

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 #161-2022

WHEREAS, the Village Board of Trustees is considering the adoption of Local Law Introductory No. 11 of 2022 and Local Law Introductory No. 12 of 2022, collectively the Proposed Action making certain revisions to its Zoning Law and Map in the area of the Harmon/South Riverside Gateway Overlay (HSRG) and Light Industrial (LI) District; and

WHEREAS, on September 6, 2022, the Village Board of Trustees declared itself Lead Agency for SEQRA purposes for the Proposed Action, determined the Proposed Action to be a Type 1 Action, and circulated the Full EAF Part 1 and Supplemental Narrative prepared by its consultant AKRF Environmental, Planning, and Engineering Consultants of White Plains, New York; and

WHEREAS, the Proposed Action is comprised of the adoption of Local Laws and not any proposed development, and therefore sections D and E of the Full EAF Part 1 describing project related details were not required to be filled in; and

WHEREAS, the Proposed Action is an adoption of zoning text and map changes with no physical changes or projects specifically proposed, and SEQRA therefore requires the Lead Agency to consider the relative impacts based on the proposed changes as compared to the existing zoning, and to focus its analysis on the impacts of the changes and not on potential impacts of potential future development; and

WHEREAS, the Village Board as Lead Agency has reviewed the entire record, including the Full EAF Part 1 and Supplemental Narrative, together with Local Law Introductory No. 11 of 2022 and Local Law Introductory No. 12 of 2022 focusing on the changes from existing zoning, as well as comments received from the Planning Board and the public comment, and additional analyses prepared by AKRF; and

WHEREAS, at its meeting on October 17, 2022 the Village Board reviewed the Full EAF Part 2 and verbally answered the questions set forth therein based upon the entire record, and with specific reference to information in Part 1 as identified in the Part 2 form, and determined that no potential impacts were identified as moderate to large, and therefore no additional analysis was required in a Part 3, and directed the preparation of the Part 2 and Part 3 forms and a negative declaration under SEQRA for adoption; and

WHEREAS, the Village Board desires to memorialize its discussion and findings with respect to its SEQRA determination of significance as set forth at the October 17, 2022 meeting in written form; and

WHEREAS, in connection with the Proposed Action, the Village Board is required to make a determination of consistency with the LWRP policy standards and conditions; and

WHEREAS, AKRF Environmental, Planning, and Engineering Consultants of White Plains, New York, has prepared a Coastal Assessment Form in connection with the Proposed Action in accordance with the Village's Local Waterfront Revitalization Program (LWRP); and

WHEREAS, the Village Board has duly referred this matter to the Village Waterfront Advisory Committee which has made and provided in writing to the Village Board a recommendation of consistency with the LWRP policy standards and conditions; and

WHEREAS, at its meeting on October 17, 2022, the Village Board reviewed each of the 44 policies and sub-policies thereunder set forth in the LWRP and the explanation of each policy as set forth in the LWRP; and

WHEREAS, the Village Board desires to memorialize its discussion and findings with respect to its determination of consistency as set forth at the October 17, 2022 meeting in written form,

NOW, THEREFORE, BE IT RESOLVED as follows:

That based upon the entire record on the Proposed Action and the above, the Village Board of Trustees hereby issues and adopts the EAF Parts 2 and 3 Determination of Significance attached hereto, and adopts a Negative Declaration under SEQRA in connection with this action; and

BE IT FURTHER RESOLVED as follows:

The Village Board makes the following findings regarding the applicability of the LWRP policies and the consistency of the Proposed Action with those policies and conditions of the LWRP which it found applicable:

Policy 1A - Existing planning and zoning documents should be reviewed and amended where necessary to ensure development within the community is consistent with adopted goals and policies.

The Village Board found that this policy was applicable to the proposed action in that it is a zoning modification which should be reviewed pursuant to this policy. The Board found the action is consistent with this policy as the proposed zoning amendments will result in development which is consistent with the adopted goals and policies of the Village. The intent of the amendment is to encourage the

restoration, revitalization and redevelopment of properties in this area in particular for residential uses.

Policy 5 - Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other coastal areas.

The Village Board found that this policy is applicable and that the proposed action is consistent and complies with this policy as it encourages development in areas where public services and facilities are adequate. Utility connections are available and mass transit (rail and bus) are within walking distance.

Policy 5A - When feasible, development within the Village should be directed within the current service area of existing water and sewer facilities or in close proximity to areas where distribution lines currently exist.

The Village Board found that this policy is applicable and that the proposed action is consistent and complies with this policy as it directs development within the Harmon and train station area within close proximity to existing water and sewer distribution lines.

Policy 5B - The extension of water and sewer distribution lines beyond areas currently served should be undertaken cautiously and with prudent regard for Village water resources and the preservation of environmental values in undeveloped areas.

The Village Board found that this policy is applicable and that the proposed action is consistent and complies with this policy. While extension of the public sewer system will be necessary to serve the TOD area and some minor extensions of the water distribution system may be required for some additional development in the Harmon area, capacity exists and the extensions are easily accomplished.

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

BE IT FURTHER RESOLVED as follows:

Based upon the above, the Village Board of Trustees confirms its determination that the Proposed Action, the adoption of Local Law Introductory No. 11 of 2022 and Local Law Introductory No. 12 of 2022, collectively the Proposed Action making certain revisions to its Zoning Law and Map in the area of the Harmon/South Riverside Gateway Overlay

(HSRG) and Light Industrial (LI) District, complies with the policy standards and conditions set forth in the Village's LWRP.

Dated: November 1, 2022