GOTHAM

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April 22, 2023

Memorandum
0 North Mountain Drive: Tax ID 3.10-1-3
Analysis of Slopes Within the Context Limits

This Memorandum is to augment the February 14, 2023 Memorandum "Context Limit Area," and the February 15, 2023 Memorandum "Building and Impervious Coverage Calculations" both prepared by Gotham Design Planning & Development Ltd. in support of the applications pending before the Dobbs Ferry Planning Board and Dobbs Ferry Zoning Board of Appeals (ZBA) for the development of a single family building lot located at 0 North Mountain Drive, a/k/a Tax ID 3/10-1-3. The information provided in this Memorandum was requested by members of the ZBA.

The Subject Parcel is located in an unusual neighborhood in the Village of Dobbs Ferry. Where zoning districts that permit single family homes on lots requiring a minimum lot area of between 5,000 or 10,000 square feet are the standard, the Subject Parcel is located in the OF-2 zoning district, which requires a minimum lot area of 20,000 square feet. What makes this neighborhood unusual is the combination of how it is woven into the golf course of the Ardsley Country Club and the fact that many of the properties in this neighborhood are oversized. The houses that have been built in this neighborhood tend towards being the largest in the Village.

The Subject Parcel is one of four that were created in the 1980s as lots that were subdivided from very large properties. The Subject Parcel is the smallest of the four, with a total lot area of 23,337 square feet. The other three lots have total lot areas of 29,181, 32,094, and 50,094 square feet.

While Dobbs Ferry is characterized by its varied terrain and rolling topography, the neighborhood within which the Subject Parcel is located has areas that are defined by major rock outcroppings and unusually steep slopes. A map of the area provided by Westchester County GIS confirms how the neighborhood north of the golf course through which North Mountain Drive runs is dominated by steep slopes. Although the Subject Parcel does not have dramatic rock outcroppings, it is anticipated that, by excavating for the proposed house, the ledge rock will be exposed and become a site feature.

The Dobbs Ferry Village Code identifies Steep Slopes as both environmental features and areas that require careful management when subject to development do to concerns of stormwater runoff, erosion, sedimentation, and instability. The review of the proposed Project has addressed the concerns of managing the potential adverse impacts that can result from steep slopes. As the North Mountain Drive neighborhood demonstrates, however, focusing on Steep Slopes with exposed ledge rock as an environmental feature results in very attractive site character.

ANALYSIS OF SLOPES ON PROPERTIES WITHIN THE CONTEXT LIMITS

The concern expressed at the ZBA meeting was how the proposed development of the Subject Parcel compares with the other properties in the neighborhood. This Analysis identifies the slopes on the other properties located in the Context Limit Area slightly expanded. The Context Limit Area is defined as including "all lots contiguous to a subject property as well as all buildings fronting on the same street as the subject property within 200 feet of the subject property. Since the properties in this neighborhood are large, the Context Limit Area for this Analysis extends to include neighboring properties that are further than 200 feet from the Subject Parcel.

The Building Department contends that calculating the Building Coverage requires the use of the Net Lot Area for calculation. The Applicant disagrees and contends that, like the Impervious Coverage calculation, calculating the Building Coverage permits the use of the Gross Lot Area. The Gross Lot Area is synonymous with the total lot area. The Net Lot Area is defined as the total lot area, less the deductions for steep slopes. When calculating Net Lot Area, 25% of the sloped area that is between 15% and 25% is deducted and 50% of the sloped area that is 25% or greater is deducted.

The method used for this Analysis is as follows:

A. Each parcel was printed out from the Westchester County GIS with the 2 foot contours layer turned on.

B. The slopes on each parcel were calculated with the following parameters Area<15%, 15%<Area<25%, and 25%<Area.

C. The deductions for Steep Slopes in accordance with Section 300-34.A.(2) in the Dobbs Ferry Village Code were calculated to determine the Net Lot Area of each parcel. The total lot area is the number provided on the Town of Greenburgh Property Cards for each parcel.

D. The building footprint for each parcel was calculated by using the diagrams provided by the Town of Greenburgh Property Cards. Terraces, porches, and decks were not included in calculating the building footprint to assure an accurate comparison of each.

E. The Building Coverage for each parcel was calculated two ways: one calculation is based on the Gross Lot Area; the other calculation is based on the Net Lot Area using the deductions for slopes calculated as defined above.

F. The Living Area provided is the number provided on the Town of Greenburgh Property Cards for each parcel.

ANALYSIS OF PARCELS IN THE CONTEXT LIMIT AREA

2 North Mountain Drive (3.50-14-7):

This parcel has a total lot area of 40,511 square feet. The property is substantially sloped less than 15%. There is a deduction of 1,625 for 3,250 square feet of area sloped more than 25%, resulting in a Net Lot area of 38,886 square feet. Due to the total lot area being greater than 40,000 square feet, the Table B-3 Sliding Scale reduces the permitted Building Coverage to 15%. The permitted Building Coverage for this parcel using the Gross Lot Area is 6,077 square feet. The permitted Building Coverage for this parcel using the Net Lot Area is 5,833 square feet.

The existing Building Coverage is 2,394 square feet, which is 5.9% using the Gross Lot Area and 6.2% using the Net Lot Area. The Living Area in the house is 4,990 square feet.

		Deduction	Net
Total Lot Area	40,511		
0<Area<15%	37,261	0	37,261
15%<Area<25%	0	0	0
25%<Area	3,250	1,625	1,625
		Net Lot Area	38,886

Building Coverage Gross Lot Area:	40,511 x 15% =	6,077
Building Coverage Net Lot Area:	38,886 x 15% =	5,833

40 Osceola Avenue (3.10-1-1..L2):

This Town of Greenburgh lists the lot area of this parcel as 38,333 square feet, but it should be noted that the vacant lot to the north in Irvington, with a lot area of 35,719 square feet, is listed as being in the same ownership. The property is substantially sloped less than 15% and there is no deduction for steep slopes, resulting in a Net Lot area of 38,333 square feet. The permitted Building Coverage for this parcel is 6,900 square feet.

The existing Building Coverage is 3,073 square feet, which is 8%. The Living Area in the house is 5,659 square feet.

		Deduction	Net
Total Lot Area	38,333		
0<Area<15%	38,333		38,333
15%<Area<25%	0	0	0
25%<Area	0	0	0
		Net Lot Area	38,333

Building Coverage Gross Lot Area:	38,333 x 15% =	6,900
Building Coverage Net Lot Area:	38,333 x 15% =	6,900

3.10-1-2..L2

This property is the first vacant lot on the north side of North Mountain Drive. This parcel has a total lot area of 50,094 square feet. The property is substantially sloped less than 15%. There is a deduction of 3,109 for 12,437 square feet of area sloped more than 15%, but less than 25%, and a deduction of 5,481 for 10,962 square feet of area sloped more than 25%, resulting in a Net Lot area of 41,504 square feet. Due to the total lot area being greater than 40,000 square feet, the Table B-3 Sliding Scale reduces the permitted Building Coverage to 15%. The permitted Building Coverage for this parcel using the Gross Lot Area is 7,514 square feet. The permitted Building Coverage for this parcel using the Net Lot Area is 6,226 square feet.

		Deduction	Net
Total Lot Area	50,094		
0<Area<15%	37,261		37,261
15%<Area<25%	12,437	3,109	9,328
25%<Area	10,962	5,481	5,481
		Net Lot Area	41,504

Building Coverage Gross Lot Area:	50,094 x 15% =	7,514
Building Coverage Net Lot Area:	41,504 x 15% =	6,226

Subject Parcel (3.10-1-3)

The Subject Parcel is the second vacant lot on the north side of North Mountain Drive. This parcel has a total area of 23,337 square feet. Almost the entire property is sloped more than 15% and a significant area is sloped more than 25%. There is a deduction of 2,455 for 9,819 square feet of area sloped more than 15%, but less than 25%, and a deduction of 5,167 for 10,333 square feet of area sloped more than 25%, resulting in a Net Lot Area of 15,715 square feet. The permitted Building Coverage for this parcel using the Gross Lot Area is 4,200 square feet. The permitted Building Coverage for this parcel using the Net Lot Area is 2,829 square feet.

The proposed Building Coverage is 3,644 square feet, excluding porches for consistency with the other parcels using the Property Cards, which is 15.6% using the Gross Lot Area and 23.2% using the Net Lot Area. The Living Area in the house is 5,038 square feet.

		Deduction	Net
Total Lot Area	23,337		
0<Area<15%	3,185	0	3,185
15%<Area<25%	9,819	2,455	7,364
25%<Area	10,333	5,167	5,167
		Net Lot Area	15,716

Building Coverage Gross Lot Area:	23,337 x 18% =	4,200
Building Coverage Net Lot Area:	15,716 x 18% =	2,829

62 North Mountain Drive (3.50-14-6):

This parcel has a total lot area of 20,038 square feet. The property is substantially sloped more than 15% and 25%. There is a deduction of 3,103 for 12,413 square feet of area sloped more than 15%, but less than 25%, and a deduction of 3,062 for 6,125 square feet of area sloped more than 25%, resulting in a Net Lot area of 13,872 square feet. The permitted Building Coverage for this parcel using the Gross Lot Area is 3,607 square feet. The permitted Building Coverage for this parcel using the Net Lot Area is 2,497 square feet.

The existing Building Coverage is 2,958 square feet, which is 14.8% using the Gross Lot Area and 21.3% using the Net Lot Area. The Living Area in the house is 4,113 square feet.

		Deduction	Net
Total Lot Area	20,038		
0<Area<15%	37,261	0	1,500
15%<Area<25%	12,413	3,103	9,310
25%<Area	6,125	3,062	3,062
		Net Lot Area	13,872

Building Coverage Gross Lot Area:	20,038 x 18% =	3,607
Building Coverage Net Lot Area:	13,872 x 18% =	2,497

65 North Mountain Drive (3.50-14-5):

This parcel has a total lot area of 16,988 square feet. The property is substantially sloped more than 15%. There is a deduction of 394 for 1,375 square feet of area sloped more than 15%, but less than 25%, and a deduction of 2,868 for 5,737 square feet of area sloped more than 25%, resulting in a Net Lot area of 14,119 square feet. The permitted Building Coverage for this parcel using the Gross Lot Area is 3,058 square feet. The permitted Building Coverage for this parcel using the Net Lot Area is 2,479 square feet.

The existing Building Coverage is 1,992 square feet, which is 11.7% using the Gross Lot Area and 14.5% using the Net Lot Area. The Living Area in the house is 2,833 square feet.

		Deduction	Net
Total Lot Area	16,988		
0<Area<15%	9,876	0	9,876
15%<Area<25%	1,375	394	1,375
25%<Area	5,737	2,868	2,868
		Net Lot Area	14,119

Building Coverage Gross Lot Area:	16,988 x 18% =	3,058
Building Coverage Net Lot Area:	14,119 x 18% =	2,541

3.50-13-1

This property is the third vacant lot on the north side of North Mountain Drive. This parcel has a total lot area of 32,234 square feet. The property is substantially sloped more than 25%. There is a deduction of 1,162 for 4,650 square feet of area sloped more than 15%, but less than 25%, and a deduction of 10,742 for 21,484 square feet of area sloped more than 25%, resulting in a Net Lot area of 20,329 square feet. The permitted Building Coverage for this parcel using the Gross Lot Area is 5,802 square feet. The permitted Building Coverage for this parcel using the Net Lot Area is 3,867 square feet.

		Deduction	Net
Total Lot Area	32,234		
0<Area<15%	6,100		6,100
15%<Area<25%	4,650	1,162	3,487
25%<Area	21,484	10,742	10,742
		Net Lot Area	20,329

Building Coverage Gross Lot Area:	32,234 x 18% =	5,802
Building Coverage Net Lot Area:	20,329 x 18% =	3,867

77 North Mountain Drive (3.50-13-2):

This parcel has a total lot area of 35,284 square feet. Half of the property is relatively level and the other half is steeply sloped. There is a deduction of 737 for 2,950 square feet of area sloped more than 15%, but less than 25%, and a deduction of 5,412 for 10,825 square feet of area sloped more than 25%, resulting in a Net Lot area of 29,135 square feet. The permitted Building Coverage for this parcel using the Gross Lot Area is 6,351 square feet. The permitted Building Coverage for this parcel using the Net Lot Area is 5,244 square feet.

The existing Building Coverage is 4,200 square feet, which is 11.9% using the Gross Lot Area and 14.4% using the Net Lot Area. The Living Area in the house is 7,051 square feet.

		Deduction	Net
Total Lot Area	35,284		
0<Area<15%	21,384	0	21,384
15%<Area<25%	2,950	737	2,212
25%<Area	10,825	5,412	2,868
		Net Lot Area	29,135

Building Coverage Gross Lot Area:	35,284 x 18% =	6,351
Building Coverage Net Lot Area:	29,135 x 18% =	5,244

3.50-13-1

This property is the fourth vacant lot on the north side of North Mountain Drive. This parcel has a total lot area of 29,181 square feet. The property is substantially sloped less than 25%. There is a deduction of 500 for 2,000 square feet of area sloped more than 15%, but less than 25%, and a deduction of 937 for 1,875 square feet of area sloped more than 25%, resulting in a Net Lot area of 28,743 square feet. The permitted Building Coverage for this parcel using the Gross Lot Area is 5,253 square feet. The permitted Building Coverage for this parcel using the Net Lot Area is 5,174 square feet.

		Deduction	Net
Total Lot Area	29,181		
0<Area<15%	26,306		26,306
15%<Area<25%	2,000	500	1,500
25%<Area	1,875	937	937
		Net Lot Area	28,743

Building Coverage Gross Lot Area:	29,181 x 18% =	5,253
Building Coverage Net Lot Area:	28,743 x 18% =	5,174

79 North Mountain Drive (3.10-1-4):

This parcel has a total lot area of 80,150 square feet. One third of this property is steeply sloped and the balance is relatively level. There is a deduction of 1,194 for 4,775 square feet of area sloped more than 15%, but less than 25%, and a deduction of 5,050 for 10,100 square feet of area sloped more than 25%, resulting in a Net Lot area of 73,908 square feet. Due to the total lot area being greater than 40,000 square feet, the Table B-3 Sliding Scale reduces the permitted Building Coverage to 15%. The permitted Building Coverage for this parcel using the Gross Lot Area is 12,022 square feet. The permitted Building Coverage for this parcel using the Net Lot Area is 11,086 square feet.

The existing Building Coverage is 3,442 square feet, which is 9.2% using the Gross Lot Area and 9.9% using the Net Lot Area. The Living Area in the house is 5,050 square feet.

		Deduction	Net
Total Lot Area	80,150		
0<Area<15%	65,275	0	65,275
15%<Area<25%	4,775	1,194	3,581
25%<Area	10,100	5,050	5,050
		Net Lot Area	73,906

Building Coverage Gross Lot Area:	80,150 x 15% =	12,022
Building Coverage Net Lot Area:	73,906 x 15% =	11,086

SUMMARY

The character of the Context Limit Area for the proposed development of the Subject Parcel for a single family home is large homes on dramatic properties enhanced by steep slopes and rock outcroppings. This is a neighborhood with large homes. This is a neighborhood of homes on the Village street that serves as the "driveway" to the Ardsley Country Club with the presence of the golf course contributing to its character.

The size of the houses in the Context Limit Area are as follows:

Address	Gross Lot Area	Net Lot Area	Living Area[1]
2 North Mountain Drive	40,511 sq.ft.	38,886 sq.ft.	4,990 sq.ft.
40 Osceola Avenue	38,333	38,333	5,659
Subject Parcel	23,337	15,716	5,038
62 North Mountain Drive	20,038	13,872	4,113
65 North Mountain Drive	16,988	14,119	2,833
77 North Mountain Drive	35,284	29,135	7,051
79 North Mountain Drive	80,150	73,906	5,050

The proposed house on the Subject Parcel has been designed to fit into the context of this neighborhood. It is another good sized house that will cost a lot to build and will end up paying significant real estate taxes. That is the nature of this Context Limit Area. The proposed house will look like another of the same kind of house that contributes to the preferred character of this neighborhood.

Many of the homes in this neighborhood that are most appreciated are the ones that were built more than 50 years ago or more. There have been several homes in this neighborhood built since 50 years ago. A couple of these also fit in well with the character of the community. A couple, however, do not have as good a fit and some of the residents in this neighborhood have expressed a concern with any new home proposed, with the fear expressed that another "builder's spec house" will adversely affect the value of their homes.

It is no secret that several residents in this neighborhood joined together with the purpose of opposing the development of the Subject Parcel. They went so far as to retain the services of an engineer specifically to fight the approval of the development of the Subject Parcel. There are some who have questioned that the reason that this application has received such a thorough review, which went so far as to suggest that a building lot approved by the Planning Board in 1989, with a Filed Plat Map registered with the Westchester County Records Office was not actually a building lot, was due to the presence of the Country Club and the people who live in this neighborhood. The Applicant has persevered through this review maintaining focus on answering the legitimate questions and concerns that were expressed by the Planning Board, the Zoning Board, the Building Department, and the concerned neighbors.

The result at this point is that the Zoning Board has granted a variance to confirm that the Subject Parcel is a building lot, the engineer representing the group of neighbors has testified to both the Planning Board and the Zoning Board of Appeals that he is satisfied by the design and appreciative of the Applicant's willingness to go far beyond what is required, and the number of neighbors attending the meetings become limited to supporters of the application. The easiest way to explain this is that the engineering issues have been satisfied. The reality, however, is more likely the result of the neighbors becoming confident that the house proposed will be a high quality, expensive home, that will contribute positively to the value of their properties, instead of a "builder's spec house" reducing the value of their properties.

One of the letters received by the Village has that sentiment expressed "between the lines." It cites how the quality of this house, including its size, is appropriate for this neighborhood and should be approved.

The type of engineering solutions proposed, the kind of construction and materials proposed, the quality of the design proposed are all contingent upon the final value of the house to be built. The ability to justify the generosity to make improvements to the public street comes with conditions: the value of the house has to financially support that type of contribution. While Gotham is included on Sarah Susanka's list of firms that successfully create the "Not So Big House," the house that is appropriate in this setting is a big house. Applying Sarah's philosophy to this Project, this actually is a "Not So Big House:" instead of being a 7,500 square foot home or even 10,000 square foot home like others that surround the Country Club, that character and quality has been accomplished in a 5,038 square foot house.

The reality of this Project is that it is not one of the larger lots, but the house designed is still consistent with the character and qualities - including size - of its neighbors. The way in which this proposed house has been designed to fit the context of the neighborhood is something that is integral to the Dobbs Ferry Code, if most often applied in the opposite direction. When homes are proposed on larger lots than is the common size in the neighborhood, the Code applies metrics that require a reduction in what can be built. When a 20,000 square foot lot in the OF-6 zoning district, with a minimum net lot area of 5,000 square feet required, is proposed for development the Code imposes limits that reduce the size of house that can be built. Specifically, Table B-3 Sliding Scale requires the permitted Building Coverage to be reduced from 27% of the Gross Lot Area to 18% of the Gross Lot Area.

The situation with the context of the Subject Parcel is that it should be developed with a relatively large house. If the metrics were adjusted both ways, relatively small lots in a neighborhood of large properties would be permitted to increase the permitted coverages in the same way that large lots in a neighborhood of small properties are required to reduce their coverages. The intent with the latter is to avoid a house that is over-scaled to its neighbors. With the circumstances of this application, the goal should be to avoid a house that is under-scaled to its neighbors. The impacts that the value of a new house on the appraised value of existing homes is very real and well documented. The house proposed for this application will support the value of the neighboring homes.

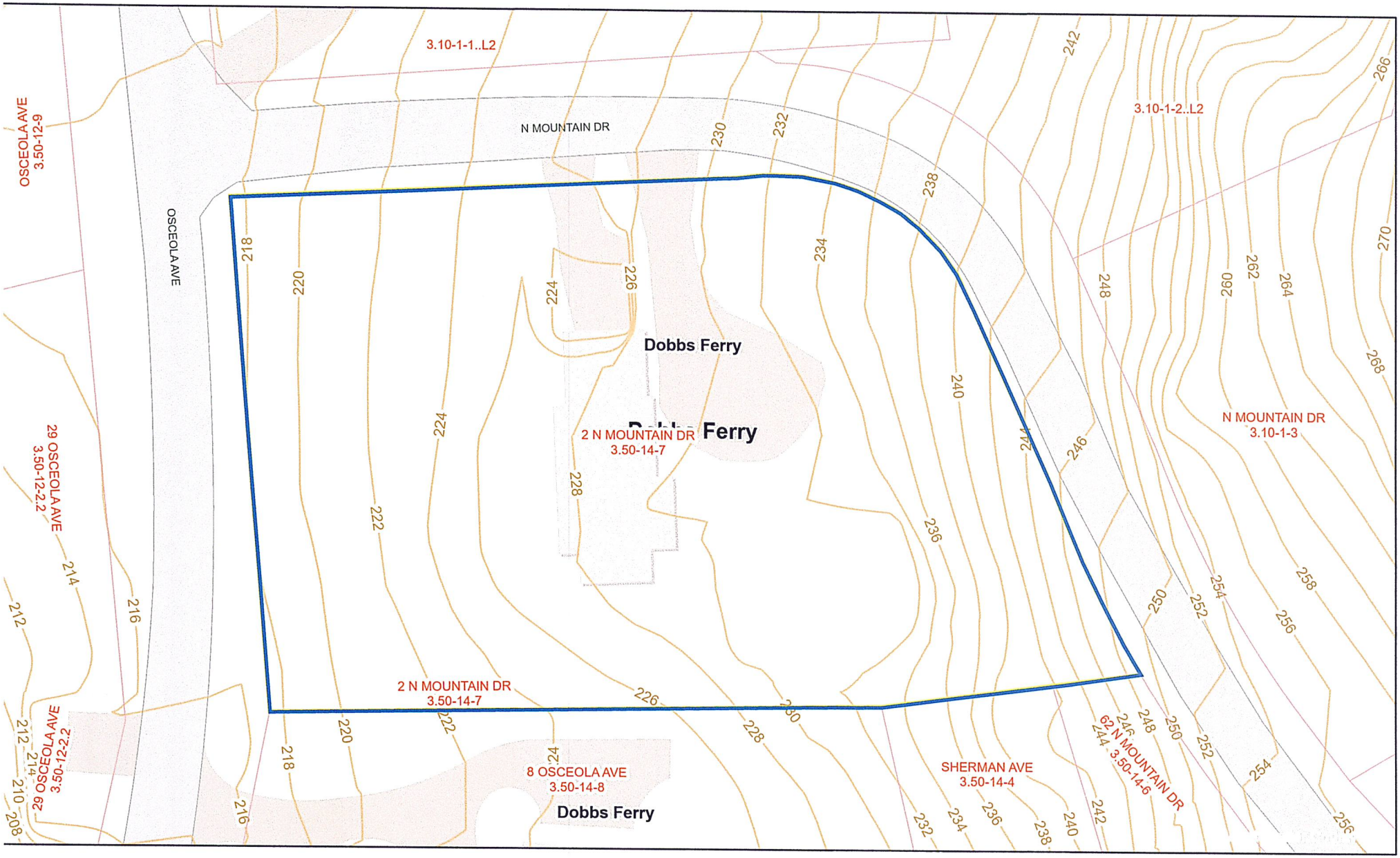
Despite the fact that the Building Inspector and Village's Consulting Planner determined at the end of January, several months into the process, that the house proposed incorrectly uses the Gross Lot Area for the calculations of Impervious Coverage and Building Coverage instead of using the Net Lot Area with a percentage of steep slopes areas deducted, the Applicant contends that the house proposed to be built on the Subject Parcel is in full compliance with the compliance with the Dobbs Ferry Village Code. The house proposed has an Impervious Coverage of 34.82%, where 40% is permitted, using the Gross Lot Area. The house proposed has a Building Coverage of 17.43%, where 18% is permitted, using the Gross Lot Area.

Some of the comments made at the Planning Board meetings have suggested that being permitted to build a big, expensive house should not solicit support from the perspective of social responsibility. Agreed. The proposed house is not affordable and does not include affordable housing unit. With all due respect, and with an almost 50 year record of having created hundreds of naturally affordable residential units, often integral to revitalizing existing downtowns and never with grants or public financial contibutions, Gotham understands that the kind of support that has been offered on other projects in Dobbs Ferry when an additional affordable housing unit is provided is not appropriate here. But, it should also be noted that, as a Village, we are quite a distance from being a place where the proposal of creating affordable housing on North Mountain Drive would be welcomed. Hopefully, someday that will be understood differently, but at this point attention should be give to lowering the hurdles on being able to create more housing in Dobbs Ferry that serves everyone's needs.

A primary concern whenever affordable housing is proposed is what the economic impacts will be on the community, particularly on the School District. While the proposed house does not directly propose to provide more affordable housing in the Village, the taxes that it will be paying is an important component to making more affordable housing in Dobbs Ferry viable.

There is no legitimate justification or reasoning for not approving the proposed house as designed. The long list of issue of concern identified by the Zoning Board of Appeals, the Planning Board, the Village's Consulting Planner, and the Village's Consulting Engineer, as well as the concerns of the engineer retained by the neighbors and of course the engineers retained by the Applicant have all been well satisfied without compromise. Again, there is no legitimate justification or reasoning for not approving the proposed house as designed.

2 N MOUNTAIN DR. ID: 3.50-14-7 (Dobbs Ferry)



April 23, 2023

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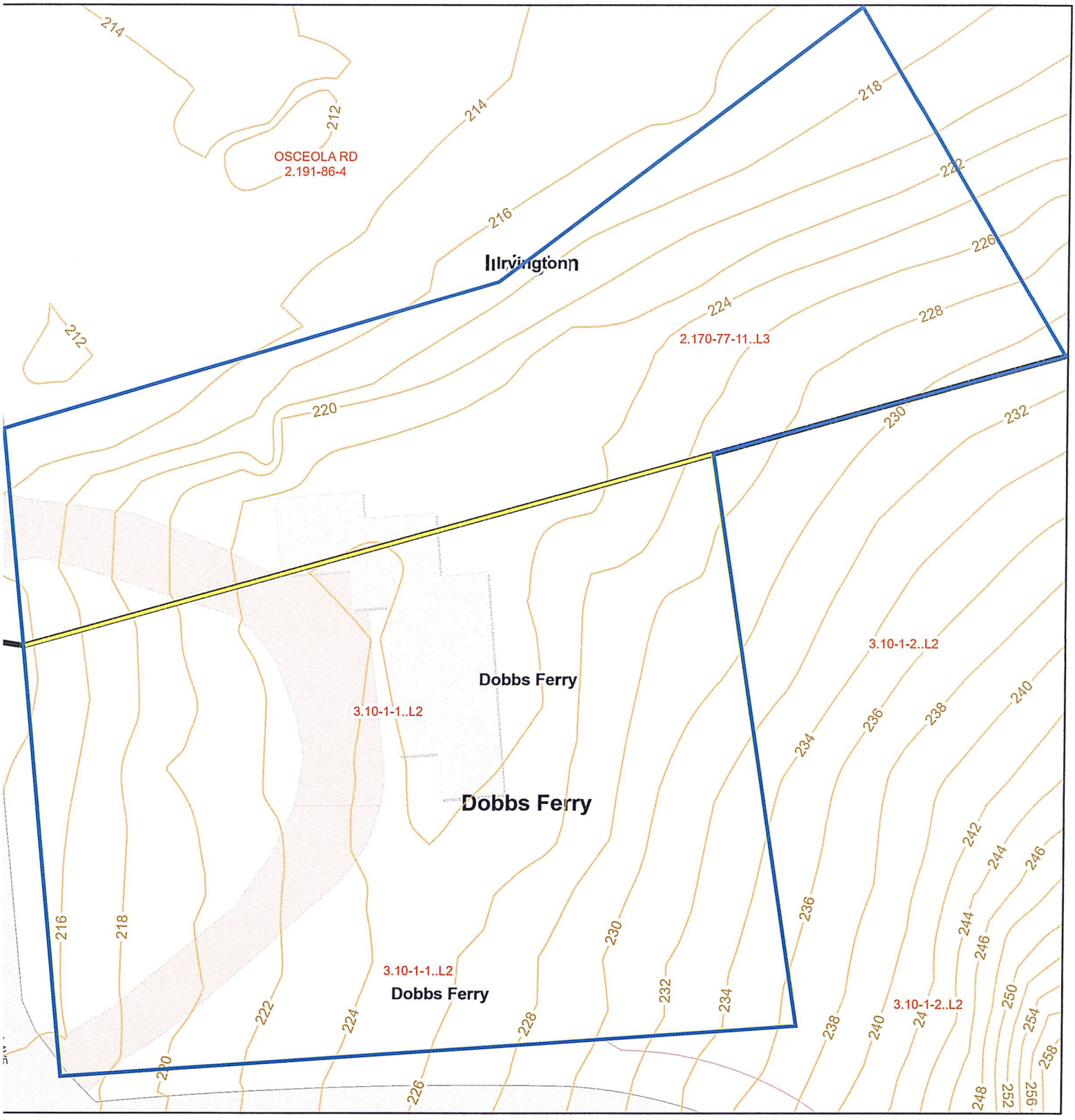

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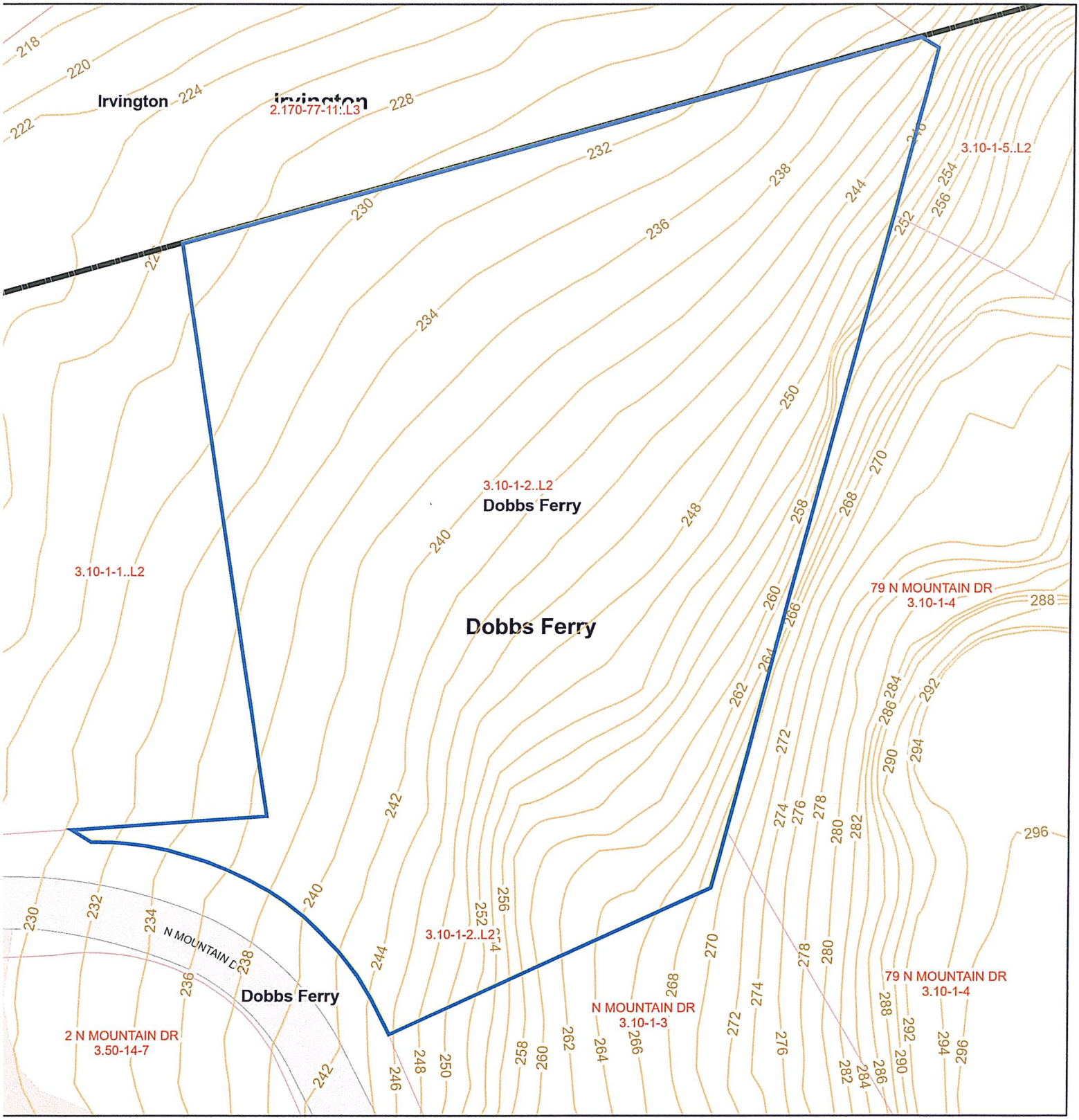

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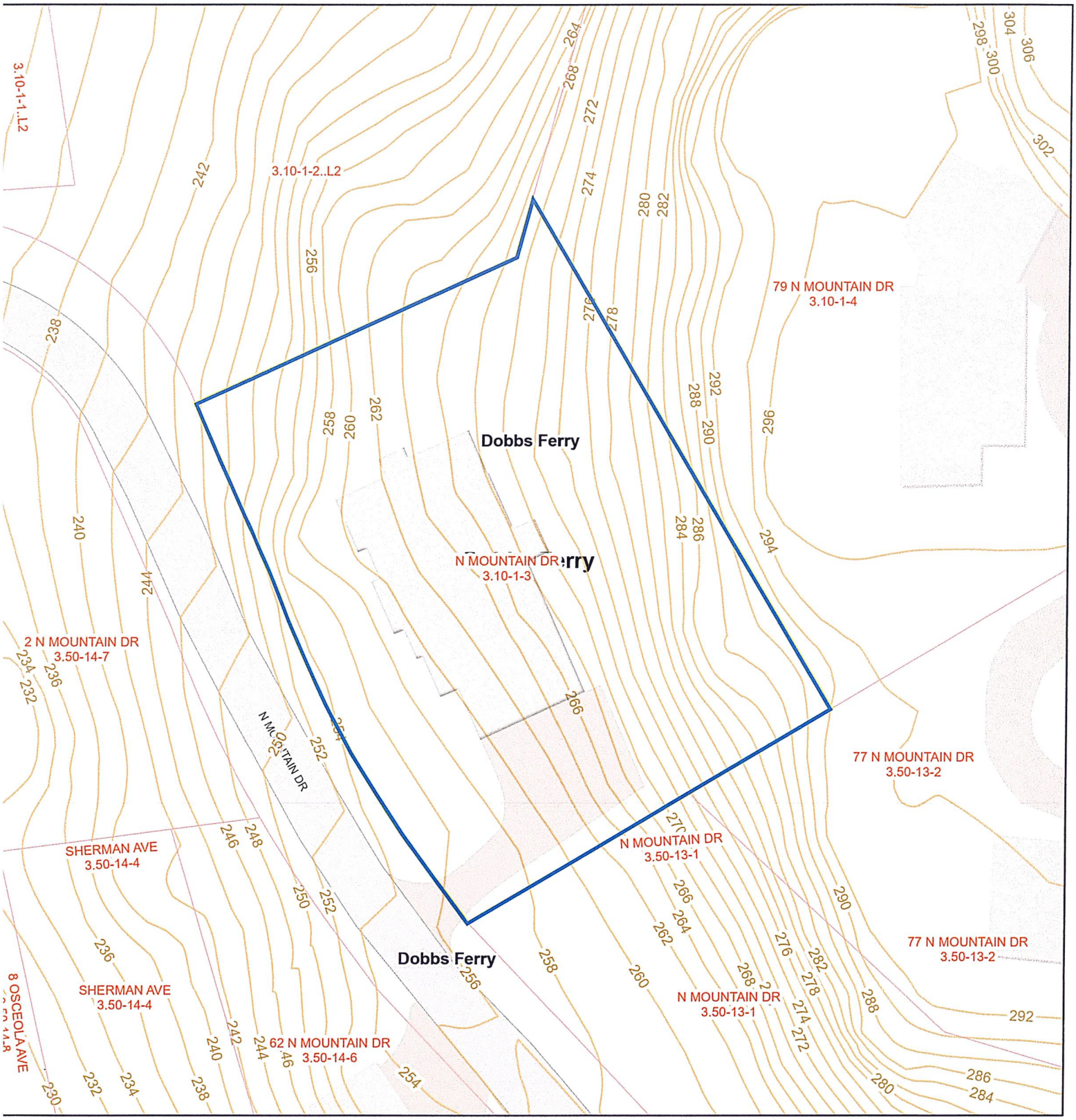

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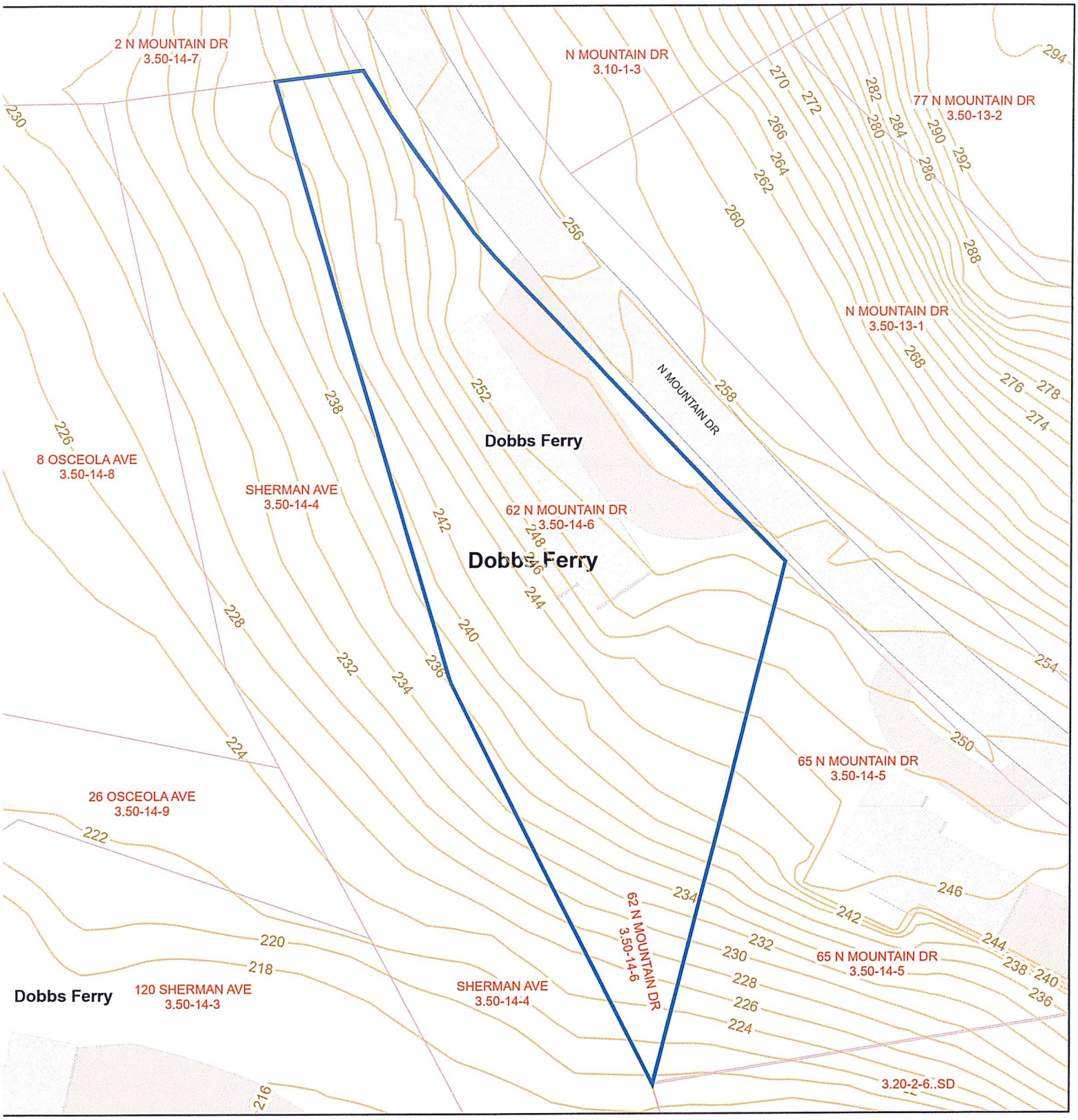

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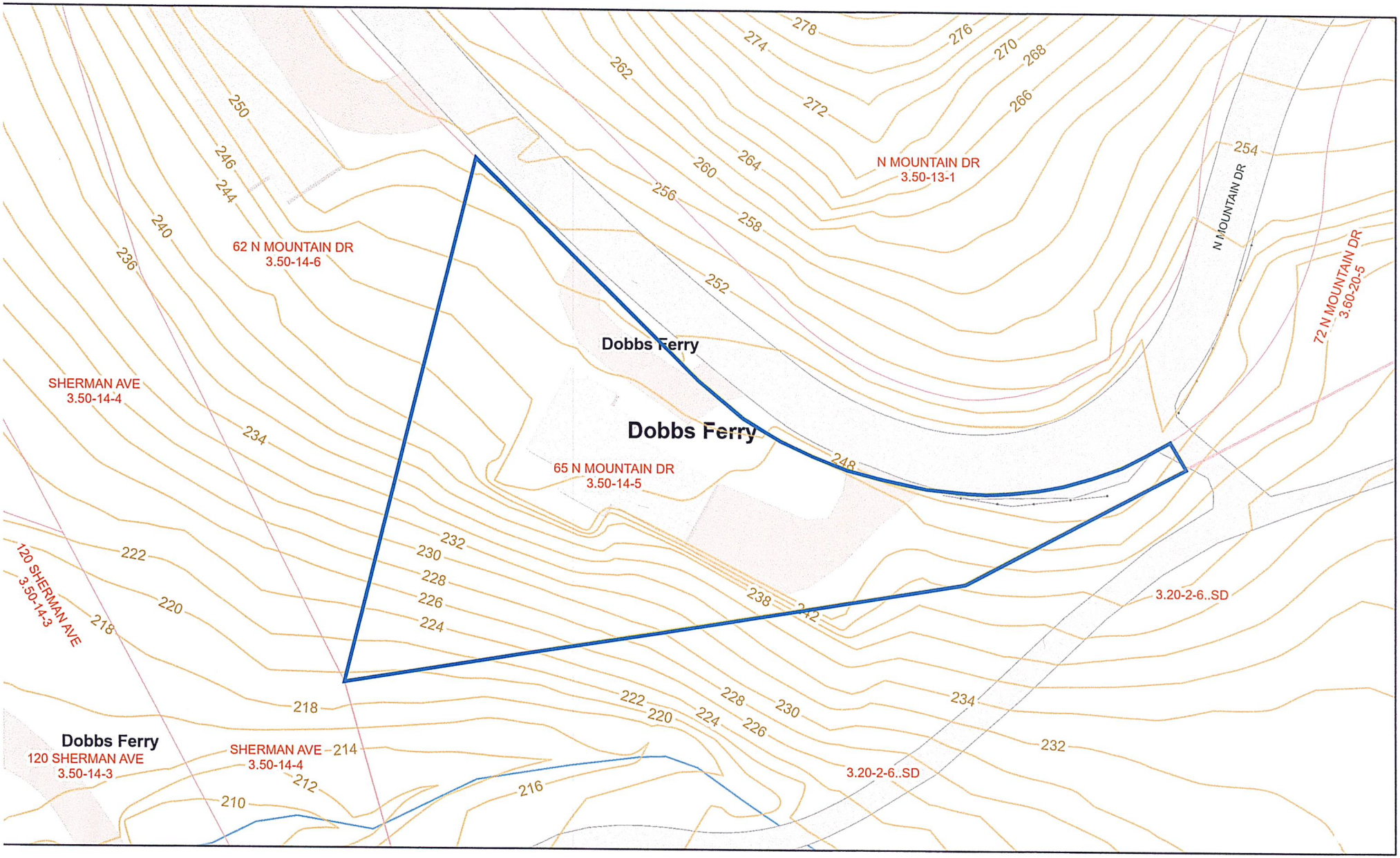
65 N MOUNTAIN DR. ID: 3.50-14-5 (Dobbs Ferry)



April 23, 2023

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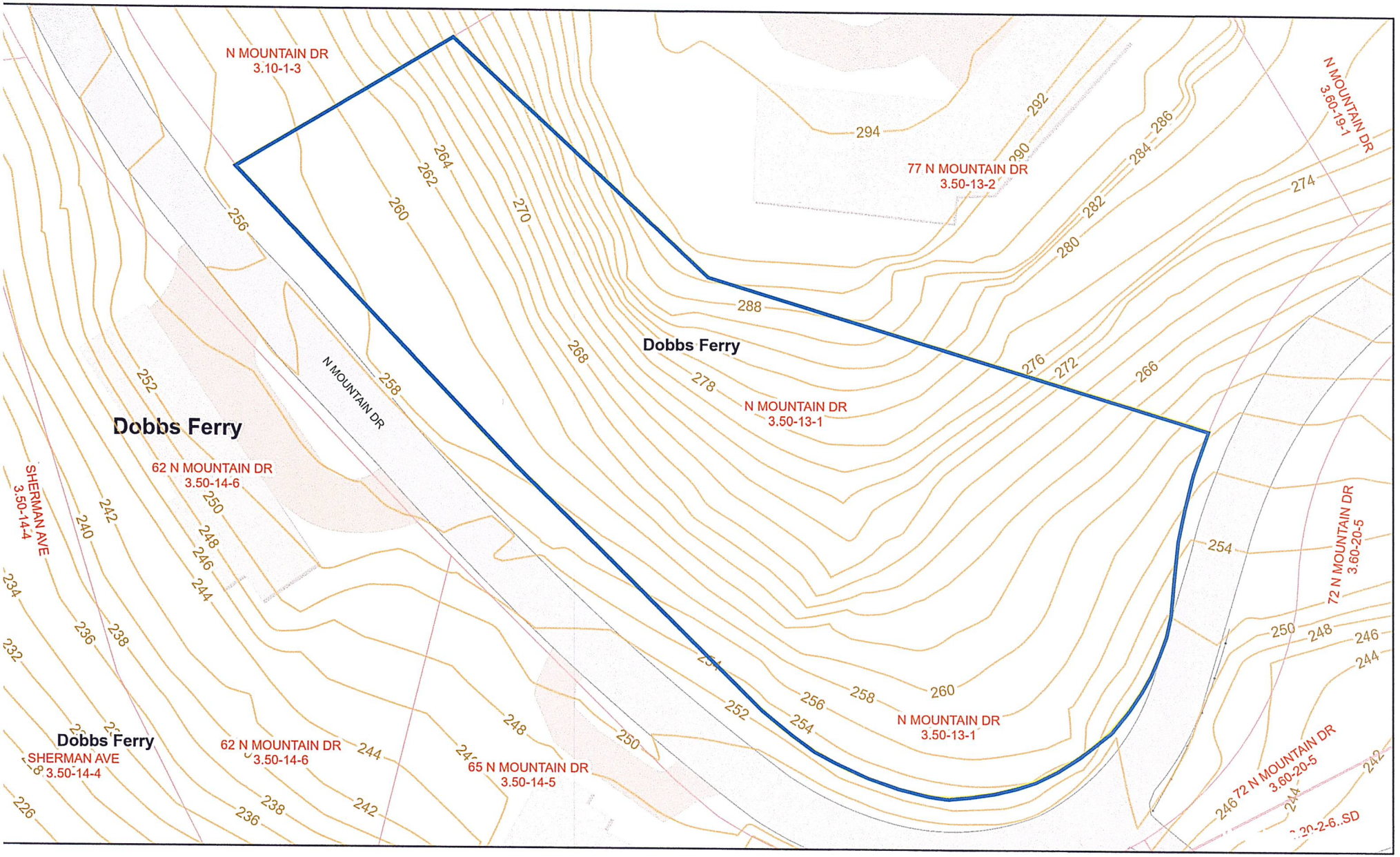
http://giswww.westchestergov.com
Michaelian Office Building
148 Martine Avenue Rm 214
White Plains, New York 10601

N MOUNTAIN DR. ID: 3.50-13-1 (Dobbs Ferry)



April 23, 2023

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77 N MOUNTAIN DR. ID: 3.50-13-2 (Dobbs Ferry)

ril 23, 2023

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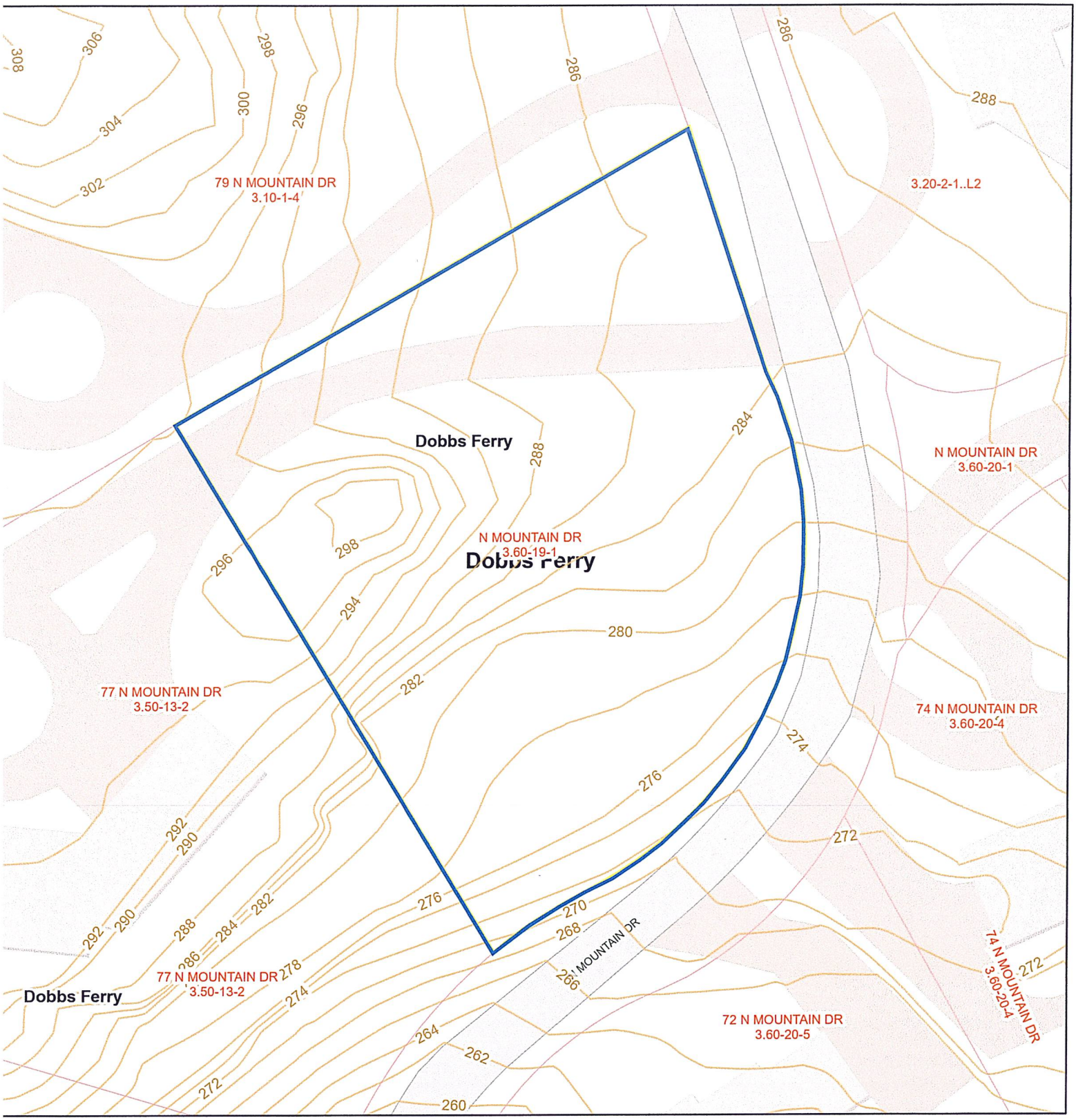
N MOUNTAIN DR. ID: 3.60-19-1 (Dobbs Ferry)



ɔril 23, 2023

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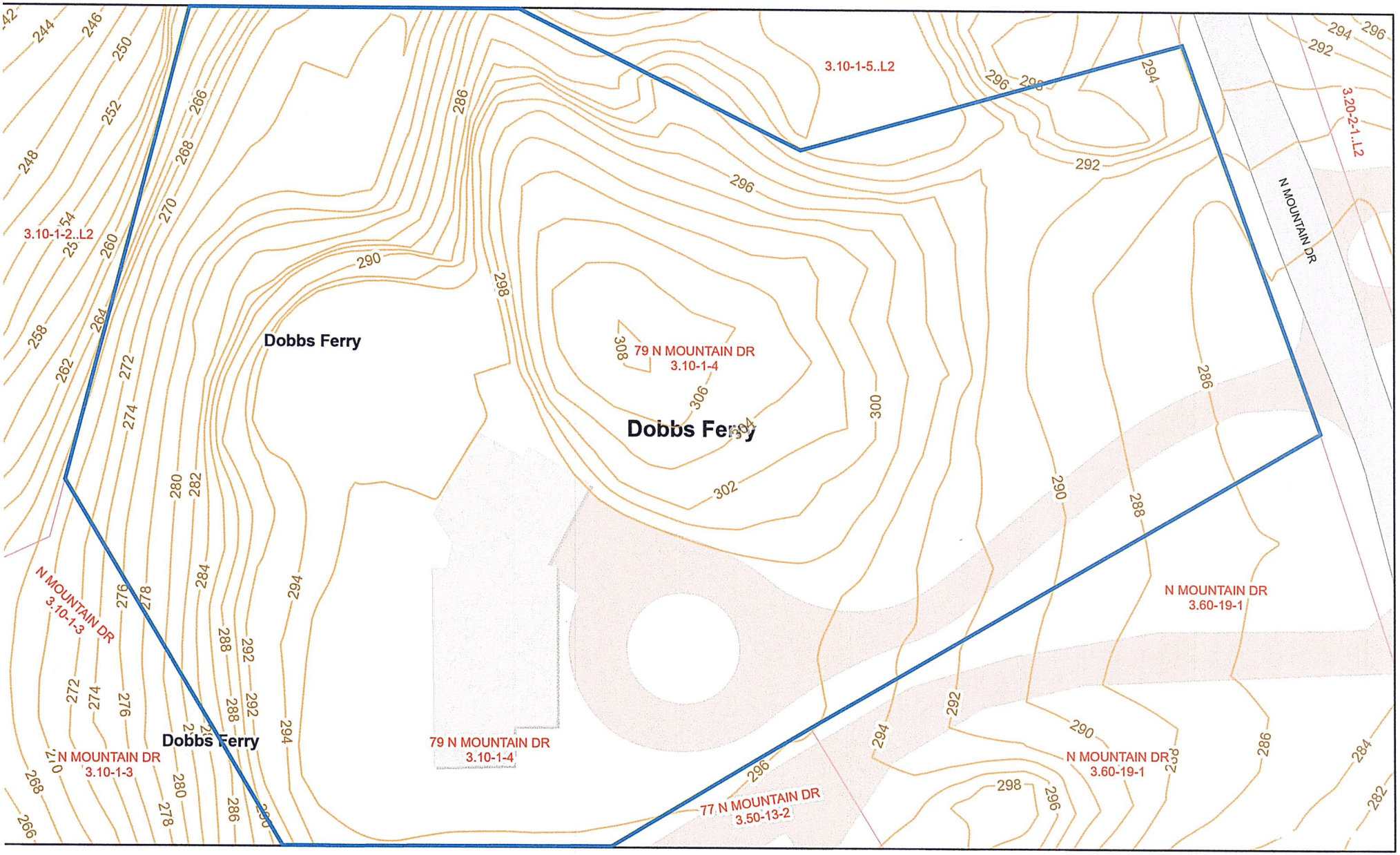
79 N MOUNTAIN DR. ID: 3.10-1-4 (Dobbs Ferry)



April 25, 2023

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