



MEMORANDUM

TO: Stephen Hunter, Chair and Members of the Village of Dobbs Ferry Planning Board

FROM: Valerie Monastra, AICP
Sam Justiniano, Planning Analyst

CC: Dan Roemer, Building Inspector
Anthony Oliveri, P.E., Village Engineer
Dan Pozin, Village Attorney

DATE: October 27, 2023

RE: 327 Ashford Avenue

Ira Frazin (the “Applicant” and “Contract Vendee”) is seeking Site Plan and AHRB approvals to construct an Accessory Dwelling Unit (ADU) with a garage along with the removal of an existing pool. The property is located at 327 Ashford Avenue, Section Block and Lot 3.100-74-85 (“Project Site”) and is located in the OF-6, One Family Residential 6, zoning district.

GENERAL AND PROCEDURAL COMMENTS

1. **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.
2. **Site Plan Approval.** This application requires Site Plan approval by the Planning Board per Section 300-52 of the Zoning chapter. A public hearing will be required for Site Plan approval.
3. **Zoning.** The Applicant provided a zoning table for the OF-6 district. This application received the following variances from the Zoning Board of Appeals at its October 11, 2023, meeting:
 - a. Accessory building height of 1.75’ and ½ story

The Project Site is also in nonconformity with the allowable impervious surface coverage. 40.5% is allowed, 53% is existing, and 46.25% is proposed. The Applicant will therefore decrease the existing nonconformity related to the impervious surface coverage.

4. **Architectural and Historic Review Board.** This application will require Architectural and Historic Review Board approval and falls within the Residential Design Guidelines found in Appendix G of the Zoning and Land Use chapter. The following information needs to be provided to complete this application:
 - a. Show the building in relation to neighboring properties.
5. **Local Waterfront Revitalization Consistency.** The Planning 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 provided a Coastal Consistency Form.
6. **ADU.** The project is for an Accessory Dwelling Unit. Section 300-39 of the Land Use and Zoning chapter contains the following requirements for accessory dwelling units:
 - a. The accessory dwelling unit is allowed by special permit in accordance with Table A-1 of this chapter. **Complies.**
 - b. The accessory dwelling unit must be located in a principal building of a one-family dwelling or in a permitted accessory building on the same property. **Complies.**
 - c. The owner of the one-family dwelling unit must occupy either the principal dwelling or the accessory dwelling unit as a principal residence. **Complies.**
 - d. The minimum floor area for an accessory dwelling unit shall be 300 square feet, but in no case shall it exceed 33% of the floor area of the principal dwelling or 800 square feet, whichever is less, unless, in the reasonable opinion of the Planning Board, a greater or lesser amount of floor area is warranted by the specific circumstances of a particular building. **Floor area, according to the site plan, is 798 sf – Complies.**
 - e. An accessory dwelling unit shall not contain more than two bedrooms, each meeting requirements of applicable codes, including building, fire and safety and zoning. **Applicant is proposing one bedroom. Building department to confirm compliance with code requirements.**
 - f. Although no additional parking shall be mandatory for an accessory dwelling unit, a parking assessment shall be made on a case-by-case basis during the review of the special permit application by the Planning Board. At a minimum, existing required parking for the primary dwelling must be maintained or replaced on site. **The Project also proposes a garage.**
 - g. Except for improvements mandated by NYS Uniform Code requirements, no exterior changes shall be made to the building in which the accessory dwelling unit is located that, in the reasonable opinion of the Planning Board, would significantly alter the appearance and character of the building as a single-family residence or accessory structure. **The Applicant is proposing a new building for the ADU. The Planning Board should confirm that this is acceptable.**
 - h. During the review of any application for an accessory dwelling unit special permit, the Planning Board shall consider the effect of the proposed accessory dwelling unit

- on parking, traffic, noise, congestion, appearance, and other site-specific factors that the Planning Board reasonably deems relevant to potential impacts on the neighborhood. Following consideration of these site-specific criteria, the Planning Board shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the addition of an accessory dwelling unit use to the subject property. The Planning Board may refuse to issue a special permit if it finds that the cumulative effects from approved accessory dwelling units in the neighborhood, including the one proposed, will adversely affect the character of the neighborhood. **The Planning Board should review for possible impacts.**
- i. The accessory dwelling unit must adhere to current residential design guidelines (as captured in Chapter 300, Appendix G "Residential Design Guidelines"). **Refer to comment 4 above.**
 - j. The accessory dwelling unit must comply with all relevant New York State Uniform Codes, including all requirements for a dwelling unit. **The Building Department should confirm.**
 - k. No open violations of the Dobbs Ferry Code shall exist at the time of application for an accessory dwelling unit special permit. **The Building Department should confirm.**

SITE PLAN COMMENTS

1. **Site Plan.** We note that Sheet A1 of the architectural plan set has a screenshot of a land survey by Summit Land Surveying P.C. A plat should be provided that includes the locations and setbacks of the proposed house.
2. **Lighting.** It appears that exterior lighting is proposed for the site. The Applicant should provide a lighting plan, and all proposed lighting must comply with §300-41 of the Zoning chapter.
3. **Trees.** Will tree removal be required for the project? The proposed site appears to have trees. Please identify if any tree removal is required and submit a planting plan that meets §300-51(i), Tree Valuation, by providing the total aggregate diameter of trees proposed for removal and the total aggregate diameter of trees proposed to be planted.
4. **Landscaping.** The Applicant has not provided a landscaping plan per §300-44 of the Zoning chapter, and one will need to be provided.
5. **Stormwater Management Plan.** The Applicant has provided Sheets C-2 and C-3, the Stormwater Management Plan. The Village Engineer will review the plan sheets and provide comments.
6. **Erosion and Sediment Control.** The Applicant has provided Sheet C-1, Erosion & Sediment Control Plan. We defer to the Village Engineer to review and provide comments.

SUBMISSION MATERIALS

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

- AHRB Application by Ira Frazin, dated October 12, 2023
- Land Use Approval Application by Ira Frazon, dated October 11, 2023
- LWRP Consistency Review Coastal Assessment Form by Ira Frazin, dated October 12, 2023
- Short Environmental Assessment Form Part 1, by Ira Frazin, dated September 8, 2023
- Architectural Plan set by Ira Frazin Architect, dated August 24, 2022 including the following:
 - A-000.00 General Notes, Plot Plan
 - A-001.00 Demolition & Proposed Site Plans
 - A-002.00 Floor & Framing Plans
 - A-003.00 Elevations & Sections
 - A-004.00 Building Section: North-South
 - A-005.00 Wall Details
 - A-006.00 Lighting & Power Plans, Schedules
- Engineering Site Plan set by HEC, dated October 12, 2023 including the following:
 - C-1 Erosion & Sediment Control Plan
 - C-2, C-3 Stormwater Management Plan
- Survey by NY Land Surveyor, P.C., dated September 20, 2022, last updated November 3, 2022