



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: January 30, 2023

RE: 34 Clinton Ave

John Saraiva (the “Applicant” and “Contract Vendee”) is seeking Site Plan approval to build an addition on an existing 3-story residential building to create a 3-story multi-family building with 11 residential units. The property is located at 34 Clinton Ave, Section Block and Lot 3.80-46-4 (“Project Site”) and is located in the MDR-H, Mixed Density Residential- Historic, zoning district.

GENERAL AND PROCEDURAL COMMENTS

1. **County Board Referral.** This Project requires a referral to the Westchester County Planning Board per sections 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 New York State Route 9.
2. **SEQR.** This application is categorized as an Unlisted Action under SEQR.
3. **Site Plan Approval.** This application requires Site Plan approval by the Planning Board per Section 300-52 of the Land Use and Zoning chapter. A public hearing will be required for Site Plan approval.
4. **Zoning.** The Applicant provided a zoning table for the MDR-H district. The current submission of the project will require a waiver from the Planning Board in accordance with Section 300-52 (E) of the Land Use and Zoning chapter or approval from the Zoning Board of Appeals for the following variances:
 - a. Max lot coverage by buildings. The MDR-H zoning district with the sliding scale applied allows 20.1% lot coverage by buildings. The applicant calculated this amount using the

- gross lot area but should have used the net lot area. As a result, the building lot coverage calculates as $6,011/27,763 = 21.65\%$. This will require a variance of 1.55%.
- b. Max lot coverage by impervious surfaces. The MDR-H zoning district with the sliding scale allows 40.2% lot coverage by impervious surfaces. The applicant calculated this amount using the gross lot area but should have used the net lot area. As a result, the impervious surface coverage calculates as $8,284/27,763 = 43.0\%$. This will require a variance of 2.8%.
 - c. The Applicant is proposing to please note that the porous asphalt has not been included in the impervious coverage calculation. Porous asphalt may not function as 100% pervious surfaces without proper care and maintenance. The Land Use and Zoning chapter defines impervious surface as “a surface that has been compacted or covered with a layer of material so that it restricts infiltration of stormwater into the ground, including but not limited to parking areas, parking decks, driveways, streets, sidewalks, areas of concrete, asphalt, gravel or other compacted aggregate, swimming pools, and areas covered by the outdoor storage of goods or materials which do not absorb water.” **The Applicant has amended these calculations to deduct 45% of the area paved from the impermeable coverage calculations. We defer to the Building Inspector to opine whether this is a sufficient deduction.**
5. **Architectural and Historic Review Board.** This application will require Architectural and Historic Review Board approval and falls within the Residential Design Guidelines in Appendix G of the Zoning and Land Use chapter.
6. **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.

SEQR/ENVIRONMENTAL REVIEW COMMENTS

1. **Threatened or Endangered Species.** The EAF 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.
2. **Archeological Site.** The EAF identified the site as being in or adjacent to an area designated as sensitive for archaeological sites. Consultation with SHPO is required as part of this SEQR review.
3. **Remediation Site.** The EAF identified this property or an adjoining property as having been subject of remediation. The Applicant should provide additional information on these records.

SITE PLAN COMMENTS

1. **Lighting.** Is lighting proposed for the site? If so, the Applicant should provide a lighting plan, and all proposed lighting must comply with §300-41 of the Zoning chapter.
2. **Tree Removal and Landscaping.** The Applicant is proposing the removal of five trees. The planting replacement plan has been submitted and appears to comply with §300-51(I).
3. **Affordable Housing.** In accordance with §300-40, Affordable Housing, the Applicant proposes to provide one affordable unit on the lower level of the apartment complex.
4. **Parking Area.** The Applicant has submitted revised landscaping plans which appear to comply with §300.48(E)(3)(a) regarding the parking screening.
5. **Emergency Access.** The Dobbs Ferry Fire Department should review and comment on compliance with all applicable fire safety codes and emergency access to the building.
6. **Regrading and Excavation.** The Applicant provided a regrading plan. The Applicant should provide any excavation calculations. There will be extensive regrading on the Project Site.
7. **Stormwater Management Plan.** Stormwater runoff was a concern for the Planning Board, especially for the neighboring properties. The Applicant has provided a stormwater management plan. We defer to the Village Engineer to review and provide comments on this information.
8. **Erosion and Sediment Control.** The Applicant has provided a proposed erosion and sediment details. We defer to the Village Engineer to review and provide comments on this information.

Submission Materials

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

- Plan Submittal Form, undated
- Unilock Permeable Paver Technical Guide, undated
- Stormwater Management Plan & Drainage Analysis by Hudson Engineering & Consulting, P.C. dated January 19, 2023
- Landscape Drawings, 2 Sheets, stamped by Louis Charles Fusco, dated January 18, 2023 including the following:
 - SP-1 Landscape Site Plan
 - PL-1 Planting Plan & Rendered Site Plan
 - PL-2 Rendered Views of the Site

- Survey Drawings, 2 Sheets, stamped by Rakesh R. Behal, L.S. dated September 3, 2022, including the following:
 - Topographical Survey
 - Slope Survey
- Civil Engineering Drawings, 2 Sheets, stamped by Michael F. Stein, dated January 19, 2023
 - C-1 Stormwater Management Plan
 - C-2 Details
- Site Plans, 14 Sheets, stamped by Christina Marie Griffin, dated December 13, 2022, last revised January 19, 2023, including the following:
 - A-0 Title Sheet, Project Imagery, List of Drawings
 - S-1 Zoning Data, Area Map, Photos Of Existing Conditions
 - S-2 Site Plan, Demolition Site Plan, Aerial Site Photos
 - S-3 Neighborhood Context
 - A-1 Basement Floor Plan
 - A-2 First Floor Plan
 - A-3 Second Floor Plan
 - A-4 Third Floor Plan
 - A-5 Roof Plan
 - A-6 East (Front) Elevation
 - A-7 North (Side) Elevation
 - A-8 West (Rear) Elevation
 - A-9 Existing Building South Elevation & Courtyard North Elevation
 - A-10 Courtyard South Elevation

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

- Land Use Approval Application dated December 12, 2022
- Coastal Assessment Form, dated December 8, 2022
- Short EAF form Part 1, dated December 9, 2022
- Landscape Drawings, 2 Sheets, stamped by Louis Charles Fusco, dated December 12, 2022, including the following:

- SP-1 Landscape Site Plan
- PL-1 Planting Plan & Rendered Site Plan
- Survey Drawings, 2 Sheets, stamped by Rakesh R. Behal, L.S. dated September 3, 2022, including the following:
 - Topographical Survey
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- Site Plans, 14 Sheets, stamped by Christina Marie Griffin, dated December 13, 2022, including the following:
 - A-0 Title Sheet, Project Imagery, List of Drawings
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