

April 24, 2023

Dan Roemer, Building Inspector
Dobbs Ferry Zoning Board of Appeals
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 Zoning Board of Appeals:

At your April 12, 2023 Zoning Board of Appeals meeting, the Public Hearing on the matter referenced above was opened, but one of the two matters for which this Application was submitted could not be formally heard.

The Hearing on the first matter was conducted, which addressed whether or not the Subject Parcel could be developed as a building lot. Following discussion and the opportunity for concerned neighbors to be heard, the Public Hearing was closed. A motion was made and seconded to grant a variance to permit the development of the Subject Parcel with a total Net Lot Area of 15,716 square feet, in the OF-2 zoning district, where a Net Lot Area of 20,000 square feet is otherwise required. The motion passed unanimously.

The second matter is a request for the Zoning Board of Appeals to overturn the decision made by the Building Inspector requiring the use of the Net Lot Area for the calculation of Building Coverage and Impervious Coverage. In the event that the ZBA decides to not overturn that decision, the Application has requested that the ZBA grant a variance to permit the use of the Gross Lot Area of the Subject Parcel for the calculations of the maximum coverages permitted.

The Hearing on the second matter could not be opened due to a flaw in the Noticing to the Public. While the Applicant posted the required sign on the property and sent certified Notice to all neighbors with properties within the required distance, the Village did not post the Notice in the local newspaper. Subsequently, the Hearing on this matter could not be conducted.

This letter has been submitted to request confirmation that the Notice has been correctly posted in the news paper so that this second matter be considered in a Public Hearing at the ZBA's May meeting.

At the April 12 ZBA meeting, there was general discussion on three issues that need further clarification. The first is a question as to whether the submission that has been made to the Planning Board is only a hypothetical house or whether it is the actual house proposed. Due to the nature of this site, the only way to determine the potential impacts that could affect neighbors and the community was to submit the fully engineered components of the Project to the Village for review.

The Application submitted to the Planning Board, including the full set of drawings with 20 Sheets prepared by Gotham Design, is for the specific house that the Owner wants to build. This does not any connection to the decision that has already been made on this Application by the Zoning Board of Appeals granting the required variance so that the parcel approved in a Subdivision application by the Planning Board in October 1989 and filed with the Westchester County Records Office as a separate parcel with requirements affixed to the Plat Map pertaining to the construction of a single family home on the property could be considered a building lot.

The second issue is a request by members of the ZBA for more detail on the nature of the similar projects that have been approved by the Building Department using the Gross Lot Area for the calculation of the Building Coverage and the Impervious Coverage. A Memorandum "Gross and Net Coverage Calculations / Building Lots," dated April 14, 2023, has been prepared by Gotham and submitted with this letter. While Gotham has coordinated the design and development of many other projects in Dobbs Ferry for which the Coverages were based on the Gross Lot Area and approved by the Building Department, the Memorandum provides the specifics on seven projects that have similarities to the pending Application, confirming the use of the Gross Lot Area. This Memorandum also provides support for the reasons that there should be no question as to the use of the Gross Lot Area for this purpose and the adverse impact that changing to the Net Lot Area would have on a significant number of properties in the Village.

The third issue, similar to the second, is a request by members of the ZBA for more information documenting how the other properties within the Context Limit Area compare to the Subject Property relative to areas of steep slopes and the size of the existing houses compared to the size of the proposed house. A map of the Context Limit Area with 2 foot contours has been provided with a Memorandum that evaluates each of the other properties in the Context Limit Area to demonstrate that the character of the Subject Parcel is consistent with the other properties in this area. A Memorandum "Analysis of Slopes within the Context Limits." dated April 22, 2023, has been prepared by Gotham and submitted with this letter.

The following documents have been submitted with this letter:

- A. A copy of the submission letter to the Planning Board dated April 20, 2023 prepared by Gotham Design Planning & Development Ltd.
- B. A copy of the Memorandum "Gross and Net Coverage Calculations / Building Lots" dated April 14, 2023 prepared by Gotham Design Planning & Development Ltd.
- C. Seven 11 x 17 inch sheets providing the Description, Zoning Chart, and Site Plan for seven properties developed by Gotham Design supporting the documentation provided in the April 14, 2023 Memorandum.

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- D. Eight 24 x 36 inch sheets providing the Site Plan drawings for the seven properties developed by Gotham Design supporting the documentation provided in the April 14, 2023 Memorandum.
- E. A copy of the Memorandum "Analysis of Slopes Within the Context Limits dated April 22, 2023 prepared by Gotham Design Planning & Development Ltd. including ten 8.5 x 11 inch maps showing the topography on each of the ten properties considered in the Context Limits Area Memorandum attached.
- F. An 11 x 17 inch map of the Context Limits Area prepared by the Westchester County GIS showing moderately steep and very steep topography in the vicinity of the Subject Parcel.
- G. Sheet SP-1.6 "Context Area Map" dated 04-25-2023 providing the Westchester County GIS map of the Context Area with topography in 2 foot intervals provided.

We look forward to reviewing these issues at the May ZBA meeting.

Thank you for your time and attention,

Paddy Steinschneider
Project Design Coordinator