



Mayor
Brian Pugh
Trustees
Ann Gallelli
Sherry Horowitz
Len Simon
Alejandro Rosales
Manager
Bryan Healy
Treasurer
Daniel Tucker
Engineer/Building Inspector
Daniel F O'Connor, P.E., CEO
Asst. Engineer/Asst. Building Inspector
Ronald Wegner, P.E., CEO
Assessor
Thomas Waitkins, IAO
Fire Inspector
Peter Anfiteatro, CEO

7/7/22

Giovanni Stiefelmann, President
Half Moon Bay HOA
c/o Heritage Management Services, LLC
P O Box 265
Somers, NY 10589

Re: Half Moon Bay Condominiums – Certificate of Completion for Promenade Repair

Dear Mr. Stiefelmann:

Based on inspections by this office the repair of the promenade has been satisfactorily completed. A Certificate of Completion is hereby issued under section 227-12B of the Village Code.

We previously received check (#1994) in the amount of \$35,000 for the bond payment required by condition “k” of the Planning Board’s resolution approving the Wetland Permit. The release of the bond has been placed on the agenda for the Planning Board’s July 12th meeting. After approval by the Planning Board, you should receive a check for the bond amount within thirty days.

If you have any questions, please contact me at 914-271-4783 or engineering@crotononhudson-ny.gov.

Thank you for your time and consideration.

Sincerely,

Daniel O'Connor, P.E.
Village Engineer/Building Inspector

cc: Bryan Healy, Village Manager
Ronald Wegner, P.E., Assistant Village Engineer
Daniel Tucker, Village Treasurer
Linda Whitehead, Village Attorney
Planning Board
Ralph Mastromonaco, P.E, P.C.
File

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER THAT IS SENSITIVE TO CHEMICAL ALTERATION • FOR SECURITY, THIS DOCUMENT CONTAINS A TRUE WATERMARK ON BACK - HOLD TO LIGHT TO VIEW

Sterling National Bank

50-390 /219

Half Moon Bay HOA
c/o Heritage Mangement
P.O. Box 265
Somers NY 10589

CHECK NO	CHECK DATE	VENDOR NO
001994	02/09/21	CROTON

CHECK AMOUNT

THIRTY-FIVE THOUSAND AND 00/100 DOLLARS*****

*****35,000.00

PAY
TO THE
ORDER OF

VILLAGE OF CROTON-ON-HUDSON
Stanley Kellerhouse Bldg
1 VAN WYCK ST
CROTON-ON-HUDSON,NY 10520

Amy Bardick
AUTHORIZED SIGNATURE

⑈001994⑈ ⑆021909300⑆704438⑈001⑈

VENDOR	CROTON	VILLAGE OF CROTON-ON-HUDSON	2/09/21	001994	
YOUR REF NO	YOUR INV NO	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN
2769	CR01/27/21	1/27/21	35,000.00	35,000.00	.00
WETLAND PERMIT					

Half Moon Bay HOA Total: 35,000.00

RESOLUTION

WHEREAS, the Planning Board has reviewed an application for a Wetlands Permit on April 14, April 28, June 9, June 23, July 28, August 11, and August 25, 2020 for the Homeowners Association of Half Moon Bay Condominiums, hereafter known as “the Applicant,” said property located on Half Moon Bay Drive. The property is in the Waterfront Development (WD) Zoning district and the improvements are proposed on the common area of the Half Moon Bay Condominiums which has no designated tax number.

WHEREAS, there has been substantial erosion along the portion of the promenade and revetment especially in the section of the promenade with the fieldstone walking surface; and

WHEREAS, the application for a wetland permit is for the Half Moon Bay Promenade and Revetment Stabilization plan which is required to repair the damage caused by storm erosion; and

WHEREAS, this proposal is considered an Unlisted Action under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Planning Board referred this application to the Water Control Commission (WCC) and the WCC, at its meeting on July 15, 2020, discussed and reviewed the application and, in a memo dated July 16, 2020, noted that the fieldstones were an uneven walking surface and might possibly be contributing to further erosion of the revetment. Because there has been a rapid deterioration of the revetment, the WCC made a recommendation to the Planning Board for issuance of the wetlands permit for the revetment repair only, leaving the decision of the surface of the promenade up to the Planning Board; and

WHEREAS, the Planning Board referred this application to the Waterfront Advisory Committee (WAC) for a recommendation on consistency with the Local Waterfront Revitalization Program (LWRP), and the WAC, at its meeting on July 16, 2020, made a favorable recommendation of consistency, subject to the repair of the promenade to create a smooth surface that would be safe for all persons including those with disabilities to navigate; and

WHEREAS, the Planning Board reviewed for purposes of determining consistency the 44 policies of the LWRP and the Coastal Assessment Form, determined that the policies as itemized in the WAC memo, dated July 20, 2020, were applicable, but that the proposed project is only consistent if the promenade is repaired in a manner that provides a smooth surface that can be safely navigated by the public including walkers, runners, people with strollers, and handicapped persons; and

WHEREAS, in a review of the criteria for determining significance under SEQR, the Planning Board determined that the proposal to repair the promenade using the same fieldstones as had previously existed prior to their removal may create a conflict with the community’s current comprehensive plan to create an opportunity for recreational use and passive enjoyment of the Hudson River. In addition, the Planning Board determined that the fieldstones present a hazardous and unsafe walking surface for all persons, including those who are handicapped, and therefore discourage and prevent use of the pathway for enjoyment of the Hudson River.

WHEREAS, the Planning Board hereby determines that there will be no significant adverse impacts resulting from the Proposed Action subject to the repair of the promenade to create a safe and smooth traversable surface, and issues a Negative Declaration subject to the repair of the promenade to create a safe and smooth traversable surface; and

WHEREAS, a public hearing on the application was held (via Zoom videoconference meetings) on August 11, 2020 and August 25, 2020; and

WHEREAS, at the public hearing during the public comment portion of the meeting, a handicapped member of the public spoke to the lack of accessibility of the promenade and other members of the community spoke about the unsafe surface of the promenade for walkers and those with disabilities; and

WHEREAS, the fieldstones have contributed to the erosion and may continue to cause further erosion and a solid surface promenade will result in less erosion and result in a better environmental condition since asphalt or concrete surface will be less susceptible to storm damage; and

WHEREAS, the section of the existing promenade adjacent to HMB Phases I and II has an asphalt pavement walking surface which is smooth and accessible and has been less damaged by storms, therefore resulting in less erosion of the ground; and

WHEREAS, the rest of the Half Moon Bay promenade provides a safe and smooth surface that meets the ADA guidelines and the proposed portion of the promenade is a continuation of the Half Moon Bay promenade and should also be consistent with ADA guidelines; and

WHEREAS, an easement entitled "Conservation Easement" (Liber 10288, Page 143) between the Half Moon Bay Homeowners Association, Inc Half Moon Bay Condominium Phase I, Half Moon Bay Condominium Phase II, and Croton River Club, Inc. to the Village of Croton-on-Hudson requires that the public have pedestrian access to the Promenade and as such the surface of the promenade must adhere to the ADA requirements so that all persons can safely traverse the path, and section 13 of the easement agreement requires a paved walkway not less than six feet wide; and

WHEREAS, the Planning Board has determined that the original reason for installing the field stones was not an aesthetic one but to discourage use and such motive is contrary to the terms of the Village Easement and the ADA regulations; and

NOW THEREFORE BE IT RESOLVED, the Planning Board, hereby issues a Wetland Permit for the Half Moon Bay Promenade Repair and Revetment Stabilization, as shown on the drawings entitled "Riverwalk & Revetment Stabilization Plan" dated August 19, 2019 and Drawing 31A entitled "Proposed Stone Riverwalk (Section A-A)" and Drawing 31B entitled "Proposed Stone Riverwalk (Section B-B)", all prepared by Ralph G. Mastromonaco, P.E., P.C., and that in accordance with sections 227-7 and 227-8 of the Village Code, subject to the following conditions which are established for the approval of the Wetland Permit:

- a. That, the plans and specifications for the promenade repair and revetment stabilization shall be revised to show an asphalt or concrete walkway surface for the promenade to the satisfaction of the Village Engineer.
- b. That the revised plans, in order to comply with condition "a" as stated above, shall be submitted to the Village Engineer for review and approval by September 8, 2020. The revetment stabilization work may commence prior to this date, however, any and all work on the revetment and promenade after September 8, 2020 shall be done in accordance with the approved revised plans and specifications.
- c. Work conducted under a permit shall be open to inspection during daylight hours, including weekends and holidays, by the approving authority or its designated representative or the Village Engineer.
- b. The permit expiration date shall be August 26, 2021 or upon completion of the work specified therein. The validity of any work duly completed pursuant to an existing permit shall not be affected by the expiration of the permit, but such work shall be continued beyond the expiration date. Permits may be renewed by the approving authority upon application submitted at least 60 days before the expiration of the permit. Standards for issuance of renewals shall be the same as for the issuance of permits.
- c. The permit holder shall notify the Village Engineer of the date on which the work is to begin at least five days in advance of such commencement date.
- d. The approving authority's permit shall be prominently displayed at the project site during the undertaking of the activities authorized by the

- permit.
- e. That, any required permits from the NYSDEC and ACOE shall be obtained.
 - f. Soil erosion and sediment control devices shall be installed using Best Management Practices prior to any disturbance.
 - g. That, the fieldstones shall not be used for the walking surface of the promenade and that all fieldstones be removed from the entire easement area or incorporated into the revetment repair.
 - h. The promenade shall be repaired in a manner that provides a smooth surface, either of asphalt or concrete, so that the public including those persons with disabilities can safely navigate the pathway.
 - i. The promenade shall be inspected by the Homeowners Association on an annual basis for maintenance and repair to the satisfaction of the Village Engineer.
 - j. That if asphalt paving is utilized, the new asphalt paving should match the existing asphalt paving on the rest of the promenade.
 - k. Prior to the commencement of work authorized under this permit issued pursuant to Chapter 227 of the Village Code the applicant shall post a bond or other security acceptable to the Board of Trustees in an amount and with surety and conditions sufficient to secure compliance with the conditions and limitations set forth in this permit. The amount and the conditions of the bond or other security shall be consistent with the purposes of this chapter and be reviewed and be found acceptable by the Village Engineer and Village Attorney. The bond or other security shall remain in effect until the issuance of a certificate of completion as described in § 227-12 of the Village Code and until the bond or other security is released by the Planning Board or a substitute bond or other security is provided. The amount of the bond or other security shall be \$35,000.00.

The Planning Board of the Village of Croton-on-Hudson, New York

Robert Luntz, Chairperson
Bruce Kauderer
Steve Krisky
Geoffrey Haynes
John Ghegan

Motion to approve by Mr. Kauderer, seconded by Mr. Krisky and carried in favor by a vote of 5 to 0.

Resolution accepted at the meeting held on Tuesday, August 25, 2020.

