

April 20, 2023

Dan Roemer, Building Inspector
Dobbs Ferry Planning Board
112 Main Street
Dobbs Ferry, New York 10522

Re: Proposed Giglio Residence
0 North Mountain Drive (Subdivided from 79 North Mountain Drive)

Dear Mr. Roemer and Members of the Dobbs Ferry Planning Board:

At your April 6, 2023 Planning Board meeting, you opened the Public Hearing on the matter referenced above. This letter is to request that you continue the Public Hearing at your May 4, 2023 meeting.

At your April 6, 2023, the Planning Board also considered two Resolutions pertaining to this application.

The first Resolution supported the variance being requested for the Subject Parcel to be accepted as a Building Lot, with was denied by the Building Inspector due to the fact that the deduction of a percentage of the steep slopes on the property reduced the area of the parcel from the Gross Lot Area 23,337 square feet to a Net Lot Area of 15,716 square feet. The fact that 15,716 square feet is less than the 20,000 square feet required for the minimum Net Lot Area in the OF-2 zoning district within which the Subject Parcel is located was determined by the Building Inspector to require a variance from the Zoning Board of Appeals for the Subject Parcel to be a Building Lot for a single-family house. The Planning Board voted unanimously to recommend to the Zoning Board of Appeals that the variance be granted.

The second Resolution supported the variance being requested for the Subject Parcel to allow the use of the Gross Lot Area instead of the Net Lot Area for the determination of the permitted Building Coverage and the Impervious Coverage. The Planning Board did not approve that Resolution with a vote of 1 Aye to 4 Nay.

At the April 12, 2023 Zoning Board of Appeals meeting, the Zoning Board granted the variance to permit the development of the Subject Parcel for a single family home with a Net Lot Area of 15,716 square feet, where 20,000 square feet was otherwise required.

The Zoning Board of Appeals, however, did not open the Public Hearing on the second variance request due to the application not being properly noticed for the meeting. The Village did not publish the Notice for the meeting in the required newspaper. Subsequently, only general discussion was entertained.

It is our expectation that the Public Hearing on the requested variance will be opened at the May 19, 2023 Zoning Board of Appeals meeting.

Letter to the Dobbs Ferry Building Inspector and Planning Board

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Two things did come up at the Zoning Board meeting, however. One is a question as to whether in considering this application and its review the Planning Board intended its recommendations to be general in nature, determining whether or not A house could be built on the Subject Parcel or whether the Planning Board conducted an actual review of this specific house proposed on this Subject Parcel.

We explained that, since all of the evaluations, including stormwater, rock removal, the driveway, and the site protection measures, were based on actual engineering drawings for this specific house, which were reviewed by the Planning Board and the Village's Consulting Engineer and Planner, the review was specific to The house in the drawings, and not a hypothetical.

The second issue was with documentation that Gotham provided pertaining to the standards used in previous projects of a similar type relative to the use of the Gross Lot Area and the Net Lot Area. Gotham agreed to provide further documentation of the way in which other similar projects have been handled since the adoption of 300-34.A.(2) in September 1989.

Submitted with this letter, please find a copy of the **Memorandum on Gross and Net Coverage Calculations /Building Lots**, dated April 14, 2023, prepared by Gotham Design Planning & Development Ltd. While this Memorandum was prepared for the Zoning Board of Appeals, it includes information that should be helpful to the Planning Board.

Circling back to the fact that the Planning Board did not approve the second Resolution, we have this question: Since until the February 2023 meeting at which the Village's Consulting Planner's Memo stating that the calculations for the proposed house had used the wrong basis for the site area, specifically that the Net Lot Area should have been used instead of the Gross Lot Area, there was no real discussion about the proposed house being "too big," if it were determined that the correct basis was used and that the house as designed was in compliance with the Building Coverage limits, would that affect the decision of the Planning Board as to whether or not to support the second Resolution recommending approval of the variance allowing the house to be the size based on the 18% limit on the Gross Lot Area?

We would like to discuss this at the May Planning Board meeting.

Thank you for your time and attention,

Paddy Steinschneider
Project Design Coordinator