



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: April 28, 2023

RE: 25 Osceola Ave

Michael and Julie Civale (the “Applicants” and “Owners”) are seeking Site Plan approval to level the side and rear yards of a single-family lot and construct tiered retaining walls to provide an area for family use. The property is located at 25 Osceola Ave, Section Block and Lot 3.50-12-2.10 (“Project Site”) and is located in the OF-2, One Family Residential 2, zoning district. The applicant went before the Zoning Board of Appeals on April 12, 2023, and was deferred to the Planning Board/AHRB to make a decision regarding the site plan application before receiving variances.

GENERAL AND PROCEDURAL COMMENTS

1. **SEQR.** This application is categorized as an Unlisted action under SEQR.
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.** As currently proposed, this application requires variances from the Zoning Board of Appeals. The Applicant went before the ZBA at their April 12, 2023, meeting for the following:
 - a. **Height of Retaining Wall.** The applicant is proposing retaining walls that are over the maximum 6 feet allowed by the Village. The maximum height proposed for the site is 10.67 feet, which requires a variance of 4.67 feet.

The ZBA found that the mitigation necessary to allow for the variance was dependent on the review of the Planning Board/AHRB. Neighbors have concerns regarding the visual impact of the proposed walls and therefore the façade and visual review of the Planning Board/AHRB is necessary before the ZBA will make a decision regarding the variance.

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.
 - a. **Materials.** The Applicant should provide samples of the materials that are proposed for the façade of the retaining walls, as this was an area of concern by the public and Zoning Board of Appeals.
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. **Floodplain.** North Brook runs through the rear portion of the project site, creating a flood area. However, this area does not meet the definition of a special flood hazard area and therefore does not require a floodplain development permit.
7. **Bald Eagles.** The EAF Mapper has identified Bald Eagles as being on or adjacent to the proposed project site. The project does not appear to involve the removal of trees, so we do not believe referral to NYSDEC is necessary.

SITE PLAN COMMENTS

1. **Lighting.** It appears that lighting is 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. **Trees.** Will tree removal be required for the project? The proposed project seems to be located where there are currently trees. The Village of Dobbs Ferry recently adopted new tree removal regulations. 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. The applicant should confirm that no trees will be removed. Please also refer to general comment 7 above.
3. **Landscaping.** The Applicant has provided a landscaping plan per §300-44 of the Zoning chapter.
4. **Stormwater Management Plan.** The Applicant has not yet provided a Stormwater Management Plan but has provided details for a silt fence and the retaining wall. As per §262-4E of the Village Code, a stormwater management and erosion and sediment control permit must be obtained for any development or land-disturbing activity. Once provided, the Village Engineer will review the plan and comment on this information.
5. **Erosion and Sediment Control.** The Applicant has provided soil erosion and sediment control notes. The Village Engineer will review and provide comments on this information.

6. **Fill.** Will any fill be brought onto the site and if so, how much?

SUBMISSION MATERIALS

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

- Letter from Paul J. Petretti dated March 16, 2023
- Land Use Approval Application prepared by Michael Civale, dated March 16, 2023
- AHRB Application dated March 16, 2023
- Coastal Assessment Form prepared by Paul J. Petretti, dated March 16, 2023
- Short EAF form Part 1, prepared by Paul J. Petretti, dated March 15, 2023
- Civil Engineering Plans by Paul J. Petretti, dated December 22, 2022 including the following:
 - 01/09 Site Plan Retaining Wall
 - 02/09 Plan View of Retaining Wall
 - 03/09 Garden Walkway and Wall
 - 04/09 Profile of Wall 1
 - 05/09 Profile Wall 2
 - 06-07/09 Retaining Wall Sections
 - 08/09 Notes, Sections and Details
 - 09/09 Tensar Mesa, MSE Wall, Notes, Sections and Details.
- Landscaping Plans by Daniel Sherman, dated January 20, 2023 including the following:
 - P-1 Planting Plan
 - P-2 View Renderings of Proposed Lawn Terrace Walls