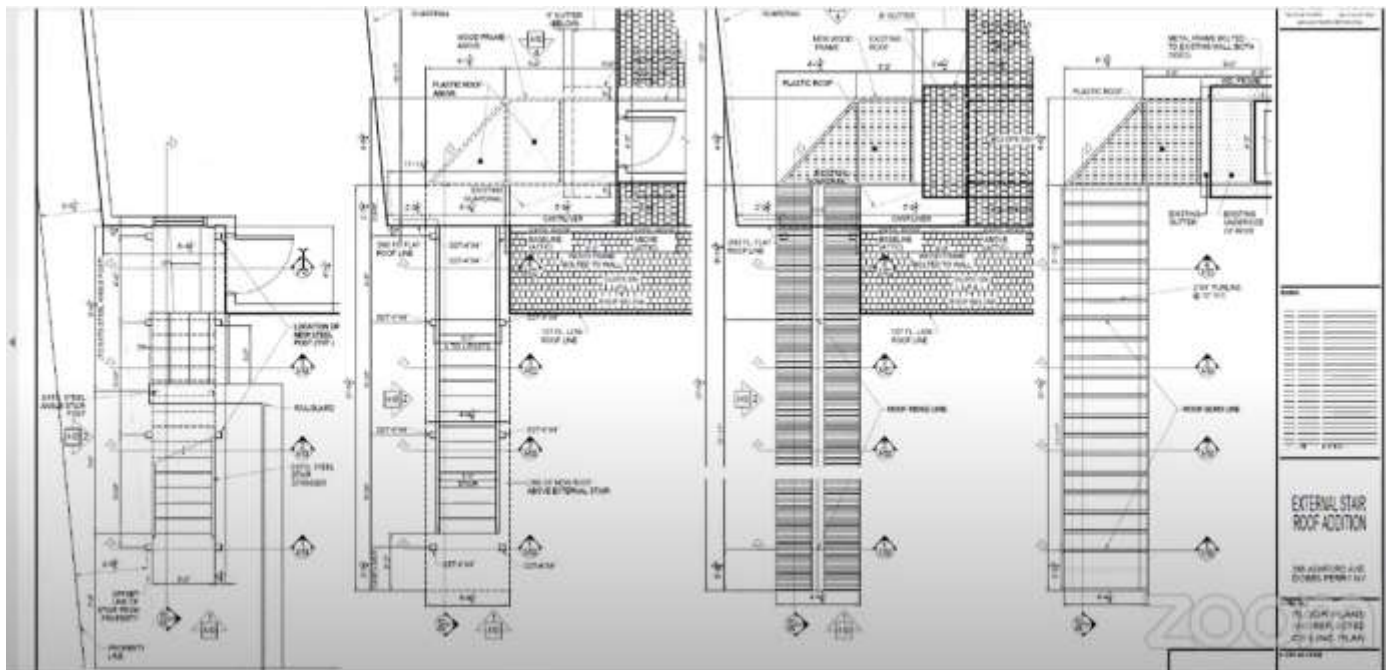
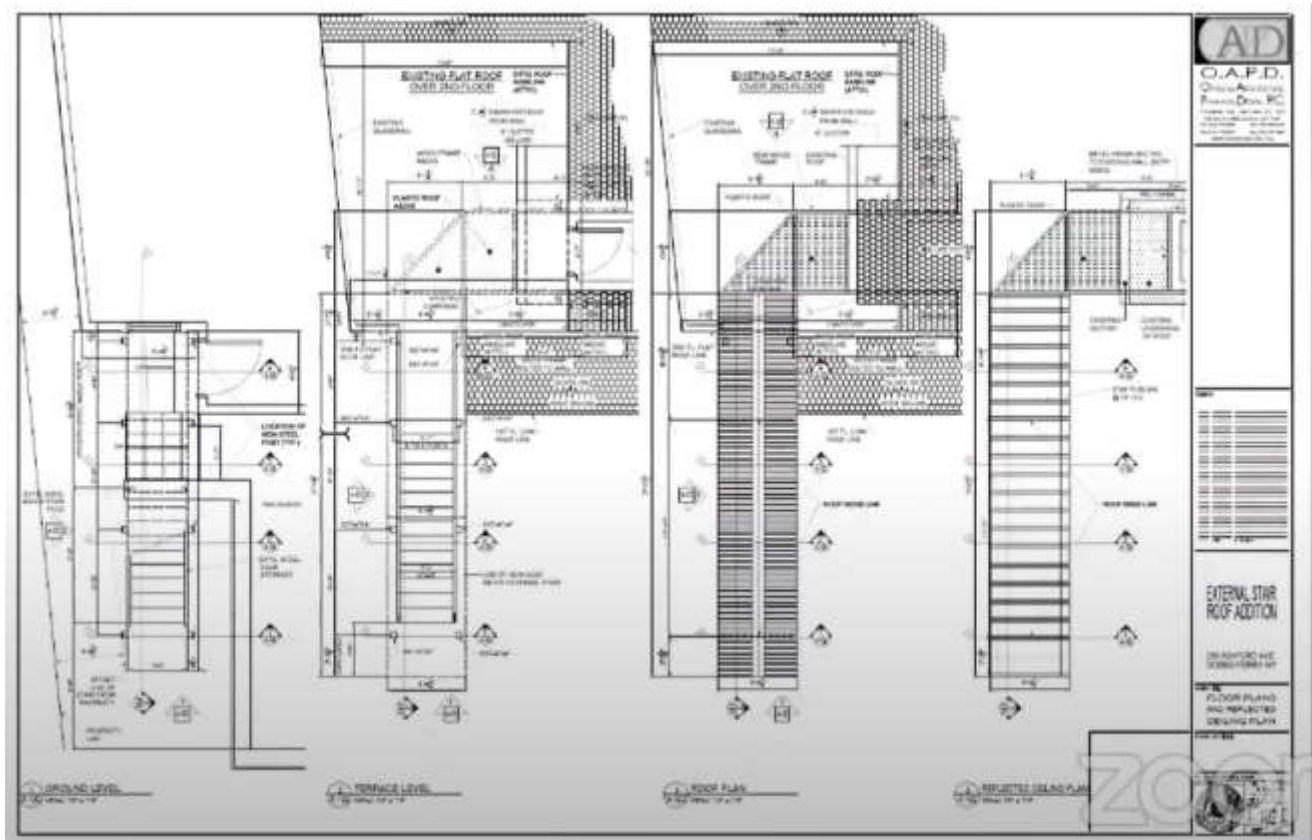
Mr. Yellin discussed the proposed application and displayed the following slides:



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Mr. Yellin noted that this is a new property owner and that the stair and conditions in the building are existing. Mr. Yellin said the application is to put a roof over the stairs.

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

Mr. Roemer said the application would need to go before the AHRB.

No one from the public addressed the Board regarding the proposed application.

Chairman Hofmann said there is a car in parking lot of this house without an engine in it. Chairman Hofmann asked Mr. Yellin to get rid of this.

Mr. Yellin said he would ask the owner.

Chairman Hofmann asked Mr. Roemer about the vehicle without an engine.

Mr. Roemer said according to State Code you can have up to one unregistered vehicle on your property. Mr. Roemer said he will look at the Village Code to find out more about this.

Motion by Chairman Hofmann, seconded by Mr. Gombos to close the public hearing for the application of 288 Ashford Avenue for proposed plans to construct roof over exterior stairs.

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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 type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1STALTERNATE	<input checked="" 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	1 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

Motion by Chairman Hofmann, seconded by Mr. Capasso to approve the application of 288 Ashford Avenue for proposed plans to construct roof over exterior stairs, 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 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 type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1STALTERNATE	<input checked="" 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	1 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

Motion by Chairman Hofmann, seconded by Mr. Capasso to close 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 type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1STALTERNATE	<input checked="" 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	1 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

The meeting closed at 9:10 p.m.