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February 9, 2023

VIA EMAIL & FEDERAL EXPRESS

Chairman Jeremiah Quinlan
and Members of the Zoning Board of Appeals
Village of Hastings-on-Hudson
Village Hall
7 Maple Avenue
Hastings-on-Hudson, NY 10706

Re: Townhomes at Woodbank
0 Warburton Avenue
Hastings-on-Hudson, NY 10706

Dear Chairman Quinlan and Members of the Zoning Board of Appeals:

On behalf of Zero Nodine LLC ("Applicant"), the owner of certain property located on Nodine Avenue in the Village of Hastings-on-Hudson (known as Section 4.100, Block 94, Lots 7 & 8) ("Premises"), we respectfully submit this letter and enclosures in support of the Townhomes at Woodbank project ("Townhomes"). The following is submitted in furtherance of the Applicant's request for amended view preservation approval, which was submitted on May 19, 2022 and supplemented on December 22, 2022. This submission and its enclosures are submitted in response to comments raised by the Zoning Board of Appeals ("ZBA") during its January 26, 2023 public hearing on the Application.

Previously, the amended view preservation approval was requested to allow for a *de minimis* height increase of only 5.5' necessary to allow the Townhomes to comply with the NYStretch-2020 Code, a supplement to the New York State Energy Conservation Construction Code which the Village adopted after the proposal's original approval, and to remedy building features from the original approval, including low ceiling and roof heights. Due to comments and feedback from the ZBA, the Applicant has revised its plans to reduce the height increase from 5.5' to 4.5'. Please see the enclosed Revised Architectural Plans prepared by CGA Studio Architects dated February 9, 2023 ("Revised Architectural Plans") which reflect the amended proposal.

Notably, the proposal now reflects a building with a total height of 35', which is 5' shorter than the permitted building heights in the Village's Multi-Family Residence Zoning District ("MR-1.5



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District”) where the proposed multi-family dwelling building is permitted as-of-right. The View Preservation Overlay District, within which the Premises is also classified and which necessitates the requested view preservation approval, is intended to “protect and preserve the character of the community, to preserve and enhance property values and to promote improved visual relationships between the Village and the Hudson River and the Palisades.”¹ The Townhomes achieves these goals by “caus[ing] the least possible obstruction of the view of the Hudson River and the Palisades for neighboring properties and adjacent public property and rights-of-way.”² The 4.5’ height increase above what was previously approved by the Planning Board and ZBA in 2018 represents a *de minimis* change which will not create any adverse impacts to the visual relationship between the Village and the Hudson River and Palisades.

As explained in more detail in the Applicant’s December 22, 2022 supplemental submission, any existing views of the river from the adjacent Croton Aqueduct Trail are seasonal at best when leaves are off the trees. The Revised Architectural Plans provide photo-renderings of the current view of the Hudson River and Palisades from the walking area of the OCA adjacent to the Applicant’s development site. Any existing views of the River will be minimally altered while the view of the western shore and the Palisades will remain completely intact and unchanged.

The Applicant is still evaluating the internal modifications necessary to allow it to reduce the building to a 35’ total building height, which modifications will not be able to be completed until a MEP Engineer is retained as part of the building permit submission. Notwithstanding, the Applicant is committing to this proposed decrease in building height from what was originally submitted to the ZBA. The overall building height reduction will likely necessitate lowering ceiling heights and proposing alternative, space-saving building materials. The Applicant is committed to devising the final interior layouts and specifications necessary to achieve the minimal height increase of 4.5’, though compliance with the NYStretch-2020 Code and construction of a feasible, marketable development that cannot be achieved without the proposed *de minimis* height increase. The Applicant is also committed to retaining the various building design elements previously incorporated to reduce visual impacts, including the 20’ view corridor.

Importantly, the Village Code does not prohibit buildings being constructed in a manner which reduces or otherwise alters the view of the Hudson River or Palisades. Rather, the Village Code simply requires the ZBA and Planning Board to consider the siting, dimensional, and configuration of a project in an attempt to “cause the least possible obstruction of view.” We

¹ Village Code Section 295-82(A).

² Village Code Section 295-82(C)(2).



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submit that the Townhomes achieves the least possible obstruction given the existing views, the incorporation of the various design elements described herein, and the limitations imposed by the site and the applicable codes.

Conclusion

It is submitted that the Townhomes, as modified, pose a *de minimis* impact on the existing views in exchange for the benefits stemming from compliance with best practices for construction and with the NYStretch-2020 Code's sustainable building practice and the other anticipated benefits of the appropriate reuse of the project site. As such, it is requested that the ZBA grant the amended view preservation approval.

In support of this application, please find enclosed the following documents:

- Revised Architectural Plans prepared by CGA Studio Architects dated February 9, 2023.

We look forward to appearing before the ZBA at its February 23, 2023 meeting to present this material and answer any questions you may have regarding this matter. In the meantime, should the ZBA or Village Staff have any questions or comments regarding the foregoing, please do not hesitate to contact me.

Thank you for your continued consideration in this matter.

Sincerely,

Anthony B. Gioffre III

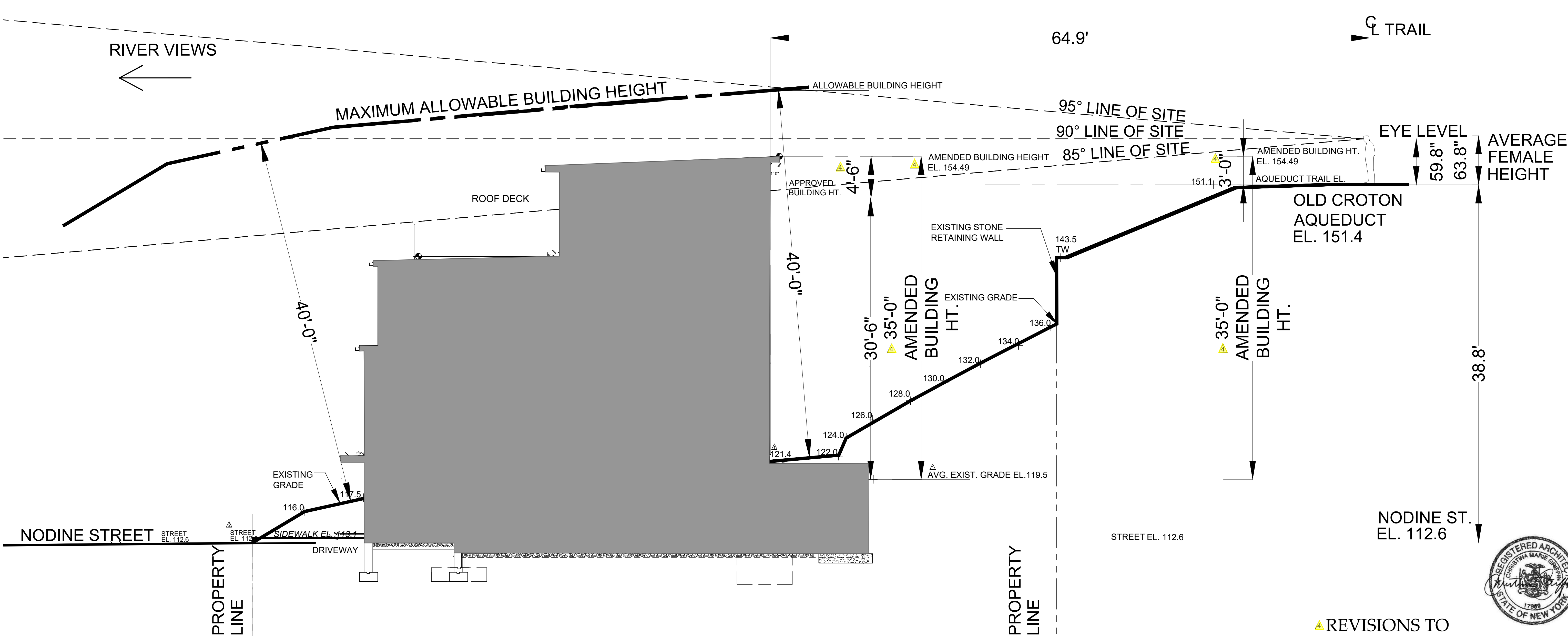
Anthony B. Gioffre III

cc: Charles Minozzi, Building Inspector
Zero Nodine LLC
Christina Griffin Architect PC
Daniel Patrick, Cuddy & Feder LLP

COVERAGE CALCULATIONS	
LOT AREA	15,978 SF / 0.40 AC
WALLS	70 SF
SIDEWALKS	523 SF
DRIVEWAY (OVER 960 SF) TOTAL DRIVEWAY AREA IS 766 SF	NOT INCLUDED
PRINCIPAL BUILDING FOOTPRINT	5,349 SF
⚠️ TOTAL DEVELOPMENT COVERAGE	5,942 SF (37%)
NORTH SIDE YARD CALCULATION 13.7 FT = WALL HT. FROM AVG. EXIST. GRADE	
FRONT YARD CALCULATION 14.8 FT = WALL HT. FROM AVG. EXIST. GRADE	
13.7 / 2 = 6.9 FT (MIN. 12'-0" REQUIRED SIDE YARD SETBACK)	
14.8 / 2 = 7.4 FT (MIN. 12'-0" REQUIRED FRONT YARD SETBACK)	
SOUTH YARD CALCULATION 20.0 FT = WALL HT. FROM AVG. EXIST. GRADE	
20.0 / 2 = 10.0 FT (MIN. 12'-0" REQUIRED SIDE YARD SETBACK)	

TABLE of ZONING DATA		ZONING DISTRICT: MR 1.5	TAX DESIGNATION: SECTION 4.1000, BLOCK 94, LOTS 7 & 8	
		REQUIRED	EXISTING	PROPOSED
LOT AREA		1,500 SF / .034 AC	15,978 SF / 0.4 AC	15,978 SF / 0.4 AC
NUMBER OF DWELLING UNITS		10	0	6
MINIMUM LOT AREA PER DWELLING UNIT (DENSITY)		1,500 SF PER UNIT	N/A	2,663 SF PER UNIT
⚠️ MAXIMUM DEVELOPMENT COVERAGE		⚠️ 50% / 7,989 SF	N/A	⚠️ 37% / 5,942 SF VARIANCE RECEIVED
⚠️ MAXIMUM BUILDING COVERAGE		⚠️ 35% / 5,529 SF	N/A	⚠️ 34% / 5,349 SF
MINIMUM LOT WIDTH FRONTAGE		50 FT	105.6 FT	105.6 FT
MAXIMUM BUILDING LENGTH		160 FT	N/A	125.6 FT
MAXIMUM BUILDING HEIGHT		3 STORIES / 40 FT	N/A	⚠️ 3 STORIES / 35.0 FT (FROM AVG. EXIST. GRADE)
MAXIMUM DRIVEWAY SLOPE		3% W/ 30 FT OF PROPERTY LINE	N/A	3%
MAXIMUM CURB CUT		24.0 FT	N/A	16.0 FT
FRONT YARD SETBACK		⚠️ 2.0 FT***	12.0 FT	12.0 FT.
REAR YARD SETBACK		30.0 FT	N/A	30.0 FT
SIDE ONE		⚠️ 10.0 FT	N/A	12.0 FT
SIDE TWO*		⚠️ 10.0 FT	N/A	18.3 FT
TOTAL OF TWO SIDES*		⚠️ 20.0 FT	N/A	30.3 FT
FRONT PARKING SETBACK		10 FT	N/A	12.0 FT (TO GARAGE)
REAR PARKING SETBACK		5 FT	N/A	30.0 FT (TO GARAGE ABOVE GRADE)
SIDE PARKING SETBACK		5 FT	N/A	18.3 FT (TO GARAGE)
PARKING SUMMARY - TOTAL SPACES PROVIDED		12 SPACES	N/A	12 SPACES
OPEN SPACE		3,000 SF	+/-13,402 SF	9,294 SF
*** FRONT YARD CALCULATION FRONT YARD IS 12 FT OR ½ HEIGHT OF THE BUILDING WALL NEAREST FRONT LOT LINE, WHICHEVER IS GREATER		PER ZONING CODE (295-71A), OPEN SPACE IS CALCULATED 200 SF FOR EACH BEDROOM. (6) TOWNHOUSES: (3) 3-BEDROOM UNITS + (3) 2-BEDROOM UNITS = 15 BEDROOMS X 200 = 3000 SF		
MAX. BUILDING WALL NEAREST FRONT LOT LINE = 18'-5"				

FIN. FLOOR AREA CALCULATIONS					
	ENTRY	1ST FL.	2ND FL.	3RD FL.	TOTAL FIN. FLOOR AREA
UNIT 1	120 SF	705 SF	677 SF	245 SF	1,747 SF
UNIT 2	82 SF	592 SF	596 SF	318 SF	1,588 SF
UNIT 3	148 SF	791 SF	760 SF	270 SF	1,969 SF
UNIT 4	148 SF	791 SF	760 SF	270 SF	1,969 SF
UNIT 5	82 SF	593 SF	598 SF	318 SF	1,591 SF
UNIT 6	122 SF	803 SF	760 SF	290 SF	1,975 SF
TOTAL	702 SF	4,275 SF	4,151 SF	1,711 SF	10,839 SF
TOTAL FINISHED FLOOR AREA					



A SECTION through SITE
S-2 SCALE: 3/16" = 1'-0"

⚠️ REVISIONS TO
ZONING BOARD
SUBMISSION - 2-9-23



TOWNHOMES at WOODBANK
HASTINGS-ON-HUDSON, NY 10706

CHRISTINA GRIFFIN ARCHITECT PC
12 Spring Street
Hastings-on-Hudson, New York 10706
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www.christinagriffinarchitect.com

CONSTRUCTION DRAWINGS 8-9-19
BUILDING PERMIT SUBMISSION 10-11-19
BUILDING PERMIT SUBMISSION 11-12-19
AMENDED BUILDING PERMIT SUBMISSION 5-19-22
REVISIONS 6-14-22
ZBA SUBMISSION 12-22-22
ZBA SUBMISSION 2-9-23

Drawing Title
ZONING COMPLIANCE
COVERAGE CALCS
FIN. FLOOR CALCS
SECTION THROUGH SITE
Scale:
AS SHOWN

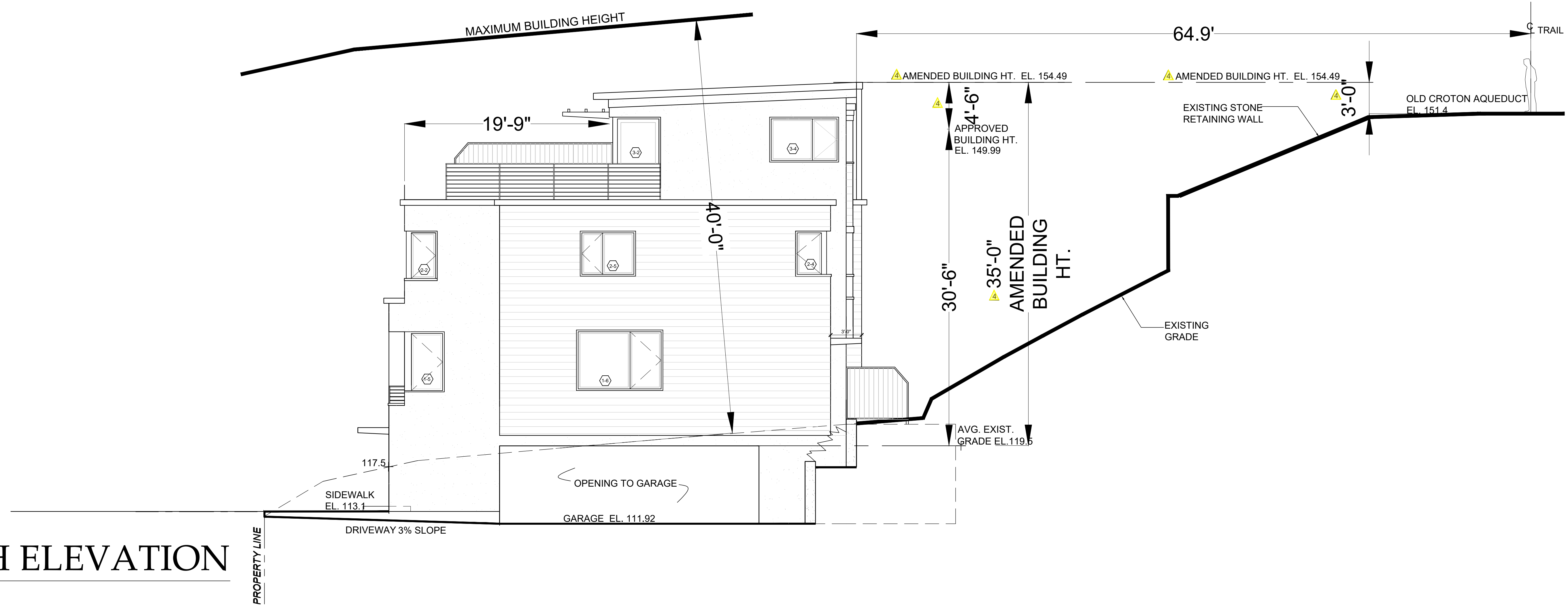
ST-2B



A-11B

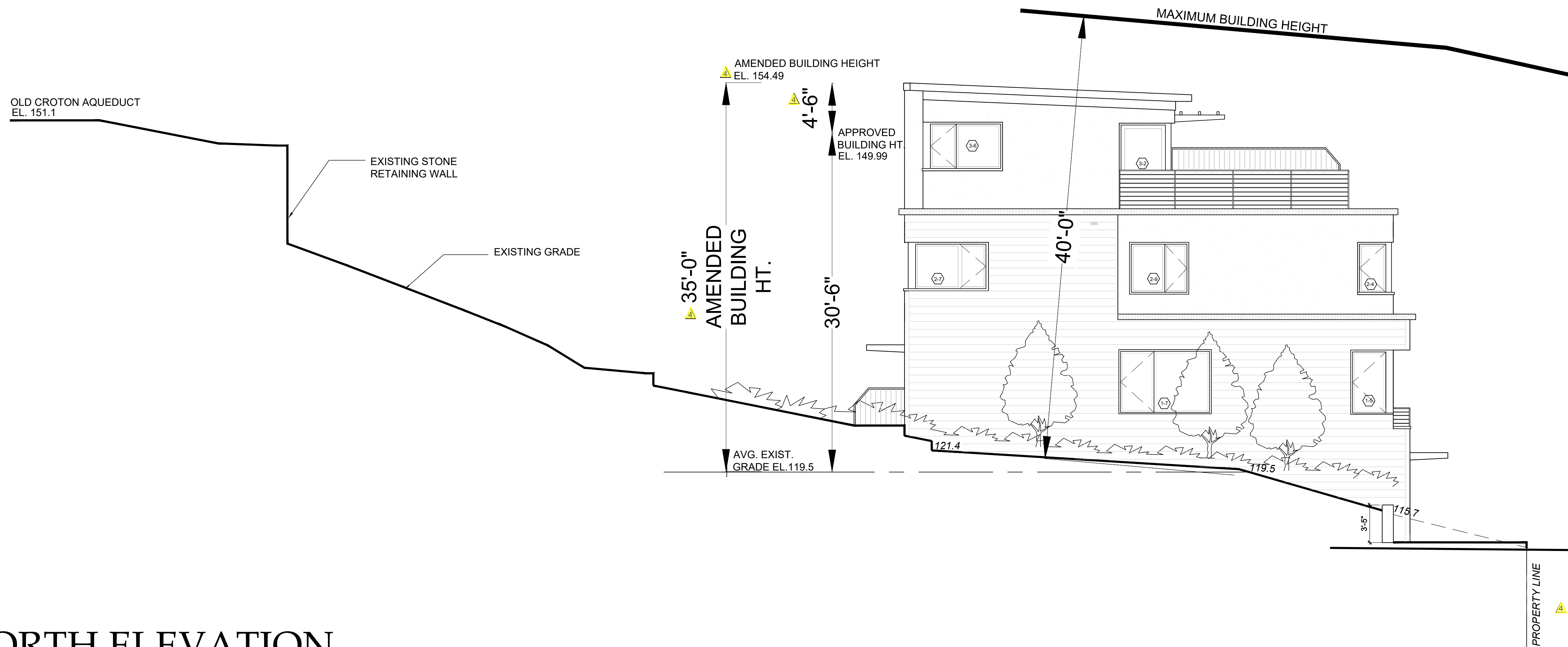
SOUTH ELEVATION

SCALE: 3/16" = 1'-0"



NORTH ELEVATION

SCALE: 3/16" = 1'-0"



REVISIONS TO
ZONING BOARD
SUBMISSION - 2-9-23

TOWNHOMES at WOODBANK

HASTINGS-ON-HUDSON, NY 10706

CHRISTINA GRIFFIN ARCHITECT PC

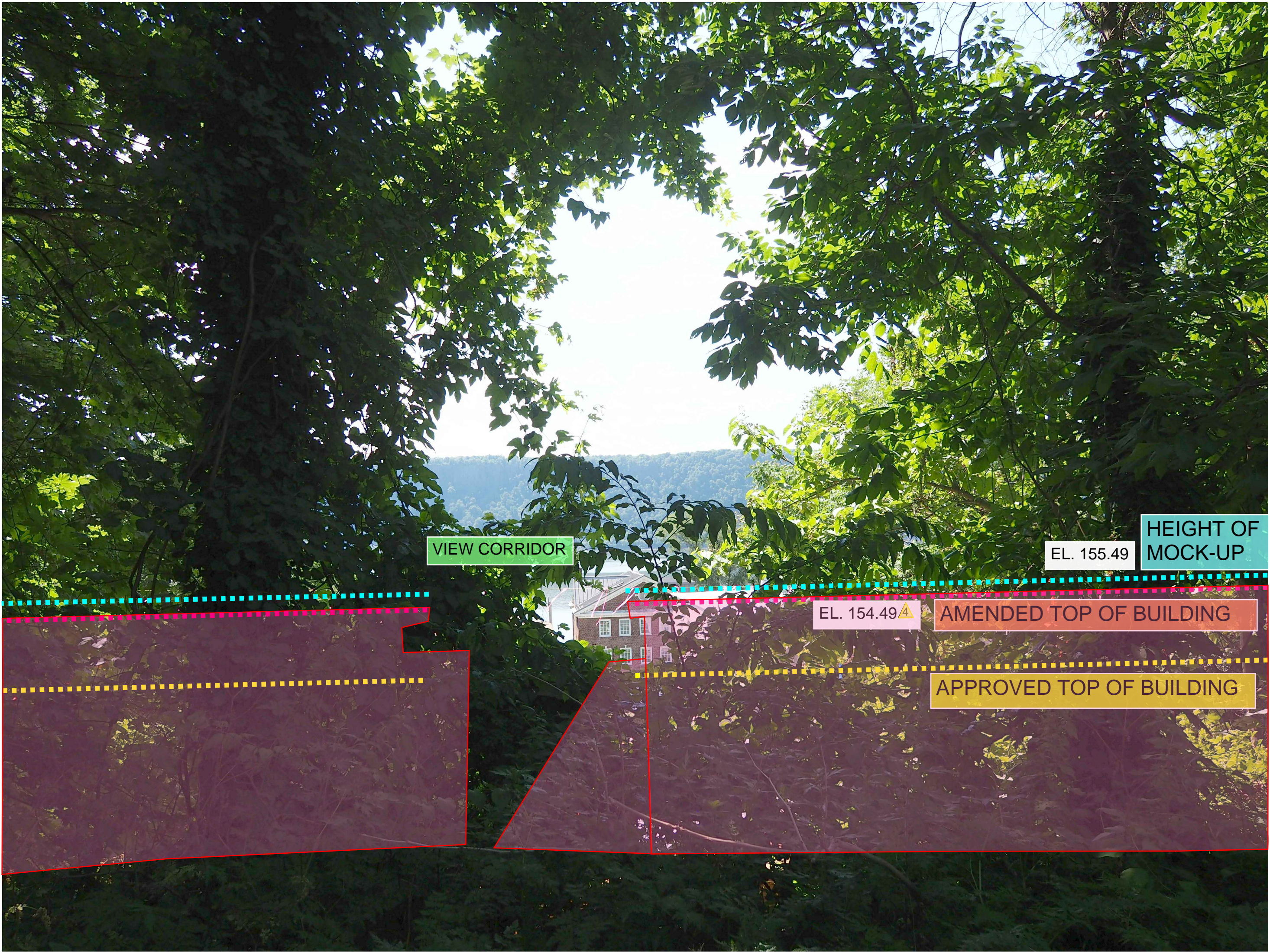
12 Spring Street
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Date	ARB SUBMISSION 8-27-18
Revised	REVISED PLANNING BOARD SUB. 10-25-19
Revised	REVISED PLANNING BOARD SUB. 11-11-19
Revised	BUILDING PERMIT SUBMISSION 10-11-19
Revised	BUILDING PERMIT SUBMISSION 11-12-19
Revised	BUILDING PERMIT SUBMISSION 8-19-20
Revised	REVISIONS TO PERMIT SUBMISSION 5-19-22
Revised	ZBA SUBMISSION 2-9-23

Drawing Title
EAST & WEST
ELEVATION

Scale:
AS SHOWN

A-12B

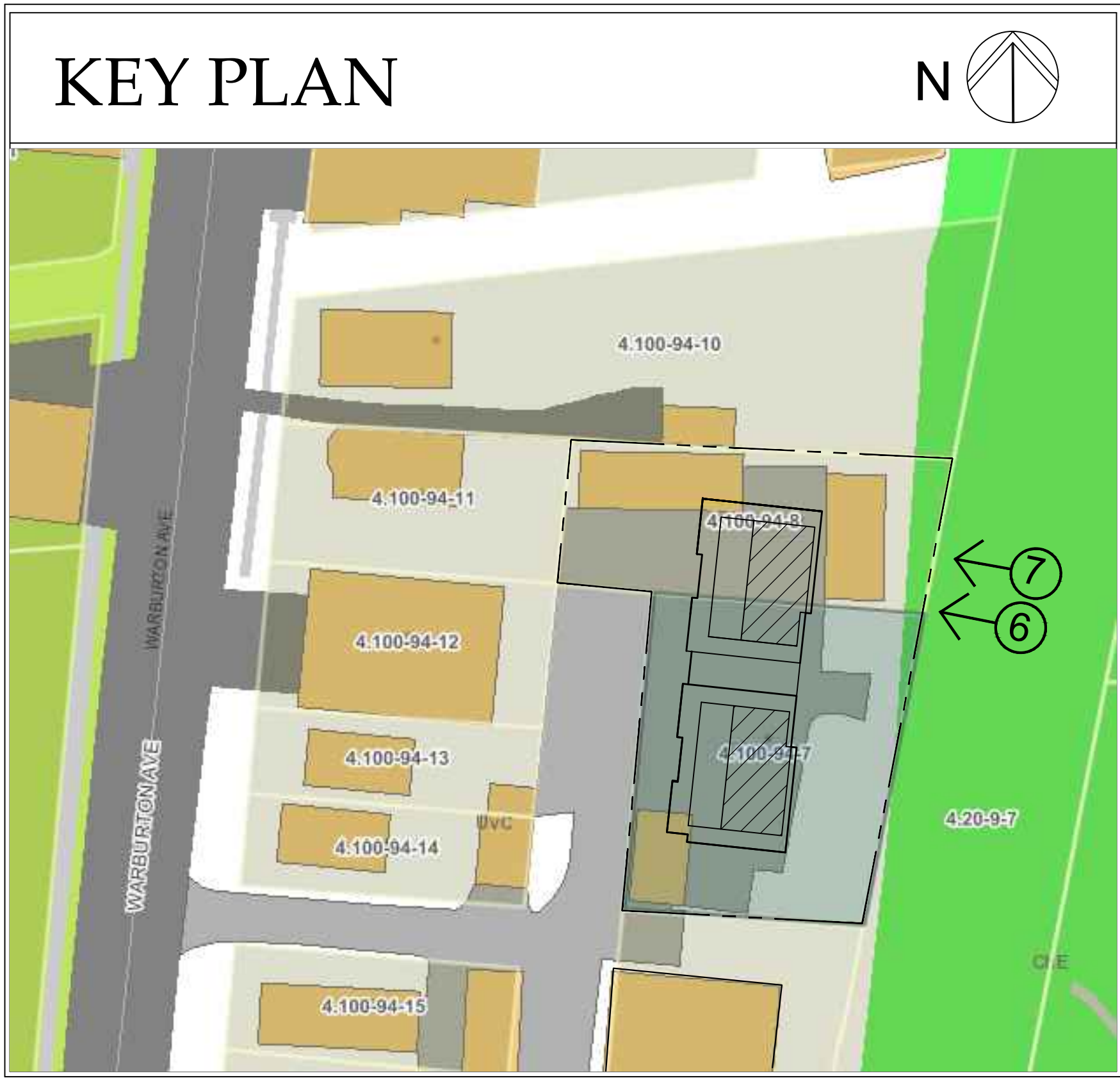


⑥
 MOCK-UP OF PROPOSED BUILDING
 VIEWS FROM OLD CROTON AQUEDUCT
 SCALE: NTS



⑦

REVISIONS TO
 ZONING BOARD
 SUBMISSION - 2-9-23



TOWNHOMES at WOODBANK
 HASTINGS-ON-HUDSON, NY 10706

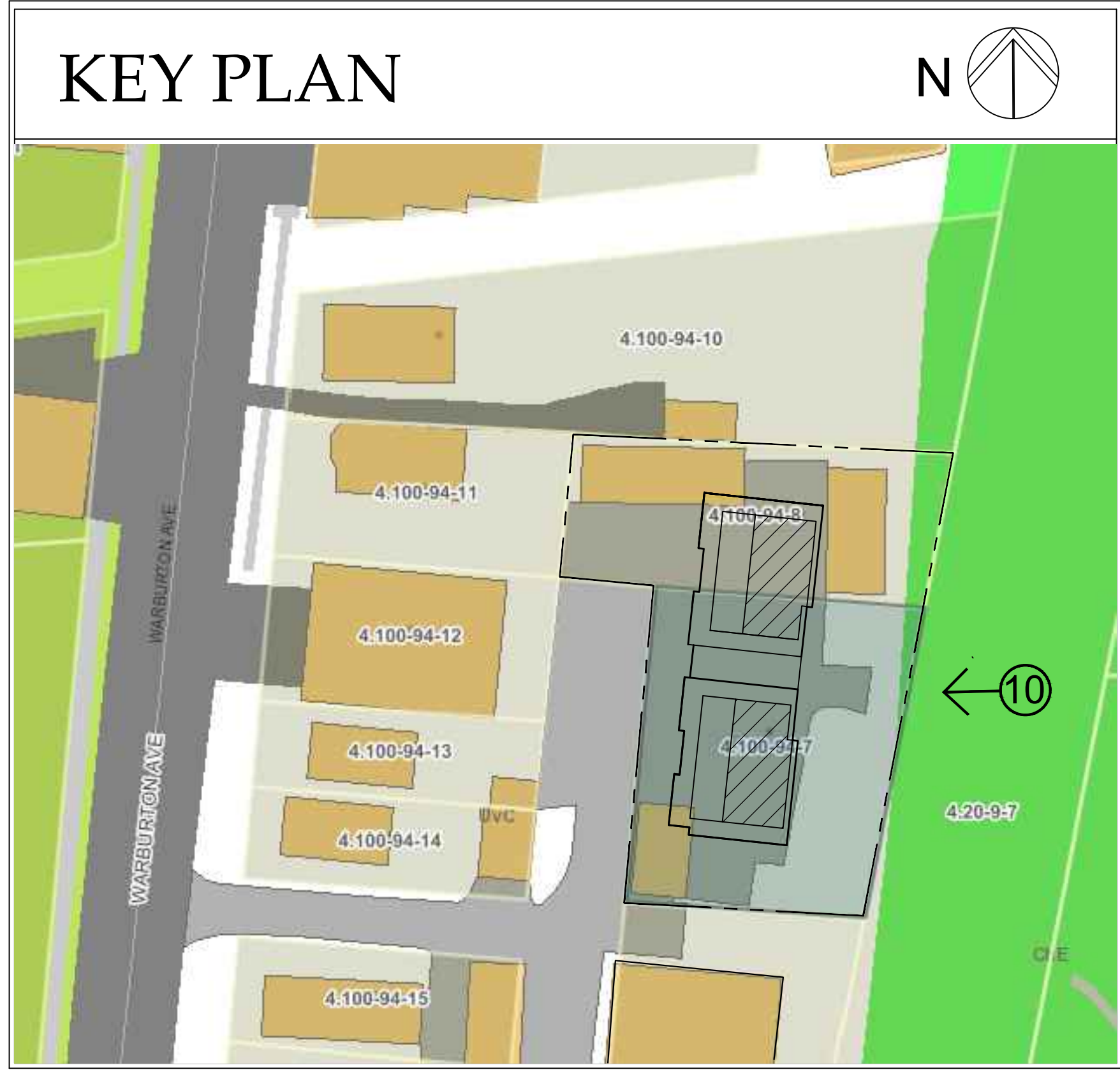
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Date: 7-7-22
 PLANNING BOARD SUBMISSION
 ZBA SUBMISSION 23-23

REGISTERED ARCHITECT
 CHRISTINA MARIE GRIFFIN
 STATE OF NEW YORK
 17365

Drawing Title:
 Scale:
 AS SHOWN

VP-5



TOWNHOMES at WOODBANK
HASTINGS-ON-HUDSON, NY 10706



▲ **HEIGHT OF
MOCK-UP** EL. 155.49
▲ **AMENDED TOP OF BUILDING**
EL. 154.49

10 **WINTER VIEW - SIMULATION OF BUILDING**
SCALE: NTS

▲ **REVISIONS TO
ZONING BOARD
SUBMISSION - 2-9-23**

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Date: PLANNING BOARD SUBMISSION 7-7-22
ZBA SUBMISSION 2-9-23

REGISTERED ARCHITECT
CHRISTINA MARIE GRIFFIN
STATE OF NEW YORK
17985

Drawing Title:
Scale:
AS SHOWN

VP-7