



VILLAGE OF DOBBS FERRY BOARD OF TRUSTEES
REGULAR MEETING AGENDA

MEETING DATE: SEPTEMBER 27, 2022

AGENDA ITEM SECTION: DISCUSSION AND RESOLUTION ITEMS

AGENDA ITEM NO. : 2

AGENDA ITEM:

RESOLUTION: CONSIDER A RESOLUTION TO SCHEDULE A PUBLIC HEARING TO CONSIDER A LOCAL LAW AMENDING THE ZONING CODE TO RESTRUCTURE THE PLANNING AND ARCHITECTURAL HISTORIC REVIEW BOARDS

ITEM BACKUP DOCUMENTATION:

1. DRAFT RESOLUTION
2. PUBLIC HEARING LEGAL NOTICE
3. INTRODUCTORY LOCAL LAW



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

**RESOLUTION TO SCHEDULE A PUBLIC HEARING TO CONSIDER A
LOCAL LAW AMENDING THE ZONING CODE TO RESTRUCTURE THE
PLANNING AND ARCHITECTURAL HISTORIC REVIEW BOARDS**

WHEREAS, the Board of Trustees of the Village of Dobbs Ferry is considering an Introductory Local Law which proposes amendments to the Zoning provisions of the Dobbs Ferry Code to reflect restructuring of the Planning and Architectural Historic Review Boards with the goal of further streamlining review of land use applications

NOW, THEREFORE, BE IT RESOLVED, that, the Board of Trustees hereby calls for the scheduling of a public hearing to receive comments on the above-referenced Introductory Local Law on October 11, 2022 at 7:30 p.m., or as soon thereafter as the matter may be heard, with such hearing to be conducted using a hybrid format offering in-person and virtual participation and made accessible to the public in compliance with open meetings law (NYS Public Officers Law, Article 7), or otherwise as may be permitted by local, state or federal order.



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PLEASE TAKE NOTICE that on October 11, 2022, the Dobbs Ferry Village Board of Trustees will meet to conduct a public hearing at 7:30 p.m., or as soon thereafter as the matter may be heard, to receive public comment on an Introductory Local Law which proposes amendments to the Zoning provisions of the Dobbs Ferry Code to reflect restructuring of the Planning and Architectural Historic Review Boards with the goal of further streamlining review of land use applications. Board members will participate from (a) 112 Main Street, Dobbs Ferry, NY, and (b) 19 Spring Valley Road, Wellfleet, MA. Except as may be authorized by any overriding federal, state or local order, all meetings of the Village's boards or committees qualifying as "public bodies" are conducted in accordance with Open Meetings Law (NYS Public Officers Law, Article 7). One or more board members may participate remotely under "extraordinary circumstances" as authorized by Open Meetings Law 103-a. Unless otherwise set forth on the Village website (www.dobbsferry.com), in the meeting notice or on the agenda, meetings are 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=aU5YNHJVYkxub2lWN0RzQUZoVzROUT09](https://zoom.us/j/205957953?pwd=aU5YNHJVYkxub2lWN0RzQUZoVzROUT09;); 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. A copy of the proposed local law and detailed 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

INTRODUCTORY LOCAL LAW XX-2022
REVISING CHAPTER 300 RELATING TO REORGANIZE PLANNING AND
ARCHITECTURAL HISTORICAL REVIEW BOARDS AND FUNCTIONS

A LOCAL LAW to amend Chapter 300 _____.

BE IT ENACTED by the Board of Trustees of the Village of Dobbs Ferry, as follows:

Section 1. Legislative Intent. The Village Board of Trustees seeks to amend Dobbs Ferry Village Code Chapter 300 Zoning to _____.

Section 2. Chapter 300, Section 300-17 (B) of the Code of Dobbs Ferry entitled "Establishment and organization" is hereby deleted and replaced with the following:

§300- 17 (B) Establishment and organization.

- (1) There is hereby established in the Village of Dobbs Ferry an Architectural and Historic Review Board (AHRB) which shall consist of each member of the Village Planning Board. The term of each member of the Planning and AHRB shall run concurrently. The Chair of the Planning Board shall serve as the Chair of the AHRB. The meetings of the AHRB shall be conducted concurrently with the meetings of the Planning Board. The AHRB may conduct special meetings as necessary to meet the obligations of the board. All minutes, records, decisions or other official actions of the AHRB will be recorded as a component of the Planning Board records and shall be filed with the Village Clerk and become a public record.
- (2) All members of the AHRB shall be residents of the Village, and at least two members shall have particular expertise in architecture, historic preservation, landscape architecture, urban design, real estate, building construction, community, and regional planning or related fields. At least one member shall be a registered architect in the State of New York, and at least one member shall:
 - (a) Possess a degree or certification in historic preservation granted by an institution of higher education; and/or
 - (b) Demonstrate expertise in historic preservation through a history of employment in the field or in projects involving historic preservation in a related field such as architecture, construction or planning.

Section 3. Chapter 300, Section 300-17 (C) of the Code of Dobbs Ferry entitled “Powers” is hereby amended with the addition of a new subsection (1) as follows, with the remaining, existing subsections to be renumbered thereafter:

- (1) The Architectural and Historic Review Board has the right to promulgate and adopt rules and procedures, and amend same from time to time, as appropriate to the efficient operation of the board, with such Rules and Procedures to be memorialized in writing and maintained among the Village records. As one means to increase efficiency, the rules and procedures may include the ability to establish sub-committees of the board, in a number not constituting a quorum, for purposes of review and report back to the full board for consideration and action at public meetings of the board.

Section 4. Chapter 300, Section 300-18 of the Code of Dobbs Ferry entitled “Design review” is hereby deleted and replaced with the following:

§300-18. Design review.

- A. When required. Except as listed in Subsection B below, AHRB review shall be mandatory for the following types of applications:
 - (1) The construction, reconstruction or exterior alteration of any structure.
 - (2) Applications requiring site plan review.
 - (3) Signs and canopies.
 - (4) Walls
- B. Exemptions. The following applications for building permits are exempt from mandatory review by the AHRB, with the discretionary right reserved to the Building Inspector to request review by the AHRB:
 - (1) In-kind replacements of walls, fences, signs, canopies, and façade materials.
 - (2) Non-permanent siting of accessory sheds under the following conditions: (a) no larger than 100 square feet; (b) no higher than 10 feet above grade at the ridge; (c) located in rear yard; and (d) painted, stained or colored to match either the body or trim color of the house.
 - (3) Retaining walls under the following conditions: (a) no higher than five feet; and (b) constructed of natural stone or having a natural stone veneer on all visible, exposed surfaces.
 - (4) All new basement egress windows or doors, except on the front facade, provided that such windows and doors are located more than 50% below the most adjacent grade and the style of window or door in consistent with the same facade.

- (5) Replacement windows or doors under the following conditions: (a) no alteration of style, size or location; (b) must be installed in existing rough openings without modification; (c) windows with currently exposed exterior muntins must be replaced with same style (Simulated Divided Lites, known as SDLs are acceptable).

C. Procedure.

- (1) In all cases where site plan approval is required, as stated in other sections of this chapter, the review by the AHRB shall be given concurrently or prior to the Planning Board's review for site plan approval.
- (2) In all cases where site plan approval is required by the Village Board of Trustees, as stated in other sections of this chapter, the review by the AHRB for recommendation shall be given concurrently or prior to the Planning Board's review for recommendation on the site plan.
- (3) In all cases where site plan approval is not required by the Planning Board or Village Board of Trustees, separate application shall be made to the Board of Architectural Review, and approval is required prior to the issuance of a building permit.

D. Criteria for decision.

- (1) Buildings and structures. The Architectural and Historic Review Board shall approve, approve with modifications and/or conditions, or deny a permit for a building or structure in accordance with the expertise and judgment of its members, who shall be guided in their decision by the following resources:
 - (a) Appendix F: Downtown Design Guidelines.
 - (b) Appendix G: Residential Design Guidelines.
 - (c) Appendix I: Historic District Design Standards.
 - (d) Consistency with the Vision Plan, or other designated and adopted comprehensive plan, and the Local Waterfront Revitalization Plan (LWRP).
 - (e) Consistency with the findings of the environmental quality review, if applicable.
 - (f) Harmony with the character of the neighborhood and surrounding area.
 - (g) The Field Guide to American Houses and other recognized architectural field guides selected by the Architectural and Historic Review Board for use as guidelines on historic styles and related massing, materials and details.
 - (h) The Secretary of Interior's Standards for the Treatment of

Historic Properties.

- (i) The provisions of this article.
- (2) Signs. The Architectural and Historic Review Board shall consider the compatibility and harmony of proposed signs with existing and proposed improvements on the property, the surrounding built and natural environment and existing signs on nearby properties, in particular:
 - (a) The sign should utilize materials and colors that are compatible with those used on the building.
 - (b) The amount of information on the sign should be minimized, and the relative size of the lettering should be similar to other signs of the same type (e.g., wall signs, awning signs or monument signs) in the area.
 - (c) The sign should not mask architectural features on the building or viewsheds identified in the Vision Plan or this chapter.
 - (d) The intensity of sign lighting should be similar to that of surrounding signs, but the type of lighting may differ from sign to sign.
- E. Time for decision. Within 45 days of a complete application, the Architectural and Historic Review Board shall approve, deny or approve the application subject to conditions in accordance with the law. This time period is subject to such extensions of time as may be required by the Architectural and Historic Review Board to obtain further information, to complete the environmental quality review process, or for the applicant to submit amendments to the application. The failure to render a decision on an application within 45 days of a complete application does not result in an automatic approval.
- F. Post-approval/denial/recommendation/procedure. If the application requires approval from the Board of Trustees pursuant to this chapter (the Architectural and Historic Review Board is rendering a recommendation to the Board of Trustees instead of an approval), the Architectural and Historic Review Board shall make its recommendation together with a resolution detailing its findings and the conditions of approval to the Board of Trustees. If the application does not require additional approval from the Board of Trustees, the Architectural and Historic Review Board shall approve or disapprove the application. With the exception of recommendations to the Board of Trustees, all decisions by the Architectural and Historic Review Board shall be appealable to the Zoning Board of Appeals within 30 days of the filing of written findings with the Village Clerk. The Board of Trustees shall be responsible for final review and approval of applications following review and recommendation by the Architectural and Historic Review Board for the following districts: Waterfront (A); Waterfront (B); Chauncey Park; Downtown; and Educational/Institutional District. The Architectural and Historic Review Board shall recommend approval, approval with modifications or disapproval for projects in these five zones and the matter shall then be heard and determined by the Board of Trustees.

- G. Public meetings. The Architectural and Historic Review Board shall conduct meetings in compliance with Open Meetings Law (NYS Public Officers Law, Article 7) and as set forth In Chapter 1, Article II of this Code, during which the application will be reviewed. Since these meetings are not conducted as public hearings, opportunity for public participation shall be at the discretion of the Architectural and Historic Review Board.

Section 5. Except as otherwise provided herein, all other provisions of the Dobbs Ferry Code shall remain the same.

Section 6. This Local Law shall take effect immediately upon filing with Secretary of State and shall be published and posted as required by law, including NYS Village Law concerning local zoning amendments.