



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: February 23, 2023

RE: 0 North Mountain Drive

Tanya Giglio c/o Joseph LoCascio, Esq. (the “Applicant” and “Owner”) is seeking Site Plan approval to construct a single-family home. The property is located at 0 North Mountain Drive, Section Block and Lot 3.10-1-3 (“Project Site”) and is located in the OF-2, One Family Residential 2, 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 or expansion of a single-family, two-family, or a three-family residence on an approved lot.” 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. We believe this application is ready for a public hearing.
3. **Zoning.** The Applicant provided a zoning table for the OF-2 district. This property was before the Zoning Board of Appeals (ZBA) for a variance from the minimum lot area. The requirement for the OF-2 zoning district is a minimum lot area of 20,000 square feet. The Project Site has a proposed net lot area of 15,261 square feet which would require a variance of 4,749 square feet. The ZBA referred this application to the Planning Board for site approval before the issuance of any possible variances.

The current submission may require additional variances. We note the February 15, 2023, memorandum on the building coverage and impervious coverage. The Building Inspector has the authority to interpret the zoning regulations. After consultation with the Building Inspector, the following zoning requirements will need a variance from the ZBA or waivers by the Planning Board per Section 300-52(E) of the Zoning and Land Use chapter for the following:

- a. Max lot coverage by buildings. The OF-2 zoning district allows for 18% 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 $4,190/15,261 = 27.46\%$. This will require a variance of 9.46%.

Alternatively, If the Applicant does not agree with an interpretation of the Building Inspector, they may seek an interpretation at the Zoning Board of Appeals.

4. **Architectural and Historic Review Board.** This application will require Architectural and Historic Review Board approval.
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.

OUTSTANDING SITE PLAN COMMENTS

1. **Regrading and Rock Removal.** The Applicant provided a regrading plan and anticipated rock removal plan. The Applicant should provide for the record the calculations provided by Hudson Engineering. The Applicant provided a memorandum from another engineering firm that reviewed the architect's memorandum, but we recommend that the calculations be provided and verified by the Village's engineer. **The Applicant has no objection to the Village Engineer verifying the calculations once they are provided from Hudson Engineering. We recommend that this requirement be a condition of approval.**
2. **Retaining Walls.** An extensive amount of retaining walls will be required to construct the house. The Applicant provided construction details for the "dry boulder retaining wall with railing." The Applicant also notes the possible use of rock ledge. Sheet SP 1.5 displays a retaining wall of 2 feet in height. Is this height proposed for all retaining walls on-site? If not, please provide the height of all of the retaining walls. **The Applicant has provided additional information regarding the height of the retaining walls. We defer to the Village Engineer to opine whether this is a sufficient representation of the retaining wall information.**
3. **Driveway Grade.** The driveway grade is proposed to have a maximum grade of 12%. Will the house be easily accessible with that driveway grade by emergency services? **The Applicant will provide a response from the Fire Department and Ambulance Corp regarding accessibility to the site. We recommend that this requirement be a condition of approval.**
4. **Trees.** The Applicant is proposing the removal of eight trees. The Village of Dobbs Ferry recently adopted new tree removal regulations. The Applicant will need to provide a tree replacement plan that meets §300-51(i), Tree Valuation. Please provide the total aggregate diameter of trees proposed for removal and the total aggregate diameter of trees proposed to be planted. Fifty percent of the total aggregate diameter of trees proposed for removal must be replaced. **The Applicant asserts that**

the project landscape architect will provide the requested calculations. We recommend that compliance to §300-51(i), Tree Valuation should be a condition of approval.

5. **Threatened or Endangered Species.** The EAF identified the following threatened or endangered species: Bald Eagle. A consultation with the NYS DEC is recommended. **The Applicant has agreed with the consultation of the NYSDEC. We recommend that this requirement be a condition of approval.**

SUBMISSION MATERIALS

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

- Response to the Village's consulting engineer's February 1, 2023 Memorandum, prepared by Gotham Design Planning & Development Ltd., dated February 15, 2023.
- Response to the Village's consulting planner's January 28, 2023 Memorandum, prepared by Gotham Design Planning & Development Ltd., dated February 14, 2023.
- Memorandum prepared by Gotham Design Planning & Development Ltd., dated February 15, 2023, addressing the matter of the Code requirements for the calculation of Building Coverage and Impervious Coverage.
- Memorandum prepared by Gotham Design Planning & Development Ltd., dated February 14, 2023, providing an analysis that compares the proposed single-family house and the subject parcel with other properties within the Context Area.
- Filed Subdivision Map 24033, dated December 20, 1999.
- Engineering drawings by Hudson Engineering & Consulting, P.C. dated December 14, 2022, last revised January 18, 2023, including the following sheets:
 - C-1 Steep Slopes Plan
 - C-2 Erosion and Sediment Control Plan
 - C-3 Stormwater Management Plan
 - C-4 Details
 - C-5 Details

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

- Gotham's Response Memo to Village Engineer's Memo dated January 15, 2023
- A Memorandum prepared by Sirus Miandoabi, President of Integral Engineering Services, PLLC., certifying both the Excavation and Mechanical Rock Removal- Mitigation Plan prepared by Gotham Design, dated December 15, 2022, and the Traffic, Parking, and Driveway Analysis prepared by Gotham Design, dated December 15, 2022
- A sealed and signed copy of the Topographic Survey of the subject property prepared by The Munson Company, dated August 3, 2018

- A sealed and signed copy of the Property Survey of the subject property prepared by Summit Land Surveying, P.C. dated July 22, 2017
- Sheet L-1 “Landscape Plan”, prepared by Susan Jainchill, L.A., Aspect 120 Landscape Architecture, P.C. dated November 30, 2022
- “Stormwater Management Plan & Drainage Analysis”, prepared by Hudson Engineering & Consulting, P.C. dated November 23, 2022, last revised January 18, 2023
- A letter from Hudson Engineering & Consulting, P.C. to Anthony Oliveri, P.E. responding to his December 27, 2022 Memo dated January 18, 2023
- A list of the Materials and Colors for the Proposed Project
- Engineering drawings by Hudson Engineering & Consulting, P.C. dated December 14, 2022, last revised January 18, 2023, including the following sheets:
 - C-1 Steep Slopes Plan
 - C-2 Erosion and Sediment Control Plan
 - C-3 Stormwater Management Plan
 - C-4 Details
 - C-5 Details
- Site Plans by Gotham Design and Community Development LTD, dated October 13, 2022, last revised January 19, 2023 including the following sheets:
 - CS Cover Sheet
 - GN-1 General Notes Construction Sequence
 - GN-2 Window, Door and Finish Schedules
 - SP-1.0 Proposed Site Plan
 - SP-1.1 Slopes Analysis
 - SP-1.2 Slopes Analysis
 - SP- 1.3 Tree Removal Plan
 - SP-1.4 Proposed Permeable Paving Plan
 - SP-1.5 Proposed Grading Plan and Retaining Wall Details
 - SP-3.1 Proposed Elevations and Sky Exposure Plane
 - SP-4 Cross Sections
 - A-2.0 Basement Floor Plan
 - A-2.1 First Floor Plan
 - A-2.2 Second Floor Plan
 - A-3.1 Proposed Elevations
 - A-3.2 Proposed Elevations
 - A-3.3 Exterior Details

- A-3.4 Exterior Details