



VILLAGE OF DOBBS FERRY BOARD OF TRUSTEES AGENDA

MEETING DATE: OCTOBER 12, 2021
AGENDA ITEM SECTION: PUBLIC HEARINGS
AGENDA ITEM NO. : 4
AGENDA ITEM: CONSIDER REQUEST FOR SITE PLAN APPROVAL AT THE MASTERS SCHOOL CAMPUS AT 49 CLINTON AVENUE
ITEM BACKUP DOCUMENTATION: <ul style="list-style-type: none">1. PUBLIC HEARING LEGAL NOTICE2. NEGATIVE DECLARATION – THE MASTERS SCHOOL - 49 CLINTON AVENUE3. DRAFT RESOLUTION GRANTING SITE PLAN APPROVAL

ITEM BACKUP DOCUMENTATION:

1. PUBLIC HEARING LEGAL NOTICE
2. NEGATIVE DECLARATION – THE MASTERS SCHOOL - 49
CLINTON AVENUE
3. 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 the property at 49 Clinton Avenue in the EI ("Educational/Institutional") zoning district for construction of a proposed 22,361 s.f. Innovation and Entrepreneurship Center educational building and related site improvements on an undeveloped portion of the 90-acre Masters School campus.

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=ZkNIUDRRSzduT25lQzNCaklOTWtyUT09> 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 along with the meeting agenda. Village Board of Trustees will also accept written comments forwarded in advance to LDreaper@dobbsferry.com.

BY ORDER OF THE BOARD OF TRUSTEES

Dated: October 4, 2021

Elizabeth Dreaper
Village Clerk

NEGATIVE DECLARATION

Village of Dobbs Ferry Village Board

Determination: In accordance with the provisions of 6 NYCRR Part 617.7, the Village of Dobbs Ferry Village Board, acting as Lead Agency for this Unlisted Action involving Coordinated SEQR review, having reviewed and analyzed a Full Environmental Assessment Form (FEAF) with supporting environmental analyses and site plans for the proposed property and its use, has determined that the action as set forth below will not have a significant adverse impact on the environment and the Planning Board hereby adopts this Negative Declaration.

Lead Agency: Village of Dobbs Ferry Village Board

Name of Project: Master School Innovation and Entrepreneurship Center

Location: 49 Clinton Avenue

Tax Map Parcel: Section Block and Lot 3.90-66-1, Village of Dobbs Ferry, Westchester County

Zone: EI

SEQRA Status: Unlisted

Proposed Action:

The Masters School ("Applicant") is seeking Site Plan approval to construct a three-story (plus cellar), approximately 22,361 square foot Innovation and Entrepreneurship Center ("IEC") on its campus in front of the Middle School Building. The IEC would be a new, educational and workshop building for the school's engineering and computer science curriculum. The engineering and computer science classes are already offered at the Masters School, and therefore, the development of IEC is for existing students and the project would not increase the student body population or faculty. The project would not require additional new parking because the building is being built to centralize these classes into one building. The project would also include the installation of green stormwater management practices, including a bioretention pond and subsurface controlled-flow stormwater detention. The project proposes new landscaping and a vegetated buffer along the nearby parking area. Views to and from the nearby historically designated Estherwood Mansion and Carriage House would be preserved.

The project also proposes to merge the six (6) tax lots comprising the property into a single tax lot, and this is being undertaken administratively by the Town of Greenburgh.

The plans and documents that are the subject of this Negative Declaration are as follows:

1. Site Plan Application Form dated April 1, 2021
2. Full Environmental Assessment Form February 16, 2021
3. Coastal Assessment Form dated April 1, 2021
4. Stormwater Pollution Prevention Plan by MFS Consulting Engineers & Surveyor dated August 30, 2021
5. Revised Site Plan Designs prepared by Marvel, last revised September 20, 2021

- a. G001V Sheet Index
- b. G-010 and G-011 Survey, prepared BY Kenneth B. Salzmann dated January 27, 2021
- c. G-031 Emergency Access
- d. Z-100 Zoning Map
- e. C-101 Civil Notes
- f. C-300 Demolition and Site Clearing Plan
- g. C-400 Soil and Erosion Control Plan
- h. C-500 Site Plan
- i. C-502 Construction Access Plan
- j. C-600 Proposed Grading and Drainage Plan
- k. C-700 Utility Plan
- l. C-701 Utility Relocation Plan
- m. C-900 and C-901 Construction Details
- n. L-100 Layout Plan
- o. L-200 Material Plan
- p. L-400 Tree Plan
- q. L-410 Understory Plan
- r. L-600 Site Plan
- s. L-610 and L-620 Site Sections
- t. L-700 and L-710 Typical Details
- u. A-100 through A-104 Floor Plans
- v. A-300 and A-301 Building Elevations
- w. A-320 and A-321 Building Sections
- x. S-501 Retaining Wall Detail
- y. S-505 Typical Details
- z. LL-010 Site Lighting Plan
- aa. LL-011 Site Lighting Photometric

Background and Reasons Supporting the Negative Declaration:

Based upon review of submitted plans and materials, comments by the Board's professionals, input from various involved and interested agencies, and public comments made in the course of the public hearing process, and a review of the FEAF and supplementary materials, it has been determined that the proposed action will not result in any significant adverse environmental impact. The following shall serve as the Village Board's evaluation of potential environmental concerns:

Impacts on Land.

The Proposed Action will not have a significant adverse environmental impact with respect to the construction on, or physical alteration of, the land surface of proposed site.

The proposed project would disturb 1.01 acres and would be constructed within one phase over 18 months. The total impervious surfaces will increase by 0.20 acres. The project is an extension of an existing educational use which is permitted within the zoning district. The project will be zoning compliant.

No unique geological resources are located on the site.

49 CLINTON AVENUE NEGATIVE DECLARATION

Impacts on Water (includes Surface Water, Groundwater, Floodplains, and Wetlands).

The Proposed Action will not have a significant adverse environmental impact on any wetlands or other surface water bodies. The Proposed Action will not result in the alteration of, or encroachment into any existing stream, wetland, or water body. The Proposed Action will not create any new water body and will not result in an increase or decrease of the surface area of any body of water. The Proposed Action will not include construction of any intake for withdrawal of water from surface water, or the construction of any outfall for discharge of wastewater to surface water.

The Proposed Action will not have a significant adverse environmental impact with respect to new or additional use of ground water and will not have a significant adverse environmental impact with respect to the introduction of contaminants to ground water or an aquifer. The Project will not require new water supply wells or septic systems.

Land uses of this type are not associated with the discharge of contaminants into aquifers or other ground water sources. There will be no bulk storage of petroleum or chemicals on the project site. The project does not include or require wastewater discharged to ground water, and is not located within 100 feet of potable drinking water or irrigation sources

The Proposed Action will not have a significant adverse environmental impact with respect to drainage or the development of lands subject to flooding. The Proposed Action will not result in development in a designated floodway, a 100-year floodplain or a 500-year floodplain. There will be no modification of existing drainage patterns or any change to water flows that will contribute to flooding.

Approximately 2.17 acres of land will be physically disturbed as a result of the Proposed Action. However, 0.83 will be for the new construction and the remainder will be temporary disturbance. The Applicant will provide an Erosion and Sediment Control Plan to ensure that there is no erosion of the soil. The project would also include the installation of green stormwater management practices, including a bioretention pond and subsurface controlled-flow stormwater detention. The project proposes new landscaping and a vegetated buffer along the nearby parking area.

The project does not involve excavation, mining or dredging during construction, and will not create turbidity in any water body, either from upland erosion, runoff or by disturbing bottom sediments. There will be no application of pesticides or herbicides in or around any water body by the project. The project will not affect the water quality of any water bodies within or downstream of the Site. The wastewater generated by the Project is within the capacity of existing treatment facilities.

Impact on Traffic, Traffic Safety and Transportation.

The site is located on 49 Clinton Avenue, which is a village road. The Proposed Action will not have a significant adverse environmental impact on existing transportation systems. The project would not require additional new parking because the building is being built to centralize these classes into one building and therefore there will be no increase to traffic as a result of the proposed project. The Proposed Action will not result in a drop in the Level of Service of

surrounding roadways. The Proposed Action will not degrade existing transit access or existing pedestrian/bicycle accommodations.

Additional traffic due to construction will be temporary. The construction schedule estimates an average of 15 daily construction truck trips per day during months 2-5, with a peak of 30 truck trips per day. The Applicant anticipates that there will be a peak of 15 daily truck trips from months 6-12. The truck traffic for months 12-18 will average about 4-8 daily trips. The construction staging area and all construction equipment will be located on the project site. It is anticipated that construction trucks will travel to the project site using Broadway and Clinton Avenue, and there will be no queuing of construction vehicles on Clinton Avenue.

Impacts on Plants and Animals.

The NYS Department of Environmental Conservation (“DEC”) Environmental Resource Mapper identified the following threatened or endangered species: Shortnose Sturgeon and Atlantic Sturgeon. These species are related to the Hudson River and not the Project Site. A consultation with the NYS DEC was undertaken, and an email dated July 30, 2021, was sent by NYS DEC that stated that they did not anticipate any impacts to either sturgeon species. The Proposed Action will not have a significant adverse environmental impact with respect to the loss of flora or fauna. The project will not cause a significant reduction in the population or the loss of any threatened or endangered species, listed by New York State or the Federal government, as there is no such species in the project area. The project will not result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the Federal government, as the project area is not a habitat for such species.

Impacts on Agricultural Resources.

The site is not used for agricultural purposes nor is it located in a state-certified Agricultural District. Based on the foregoing, the Proposed Action is not anticipated to result in any adverse impacts to agricultural resources.

Impact on Aesthetic, Historic and Archaeological Resources.

The Proposed Action will not have a significant adverse environmental impact on any historic or archaeological resources. The project site is substantially contiguous to the Estherwood and Carriage House and is within an archaeologically sensitive area. Views to and from the nearby historically designated Estherwood Mansion and Carriage House would be preserved. The Applicant undertook consultation with SHPO, and a response in the form of a letter dated July 16, 2021, was received. SHPO concluded that the project would have No Adverse Impact on the historic or archaeological resources.

Impact on Open Space and Recreation.

The proposed project creates no new residential uses and therefore generates no new demand for recreational facilities, and no adverse impacts on same. The project site is not located within view of any town, county, or state recreational trails, so there will be no impact on same.

Impact on Critical Environmental Areas.

The Project Site is not contiguous or within a designated as a Critical Environmental Area ("CEA").

Impacts on Planning and Zoning, Growth or Community Character.

The Proposed Action will not have a significant adverse environmental impact as a result of the Proposed Action being inconsistent with the Village's adopted land use plans as well as county and regional renewable energy initiatives. The Proposed Action is supported by existing infrastructure and no secondary development impacts are proposed or expected.

The Proposed Action will not have a significant adverse environmental impact upon community services. The Proposed Action will not replace or eliminate existing facilities, structures, areas of historic importance to the community, or create significant adverse demand for additional community services. The Village's current community services have the capacity to meet the needs of the Proposed Action.

Impacts on Energy, Noise, Odor and Air Quality

The potential changes in ambient noise levels resulting from construction would be temporary due to construction. However, once constructed the noise produced will be minimal and will meet the Village's Chapter 234, Peace and Good Order, noise regulations. The project will meet all local noise regulations during construction and all noise generated from the construction will be temporary.

The Proposed Action will not have a significant adverse environmental impact on any State regulated air emission source. There is no State-regulated air emission source associated with the Proposed Action. The project does not require Federal or State air emission permits.

The Proposed Action will not have a significant adverse environmental impact as a result of an increase in the use of any form of energy. The existing energy infrastructure would continue to serve the project site. The Proposed Action does not require a new, or an upgrade to any existing substation.

The Proposed Action is not anticipated to generate any noxious odors and no adverse impacts are anticipated.

Impact on Human Health.

The Proposed Action will not have a significant adverse environmental impact on human health from exposure to new or existing sources of contaminants. The project site does not contain any known existing contamination, is not undergoing remediation and there are no new contamination sources or hazardous waste associated with the Proposed Action.

Other Impacts. No other potentially significant adverse impacts were identified.

Summary:

Based on the foregoing SEQRA evaluation, the Village Board finds that the Proposed Action will not result in a significant adverse impact, and the Board hereby adopts this Negative Declaration.

Date of Action:



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: 49 Clinton Avenue (Section Block and Lot 3.90-66-1 and EI,
Educational/Institutional Zoning District)**

Background

WHEREAS, the Masters School ("Applicant") is seeking Site Plan approval to construct a three-story (plus cellar), approximately 22,361 square foot Innovation and Entrepreneurship Center ("IEC") on its campus in front of the Middle School Building ("Project"). The subject property is located at 49 Clinton Avenue, Dobbs Ferry New York, Section Block and Lot 3.90-66-1 ("Project Site"). The Project Site is located in the Educational/Institutional (EI) 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 April 13, 2021; 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 Village 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 April 1, 2021
2. Full Environmental Assessment Form February 16, 2021
3. Coastal Assessment Form dated April 1, 2021
4. Stormwater Pollution Prevention Plan by MFS Consulting Engineers & Surveyor dated August 30, 2021
5. Revised Site Plan Designs prepared by Marvel, last revised September 20, 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 and all application materials and consultant reports that were prepared for this action, the Board of Trustees adopts a Negative Declaration (attached as an exhibit) in connection with the Project; and

FURTHER 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 Planning Board and approved by the Planning Board as follows:
 - a. Stormwater Pollution Prevention Plan by MFS Consulting Engineers & Surveyor dated August 30, 2021
 - b. Revised Site Plan Designs prepared by Marvel, last revised September 20, 2021
 - i. G001V Sheet Index
 - ii. G-010 and G-011 Survey, prepared BY Kenneth B. Salzmänn dated January 27, 2021
 - iii. G-031 Emergency Access
 - iv. Z-100 Zoning Map
 - v. C-101 Civil Notes
 - vi. C-300 Demolition and Site Clearing Plan
 - vii. C-400 Soil and Erosion Control Plan
 - viii. C-500 Site Plan
 - ix. C-502 Construction Access Plan
 - x. C-600 Proposed Grading and Drainage Plan
 - xi. C-700 Utility Plan
 - xii. C-701 Utility Relocation Plan
 - xiii. C-900 and C-901 Construction Details
 - xiv. L-100 Layout Plan

- xv. L-200 Material Plan
- xvi. L-400 Tree Plan
- xvii. L-410 Understory Plan
- xviii. L-600 Site Plan
- xix. L-610 and L-620 Site Sections
- xx. L-700 and L-710 Typical Details
- xxi. A-100 through A-104 Floor Plans
- xxii. A-300 and A-301 Building Elevations
- xxiii. A-320 and A-321 Building Sections
- xxiv. S-501 Retaining Wall Detail
- xxv. S-505 Typical Details
- xxvi. LL-010 Site Lighting Plan
- xxvii. LL-011 Site Lighting Photometric

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. **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.
 7. **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:

MAYOR ROSSILLO	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
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 KNELL	<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					

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VOTE TOTALS	AYE	NAY	ABSTAIN	RECUSE	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