



VILLAGE OF DOBBS FERRY BOARD OF TRUSTEES AGENDA

MEETING DATE: OCTOBER 12, 2021
AGENDA ITEM SECTION: RESOLUTIONS
AGENDA ITEM NO. : 5
AGENDA ITEM: RESOLUTION FOR SITE PLAN APPROVAL FOR 100 DANFORTH AVENUE
ITEM BACKUP DOCUMENTATION: 1. DRAFT RESOLUTION



VILLAGE OF DOBBS FERRY
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Dobbs Ferry, New York 10522
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RESOLUTION X-2021

**VILLAGE OF DOBBS FERRY VILLAGE BOARD RESOLUTION
GRANTING SITE PLAN APPROVAL
Property: 100 Danforth Avenue
(Section Block and Lot 3.18-154-3.1 and CP, Chauncey Park)**

Background

WHEREAS, Lincoln Property Co ("Applicant") is seeking Site Plan approval to undertake an addition to enlarge the existing open-air terrace by approximately 1,032 square feet ("Project"). The subject property is located at 100 Danforth Avenue, Section Block and Lot 3.18-154-3.1 ("Project Site"). The Project Site is located in the Chauncey Park (CP) Zoning District; and

WHEREAS, the Project will result in the "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density" and is classified under the State Environmental Quality Review Act (SEQRA) implementing regulations as a Type II Action, in accordance with 6 NYCRR § 617.5(c)(12), requiring no further environmental review; and

WHEREAS, pursuant to Sections 239 L and M of the New York State General Municipal Law, the Village Board referred the application materials to the Westchester County Department of Planning for their information; and

WHEREAS, this application received a recommendation of approval from the Planning Board on September 9, 2021; and

WHEREAS, the Village Board conducted a duly noticed public hearing on September 28, 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 Plans prepared by MG New York Architects last revised September 16, 2021;
2. Stormwater Management Plan by Hudson Engineering dated August 31, 2021
3. Planning Board application received July 22, 2021
4. Coastal Assessment Form received July 22, 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, 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 Village Board and approved by the Village Board as follows:
 - a. Site Plans prepared by MG New York Architects last revised September 16, 2021:
 - i. A-000 Cover Sheet
 - ii. A-001 Existing Survey
 - iii. A-002 Existing Site Plan
 - iv. A-100 Existing Part Plan at Area of Work
 - v. A-101 Enlarged Demo Plan at Area of Work
 - vi. A-102 Existing Photos
 - vii. A-103 Enlarged Proposed Plan
 - viii. A-104 Details
 - ix. A-105 Preliminary Planting Palette
 - b. Stormwater Management Plan by Hudson Engineering dated August 31, 2021
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. 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.

5. 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.

6. 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.

Motion By:

Seconded by:

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

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