



VILLAGE OF DOBBS FERRY BOARD OF TRUSTEES
WORKSHOP AGENDA

MEETING DATE: SEPTEMBER 27, 2022
AGENDA ITEM SECTION: DISCUSSION TOPICS
AGENDA ITEM NO. :
AGENDA ITEM: AHRB MERGER WITH PLANNING BOARD
ITEM BACKUP DOCUMENTATION: 1. MEMORANDUM DATED SEPTEMBER 21, 2022 FROM MS. VALERIE MONASTRA, AICP/VILLAGE CONSULTING PLANNER TO MAYOR ROSSILLO AND THE BOARD OF TRUSTEES



MEMORANDUM

TO: Mayor Rossillo and Members of the Village Board of Trustees

FROM: Valerie Monastra, AICP

Re: Proposed Application Review Process for Planning and Architectural and Historic Review Boards

DATE: September 21, 2022

CC: Dan Roemer, Building Inspector
Melissa Gilbon Ferraro, Village Administrator
Lori Lee Dickson Esq., Village Attorney
Stephen Hunter, Planning Board Chair

Due to the review requirements of the Architectural and Historic Review Board (AHRB) and Planning Board, many applicants are required to obtain approvals from two different boards, which can take months to get approvals on small-scale projects. There is interest in streamlining the application reviews within the Village of Dobbs Ferry. Meetings to discuss the situation and possible solutions have been held with the Building Department, Village Administrator, Village Attorney, representatives from the Board of Trustees, the Chairs of the Planning and AHRB Boards, and the Planning Board. This memorandum provides information on the proposed restructuring of the two Boards, as well as the recommendations from the Planning Board on the restructuring.

Current Review Requirements of the Planning Board and Architectural and Historic Review Board (AHRB)

Planning Board

Section 300-52(A)(1) of the Zoning and Land Use chapter requires site plan approval for the following types of projects:

- a. Excavation or filling involving more than 300 cubic feet of earth.
- b. The disturbance of more than 2,000 square feet of land.
- c. The construction of a new building with more than 500 square feet of floor area.
- d. The expansion of any existing building by more than 500 square feet of floor area.
- e. The expansion or reduction of an existing one- or two-family structure by more than 500 square feet, by more than 10 feet horizontally, or by more than 10 feet vertically.
- f. A change of use of more than 1,000 square feet in an existing building.

Architectural and Historic Review Boards (AHRB)

Section 300-18 of the Zoning and Land Use chapter requires AHRB design review and approval for the following types of projects:

- a. The construction, reconstruction, or exterior alteration of any structure.
- b. Applications requiring site plan review.

c. Signs.

Section 300-19(A) of the Zoning and Land Use chapter requires AHRB historical review and a Certificate of Appropriateness for the following types of projects:

- a. Construction, reconstruction, exterior alteration, or demolition of properties which are one or more of the following:
 - Deemed to be contributing properties located in locally designated historic districts.
 - Locally designated as historic landmarks or scenic landmarks.
 - Designated on the state or national registers of historic places or located within historic districts on the state or national registers of historic places.
 - Listed as eligible for inclusion on the state or national registers of historic places as of the effective date of this section.

Proposed Reorganization of the Planning Board and AHRB

The AHRB has the ability, by resolution, to adopt rules and regulations for operation (§300-17(D)(1)). The following are recommended procedures that will provide an applicant with a more efficient review and approval process.

1. The functions of the AHRB would be transferred to the Planning Board. The Village would no longer have a separate AHRB Board; rather the Planning Board would concurrently serve on the AHRB and Planning Board.
2. All applicants that require Planning Board site plan approval and architectural review approvals would only need to appear before one board. The Planning Board will review and approve the architecture when rendering its final determination on the associated site plan/subdivision/special permit.
3. Current AHRB façade change, porch, canopies, or deck applications that do not require Planning Board approval would be reviewed by the AHRB as a separate application.
4. AHRB approval would be exempt for the following applications:
 - a. In-kind replacements of walls, fences, signs, canopies, and façade materials.
 - b. All sheds no more than 100 square feet and no more than 10 feet above grade at the ridge and only in the rear yard. All sheds must be painted, stained, or colored to match either the body or trim color of the house.
 - c. All retaining walls no more than five feet that are constructed of natural stone or have a natural stone veneer on all visible, exposed surfaces.
 - d. All new basement egress windows or doors, except on the front facade, provided that the windows and doors are located more than 50% below the most adjacent grade and the style of window or door matches that of the same facade.
 - e. All replacement windows or doors, showing no change in rough opening, style, or location. Windows and doors must fit in the existing window rough openings without modification. Windows and doors which have currently exposed exterior muntins must be replaced with same; SDL (Simulated Divided Lites) are acceptable.
5. The AHRB would adopt procedures by resolution that would allow for applications to no longer be required to seek board approvals, but would be processed within the Building Department,

similar to the process established for fences. This would include installing fences, walls greater than five feet, signs (not located in a historic district), and awnings (not located in a historic district). The process for the Building Department's review would be as follows:

- a. All applications will be reviewed based on the established design guidelines of the district or §§300-50, and 300-18(B)(2), Signs, of the Zoning and Land use Chapter.
 - b. The Building Department will require any applicant seeking replacement of windows and doors or installation of fences, walls greater than five (5) feet, signs (not located in a historic district), and awnings (not located in a historic district) to send out neighbor notifications of the project with the ability to provide objections on the project.
 - c. The Building Department will be able to send any applications that receive objections or applications that do not meet the established guidelines of the district or Section 300-50 of the Zoning and Land use Chapter to the Planning Board for AHRB approval.
 - d. The Building Department will also be able to obtain recommendations from the Planning Board as needed.
 - e. Any applications processed within the Building Department would be able to appeal any decision of the Building Department through the Zoning Board of Appeals.
6. The Planning Board, functioning as the AHRB, would review and approve all applications that require a Certificate of Appropriateness. The Planning Board would be able to retain additional professional expertise for any application that requires a Certificate of Appropriateness review. This would be coordinated at the Planning Board meetings.

A proposed local law is provided in the Board's packet for your consideration.

Planning Board Recommendation

The Planning Board reviewed the proposed procedures at its August 4, 2022, Planning Board meeting and support the procedures outlined above. There were two items, the size of the Planning Board and AHRB subcommittees, that the Planning Board would like to table for now. The Planning Board would like to determine the workload prior to making any recommendations to implement the changes to the size of the Planning Board or developing an AHRB subcommittee. Further explanations of both issues are detailed below.

1. Consolidating the AHRB and Planning Board functions would not require a change in the Planning Board makeup. Currently, the Planning Board is a five-member Board. New York State Village Law allows a Planning Board to have up to seven members. If the Village wants to offer any current AHRB members an opportunity to continue serving, the Village could consider expanding the current number of members from five to seven. The two additional members could also assist with the work of the AHRB subcommittee.
2. Current AHRB façade change, porch, canopies, or deck applications that do not require Planning Board approval would be reviewed by a subcommittee of the Planning Board. This would increase the efficiency in the review of AHRB applications before the Planning Board. The members of the subcommittee could rotate or be assigned for a period of time as the Planning Board so chooses. The process of the subcommittee would be as follows:
 - a. The subcommittee would meet once per month to review these applications.
 - b. Once their review is complete, the subcommittee will send their recommendations to the full Planning Board. At the first Planning Board meeting, after the subcommittee completes its review, the Planning Board will conduct its review of the application.