

On motion of TRUSTEE _____, seconded by TRUSTEE _____, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York:

Resolution #70-2022

WHEREAS, the Village received a request for consistency review with the Local Waterfront Revitalization Program (LWRP) from the New York State Department of Environmental Conservation regarding site improvements at Van Cortlandt Manor (525 South Riverside Avenue); and

WHEREAS, on April 25, 2022, the Village Board referred the request to the Waterfront Advisory Committee; and

WHEREAS, the Village Board has received a recommendation of consistency from the Waterfront Advisory Committee; and

WHEREAS, the Village Board must make its own determination of consistency with the LWRP policy standards and conditions; and

WHEREAS, on May 16, 2022, the Village Board reviewed the LWRP policy standards and conditions,

NOW THEREFORE BE IT RESOLVED, as follows:

The Village Board of Trustees found the following LWRP policies to be applicable and finds the Proposed Action to be consistent with each of these applicable policies:

POLICY 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses.

POLICY 7: Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.

POLICY 7A: The quality of the Croton River and Bay significant fish and wildlife habitat and Haverstraw Bay significant fish and wildlife habitat shall be protected and improved for conservation, economic, aesthetic,

recreational, and other public uses and values. Its resources shall be protected from the threat of pollution, misuse, and mismanagement.

POLICY 7B: Materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat and the Haverstraw Bay significant fish and wildlife habitat shall not be disposed of or allowed to drain in, or on land within, the area of influence in the significant fish and wildlife habitats.

POLICY 7C: Storage of materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat or Haverstraw Bay significant fish and wildlife habitat shall not be permitted within the area of influence of the habitat unless best available technology is used to prevent adverse impacts to the habitat.

POLICY 7D: Restoration of degraded ecological elements of the Croton River and Bay and Haverstraw Bay significant fish and wildlife habitats and shore lands shall be included in any programs for cleanup of any adjacent toxic and hazardous waste sites.

POLICY 7E: Runoff from public and private parking lots and from storm sewer overflows shall be effectively channeled so as to prevent oil, grease, and other contaminants from polluting surface and ground water and impact the significant fish and wildlife habitats.

POLICY 7F: Construction activity of any kind must not cause a measurable increase in erosion or flooding at the site of such activity, or impact other locations. Construction activity shall be timed so that spawning of anadromous fish species and shellfish will not be adversely affected.

POLICY 7G: Such activities must not cause degradation of water quality or impact identified significant fish and wildlife habitats.

POLICY 11: Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

POLICY 11A: Erosion and sediment control measures shall be undertaken in order to safeguard persons, protect property, prevent damage to the environment, and promote the public welfare by guiding, regulating and controlling the design, construction, use and maintenance of any development or other activity which disturbs or breaks the topsoil or results in earth movement.

POLICY 14: Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.

POLICY 23: Protect, enhance and restore structures, districts, areas of sites that are of significance in the history, architecture, archaeology or culture of the state, its community or the nation.

POLICY 33: Best Management Practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.

POLICY 33A: Encourage new developments to retain stormwater runoff on site so as to not increase flows within the existing system or to improve existing stormwater runoff systems so that runoff from such developments does not adversely impact coastal waters.

POLICY 37: Best Management Practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.

POLICY 37A: Standards and specifications for the control of non-point source discharge as set forth in Westchester County's Best Management Practice Manual or other recognized reference shall be utilized during development of any site.

POLICY 44: Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.

POLICY 44A: Wetlands, water bodies and watercourses shall be protected by preventing damage from erosion or siltation, minimizing disturbance, preserving natural habitats and protecting against flood and pollution.

The remaining policies and conditions of the LWRP not specifically discussed above were reviewed and found to not be applicable.

Dated: May 16, 2022