



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

**MEETING DATE:** OCTOBER 12, 2021

**AGENDA ITEM SECTION:** PUBLIC HEARINGS

**AGENDA ITEM NO. :** 2

**AGENDA ITEM:** CONSIDER REQUEST FOR SITE PLAN APPROVAL  
FOR 185 ASHFORD AVENUE

**ITEM BACKUP DOCUMENTATION:**

1. PUBLIC HEARING LEGAL NOTICE
2. SHORT ENVIRONMENTAL ASSESSMENT FORM PART 2-  
IMPACT ASSESSMENT
3. FULL ENVIRONMENTAL ASSESSMENT FORM PART 3-  
EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF  
PROJECT IMPACTS AND DETERMINATION OF SIGNIFICANCE
4. DRAFT RESOLUTION GRANTING SITE PLAN APPROVAL



## **VILLAGE OF DOBBS FERRY**

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

### **LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN** that a public hearing will be conducted by the Village Board of Trustees on Tuesday, October 12, 2021 at 6:30 p.m., or as soon thereafter as the matter may be heard, to consider a request for site plan approval for property at 185-191 Ashford Avenue located in the DT (Downtown Transitional) zoning district for the expansion of a mixed-use building to include 12 residential units (including set-aside for affordability) and 2 retail/live work dwelling units.

The hearing will be conducted using a hybrid method combining in-person and virtual attendance in keeping with the Village's goal of protecting public health and in compliance NYS Part E, Chapt. 147 of the Laws of 2021 permitting virtual participation by Board Members.

For virtual participation, interested parties may be heard using Zoom, a web-based videoconferencing service:

Webinar ID 861 5028 5812, Passcode: 289013. Copy/paste the following link:

<https://us02web.zoom.us/j/86150285812?pwd=ZkNIUDRRSzdUOTI2NQZlOTIwTyU0O9> or by Telephone: 1 929 205 6099 during the hearing.

A copy of the materials in support of the project will be included on the Village Website [www.dobbsferry.com](http://www.dobbsferry.com) along with the meeting agenda. Village Board of Trustees will also accept written comments forwarded in advance to [LDreaper@dobbsferry.com](mailto:LDreaper@dobbsferry.com).

### **BY ORDER OF THE BOARD OF TRUSTEES**

Dated: October 4, 2021

Elizabeth Dreaper  
Village Clerk

Project: 185-191 Ashford Avenue

Date: 10/4/21

***Short Environmental Assessment Form***  
***Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

# CORTESE CONSTRUCTION

78 Main Street  
Dobbs Ferry, NY 10522  
914-478-4250

**Project: Mix- Use Building**  
**Location: 185-191 Ashford Ave**

<b>Phase 1</b>	<b>1 month</b>	<b>4 trips per day</b>
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Install erosion controls  
Demo 2 story framed structure  
Excavate new foundation and drainage system  
Install drainage system

<b>Phase 2</b>	<b>8 months</b>	<b>2 trips per day</b>
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Pour new foundation footings,walls,slab and steps  
Backfill foundation and install leader drains  
Construct new building

<b>Phase 3</b>	<b>1 month</b>	<b>2 trips per day</b>
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Install landscaping  
Install sidewalk, curbs, pavers and asphalt  
Install sign and striping

**Full Environmental Assessment Form**  
**Part 3 - Evaluation of the Magnitude and Importance of Project Impacts**  
**and**  
**Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The Part I EAF identified three environmental areas that required additional information and those were: threatened or endangered species, construction impacts, and archaeological resources. The EAF Part I identified the Bald Eagle as a potential threatened or endangered species that may be located or have a habitat within the project site. The Project will be located on previously disturbed land that currently includes an existing building. The Bald Eagle or its habitat is not located within the project site. The Applicant provided additional information on construction impacts including daily truck trips and truck routes. The Board finds the construction impacts to be minor and temporary. While project site is within an archaeologically sensitive area, the project will be located on previously disturbed land and as a result will not impact any archaeologically sensitive resources. Based upon review of submitted plans and materials; site visits; comments by the Board's professionals and by the public made in the course of the public hearing process; and review of the Part I and Part II SEAF and supplementary materials; it has been determined that the proposed action will not result in any significant adverse environmental impact.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status: ☐ Type 1 ☒ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information  
found within the land use approval process record

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
Village Board of Trustees \_\_\_\_\_ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: 185-191 Ashford Avenue

Name of Lead Agency: Village Board of Trustees

Name of Responsible Officer in Lead Agency: Vincent Rossillo

Title of Responsible Officer: Mayor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person: Mayor Rossillo

Address: 112 Main Street Village of Dobbs Ferry, NY 10522

Telephone Number: 914-231-8500

E-mail: mayorrossillo@dobbsferry.com

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>





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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