

October 13, 2022

Dan Roemer, Building Inspector  
Dobbs Ferry Building Department  
112 Main Street  
Dobbs Ferry, New York 10522

Re: Proposed Giglio Residence  
0 North Mountain Drive (Subdivided from 79 North Mountain Drive)

Dear Mr. Roemer:

This letter is to submit the above reference Project to the Dobbs Ferry Planning Board for its consideration at the request of the Dobbs Ferry Zoning Board of Appeals at its October 12, 2022 meeting. This property is also known as Tax Lot 3.10-1-3.

A Public Hearing was opened at the September 14, 2022 meeting of the Zoning Board of Appeals (ZBA) and continued at the October 12, 2002 meeting of the ZBA. Due to the nature of the site and application, the ZBA requested that this matter be presented to the Planning Board for discussion. The issue pending before the ZBA is the fact that, while the property has the same 23,337 square feet of gross site area as was approved by the Planning Board to be a building lot on October 5, 1989. The Dobbs Ferry Code requires the deduction of a percentage of the steep sloped areas on the site. Taking those deductions reduces the net lot area of this parcel to 15,261 square feet. This property is located in the OF-2 zoning district, which requires a net lot area of 20,000 square feet for a building lot.

As background, it should be noted that this parcel was the first subdivision approved by the Planning Board following the adoption of the Section 300-34.A.(2), which is referred to as the Steep Slopes Ordinance. The Steep Slopes Ordinance was adopted by the Village Board of Trustees on September 19, 1989. The Planning Board adopted a Finding of Fact at its meeting on August 3, 1989, and confirmed its support of the new Ordinance at its September 7, 1989 meeting. As the Minutes of the October 5, 1989 Planning Board meeting confirm, careful attention was given in the consideration of this subdivision to the Steep Slopes Ordinance. The Chair went so far as to explain to another applicant on the agenda of the October 5 meeting how this application for subdivision had complied with the appropriate method for determining the area of steep slopes and the subsequent reduction in lot area. The Plat Map was signed by the Planning Board Chair and filed with the Westchester County Land Records on December 20, 1989.

The property has been sold at least twice since that time, but this is the first time to our knowledge that the development of the subject parcel has been submitted to the Village for a building permit to build on the property.

The ZBA has asked the applicant to make a presentation to the Planning Board of the proposed Project. The expectation is that the Planning Board may have constructive input on the issues of concern that the ZBA needs to take into consideration when considering the granting of a variance to permit the development of this property.

While there may be other issues and the Planning Board is free to consider any aspect of this application, the concerns expressed at the ZBA meeting included the management of stormwater flowing off steep slopes of rock in an area where the streets do not have curbing; the process of rock removal, which will be extensive; the protection of the site from erosion and sedimentation as a result of the construction and development of the property; and the safety of introducing a driveway and traffic from a single-family home in this area.

A Site Plan Review is required for this application. It is our understanding that the Village has agreed to allow this application to begin to be considered by the Planning Board while the matter is before the ZBA. It is our expectation that the matter will have to return to the ZBA for an action on the variance request prior to the Planning Board taking final action on the Site Plan Review. Since the Planning Board has the final approval on this application, it is our expectation that the Planning Board will be responsible for the SEQR.

The following documents are hereby submitted for your consideration:

- A. An executed Land Use Approval Application checked as a request for Site Plan Review dated 10/13/2022.
- B. An executed Short Environmental Assessment Form dated 6/17/2022.
- C. An executed LWRP Consistency Review Coastal Assessment Form dated 6/17/2022.
- D. A copy of the Affidavit of Notice dated 9/22/2022.
- E. A copy of the Establishment of and Escrow Account dated 8/22/2022.
- F. A set of seven sheets of drawings prepared by Gotham Design Planning & Development under the supervision of Sirius Miandoabi, P.E., dated as submitted to the Planning Board 10/13/2022 including the following:
  - 1. Sheet CS "List of Drawings, Location Maps, and Design Criteria"
  - 2. Sheet SP-1.0 "Proposed Site Plan"
  - 3. Sheet SP-1.1 "Slopes Analysis" showing slopes  $15 < 25 <$  and  $25 <$
  - 4. Sheet SP-1.2 "Slopes Analysis" showing slopes  $35 <$
  - 5. Sheet SP-1.3 "Tree Removal Plan"
  - 6. Sheet SP-2 "Floor Plans"
  - 7. Sheet SP-3 "Elevations"

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- G. Copies of Sheet SP-1.1 and SP-1.2 showing the slopes in color
- H. The executed Plat Map with all signatures affixed and stamped as filed with the County Records as Number 24033, dated 12/20/1989.
- I. The Topographic Survey of the Subject Property prepared by The Munson Company. dated 8/3/2017.

We look forward to reviewing this with you at your next regularly scheduled meeting.

Thank you for your time and attention.

Sincerely,

Paddy Steinschneider  
Project Design Coordinator