



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: May 26, 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 a variance from the Zoning Board of Appeals. The Applicant went before the ZBA at their April 12, 2023, meeting who found that the mitigation necessary to allow for the variance is dependent on the review of the Planning Board/AHRB, for the following:
 - a. **Height of Retaining Wall.** The applicant previously proposed retaining walls that were over the maximum 6 feet allowed by the Village. The maximum height proposed for the site was 10.67 feet, which required a variance of 4.67 feet. **The Applicant has since revised the proposal and is now proposing a maximum height of 8.83 feet and requesting a variance of 2.83 feet. This revision does not change the shape, height, location etc. of Wall 1, which is the same as initially proposed.**

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. **The Applicant is requesting to return to the ZBA for variance approval.**

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.

SITE PLAN COMMENTS

1. **Lighting.** The Applicant states that lighting is not proposed for this site.
2. **Trees.** The proposed project is proposing to remove one tree. **The Applicant should confirm that the existing Magnolia near Wall 2 will remain.**
3. **Fill.** The Applicant is proposing to bring in 1,000 cubic yards of fill. **It is recommended that the Applicant must submit documentation that the fill is clean 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:

- Letter from Paul J. Petretti dated May 14, 2023
- Civil Engineering Plans by Paul J. Petretti, dated December 22, 2022, last revised May 10, 2023 including the following:
 - 01/06 Site Plan Retaining Wall
 - 02/06 Plan View of Retaining Walls
 - 03/06 Profile and Sections Wall 1
 - 04/06 Profile and Sections Wall 2
 - 05/06 Notes, Sections and Details
 - 06/06 Tensar Mesa, MSE Wall, Notes, Sections and Details.

- Landscaping Plans by Daniel Sherman, dated January 20, 2023, last revised May 16, 2023 including the following:
 - P-1 Planting Plan
 - P-2 View Renderings of Proposed Lawn Terrace Walls