



## 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:** December 4, 2023

**RE:** 231 Clinton Ave

---

Daniel Pennessi (the “Applicant” and “Owner”) is seeking amended Site Plan and AHRB approvals to build additions on the west and east ends of the existing house, in addition to special permit approval for the proposed ADU that is one of the additions. The property is located at 231 Clinton Ave, Section Block and Lot 3.160-143-1 and 2 (“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.
3. **Zoning.** The Applicant provided a zoning table for the OF-2 district. Despite what appears to be different coverage from the previous application, the provided table does not appear to have any changes. This should be checked for accuracy.
4. **Architectural and Historic Review Board.** This application will require revised Architectural and Historic Review Board approval and falls within the Residential Design Guidelines found in Appendix G of the Zoning and Land Use chapter.

- 
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. **ADU.** As part of the revised application, the applicant is now proposing an accessory dwelling unit as a part of the project. 300-39 of the Land Use and Zoning chapter contains the following requirements for accessory dwelling units:
- a. The accessory dwelling unit is allowed by special permit in accordance with Table A-1 of this chapter. **Complies.**
  - b. The accessory dwelling unit must be located in a principal building of a one-family dwelling or in a permitted accessory building on the same property. **Complies.**
  - c. The owner of the one-family dwelling unit must occupy either the principal dwelling or the accessory dwelling unit as a principal residence. **Complies.**
  - d. The minimum floor area for an accessory dwelling unit shall be 300 square feet, but in no case shall it exceed 33% of the floor area of the principal dwelling or 800 square feet, whichever is less, unless, in the reasonable opinion of the Planning Board, a greater or lesser amount of floor area is warranted by the specific circumstances of a particular building. **The applicant must clearly show the total floor area of the ADU on the Site Plans.**
  - e. An accessory dwelling unit shall not contain more than two bedrooms, each meeting requirements of applicable codes, including building, fire and safety and zoning. **Applicant is proposing one bedroom. Building department to confirm compliance with code requirements.**
  - f. Although no additional parking shall be mandatory for an accessory dwelling unit, a parking assessment shall be made on a case-by-case basis during the review of the special permit application by the Planning Board. At a minimum, existing required parking for the primary dwelling must be maintained or replaced on site. **The Project meets existing required parking as was previously approved.**
  - g. Except for improvements mandated by NYS Uniform Code requirements, no exterior changes shall be made to the building in which the accessory dwelling unit is located that, in the reasonable opinion of the Planning Board, would significantly alter the appearance and character of the building as a single-family residence or accessory structure. **The Applicant is proposing an addition onto an existing single-family residence. The Planning Board should assert if the proposed appearance is acceptable.**
  - h. During the review of any application for an accessory dwelling unit special permit, the Planning Board shall consider the effect of the proposed accessory dwelling unit on parking, traffic, noise, congestion, appearance, and other site-specific factors that the Planning Board reasonably deems relevant to potential impacts on the neighborhood. Following consideration of these site-specific criteria, the Planning Board shall have the authority to impose such reasonable conditions and restrictions

- as are directly related to and incidental to the addition of an accessory dwelling unit use to the subject property. The Planning Board may refuse to issue a special permit if it finds that the cumulative effects from approved accessory dwelling units in the neighborhood, including the one proposed, will adversely affect the character of the neighborhood. **The Planning Board should confirm no cumulative impacts.**
- i. The accessory dwelling unit must adhere to current residential design guidelines (as captured in Chapter 300, Appendix G "Residential Design Guidelines"). **Refer to comment 4 above.**
  - j. The accessory dwelling unit must comply with all relevant New York State Uniform Codes, including all requirements for a dwelling unit. **The Building Department should confirm.**
  - k. No open violations of the Dobbs Ferry Code shall exist at the time of application for an accessory dwelling unit special permit. **The Building Department should confirm.**
7. **Completed work.** The Applicant has provided photographs of the property. The Applicant should clarify what work has been completed on the site thus far. Are the 1 story and 2 story additions from the original approval completed? If so, the Planning Board should determine if this is to be considered amended approvals or an entirely new application.

#### **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. **Trees.** Are any trees being removed from the site? 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.
3. **Landscaping.** Will the site have any landscaping? If so, the Applicant should provide a landscaping plan that must comply with §300-44 of the Zoning Chapter.
4. **Stormwater Management Plan.** The Applicant must provide a stormwater management plan. The Village Engineer will review and provide comments on this information once it is submitted.
5. **Erosion and Sediment Control.** The Applicant has provided a proposed erosion and sediment control plan. The Village Engineer should review and provide comments.

#### **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, dated November 2, 2022

- AHRB Application, dated November 7, 2023
- Coastal Assessment Form, dated November 2, 2022
- Short EAF form Part 1, dated November 2, 2022
- Site Plans, 15 Sheets, by DeMasi Architects P.C. dated October 10, 2023
- SK-1 dated October 27, 2023
- Survey dated September 1, 2022, revised January 15, 2023