



## MEMORANDUM

**TO:** Stephen Hunter, Chair and Members of the Village of Dobbs Ferry Planning Board

**FROM:** Valerie Monastra, AICP

**CC:** Dan Roemer, Building Inspector  
Anthony Oliveri, P.E., Village Engineer  
Dan Pozin, Village Attorney

**DATE:** August 29, 2022

**RE:** 72 Colonial Avenue

---

Diane McKay and Robert Dickey (the “Owners”) are seeking Site Plan approval for the renovation of an existing deck and railings, and landscaping, including new plantings, paving, retaining walls, and pervious driveways. The property is located at 72 Colonial Avenue, Section Block and Lot 3.120-113-10 (“Project Site”) and is in the OF-5, One Family Residential 5 zoning district.

## GENERAL AND PROCEDURAL COMMENTS

1. **County Board Referral.** This Project requires a notification to the Westchester County Planning Board per section 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 the Old Croton Aqueduct State Park.
2. **SEQR.** This application is categorized as a Type II action under SEQR because it consists of the “construction, expansion or placement of minor accessory/appurtenant residential structures.” No additional SEQR review is necessary.
3. **Site Plan Approval.** This application requires Site Plan approval by the Planning Board per Section 300-52 of the Zoning chapter. A public hearing conducted by the Planning Board will be required.
4. **Village Board Approval.** This application required approval from the Village Board for an encroachment onto the Village right-of-way due to the construction of the proposed retaining wall. The Village Board passed a resolution at its May 24, 2022, meeting permitting the encroachment, with the following conditions:

- Property owners must execute a License Agreement in form and substance approved by the Village Attorney, which must be based on an as-built survey which shall be prepared at the property owners' expense; and
  - Property owners shall install sidewalks along all property frontage to a specification determined satisfactory and compliant with applicable regulations in the sole discretion of the Village.
5. **Zoning.** The project site is in the One Family Residential 5 zoning district. The Applicant has provided a bulk table and no zoning variances are required.
6. **Site Plan.**
- a. The height of the deer fence now complies with maximum height requirements. Sheets L100 and A200 have been adequately updated to reflect these changes.
7. **Trees.** The Applicant is proposing the removal of trees. The Village of Dobbs Ferry recently adopted new tree removal regulations. Please confirm that the planting plan meets §300-51(i), Tree Valuation by providing the total aggregate diameter of trees proposed for removal and the total aggregate diameter of trees that are proposed to be planted.
8. **Architectural and Historic Review Board.** This application will require Architectural and Historic Review Board approval.
9. **Local Waterfront Revitalization Consistency.** The Village 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 not provided a Coastal Consistency Form and needs to submit one.

## SUBMISSION MATERIALS

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

- Land Use Approval Application by Niall Cain, undated
- Site Plan Application by Niall Cain dated April 20, 2022
- Short EAF Part 1 by Niall Cain dated August 9, 2022
- LWRP Consistency Review Coastal Assessment Form by Niall Cain dated January 28, 2022
- Site Plans by Niall Cain/Architects last revised August 2, 2022
  - A001 General Notes, Legends
  - L100 Landscape Plan, Stormwater Management (last revised August 2, 2022)
  - A100 Construction Plans

- A200 Exterior Elevations, Site Sections
- A500 Exterior Details
- A501 Exterior Details