



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

<b>MEETING DATE:</b> MAY 10, 2022
<b>AGENDA ITEM SECTION:</b> DISCUSSION AND RESOLUTION ITEMS
<b>AGENDA ITEM NO. :</b> 2
<b>AGENDA ITEM:</b>
<b><u>RESOLUTION:</u></b> CONSIDER A RESOLUTION FOR 72 COLONIAL AVENUE SITE PLAN
<b>ITEM BACKUP DOCUMENTATION:</b> <ul style="list-style-type: none"><li>1. MEMORANDUM DATED MAY 5, 2022 FROM VALERIE MONASTRA, AICP/VILLAGE CONSULTING PLANNER TO MAYOR ROSSILLO AND THE BOARD OF TRUSTEES</li><li>2. DRAFT RESOLUTION</li></ul>

**ITEM BACKUP DOCUMENTATION:**

1. MEMORANDUM DATED MAY 5, 2022 FROM VALERIE MONASTRA, AICP/VILLAGE CONSULTING PLANNER TO MAYOR ROSSILLO AND THE BOARD OF TRUSTEES
2. DRAFT RESOLUTION



## MEMORANDUM

**TO:** Mayor Rossillo and Members of the Village of Dobbs Ferry Board of Trustees

**FROM:** Valerie Monastra, AICP

**CC:** Melissa Ferraro, Village Administrator  
Elizabeth Dreaper, Village Clerk

**DATE:** May 5, 2022

**RE:** 72 Colonial Avenue

---

Niall Cain (the “Applicant”) is seeking Site Plan approval for renovation of an existing deck and railings, a six-foot-tall perimeter deer fence, and landscaping including new plantings, paving, retaining walls and pervious driveways. The property is located at 72 Colonial Avenue, Section Block and Lot 3.120-113-10 (“Project Site”) and is in the OF-5, One Family Residential 5 zoning district.

## GENERAL AND PROCEDURAL COMMENTS

1. **County Board Referral.** This Project requires a notification to the Westchester County Planning Board per section 239 L, M, and N of the New York State General Municipal Law and section 277.61 of the County Administrative Code because the project is within 500 feet of the Old Croton Aqueduct State Park.
2. **SEQR.** This application is categorized as a Type II action under SEQR because it consists of the “construction, expansion or placement of minor accessory/appurtenant residential structures.” No additional SEQR review is necessary.
3. **Site Plan Approval.** This application requires Site Plan approval by the Planning Board per Section 300-52 of the Zoning chapter. A public hearing conducted by the Planning Board will be required.
4. **Village Board Approval.** This application will require approval from the Village Board for an encroachment onto the Village right-of-way due to the construction of the proposed retaining wall.
5. **Zoning.** The project site is in the One Family Residential 5 zoning district. The Applicant has provided a bulk table.

6. **Architectural and Historic Review Board.** This application will require Architectural and Historic Review Board approval.
7. **Local Waterfront Revitalization Consistency.** The Village Board will need to make a consistency determination with the Village's LWRP per §300-52 (D) as part of its final Site Plan approval. The Applicant has not provided a Coastal Consistency Form and needs to submit one.

#### **SUBMISSION MATERIALS**

The following materials were submitted by the Applicant and examined by our office for the preparation of this review:

- Permit Application by Niall Cain dated February 18, 2022
- Site Plans by Niall Cain/ Architects dated January 28, 2022
  - A001 General Notes, Legends
  - L100 Landscape Plan, Stormwater Management (last revised April 19, 2022)
  - A100 Construction Plans
  - A200 Exterior Elevations, Site Sections
  - A500 Exterior Details
  - A501 Exterior Details

**72 COLONIAL AVENUE – NIALL CAIN – CONSIDERATION OF PERMISSION FOR ENCROACHMENT INTO THE PUBLIC RIGHT-OF-WAY**

**WHEREAS**, at the meeting on May 10, 2022 the Board of Trustees of the Village of Dobbs Ferry acknowledged a referral by the Building Inspector serving as Land Use Officer of certain application materials related to proposed improvements to property located at 72 Colonial Avenue in the OF-5 (“One Family Residential 5”) Zoning District which will require site plan approval by the Planning Board for proposed renovation of an existing deck, a six-foot deer fence and landscaping, including a retaining wall, a portion of which will encroach onto the Village right-of-way; and

**WHEREAS**, with the understanding that the Planning Board has jurisdiction for approval of the site plan, the applicant, Niall Cain presented an overview of the project with specific focus on the proposed encroachment so that the Village Board was able to provide comments and ask questions as a pre-requisite to making its determination as to the encroachment.

**NOW, THEREFORE, BE IT RESOLVED**, that, the Board of Trustees of the Village of Dobbs Ferry has considered the request by the Applicant for permission to complete certain improvements which will encroach into the Right-of-way and hereby \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**BE IT FURTHER RESOLVED** that, \_\_\_\_\_