#### PRESENT:

Stephen Hunter, Chairman Stephen Brosnahan Laura Haupt Rob Lane Peter Winder, 1<sup>st</sup> Alternate Member

## **ALSO PRESENT:**

Ed Manley/Building Inspector
Dan Roemer/Assistant Building Inspector
Dan Pozin/Attorney for the Village
Anthony Oliveri/Village Consulting Engineer
Valerie Monastra/Village Consulting Planner
Trustee Liaison Deputy Mayor Donna Cassell/Board of Trustees
Ms. Jennifer Dorman/DPW Senior Office Assistant

**EXCUSED**: Allen Hale

Chairman Hunter called the meeting to order.

Chairman Hunter welcomed Valerie Monastra as the Village Consulting Planner and Mr. Anthony Oliveri as the Village Consulting Engineer.

## 1. Adopt minutes for Planning Board meeting of July 1, 2021

Motion by Chairman Hunter, seconded by Ms. Haupt to adopt the minutes of July 1, 2021 as submitted.

CHAIRMAN HUNTER		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
STEPHEN BROSNAHAN		☐ NAY	ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
ROB LANE		☐ NAY	ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
ALLEN HALE	☐ AYE	☐ NAY	☐ ABSTAIN	RECUSE	
LAURA HAUPT		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
PETER WINDER, 1 <sup>ST</sup> ALTERNAATE MEMBER		☐ NAY	☐ ABSTAIN	☐ RECUSE	☐ ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED
RESULT:			MOTION	: PASSES	

# 2. 185 Ashford Avenue – Continuation of public hearing for site plan approval for proposed new multi-use building

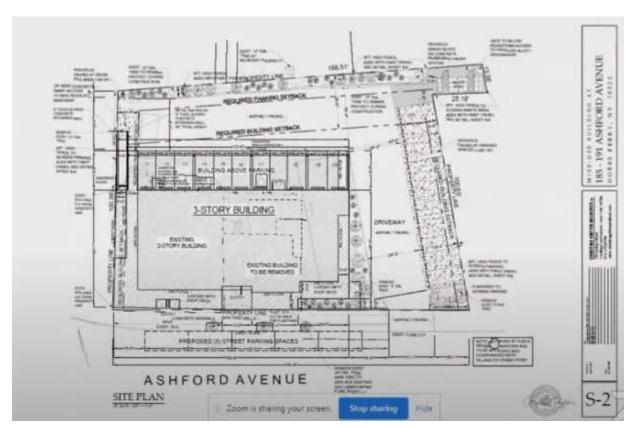
Ms. Christina Griffin/Architect, Ms. Suzanne Levine/Project Architect and Mr. Andrew Cortese/Property owner were present to represent the application.

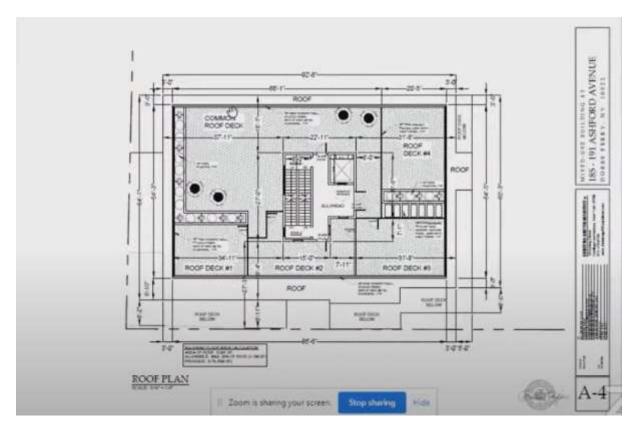
## **Discussion:**

- Ms. Griffin said they read the memo from the Village Planner and the Village Engineer and they have addressed almost all of the items.
- Ms. Griffin discussed the proposed application, reviewed the items that they addressed and displayed the following slides:

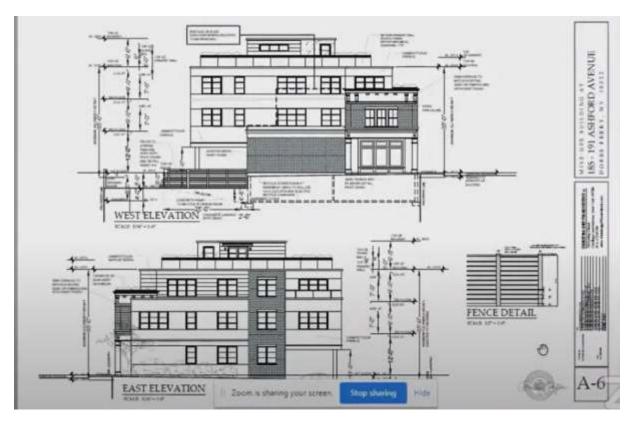


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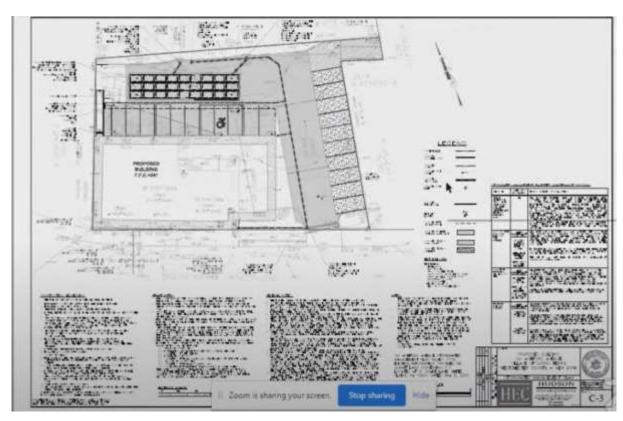


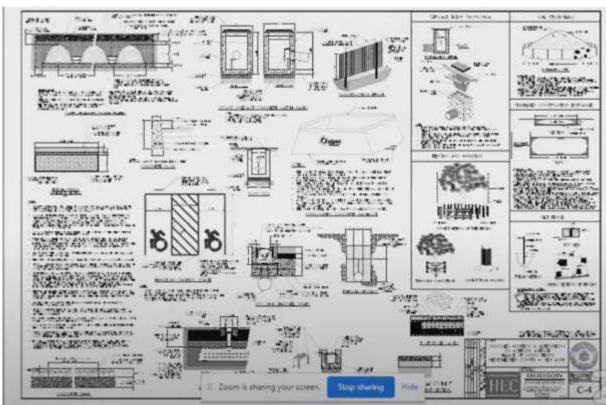
















ABSENT/EXCUSED

ABSENT/EXCUSED

#### DRAFT MINUTES - NOT TO BE USED AS OFFICIAL DOCUMENT

Chairman Hunter said the Board is not prepared to take action on this tonight.

AYE

AYE

**CHAIRMAN HUNTER** 

**VOTE TOTALS** 

**RESULT:** 

**STEPHEN BROSNAHAN** 

Motion by Chairman Hunter, seconded by Mr. Lane to open the public hearing for the application of 185 Ashford Avenue for site plan approval for proposed new multi-use building.

**ABSTAIN** 

**ABSTAIN** 

**RECUSE** 

**RECUSE** 

NAY

NAY

ROB LANE		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED		
ALLEN HALE	☐ AYE	☐ NAY	☐ ABSTAIN	RECUSE			
LAURA HAUPT		☐ NAY	ABSTAIN	RECUSE	☐ ABSENT/EXCUSED		
PETER WINDER, 1 <sup>ST</sup> ALTERNAATE MEMBER		☐ NAY	☐ ABSTAIN	☐ RECUSE	ABSENT/EXCUSED		
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED		
RESULT:			MOTION	: PASSES			
No one from the public addressed the Board  Action:  Motion by Chairman Hunter, seconded by Mr. Lane to close the public hearing for the application of 185-191 Ashford Avenue for site plan approval for proposed new multi-use building.							
191 Ashford Avenue for site p	olan approv	al for propos	sed new multi-use	building.			
191 Ashford Avenue for site p CHAIRMAN HUNTER	olan approv	al for propos	sed new multi-use	building.	☐ ABSENT/EXCUSED		
				I	··		
CHAIRMAN HUNTER	⊠ AYE	□ NAY	ABSTAIN	RECUSE	ABSENT/EXCUSED		
CHAIRMAN HUNTER STEPHEN BROSNAHAN	AYE     AYE	NAY NAY	ABSTAIN ABSTAIN	RECUSE RECUSE	☐ ABSENT/EXCUSED ☐ ABSENT/EXCUSED		
CHAIRMAN HUNTER STEPHEN BROSNAHAN ROB LANE		NAY NAY	ABSTAIN ABSTAIN ABSTAIN	RECUSE RECUSE RECUSE	ABSENT/EXCUSED  ABSENT/EXCUSED  ABSENT/EXCUSED		

0

ABSTAIN

0

**MOTION: PASSES** 

**RECUSE** 

1

ABSENT/EXCUSED

Chairman Hunter said the Board will take action at the next meeting.

5

Ms. Monsastra asked Chairman Hunter if he wants her to prepare a resolution.

AYE

0

NAY

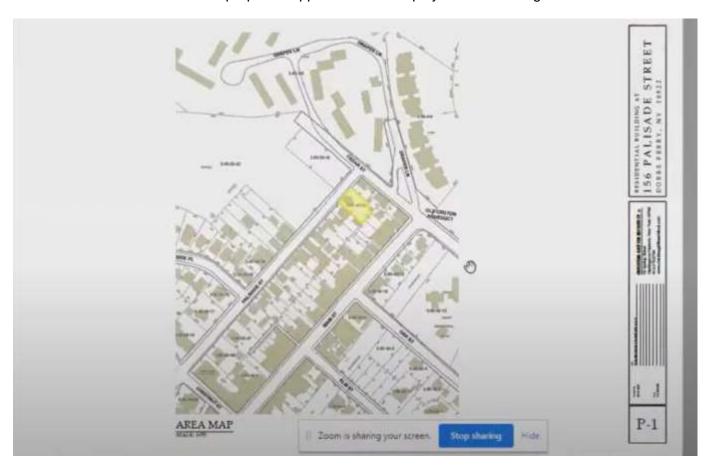
Chairman Hunter said he would like for Ms. Monastra to prepare a resolution.

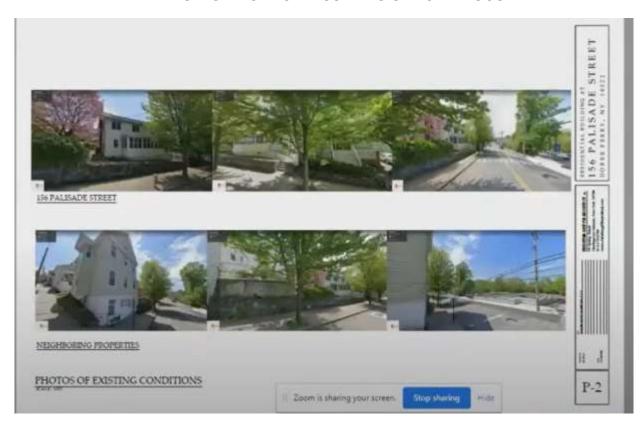
# 3. 156 Palisade Street – Continuation of public hearing for site plan approval for proposed new multi-family building

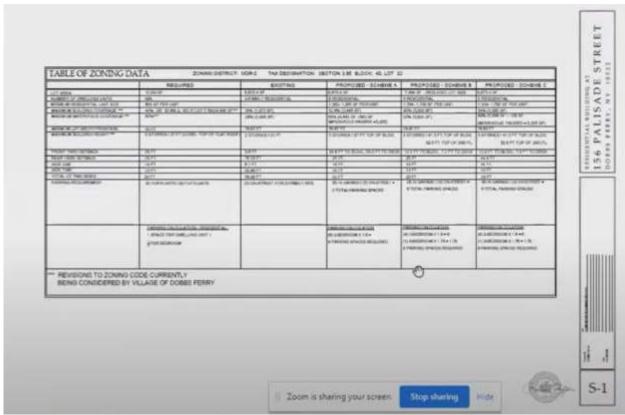
Ms. Christina Griffin/Architect and Mr. Michael Lang/156 Palisade LLC were present to represent the application.

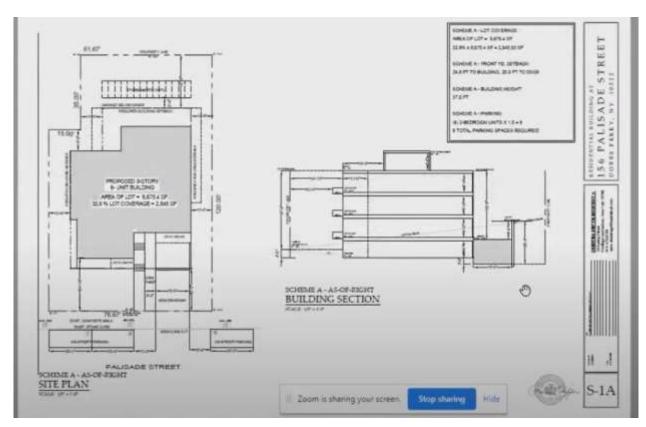
## Discussion:

Ms. Griffin discussed the proposed application and displayed the following slides:

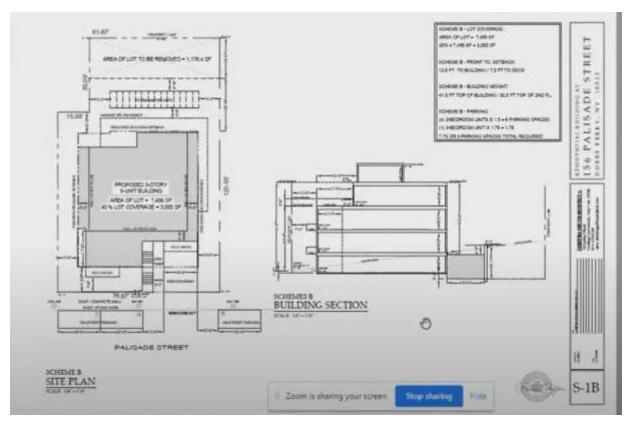




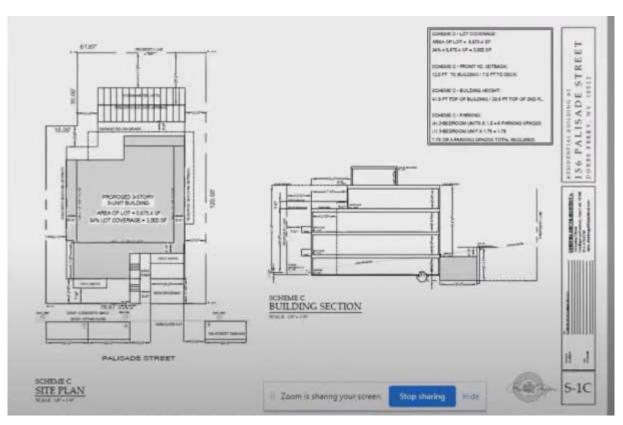




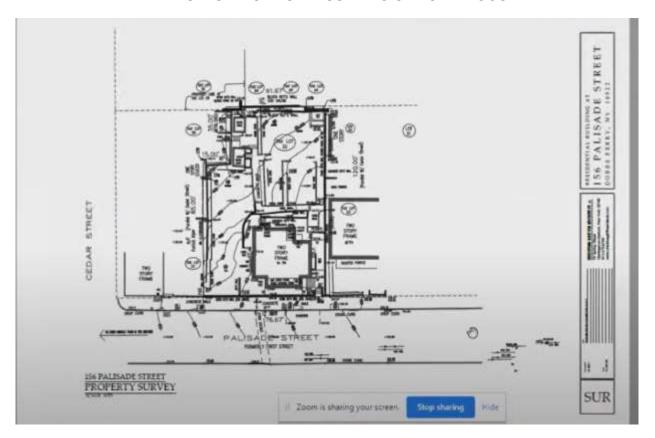












#### **Discussion:**

- Chairman Hunter said the excavation required is what was causing concerns.
- A discussion was held and Ms. Griffin addressed questions from the Board.
- Ms. Griffin said the next step is to provide the Board with visuals of the exterior.

Motion by Chairman Hunter, seconded by Mr. Brosnahan to open the public hearing for the application of 156 Palisade Street for site plan approval for proposed new multi-family building.

CHAIRMAN HUNTER		NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
STEPHEN BROSNAHAN		NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
ROB LANE		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
ALLEN HALE	☐ AYE	NAY	☐ ABSTAIN	RECUSE	
LAURA HAUPT		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
PETER WINDER, 1 <sup>ST</sup> ALTERNAATE MEMBER		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED
RESULT:			MOTION:	PASSES	

- The following people addressed the Board: Denise Woodin/154 Palisade Street.
- Ms. Griffin addressed concerns mentioned by Ms. Woodin.
- Mr. Pozin noted that comments from the public should be directed to the Board and not to the Architect.
- The discussion continued and Ms. Griffin addressed questions from the Board.

#### Action:

Motion by Chairman Hunter, seconded by Mr. Brosnahan to adjourn the public hearing for the application of 156 Palisade Street for site plan approval for proposed new multi-family building, to the next meeting of the Board on August 5, 2021

CHAIRMAN HUNTER		☐ NAY	☐ ABSTAIN	RECUSE	ABSENT/EXCUSED		
STEPHEN BROSNAHAN		☐ NAY	☐ ABSTAIN	RECUSE	ABSENT/EXCUSED		
ROB LANE		☐ NAY	☐ ABSTAIN	RECUSE	ABSENT/EXCUSED		
ALLEN HALE	AYE	☐ NAY	☐ ABSTAIN	RECUSE	ABSENT/EXCUSED		
LAURA HAUPT		□ NAY	ABSTAIN	RECUSE	ABSENT/EXCUSED		
PETER WINDER, 1 <sup>ST</sup> ALTERNAATE MEMBER		□ NAY	ABSTAIN	RECUSE	☐ ABSENT/EXCUSED		
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED		
RESULT:		MOTION: PASSES					

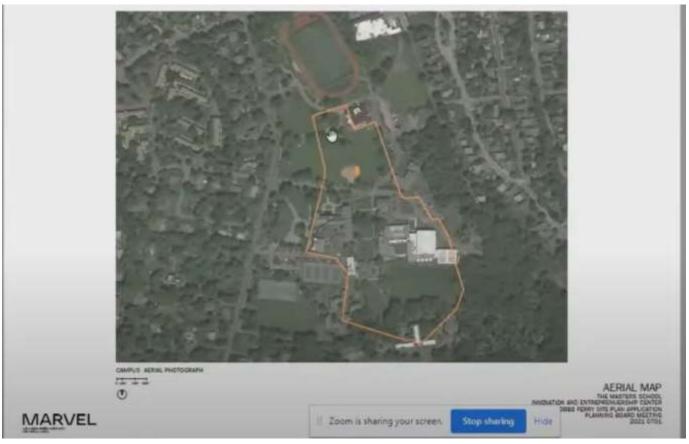
## 4. 49 Clinton Avenue – Public hearing for proposed new classroom building on Masters Campus

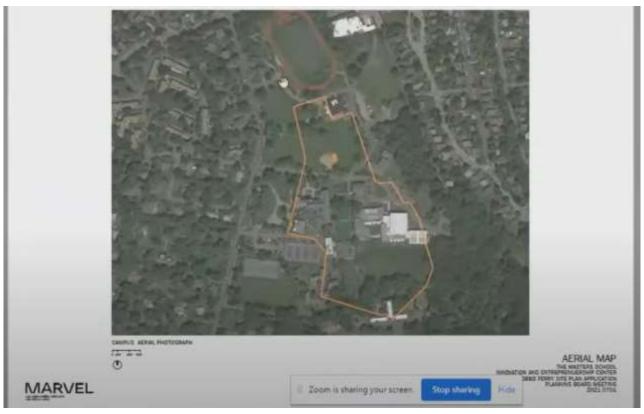
Mr. Brad Schwartz/Attorney, Mr. Ed Biddle/The Masters School, Mr. Seth Marks/Project Engineer and the Project Architects were present to represent the application.

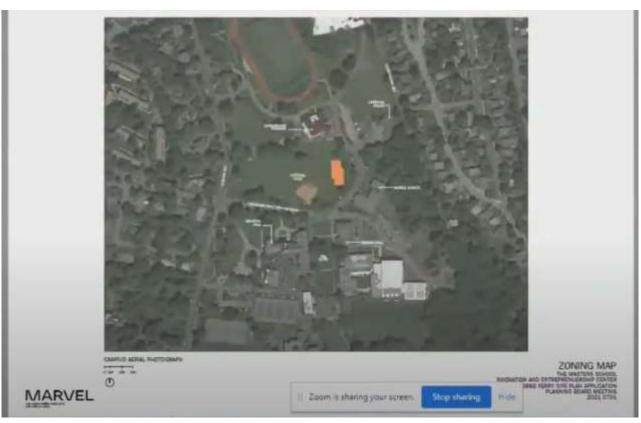
## Discussion:

• Mr. Schwartz discussed the proposed application and displayed the following slides:

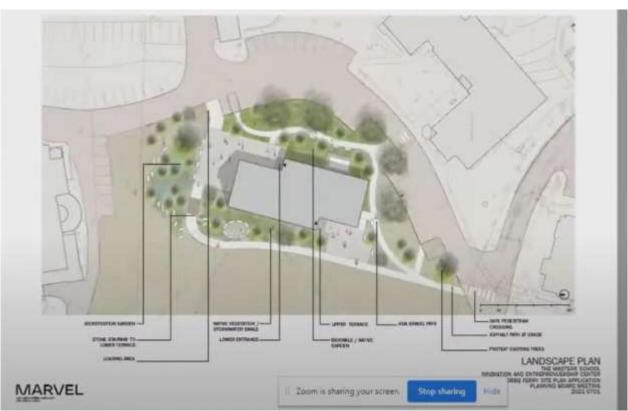




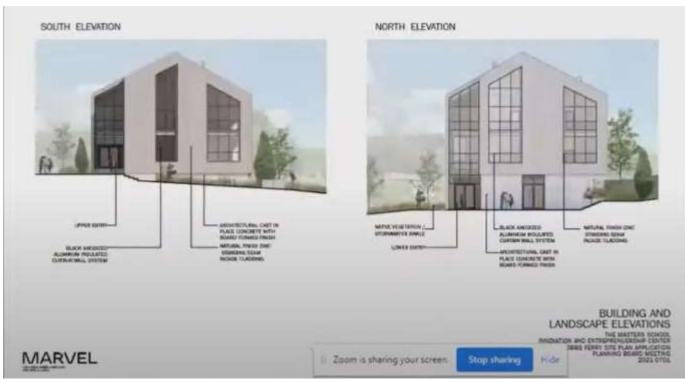


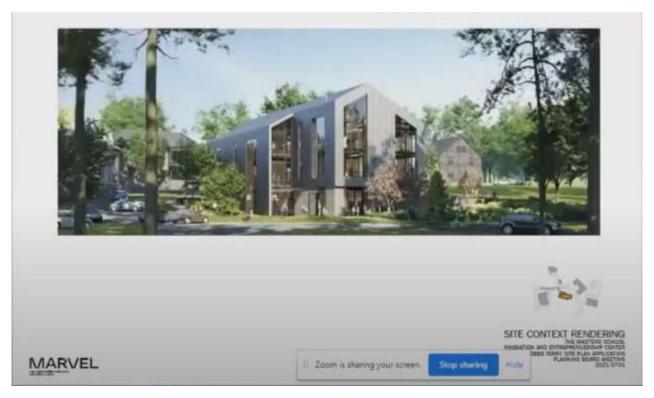




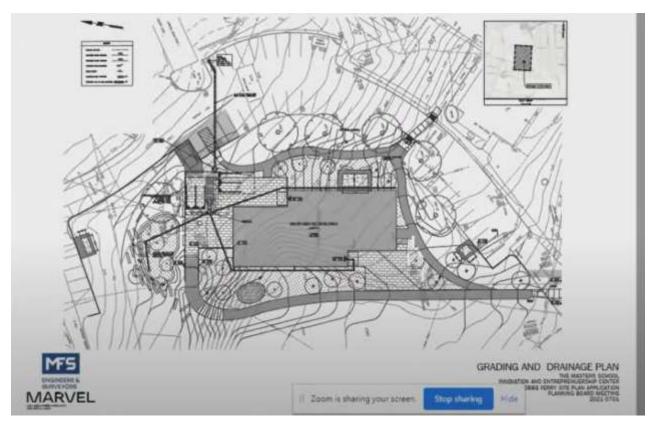


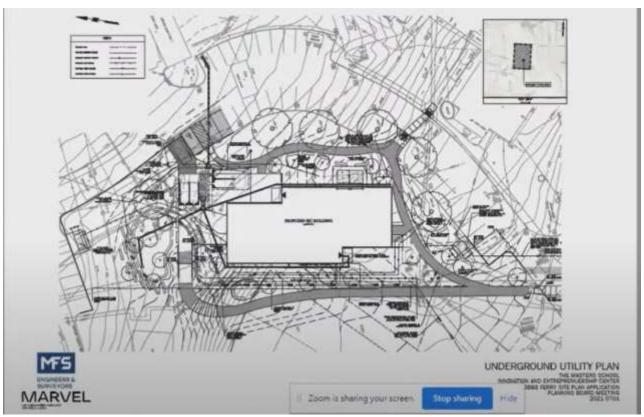












#### Discussion:

- A discussion was held and Mr. Schwartz, Mr. Biddle, Mr. Marks and the Project Architect addressed questions from the Board.
- Chairman Hunter said it would be helpful to have a site visit.

Motion by Chairman Hunter, seconded by Ms. Haupt to open the public hearing for the application of 49 Clinton Avenue for proposed new classroom building on Masters Campus.

CHAIRMAN HUNTER		☐ NAY	ABSTAIN	RECUSE	ABSENT/EXCUSED
STEPHEN BROSNAHAN		☐ NAY	☐ ABSTAIN	RECUSE	ABSENT/EXCUSED
ROB LANE		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
ALLEN HALE	☐ AYE	☐ NAY	☐ ABSTAIN	RECUSE	ABSENT/EXCUSED
LAURA HAUPT		☐ NAY	☐ ABSTAIN	RECUSE	ABSENT/EXCUSED
PETER WINDER, 1 <sup>ST</sup> ALTERNAATE MEMBER		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED
RESULT:			MOTION	: PASSES	

• The following people addressed the Board: Mr. James Kiberd/Clinton Avenue; and Mr. Paddy Steinschneider/329 Broadway.

### Action:

Chairman Hunter said he would like to pick a date for a site visit. Deputy Mayor Cassell suggested that the Board of Trustees is invited to the site visit. Chairman Hunter said the site visit will be scheduled for Saturday, July 10, 2021 at 9:00 a.m.

Motion by Chairman Hunter, seconded by Mr. Brosnahan to adjourn the public hearing for the application of 49 Clinton Avenue for proposed new classroom building on Masters Campus, to the next meeting of the Board on August 5, 2021.

CHAIRMAN HUNTER		☐ NAY	ABSTAIN	RECUSE	ABSENT/EXCUSED		
STEPHEN BROSNAHAN		☐ NAY	☐ ABSTAIN	RECUSE	ABSENT/EXCUSED		
ROB LANE		☐ NAY	ABSTAIN	RECUSE	ABSENT/EXCUSED		
ALLEN HALE	AYE	☐ NAY	ABSTAIN	RECUSE			
LAURA HAUPT		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED		
PETER WINDER, 1 <sup>ST</sup> ALTERNAATE MEMBER		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED		
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED		
RESULT:		MOTION: PASSES					

## 5. 11 Myrtle Avenue – Public hearing for site plan approval for proposed full rehabilitation of existing house

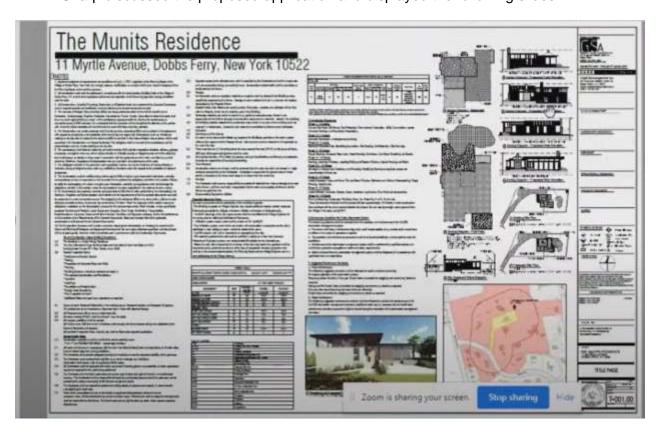
Mr. Greg Sharp was present to represent the application.

Motion by Chairman Hunter, seconded by Ms. Haupt to open the public hearing for the application for 11 Myrtle Avenue for site plan approval for proposed full rehabilitation of existing home.

CHAIRMAN HUNTER		NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
STEPHEN BROSNAHAN		□ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
ROB LANE		□ NAY	ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
ALLEN HALE	☐ AYE	☐ NAY	☐ ABSTAIN	RECUSE	
LAURA HAUPT		□ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
PETER WINDER, 1 <sup>ST</sup> ALTERNAATE MEMBER		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED
RESULT:			MOTION	: PASSES	

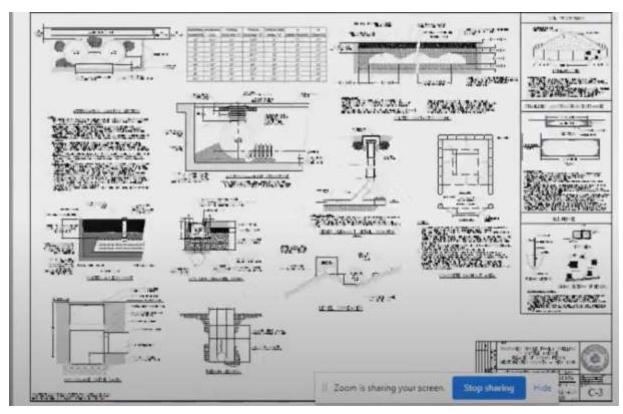
### **Discussion:**

• Mr. Sharp discussed the proposed application and displayed the following slides:

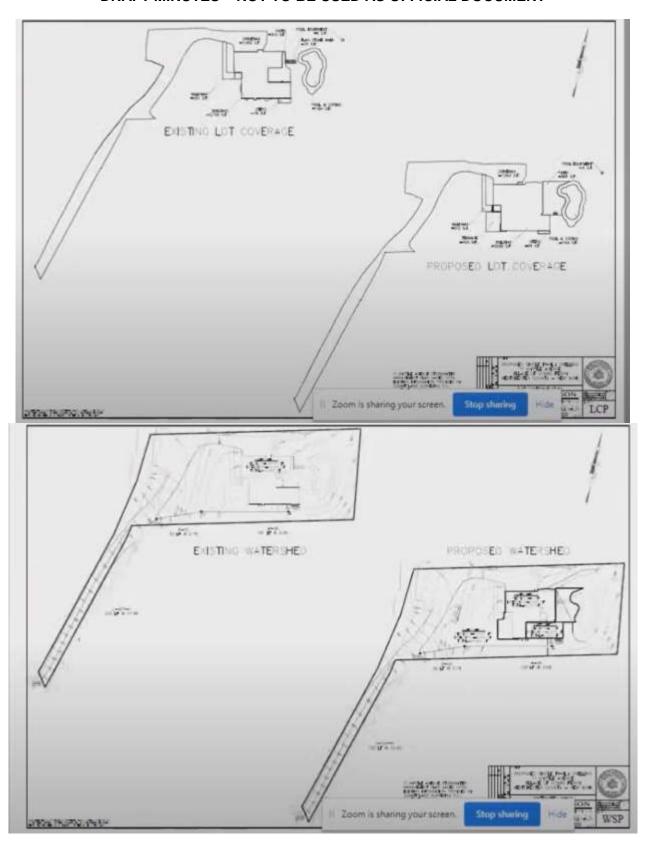


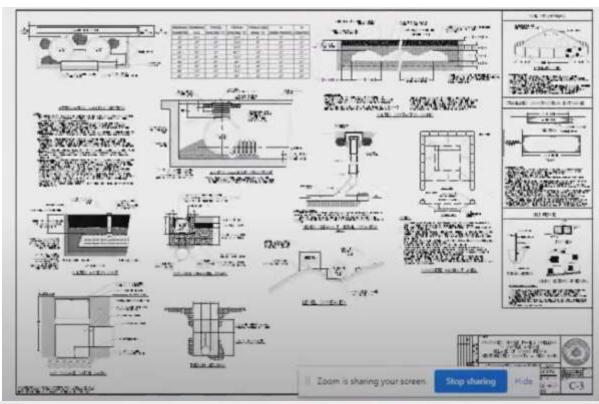








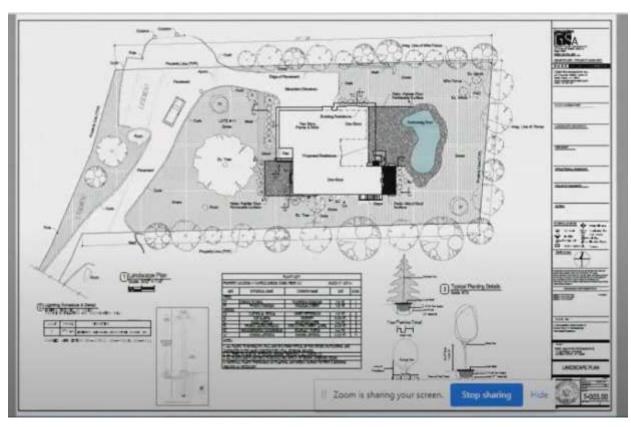


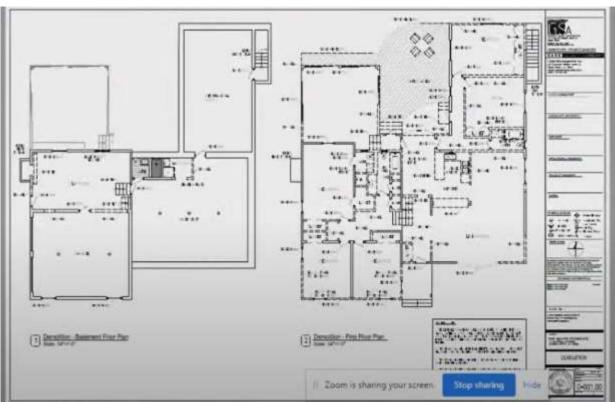






















#### Discussion:

- Ms. Monastra said the applicant was proposing eleven light posts throughout the property. Ms. Monastra asked if the applicant has thought about reducing that or if they were all necessary.
- Mr. Sharp said they would have no problem in reducing the light posts.
- A discussion was held and Mr. Sharp addressed questions from the Board.

Motion by Chairman Hunter, seconded by Ms. Haupt to close the public hearing for the application for 11 Myrtle Avenue for site plan approval for proposed full rehabilitation of existing home.

CHAIRMAN HUNTER		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED		
STEPHEN BROSNAHAN		□ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED		
ROB LANE		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED		
ALLEN HALE	☐ AYE	☐ NAY	☐ ABSTAIN	RECUSE			
LAURA HAUPT		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED		
PETER WINDER, 1 <sup>ST</sup> ALTERNAATE MEMBER		☐ NAY	☐ ABSTAIN	☐ RECUSE	ABSENT/EXCUSED		
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED		
RESULT:		MOTION: PASSES					

## Action:

Chairman Hunter offered the following resolution which was seconded by

#### **RESOLUTION 9-2021**

# VILLAGE OF DOBBS FERRY PLANNING BOARD RESOLUTION GRANTING SITE PLAN APPROVAL

Property: 11 Myrtle Avenue (Section Block and Lot 3.50-17-11 and OF-2 Zone)

## **Background**

WHEREAS, Nathan and Margaret Munits (the "Applicant") are seeking Site Plan approval to undertake a renovation of a one-family dwelling and installation of a new patio and walkways. The property is located at 11 Myrtle Avenue, Section Block and Lot 3.50-17-11 ("Project Site"). The property is located in the OF-2, One-Family Residential 2, zoning district.

WHEREAS, the Planning Board confirms that the project is categorized as a Type II action under NYS DEC 617.5 (c) as it is the "construction or expansion of a single-family residence on an approved lot."

WHEREAS, this application received the following area variances at the May 12, 2021, Zoning Board of Appeals meeting: 5.5% for lot coverage, 0.2 feet for the side yard setback, 3.6 feet for the combined side yard setback.

WHEREAS, the Applicant had made a preliminary presentation to the Planning Board on June 3, 2021, and thereafter, the Planning Board conducted a duly noticed public hearing on July 1, 2021.

WHEREAS, The Planning Board has carefully examined the Application and the Applicant's materials as follows:

- 1. Site Plans and Architectural drawings by Gregory Sharp Architects last revised January 14, 2021:
  - a. "Existing Site Plan" ST-001
  - b. "Survey" ST-002
  - c. "Proposed Site Plan" ST-003
  - d. "Existing Conditions" T-003
  - e. "Landscape Plan" T-003.00 last revised June 1, 2021
  - f. "Demolition Plan"- D-001.00
  - g. "Basement Construction Plans"- A-001
  - h. "1st Floor Construction Plans" A-002
  - i. "Roof Construction Plans"- A-003
  - j. "Elevations" A-004
  - k. "Elevations" A-005
  - I. "Sections" A-006
  - m. "Perspectives" A-007
- 2. Engineering drawings by Hudson Engineering and Consulting P.C. last revised April 1, 2021:
  - a. "Existing Conditions" -C-1
  - b. "Stormwater Management Plan" C-2
  - c. "Stormwater Management Plan Details" C-3
  - d. "Watershed Maps"- WSP
  - e. "Lot Coverage Plan" LCP
- 3. Planning Board application dated May 20, 2021
- 4. Coastal Assessment Form dated May 20, 2021

WHEREAS, the Planning Board has also reviewed and examined letters, reports, and memorandum from the Board's consulting engineer, and planner.

WHEREAS, the Planning Board closed the public hearing on July 1, 2021 and at the same meeting, the Board deliberated in public on the Applicant's request for approval.

## **Planning Board Determination**

NOW, THEREFORE, BE IT RESOLVED, the Planning Board determines that based upon the findings and reasoning set forth below the application for Site Plan approval is granted subject to

the conditions set forth below.

#### Findings

- 1. The Planning Board is familiar with the Project Site and the general vicinity and has reviewed the application in accordance with Chapter 300, Zoning, of the Village Code.
- 2. The Planning Board has conducted an extensive review of the Applicant's proposal and finds that the Applicant has satisfactorily addressed the criteria for granting Site Plan approval per Section 300-52(D) of the Village Code including consistency with the Village's Local Waterfront Revitalization Plan.
- 3. The 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.

## Approved Plan

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 as follows:

- 1. Site Plans and Architectural drawings by Gregory Sharp Architects last revised January 14, 2021:
  - a. "Existing Site Plan" ST-001
  - b. "Survey" ST-002
  - c. "Proposed Site Plan" ST-003
  - d. "Existing Conditions" T-003
  - e. "Landscape Plan" T-003.00 last revised June 1, 2021
  - f. "Demolition Plan"- D-001.00
  - g. "Basement Construction Plans"- A-001
  - h. "1st Floor Construction Plans" A-002
  - i. "Roof Construction Plans"- A-003
  - j. "Elevations" A-004
  - k. "Elevations" A-005
  - I. "Sections" A-006
  - m. "Perspectives" A-007
- 2. Engineering drawings by Hudson Engineering and Consulting P.C. last revised April 1, 2021:
  - a. "Existing Conditions" -C-1
  - b. "Stormwater Management Plan" C-2
  - c. "Stormwater Management Plan Details" C-3
  - d. "Watershed Maps"- WSP
  - e. "Lot Coverage Plan" LCP

## **General Conditions**

- 1. The following conditions must be met before the Planning Board Chair 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 a July 1, 2021 resolution of the Planning Board of the Village of Dobbs Ferry, New York. Any change, erasure, modification, or revision of this plan, absent re-approval from the Planning Board, shall void this approval."
  - b. The Planning Board's approval is conditioned upon Applicant receiving all approvals required by other governmental approving agencies without material deviation from the Approved Plans and evidence of such must be submitted to the Village Building Department.
  - c. The Applicant must address to the full satisfaction of the Village Engineer, all outstanding storm water, 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 review of this Application.

#### 2. Force and Effect:

- a. No portion of any approval by the Planning Board shall take effect until (1) all conditions are met, (2) the final site plan is signed by the chair of the Planning Board and (3) the final site plan signed by the Planning 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.
- 3. Landscaping: 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.
- 4. 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.
- 5. 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.

CHAIRMAN HUNTER		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
STEPHEN BROSNAHAN		□ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
ROB LANE		□ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
ALLEN HALE	☐ AYE	☐ NAY	☐ ABSTAIN	RECUSE	
LAURA HAUPT		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
PETER WINDER, 1 <sup>ST</sup> ALTERNAATE MEMBER		☐ NAY	☐ ABSTAIN	☐ RECUSE	ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED
RESULT:			MOTION	: PASSES	

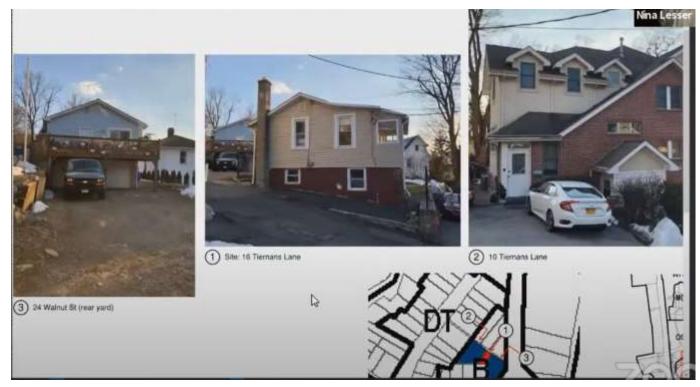
## 6. 16 Tiernan's Lane – Public hearing for site plan approval for proposed renovations, one story addition & roof deck

Stephen Chang and Nina Lesser were present to represent the application.

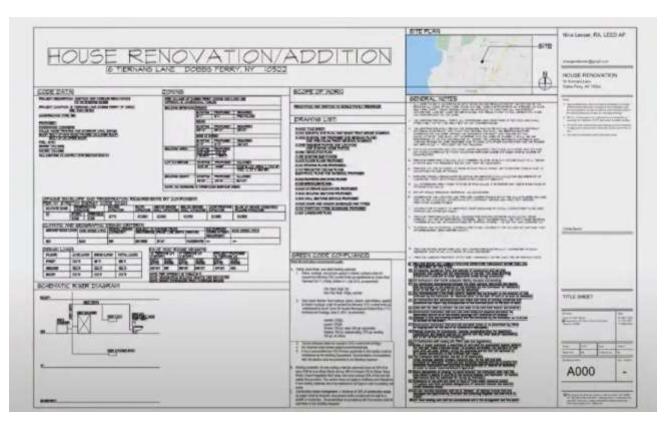
## **Discussion:**

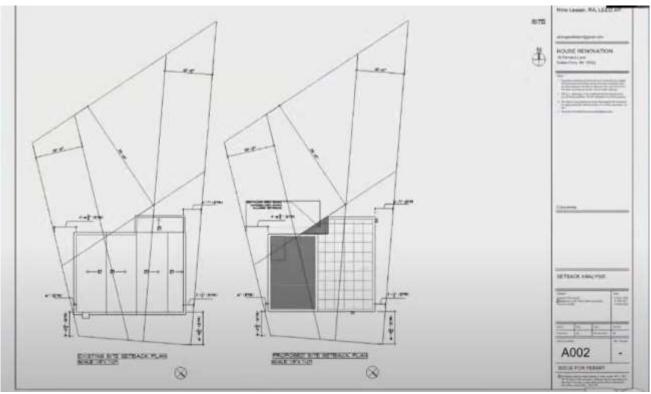
- Ms. Lesser said they have received approval from the AHRB and Zoning Board of Appeals.
- Ms. Lesser discussed the proposed application and displayed the following slides:

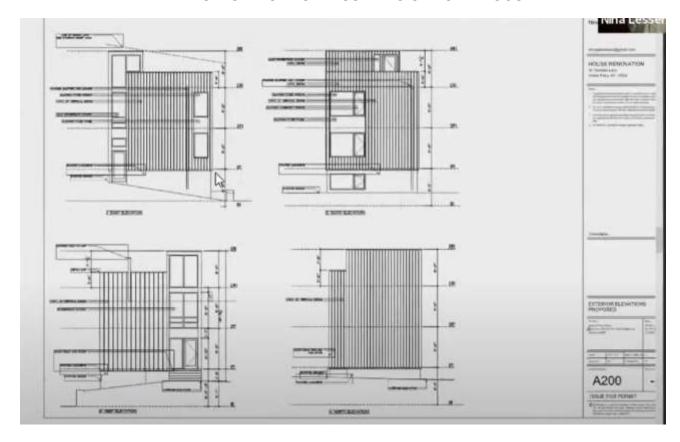












Motion by Chairman Hunter, seconded by Mr. Brosnahan to open the public hearing for the application of 16 Tiernans Lane for site plan approval for proposed renovations, one story addition & roof deck.

CHAIRMAN HUNTER		☐ NAY	ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
STEPHEN BROSNAHAN		☐ NAY	ABSTAIN	RECUSE	ABSENT/EXCUSED
ROB LANE		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
ALLEN HALE	☐ AYE	☐ NAY	☐ ABSTAIN	RECUSE	
LAURA HAUPT		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
PETER WINDER, 1 <sup>ST</sup> ALTERNAATE MEMBER		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED
RESULT:			MOTION	: PASSES	

## **Discussion:**

- No one from the public addressed the Board.
- A discussion was held and Ms. Lesser addressed questions from the Board.

#### Action:

Motion by Chairman Hunter, seconded by Mr. Brosnahan to close the public hearing for the application of 16 Tiernans Lane for site plan approval for proposed renovations, one story addition & roof deck.

CHAIRMAN HUNTER		☐ NAY	ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
STEPHEN BROSNAHAN		☐ NAY	ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
ROB LANE		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
ALLEN HALE	☐ AYE	☐ NAY	☐ ABSTAIN	RECUSE	ABSENT/EXCUSED
LAURA HAUPT		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
PETER WINDER, 1 <sup>ST</sup> ALTERNAATE MEMBER		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED
RESULT:			MOTION	: PASSES	

Ms. Haupt offered the following resolution which was seconded by Mr. Brosnahan:

#### **RESOLUTION 10-2021**

# VILLAGE OF DOBBS FERRY PLANNING BOARD RESOLUTION GRANTING SITE PLAN APPROVAL

**Property: 16 Tiernans Lane** 

(Section Block and Lot 3.80-45-30 and B, Broadway zoning district)

#### Background

WHEREAS, Nina Lesser and Stephen Sheng (the "Applicant") are seeking Site Plan approval to undertake an addition to and a renovation of a second floor in an existing one-family dwelling. The property is located at 16 Tiernans Lane, Section Block and Lot 3.80-45-30 ("Project Site") and the property is located in the B, Broadway zoning district.

WHEREAS, the Planning Board confirms that the project is categorized as a Type II action under NYS DEC 617.5 (c) as it is the "construction or expansion of a single-family residence on an approved lot."

WHEREAS, this application received the following area variances at the May 12, 2021, Zoning Board of Appeals meeting: 5.5% for lot coverage, 9 feet 6 inches for the left side yard setback, 7 feet 10.5 inches for the right side yard setback, 17 feet 4.5 inches for the combined side yard setback, 5 feet 0.75 inches for the prevailing front yards setback, and 3 feet 7.25 inches for the rear yard setback.

WHEREAS, the Applicant had made a preliminary presentation to the Planning Board on June 3, 2021, and thereafter, the Planning Board conducted a duly noticed public hearing on July 1, 2021.

WHEREAS, The Planning Board has carefully examined the Application and the Applicant's materials as follows:

- 5. Site Plans and Architectural drawings by Nina Lesser Architects last revised May 20, 2021:
  - a. "Site Survey" A-001
  - b. "Setback Analysis" A-002,
  - c. "Demolition Plans" A-050,
  - d. "Existing Elevations" A-051,
  - e. "Floor Plans" A-100,
  - f. "Reflected Ceiling and Electrical Plans" A-110,
  - g. "Exterior Elevations" A-200, and
  - h. "Landscape Plan" L-001
- 6. Planning Board application dated May 20, 2021
- 7. Coastal Assessment Form dated May 20, 2021

WHEREAS, the Planning Board has also reviewed and examined letters, reports, and memorandum from the Board's consulting engineer, and planner.

WHEREAS, the Planning Board closed the public hearing on July 1, 2021 and at the same meeting, the Board deliberated in public on the Applicant's request for approval.

## Planning Board Determination

NOW, THEREFORE, BE IT RESOLVED, the Planning Board determines that based upon the findings and reasoning set forth below the application for Site Plan approval is granted subject to the conditions set forth below.

#### **Findings**

- 4. The Planning Board is familiar with the Project Site and the general vicinity and has reviewed the application in accordance with Chapter 300, Zoning, of the Village Code.
- 5. The Planning 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.
- 6. The 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.

#### Approved Plan

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 as follows:

- 1. Site Plan and Architectural drawings by Nina Lesser Architects last revised May 20, 2021
  - a. "Site Survey" A-001,
  - b. "Setback Analysis" A-002,
  - c. "Demolition Plans" A-050,
  - d. "Existing Elevations" A-051,
  - e. "Floor Plans" A-100,
  - f. "Reflected Ceiling and Electrical Plans" A-110,
  - g. "Exterior Elevations" A-200, and
  - h. "Landscape Plan" L-001

## **General Conditions**

- 6. The following conditions must be met before the Planning Board Chair may sign the approved Site Plan ("Final Site Plan"):
  - e. The following Language shall be added to the plan: "Approved subject to all requirements and conditions of a July 1, 2021 resolution of the Planning Board of the Village of Dobbs Ferry, New York. Any change, erasure, modification, or revision of this plan, absent re-approval from the Planning Board, shall void this approval."
  - f. The Planning Board's approval is conditioned upon Applicant receiving all approvals required by other governmental approving agencies without material deviation from the Approved Plans and evidence of such must be submitted to the Village Building Department.
  - g. The Applicant must address to the full satisfaction of the Village Engineer, all outstanding storm water, and engineering issues raised in the hearings and documents submitted to the Board.
  - h. The Applicant shall pay all outstanding consultant review and legal fees in connection with the Planning Board review of this Application.

#### 7. Force and Effect:

- c. No portion of any approval by the Planning Board shall take effect until (1) all conditions are met, (2) the final site plan is signed by the chair of the Planning Board and (3) the final site plan signed by the Planning Board has been filed with the Land Use Officer.
- d. 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.
- 8. Landscaping: 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.

- 9. 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.
- 10. 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.

CHAIRMAN HUNTER		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED	
STEPHEN BROSNAHAN		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED	
ROB LANE		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED	
ALLEN HALE	☐ AYE	☐ NAY	☐ ABSTAIN	RECUSE	ABSENT/EXCUSED	
LAURA HAUPT		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED	
PETER WINDER, 1 <sup>ST</sup> ALTERNAATE MEMBER		☐ NAY	☐ ABSTAIN	☐ RECUSE	ABSENT/EXCUSED	
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED	
RESULT:	MOTION: PASSES					

Ms. Monastra discussed the MDR-2 Zone and proposed changes to the introductory local law.

Ms. Monastra said the proposed changes will be submitted to the Village Board for consideration.

Motion by Chairman Hunter, seconded by Mr. Brosnahan to adjourn the meeting.

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CHAIRMAN HUNTER		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED	
STEPHEN BROSNAHAN		☐ NAY	☐ ABSTAIN	RECUSE	ABSENT/EXCUSED	
ROB LANE		☐ NAY	☐ ABSTAIN	RECUSE	ABSENT/EXCUSED	
ALLEN HALE	☐ AYE	☐ NAY	☐ ABSTAIN	RECUSE	ABSENT/EXCUSED	
LAURA HAUPT		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED	
PETER WINDER, 1 <sup>ST</sup> ALTERNAATE MEMBER		☐ NAY	☐ ABSTAIN	RECUSE	☐ ABSENT/EXCUSED	
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED	
RESULT:	MOTION: PASSES					

The meeting adjourned at 9:49 p.m.