



## **VILLAGE OF DOBBS FERRY BOARD OF TRUSTEES AGENDA**

<b>MEETING DATE:</b> OCTOBER 12, 2021
<b>AGENDA ITEM SECTION:</b> RESOLUTIONS
<b>AGENDA ITEM NO. :</b> 4
<b>AGENDA ITEM:</b> RESOLUTION FOR SITE PLAN APPROVAL FOR 185 ASHFORD AVENUE
<b>ITEM BACKUP DOCUMENTATION:</b> 1. DRAFT RESOLUTION





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

**RESOLUTION X-2021**

**VILLAGE OF DOBBS FERRY VILLAGE BOARD RESOLUTION  
GRANTING SITE PLAN APPROVAL**

**Property: 185-191 Ashford Avenue (Section Block and Lot 3.90-55-32.4 and DT Zone)**

**Background**

WHEREAS, Ashford Avenue Apartments LLC ("Applicant") is seeking Site Plan approval to substantially rehabilitate and expand a mixed-use building to include 12 residential dwelling units and two (2) retail/live work dwelling units ("Project"). The property is located at 185-191 Ashford Avenue, Section Block and Lot 3.90-55-32.4 ("Project Site") and is located in the DT, Downtown Transition, zoning district; and

WHEREAS, the Project is classified under the State Environmental Quality Review Act (SEQRA) implementing regulations as an Unlisted Action, in accordance with Article 8 of the State Environmental Conservation Law and 6 NYCRR § 617 and the Village Board assumed the role of Lead Agency on September 28, 2021; and

WHEREAS, this application received a recommendation of approval from the Planning Board on July 1, 2021; and

WHEREAS, the Village Board conducted a duly noticed public hearing on October 12, 2021, at which time all those wishing to be heard were given the opportunity to be heard, and the public hearing was closed on October 12, 2021; and

WHEREAS, The Planning Board has carefully examined and considered the materials submitted by the Applicant in support of the Project as follows:

1. Site Plan Application Form dated June 17, 2021
2. Short Environmental Assessment Form June 16, 2021
3. Coastal Assessment Form dated June 9, 2021
4. Site Plans by Christina Griffin Architects last revised September 9, 2021

WHEREAS, the Village Board has also reviewed and examined letters, reports, and memorandum from the Board's consulting engineer and planner; and

WHEREAS, the Village Board received and reviewed the Planning Board's recommendation of approval; and

WHEREAS, all testimony provided at the public hearing was carefully considered, and the Village Board deliberated in public on the Applicant's request for approval of the Project; and



### **Village Board Determination**

WHEREAS, the Village Board is familiar with the Project Site and the general vicinity and has reviewed the application in accordance with Chapter 300, Zoning and Land Use, of the Village Code; and

WHEREAS, Village Board has conducted an extensive review of the Applicant's proposal and finds that the Applicant has satisfactorily addressed the criteria for granting Section 300-52(D) of the Village Code including consistency with the Village's Local Waterfront Revitalization Plan; and

WHEREAS, the Village Board considered, among other things, traffic access; walkways; circulation and parking; stormwater; landscaping and screening; lighting; noise; natural and environmentally sensitive features; and whether the proposed project will exceed the capabilities of existing municipal roads or utility services; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Dobbs Ferry finds that the Project is an Unlisted Action under SEQRA, Article 8 of the State Environmental Conservation Law and 6 NYCRR Part 617, and based upon the review of the EAF Parts I, II, and III, and all application materials and consultant reports that were prepared for this action, the Board of Trustees adopts a Negative Declaration in connection with the Project; and

BE IT FURTHER RESOLVED, the Village Board of the Village of Dobbs Ferry determines that in accordance with Section 300-40 of the Village's Zoning and Land Use chapter, the Applicant must provide one (1) affordable housing unit in accordance with Sections 300-40 (A) and (B); and

BE IT FURTHER RESOLVED, the Village Board hereby finds that a proper case exists for requiring that a park be suitably located for playground or other recreational purposes within the Village and the Village Board finds in accordance with Section 300-52(J) Reservation of Parkland Park that a park cannot be suitably located on the property requiring payment of a fee in accordance with Master Fee Schedule.

BE IT FURTHER RESOLVED, the Village Board of the Village of Dobbs Ferry determines that based upon the findings and reasoning set forth below the application for Site Plan approval is granted subject to the following conditions:

1. Approved Plans. Except as otherwise provided herein, all work shall be performed in strict compliance with the plans submitted to the Planning Board and approved by the Planning Board as follows:
  - a. Site Plan Application Form dated June 17, 2021
  - b. Short Environmental Assessment Form June 16, 2021
  - c. Coastal Assessment Form dated June 9, 2021
  - d. Site Plans by Christina Griffin Architects last revised September 9, 2021
    - i. A-0 Title Sheet
    - ii. R-1 Rendering of Building
    - iii. M-1 Color Scheme Materials
    - iv. A-6C and A-7C Color Schemes, Elevations
    - v. S-1 Zoning Compliance
    - vi. S-2 Site Plan
    - vii. S-3 Location Map, Photos of Neighboring Properties
    - viii. S-4 Streetscape of Neighboring Properties



- ix. R-1 3D Renderings
- x. B-1 Basement Plan, Photos of Existing Conditions
- xi. A-1 First Floor Plan
- xii. A-2 Second Floor Plan
- xiii. A-3 Third Floor Plan
- xiv. A-4 Roof Plan
- xv. A-5 to A-7 Elevations
- xvi. E-1 Electric Plan
- xvii. LP-1 Landscape Plan
- xviii. C-1 Existing and Demolition Plan
- xix. C-2 Erosion and Sediment Control Plan
- xx. C-3 Stormwater Management Plan
- xxi. C-4 Details

2. The following conditions must be met before the Mayor may sign the approved Site Plan ("Final Site Plan"):

- a. The following Language shall be added to the plan: "Approved subject to all requirements and conditions of October 12, 2021, resolution of the Village Board of the Village of Dobbs Ferry, New York. Any change, erasure, modification, or revision of this plan, absent re-approval from the Village Board, shall void this approval."
- b. The Village Board's approval is conditioned upon Applicant receiving all approvals required by other governmental approving agencies without material deviation from the Approved Plans. Evidence of compliance with conditions and any such approvals must be submitted to the Village Building Department.
- c. The Applicant must address to the full satisfaction of the Village Engineer, all outstanding stormwater, stormwater maintenance agreement, and engineering issues raised in the hearings and documents submitted to the Board.
- d. The Applicant shall pay all outstanding consultant review and legal fees in connection with the Planning Board and Village Board review of this application.

3. Force and Effect.

- a. No portion of any approval by the Village Board shall take effect until (1) all conditions are met, (2) the final site plan is signed by the chair of the Village Board and (3) the final site plan signed by the Village Board has been filed with the Land Use Officer.
- b. Within 180 days after receiving approval of a site plan, with or without modifications, the applicant shall submit two paper copies and one electronic copy of the site plan to the Board of Trustees and/or the Planning Board for stamping and signing. This time frame may be extended for a maximum of two ninety-day periods.

4. Landscaping.

- a. In accordance with §300-44, required landscape improvements shall be installed prior to issuance of a certificate of occupancy for all structures. However, if the landscaping is not able to be installed prior to a certificate of occupancy being issued due to winter weather or other site limitations, the property owner shall post a financial guarantee for the improvements equal to 115% of the cost of improvements so that the certificate can be issued. Installation of



the landscape improvements shall then be completed before June 30 of the following year. This guarantee shall be released upon acceptance by the Village of the completed landscaping.

- b. All landscaping on the Approved Plans shall be installed in a healthy and vigorous state and shall be inspected at the beginning and end of the growing season within the first and second year of installation. Individual species that do not survive beyond the first and second year shall be replaced at the beginning of the next growing season with another native species suitable for the site conditions.
5. **Unbundled Parking.** The Applicant is proposing unbundled parking to occupants or tenants of the building. The renting of parking spaces other than occupants or tenants of the building will require further proceedings with the Village Board.
  6. **Commencing Work.** No work may be commenced on any portion of the site without first contacting the Building Inspector to ensure that all permits and approvals have been obtained and to establish an inspection schedule. The Project must adhere to all applicable State and Village Codes.
  7. **Issuance of Certificate of Occupancy.** No certificate of occupancy shall be issued until all improvements shown on the site plan are installed or a sufficient performance guaranty has been posted for improvements not yet completed. The performance guaranty shall be posted in accordance with the procedures specified in Village Law §7-725-a or 7-730, as applicable. The amount and sufficiency of such performance guaranty shall be determined by the Land Use Officer. The amount of such guaranty shall be in the form of 95% surety and 5% cash.
  8. **Escrow.** Applicant shall maintain escrow during construction in an initial minimum amount of \$5,000 with an ongoing obligation to replenish the account at any point when the balance shall reach or fall below \$1,500.

Motion By:

Seconded by:

<b>MAYOR ROSSILLO</b>	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
<b>DEPUTY MAYOR CASSELL</b>	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
<b>TRUSTEE DAROCZY</b>	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
<b>TRUSTEE KNELL</b>	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
<b>LAURA HAUPT</b>	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
<b>TRUSTEE PATINO</b>	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
<b>TRUSTEE SULLIVAN</b>					
<b>TRUSTEE TAYLOR</b>					
<b>VOTE TOTALS</b>	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
<b>RESULT:</b>	<b>MOTION:</b>				



I hereby attest that the above Resolution was approved by the Village Board at its October 12, 2021 meeting, and that I have been authorized to sign this Resolution by decision of the Planning Board.

Date