



**VILLAGE OF DOBBS FERRY BOARD OF TRUSTEES**  
**REGULAR MEETING AGENDA**

<b>MEETING DATE:</b> SEPTEMBER 13, 2022
<b>AGENDA ITEM SECTION:</b> DISCUSSION AND RESOLUTION ITEMS
<b>AGENDA ITEM NO. :</b> 9
<b>DEPARTMENT:</b>
<b>AGENDA ITEM:</b>  <b><u>RESOLUTION:</u></b> CONSIDER A RESOLUTION TO EXPLICITLY VOID ANY VAULTS THAT MAY HAVE BEEN PREVIOUSLY AUTHORIZED N THE EARLY 1900'S
<b>ITEM BACKUP DOCUMENTATION:</b>  1. DRAFT RESOLUTION



**VILLAGE OF DOBBS FERRY**  
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**RESOLUTION      -2022**

**OMNIBUS RESOLUTION REVOKING ANY AND ALL RIGHTS TO  
MAINTAIN PROJECTIONS OF AREAS AND VAULTS BEYOND PROPERTY  
LINES INTO THE PUBLIC RIGHT OF WAY**

**WHEREAS**, according to historic public records, on July 11, 1927 the Village Board of Trustees adopted a local Building Code which has long since been supplanted by the New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of Title 19 of the NYCRR (“Uniform Code”) which provides for the construction of safe, resilient, and energy efficient buildings throughout New York State; and

**WHEREAS**, said 1927 Building Code included Article 6 “Projections Beyond Property Line” which provided that “Areas and Vaults” defined as “spaces below the sidewalk immediately outside the building and enclosed by substantial walls” were permissible “but only by special permit granted by the Board of Trustees and revocable at its pleasure”; and

**WHEREAS**, there currently exists no special permit program for such “Areas and Vaults” and any benefit of maintaining such structures beneath the right of way, once so essential to the adjacent buildings during the nineteenth century for coal storage, has long been made obsolete by more modern practices; and

**WHEREAS**, during the ongoing streetscape project on Main Street, the Village discovered a number of vacant, unused and structurally unsound vaults projecting under the public right of way and accessible only from the basements of adjacent buildings which have been exposed to faster and more complete weathering than other building elements because of their location; and

**WHEREAS**, the danger posed by vaults to the public health and safety compels the Village to take action and formally declare that any alleged rights of the property owners to maintain these and other vaults in the right of way are void.

**NOW, THEREFORE, BE IT RESOLVED**, that, for the protection of public health and safety, the Dobbs Ferry Village Board of Trustees hereby declares as revoked and void

any and all rights and permissions imputed by private property owners to maintain areas and vaults beneath the public right of way; and

**BE IT FURTHER RESOLVED**, that, with such declaration, the Village Board hereby directs the adjacent property owners to abandon use of, eliminate and remove such areas and vaults by methods and means satisfactory to the Village, including but not limited to the construction of appropriate load bearing walls to seal off the vault and the introduction of compacted fill and similar materials.