



VILLAGE OF DOBBS FERRY BOARD OF TRUSTEES AGENDA

MEETING DATE: FEBRUARY 22, 2022

AGENDA ITEM SECTION: DISCUSSION AND RESOLUTION ITEMS

AGENDA ITEM NO. : 5

AGENDA ITEM:

RESOLUTION: SCHEDULING A PUBLIC HEARING REGARDING PROPOSED REVISIONS TO VILLAGE CODE EXPANDING TREE PRESERVATION AND MANDATING RESTORATION

ITEM BACKUP DOCUMENTATION:

1. DRAFT RESOLUTION CALLING FOR FINALIZING DRAFT AND CIRCULATING INTRODUCTORY LAW TO REVISE TREE-RELATED PROVISIONS OF THE ZONING CODE, COMMENCING SEQRA REVIEW AND SETTING DATE OF PUBLIC HEARING
2. DRAFT LEGAL NOTICE FOR PUBLIC HEARING
3. SHORT ENVIRONMENTAL ASSESSMENT FORM PART 1 – PROJECT INFORMATION
4. SHORT ENVIRONMENTAL ASSESMENT FORM PART 2 – IMPACT ASSESSMENT



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

RESOLUTION __-2022

**RESOLUTION CALLING FOR FINALIZING DRAFT AND CIRCULATING
INTRODUCTORY LAW TO REVISE TREE-RELATED PROVISIONS OF THE
ZONING CODE, COMMENCING SEQRA REVIEW AND SETTING DATE OF
PUBLIC HEARING**

WHEREAS, the Board of Trustees of the Village of Dobbs Ferry has been considering revisions to the tree-related provisions in the Chapter 300 “Zoning” of the Dobbs Ferry Code to provide standards and more detailed regulations for the preservation of trees, including an expanded tree removal permit process with replacement obligations, and establish a Special Purpose Fund into which penalties and other fees will be deposited for the Village’s future use for tree planting, protection and preservation ; and

WHEREAS, now, having completed discussions during public meetings and reached consensus on the zoning text amendments, there remain no further impediments to moving forward with consideration of an introductory local law and meeting any and all obligations for revision to the Dobbs Ferry Zoning Code Chapter 300; and

WHEREAS, for purposes of New York State Environmental Quality Review Act (“SEQRA”), Part 1 of an Environmental Assessment Form has been prepared for the proposed action and the matter now requires referral and circulation of notice to meet legal requirements for revisions to the Village’s zoning code.

NOW THEREFORE BE IT RESOLVED, that as the sole approval authority for the above detailed action, the Board of Trustees hereby declares itself Lead Agency for purposes of SEQRA and based on review of Part 1 of the EAF determines the proposed zoning revisions to be an Unlisted Action; and

BE IT FURTHER RESOLVED, that, the Board of Trustees calls for an introductory local law to be drafted reflecting the proposed amendments to the Village Zoning text and calls for the scheduling of a public hearing to receive comments on the above-referenced Introductory Local Law in the board room at Village Hall, 112 Main Street on Tuesday, March 22, 2022 at 6:30 p.m., or as soon thereafter as the matter may be heard, with such hearing to be conducted in accordance with the law using a hybrid method combining in-person and virtual attendance in keeping with the Village's goal of protecting public health; and

BE IT FURTHER RESOLVED, that, once drafted, the above referenced local law proposing zoning amendments and a notice of hearing shall be referred, circulated, posted and published and otherwise made available by the Village Clerk in accordance with applicable laws, including submission to the Westchester County Planning Board in compliance with NYS General Municipal Law.

Motion By: _____ Seconded By: _____

Vote:

I hereby attest that the above Resolution was approved by the Board of Trustees at its February 22, 2022 meeting, and that I have been authorized to sign this Resolution by decision of the Board of Trustees.

Elizabeth A. Dreaper Date
Village Clerk



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PLEASE TAKE NOTICE that the Dobbs Ferry Village Board of Trustees will conduct a public hearing at Village Hall, 112 Main Street on Tuesday, March 22, 2022 at 6:30 p.m., or as soon thereafter as the matter may be heard, to receive public comment on an Introductory Local Law which proposes to amend the tree-related provisions in the Zoning Chapter of the Dobbs Ferry Code, Chapter 300 to provide standards and more detailed regulations for the preservation of trees, including an expanded tree removal permit process with replacement obligations, and establish a Special Purpose Fund into which penalties and other fees will be deposited for the Village's future use for tree planting, protection and preservation. In keeping with the Village's goal of protecting public health, the Hearing will be conducted using a hybrid format with both in-person and virtual participation options available to the public. For virtual participation, interested parties may be heard using a web-based videoconferencing service by: (i) typing "join.zoom.us" on your web browser and entering the Webinar ID #205 957 953, Passcode: 309361; or (ii) using the direct link <https://zoom.us/j/205957953?pwd=aU5YNHJVYkxub2lWN0RzQUZoVzROU09;> or (iii) dialing telephone number 929 205 6099. Parties may also provide written comments in advance of the hearing to the Village Clerk, 112 Main Street or by e-mail LDreaper@dobbsferry.com. Further details on the proposed local law and instructions for participation may be found online at the Village of Dobbs Ferry website www.dobbsferry.com

BY ORDER OF THE BOARD OF TRUSTEES

Dated: _____ 2022

Elizabeth Dreaper
Village Clerk

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: Revisions to Zoning Code, Chapter 300 Article VI Tree Commission and Section 300-51 "Tree Removal Permits"			
Project Location (describe, and attach a location map): Village of Dobbs Ferry, New York			
Brief Description of Proposed Action: The Village wishes to enact an ordinance to establishes policies, regulations and standards necessary to ensure that the Village will continue to realize the benefits provided by its trees by requiring a tree permit. See the attached proposed local law.			
Name of Applicant or Sponsor: Dobbs Ferry Village Board of Trustees		Telephone: (914) 231-8500	
		E-Mail:	
Address: 112 Main Street			
City/PO: Dobbs Ferry		State: NY	Zip Code: 10522
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

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

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

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

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

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

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Dobbs Ferry Village Board of Trustees</u> Date: <u>2/16/2022</u> Signature: _____ Title: _____		

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>