

Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY, held on Tuesday, September 12, 2023, in the Georgianna Grant Meeting Room at the Stanley Kellerhouse Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Pugh	Trustee Gallelli
Village Manager Bryan Healy	Trustee Horowitz
Village Treasurer Daniel Tucker	Trustee Nicholson
Village Attorney Linda Whitehead	Trustee Simon
Assistant to Village Manager Emily Mancini	

1. CALL TO ORDER

Mayor Pugh called the meeting to order at 6:15pm and led everyone in the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS

Trustee Horowitz made a motion to approve the following *Fiscal Year Vouchers, claims numbered 23241622 through 23241880*. The motion was seconded by Trustee Simon and approved with a 5-0 Vote.

General Fund	\$419,708.70
Water Fund	\$25,586.10
Sewer Fund	\$9,501.14
Capital Fund	\$120,437.02

3. PUBLIC HEARING:

- a. A motion to open a Public Hearing on *Local Law Introductory No. 17 of 2023*, amending and updating provisions of Chapter 230, Zoning of the Code of the Village of Croton on Hudson was made by Trustee Simon. Motion was seconded by Trustee Gallelli and approved with a 5-0 vote.

Village Manager Healy explained that this Local Law updates the definition of "Family" which reflects some of the recent court rulings, as well as cleaning up various other items related to definitions and Zoning Districts.

To view the entire proposed law, you may click on the following link:
<https://play.champds.com/ATT/crotononhudsonny/2023-08/6ffb6ed935c392b1c5fdafe0a7f480e712e149ff.pdf>

There being no further to come before the Board, a motion to close the Public Hearing was made by Trustee Gallelli. Motion was seconded by Trustee Nicholson and approved with a 5-0 vote.

4. RESPONSES TO QUESTIONS SUBMITTED BY EMAIL - None

5. Review of the Environment Assessment Form Part II and the Village's Local Waterfront Revitalization Program policies by the Village Board to determine consistency related to the special permit application from Ameriland Brook LLC, to add a three-story mixed-use building next to the existing one-story commercial building located at 352 South Riverside Avenue.

SHORT ENVIRONMENTAL ASSESSMENT FORM PART II

	No, or small impact may occur	Moderate to large impact may occur
1. <u>Will the proposed action create a material conflict with an adopted land use plan or zoning Regulations?</u>	√	
2. <u>Will the proposed action result in a change in the use or intensity of use of land?</u>	√	
3. <u>Will the proposed action impair the character or quality of the existing community?</u>	√	
4. <u>Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</u>	√	
5. <u>Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</u>	√	
6. <u>Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy</u>	√	
7. <u>Will the proposed action impact existing:</u> a. public / private water supplies?	√	
b. public / private wastewater treatment utilities?	√	
8. <u>Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</u>	√	
9. <u>Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</u>	√	
10. <u>Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</u>	√	
11. <u>Will the proposed action create a hazard to environmental resources or human health?</u>	√	

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2

Local Waterfront Revitalization Program Policies

3

Policy	DEVELOPMENT POLICIES	WAC RESPONSE		VILLAGE BOARD		Comments
		Applicable Yes/No	Consistent Yes/No	Applicable Yes/No	Consistent Yes/No	
1	Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses	Yes	Yes	Yes	Yes	Board Concurred
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	No				
1B	Redevelop and revitalize Village owned land at the Metro North Train Station, including Village garage and bay area. Encourage integrated development of Village property to assure fulfillment of requirements relating to parking and accessory uses of Metro North Train Station, while facilitating public access to bay area and recreational use.	No				
1C	Every effort should be made by the municipality to encourage the mutual cooperation and exchange of information between governmental agencies involved in clean-up of the Croton landfill and Metro-North lagoon in order to develop commercial use of resources found in the coastal area.	No				
1D	Require restoration of deteriorating structures related to railroad use and assure appropriate maintenance and screening to reduce visual impact.	No				
1E	Develop the old sewage treatment plant site at the intersection of Route 9A and Municipal Place.	No				
2	Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters	No				
2A	Expand restrictions on the use of power boats on the Hudson River and Croton River and Bay by further enforcing the parameters that regulate boat traffic such a speed, turbidity, safety, and mooring and sludge disposal. Such controls will further increase the compatibility of power boat use with other forms of recreation use within the coastal zone area.	No				
3	The state coastal policy regarding the development of major ports is not applicable to Croton.	No				
4	The state coastal policy regarding the strengthening of small harbors is not applicable to Croton.	No				
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	Yes	Yes	Yes	Yes	Board Concurred

	other coastal areas.					
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.	Yes	Yes	Yes	Yes	Board Concurred
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.	No				
5C	Limit proposed development within those portions of the coastal zone boundary area, where traffic impacts such as site distance and carrying capacity of the roadways are restricted, particularly along Route 9A, Albany Post Road and Route 129.	No				
6	Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	No				
6A	To expedite permit procedures, the Village shall coordinate all relevant local laws into a development package for applicants and/or make all local laws available to applicants proposing development activities.	No				
FISH & WILDLIFE POLICIES						
7	Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.	No				
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.	No				
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.	No				
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.	No				
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.	No				
7E	Runoff from public and private parking lots and from storm sewer overflows shall be effectively channeled	Yes	Yes	Yes	Yes	Board Concurred

	so as to prevent oil, grease, and other contaminants from polluting surface and ground water and impact the significant fish and wildlife habitats.					
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.	No				
7G	Such activities must not cause degradation of water quality or impact identified significant fish and wildlife habitats	No				
8	Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain, or which cause significant sub lethal or lethal effect on those resources.	No				
9	Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.	No				
9A	Ensure continued recreational use and public access to the rivers through Village-owned land adjacent to the Metro-North parking lot, at Croton Point Park and at Senasqua Park, along the Croton River, and at the Croton Yacht Club. Efforts should be made to encourage recreational use of the fish and wildlife resources found in these areas by increasing the opportunities for public access and enjoyment	No				
9B	Encourage passive recreational enjoyment of the wildlife in the designated significant fish and wildlife habitats, on the Audubon Society Sanctuaries, on other public or private lands within the Village, where wildlife habitats are located. Encourage the recreational use of areas where such resources are found, as well as the protection of such resources.	No				
10	Further develop commercial finfish, shellfish and crustacean resources in the coastal area by encouraging the construction of new or improvement of existing onshore commercial fishing facilities, increasing marketing of the state's seafood products, maintaining adequate stocks, and expanding aquaculture facilities. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.	No				
	FLOODING & EROSION POLICIES					
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	No				
11A	Erosion and sediment control measures shall be	Yes	Yes	Yes	Yes	Board

	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.					Concurred
12	Activities or Development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity	No				
12A	Every effort should be made to protect Croton Point, a natural protective barrier to Croton Bay from activities or development that would increase erosion of or flooding of the Point	No				
13	The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.	No				
13A	Any bulkheads along the Hudson must be maintained in good condition and private landowners should be required to restore and maintain erosion control mechanisms along their river frontage which are designed for long term stability.	No				
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.	No				
15	Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.	No				
16	Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features	No				
16A	Public funds shall be appropriated for the yearly maintenance of Senasqua Park until such time that is determined that expenditure of funds outweighs the cost of acquiring, constructing and maintaining a	No				

	similar public park on Croton's waterfront.					
17	Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (i) the setback of buildings and structures; (ii) the planting of vegetation and the installation of sand fencing and draining; (iii) the reshaping of bluffs; and (iv) the flood-proofing of buildings or their elevation above the base flood level.	No				
17A	Efforts to control erosion along the rivers and on the steep slopes rising from areas inland shall be of a non-structural nature, wherever possible, in consideration of the visual impact of structural measures. The retention or planting of vegetative covers will be preferred to structural measures.	No				
18	To safeguard the vital economic, social and environmental interests of the state and of its citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the state has established to protect valuable coastal resource areas.	No				
	PUBLIC ACCESS POLICIES					
19	Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority will be given to public beaches, boating facilities, fishing areas and waterfront parks.	No				
19A	Encourage the linkage of open space along the Hudson and Croton Rivers in the form of a trail or walkway system. Such systems should be provided along undeveloped and underutilized land as well as along previously developed land.	No				
19B	Increase physical access to areas that have specific value for their physical and visual access to the Hudson River or Croton River and Bay.	No				
19C	Encourage the expansion of public transportation, when feasible, to areas within the coastal zone area where water dependent and water enhanced recreation activities are located.	No				
19D	Increase access to Croton River and Bay at the Village-owned land south of the Village parking lots at the Croton-Harmon Station.	No				
19E	Maintain the trail, which provides access to the Croton River waterfront, in its current undeveloped condition as a pedestrian walkway.	No				
20	Access to the publicly owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly owned shall be provided and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.	No				
21	Water dependent and water enhanced recreation will be encouraged and facilitated and will be given	No				

	priority over non-water related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.					
21A	Boating activities should be encouraged provided that they do not restrict other recreational opportunities and are undertaken in a manner compatible with existing water- dependent uses.	No				
22	Development when located adjacent to the shore will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light reasonably anticipated demand for such activities and the primary purpose of the development	No				
23	Protect, enhance and restore structures, districts, in areas of sites that are of significance in the history, architecture, archaeology or culture of the state, its communities or the nation.	No				
24	Prevent impairment of scenic resources of statewide significance as identified on the coastal area map. Impairment shall include: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.	No				
25	Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.	Yes	Yes	Yes	Yes	Board Concurred
25A	Protect local scenic resources by preventing: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation or wetlands, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resources; and (ii) the addition of structures which because of siting scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.	No				
25B	Secure the designation of the panoramic views from Croton Point as a scenic area of statewide significance.	No				
25C	Secure the designation of Routes 9 and 129 within the Croton boundaries as a scenic road. Ensure	No				

	developments on or adjacent to Route 9 do not impair scenic resources or views of or from the Hudson and Croton Rivers					
25D	Establish and protect identified view-sheds which provide visual access to the Hudson River, including but not limited to the views of the Hudson River from the western shoreline of the Village, and from Prickly Pear Hill, Lounsbury Hill, and River Landing. In addition, protect view-sheds to and of the Croton River and Gorge.	No				
26	The state coastal policy regarding the protection of agricultural lands is not applicable to Croton	No				
	ENERGY AND ICE MANAGEMENT POLICIES					
27	Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shoreline location.	No				
28	Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.	No				
28A	Ice management practices must consider short and long- term impacts on the Croton River and Bay and Haverstraw Bay significant fish and wildlife habitats.	No				
29	The state coastal policy regarding the development of energy resources is not applicable to Croton.	No				
	WATER AND AIR RESOURCES POLICIES					
30	Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to state and national water quality standards.	No				
30A	Existing rail services and transportation-related facilities shall not dispose any materials in coastal waters until such materials have been tested by the state for conformance with water quality standards.	No				
30B	Storage and disposal of all materials shall be monitored by the state to assure there will be no discharge or leaching of materials into coastal waters.	No				
31	State coastal area policies and purposes of approved local waterfront revitalization programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.	No				
31A	Clean water is desired and NYSDEC should continually monitor water quality in the Hudson River and Croton Bay which have already been overburdened with pollutants. Recommendations for mitigation and upgrading water quality classifications cannot be determined without continual monitoring and testing of the waters.	No				
32	Encourage the use of alternative or innovative sanitary waste systems in small communities where	No				

	the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.					
33	Best Management Practices will be used to ensure the control of storm water runoff and combined sewer overflows draining into coastal waters.	Yes	Yes	Yes	Yes	Board Concurred
33A	Encourage new developments to retain storm water runoff on site so as to not increase flows within the existing system or to improve existing storm water runoff systems to that runoff from such developments does not adversely impact coastal waters	Yes	Yes	Yes	Yes	Board Concurred
33B	Improve existing Village storm water discharge to control flow of pollutants from street and parking areas, etc. directly in the rivers.	Yes	Yes	Yes	Yes	Board Concurred
34	Discharge of waste into coastal waters from vessels will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.	No				
34A	There shall be no discharge from moored structures or marine vessels, due to shape of cove and lack of tidal flushing.	No				
35	Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing state dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.	No				
36	Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.	No				
37	Best Management Practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	Yes	Yes	Yes	Yes	Board Concurred
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.	Yes	Yes	Yes	Yes	Board Concurred
37B	Control of the development of hilltops, and steep slopes should be exerted in order to prevent erosion and minimize runoff and flooding from new construction.	No				
38	The quality and quantity of surface water and ground water supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.	No				
39	The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies,	No				

	significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.					
39A	Require transporters, producers and storers of hazardous material to inform the public or allow public access to records involving the transport, storage, treatment and disposal of hazardous materials. This is of particular concern with respect to rail transport of such materials, storage of identified materials on railroad property and uses in the waterfront area involved in the treatment, storage and disposal of such materials.	No				
39B	In accordance with Title III, Section 302, Emergency Planning and Community Right-to- Know of the 1986 Superfund Reauthorization Act, the local emergency planning committee and the Croton Fire Department shall be notified if hazardous substances exceed the established threshold planning quantity	No				
40	Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.	No				
41	Land use or development in the coastal area will not cause national or state air quality standards to be violated	No				
41A	A NYSDEC point-source air monitoring station should be established within the Village of Croton-on-Hudson.	No				
42	Coastal management policies will be considered if the state reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.	No				
43	Land use or development in the coastal area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.	No				
43A	Encourage the use of shuttle bus service to the train station, thereby decreasing dependency on the automobile use and reduce the generation of acid rain precursors	No				
43B	Encourage the use of low sulphur fossil fuels for rail vehicles and encourage the development of a monitoring program to assess rail vehicle engines emissions	No				
44	Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.	No				
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.	No				

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2 Village Manager Healy advised that a resolution will be prepared for the next meeting
3 with a Negative Declaration as well as a Statement Consistency.

1 6. CORRESPONDENCE

- 2 a. Memorandum from Village Manager Bryan Healy regarding Chicha Fest.

3 [https://play.champds.com/ATT/crotononhudsonny/2023-](https://play.champds.com/ATT/crotononhudsonny/2023-09/0d0b438061f235e4893c6ca17d0c7d25d0b108c6.pdf)
4 [09/0d0b438061f235e4893c6ca17d0c7d25d0b108c6.pdf](https://play.champds.com/ATT/crotononhudsonny/2023-09/0d0b438061f235e4893c6ca17d0c7d25d0b108c6.pdf)

5 Village Manager Healy advised that the Village received a check in the
6 amount of \$2,936.74 representing the additional expenses the Village
7 incurred during the festival, the amount also includes a \$250 fine for
8 violating the prohibition against charging admission fees.

- 9 b. Email from John Munson, President/Secretary of the Croton Fire Council,
10 regarding membership changes from the Croton Fire Department.

- 11 c. Email from Frank Balbi, Superintendent of Public Works, dated September 8,
12 2023, on obtaining stones from the Croton Dam for the 125th Anniversary
13 Celebration.

14 [https://play.champds.com/ATT/crotononhudsonny/2023-](https://play.champds.com/ATT/crotononhudsonny/2023-09/7a496c393cf06f5ed0dde298265702f3042e0db8.pdf)
15 [09/7a496c393cf06f5ed0dde298265702f3042e0db8.pdf](https://play.champds.com/ATT/crotononhudsonny/2023-09/7a496c393cf06f5ed0dde298265702f3042e0db8.pdf)

16 Village Manager Healy explained that Superintendent of Public Works Frank
17 Balbi reached out to the New York City Department of Environmental
18 Protection regarding the request from the 125th Anniversary Committee for
19 the possible installation of some stones in one of our parks. Village
20 Manager Healy advised that this is not an effortless process and will involve
21 a significant amount of time on the part of our DPW staff as well as the
22 possibility of significant costs to the Village for obtaining these stones.

23 Trustee Gallelli explained that these are large pieces that were left over
24 from the Dam construction that are on the DEP's property. Trustee Gallelli
25 stated that the 125th Anniversary Committee felt that since these stones
26 were used in the Dam construction it would be an appropriate time to get a
27 couple of them since the Dam is in Croton. Trustee Gallelli added that
28 given the work that would have to be done with the DEP, she believes that
29 we should not attempt to do it this year, and that we ask for a formal
30 opinion from our Village Historian as to whether he supports this and why
31 these would be important for the Village and then we can consider going
32 through the process.

Trustee Simon stated that what struck him was the many hoops we would have to go through and perhaps, a little further down the line, the Superintendent could give us a little more detail of the overall costs.

- d. Memorandum from Daniel O'Connor, Village Engineer, regarding old building permit and CO lots.

<https://play.champds.com/ATT/crotononhudsonny/2023-09/d4c612fd449fd5d157e7d9181d73d88b7b325df2.pdf>

Village Manager Healy explained that about fifteen years ago numerous records from the 1930's, 40's and 50's, which had been stored in the basement, were located and subsequently were put in their correct property files. Village Manager Healy advised that the Village would like to hire back one of our retired clerks who is familiar with the system to go through these files and prepare letters to notify property owners so that they can address any potential problems.

7. PUBLIC COMMENTS ON AGENDA ITEMS – None.

8. RESOLUTIONS:

Resolution #196 of 2023

On motion of TRUSTEE SIMON, seconded by TRUSTEE GALLELLI, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 5-0 vote.

WHEREAS, the Village Board of Trustees has received a special permit application from Ameriland Brook LLC, to add a three-story mixed-use building next to the existing one-story commercial building located at 352 South Riverside Avenue, and

WHEREAS on July 24, 2023, the Village Board of Trustees declared its intent to serve as Lead Agency for SEQRA purposes and directed the staff to circulate its intent to all involved agencies, and

WHEREAS on August 28, 2023, the Village Board declared itself Lead Agency for SEQRA purposes in connection with the proposed action, and

1 WHEREAS the Village Board has received memoranda of support from the Village
2 Planning Board, the County Planning Board, and the Waterfront Advisory Committee
3 regarding the Proposed Action, and

4 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby schedules a
5 Public Hearing on Tuesday, September 26, 2023, at 7 PM, in the Georgianna Grant
6 Meeting Room of the Stanley H. Kellerhouse Municipal Building, 1 Van Wyck Street,
7 Croton-on-Hudson, New York 10520, to consider the approval of a special permit
8 application from Ameriland Brook LLC, to add a three-story mixed-use building next to
9 the existing one-story commercial building located at 352 South Riverside Avenue.

10
11 **Resolution #197 of 2023**
12

13 On motion of TRUSTEE SIMON, seconded by TRUSTEE HOROWITZ, the following
14 resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New
15 York with a 5-0 vote.

16 WHEREAS the Village would like to amend and update certain provisions of Chapter 230,
17 Zoning, of the Code of the Village of Croton-on-Hudson, and

18 WHEREAS the Village Board is considering Local Law Introductory No. 17 of 2023 which
19 has been drafted for such purposes, and

20 WHEREAS on August 14, 2023, the Village Board declared itself to be Lead Agency for
21 SEQRA purposes in connection with the Proposed Action, and referred the Proposed
22 Action to the Village Planning Board, Waterfront Advisory Committee and Westchester
23 County Planning Board for comment in accordance with law, and

24 WHEREAS the Village Board has received memoranda of support from the Village
25 Planning Board, Westchester County Planning Board and Waterfront Advisory Committee
26 regarding the Proposed Action, and

27 WHEREAS at its meeting on August 28, 2023, the Village Board reviewed Part 2 of the
28 Short Environmental Assessment Form for this local law and verbally answered the
29 questions set forth therein based upon the entire record, and determined that no
30 potential impacts were identified as moderate to large, and therefore no additional
31 analysis was required in a Part 3, and directed the preparation of the Part 2 and Part 3
32 forms and a negative declaration under SEQRA for adoption, and

1 WHEREAS the Village Board desires to memorialize its discussion and findings with
2 respect to its SEQRA determination of significance as set forth at the August 28, 2023,
3 meeting in written form, and

4 WHEREAS at its meeting on August 28, 2023, the Village Board reviewed each of the 44
5 policies and sub-policies thereunder set forth in the LWRP and the explanation of each
6 policy as set forth in the LWRP, and

7 WHEREAS the Village Board desires to memorialize its discussion and findings with
8 respect to its determination of consistency as set forth at the August 28, 2023, meeting
9 in written form, and

10 WHEREAS a public hearing on Local Law Introductory No. 17 of 2023 was opened and
11 closed on September 12, 2023,

12 NOW THEREFORE BE IT RESOLVED that based upon the entire record on the Proposed
13 Action and the above, the Village Board of Trustees hereby issues and adopts the EAF
14 Parts 2 and 3 Determination of Significance attached hereto, and adopts a Negative
15 Declaration under SEQRA in connection with this action, and

16 BE IT FURTHER RESOLVED that the Village Board of Trustees makes the following
17 findings regarding the applicability of the LWRP policies and the consistency of the
18 Proposed Action with those policies and conditions of the LWRP which it found applicable:

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

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

24 BE IT FURTHER RESOLVED based upon the entire record on the Proposed Action and the
25 above, the Village Board of Trustees confirms its determination that the Proposed Action,
26 the adoption of a local law to amend and update provisions of Chapter 230, Zoning, of
27 the Code of the Village of Croton-on-Hudson, complies with the policy standards and
28 conditions set forth in the Village's LWRP, and

29 BE IT FURTHER RESOLVED that the Village Board of Trustees hereby adopts Local Law
30 Introductory No. 17 of 2023 to update provisions of the Zoning Code of the Village of
31 Croton-on-Hudson, which upon adoption becomes Local Law No. 17 of 2023.

1 DISCUSSION:

2 Trustee Horowitz stated that she still has some concerns with the definition of "Family"
3 and can think of groupings that might be inhabiting a dwelling that do not really come
4 under these definitions, and asked why we need this.

5 Village Manager Healy stated that this new definition provides an opportunity for
6 unrelated individuals living together to submit evidence that they are operating as a
7 family unit, our current definition does not provide unrelated individuals any opportunity
8 to prove they are a family unit.
9

10 Village Attorney Whitehead stated that unrelated people would be considered under this
11 definition as a Family if they are living together like a family which means they are
12 sharing common cooking facilities and they all have access and use of the entire house.
13 Village Attorney Whitehead stated that we want to differentiate that it is not a boarding
14 house where a person only has the use of one room. Village Attorney Whitehead asked
15 Trustee Horowitz for a specific example of what she is concerned about.

16 Trustee Horowitz said that she was thinking about two single parents with children living
17 together, but the definition implies that the group lives and cooks together as a single
18 housekeeping unit but what happens if they do not cook at the same time. Trustee
19 Horowitz also stated that this could also affect older groups that may decide to live under
20 one household for financial reasons.

21 Village Attorney Whitehead stated that as long as they are sharing a common kitchen and
22 also have access to the entire house.

23 Village Manager Healy stated that if they did not have access to the entire house, then it
24 could be construed that the home was being used as a boarding house, which is not
25 allowed.

26 Mayor Pugh stated that our current statute is more restrictive, this update establishes
27 principles for evaluating a family.

28 Trustee Nicholson asked why it could not just say "a group sharing a kitchen or common
29 space" instead of saying "lives and cooks together," and asked if this was State provided
30 language.

31 Village Attorney Whitehead stated that this language came from other codes that we
32 found were upheld in court.

After further discussion, the Board decided to pass the resolution and review it further for possible changes in the future.

Resolution 198 of 2023

On motion of TRUSTEE HOROWITZ, seconded by TRUSTEE GALLELLI, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 5-0 vote.

WHEREAS on July 15, 2022, the Village Board of Trustees received a letter from Annie Mykyta requesting the Village petition Westchester County to remove the property located at 1 Alexander Lane from the Ossining Sanitary Sewer District, with the reasoning that the property is currently not connected to the sanitary sewer system and the closest sewer main is more than 200 feet from the property line, and

WHEREAS at the board meeting of August 1, 2022, the Village Board authorized the Village Manager to petition the County Legislature to start the process of removing the property located at 1 Alexander Lane, Croton-on-Hudson, from the Ossining Sanitary Sewer District, and

WHEREAS on August 29, 2023, the Engineering Department received a letter from the Westchester County Department of Environmental Facilities requesting additional documentation related to the property, including the adoption of a formal resolution,

NOW THEREFORE BE IT RESOLVED that the Village Board hereby affirms the previous request for the removal of 1 Alexander Lane, known as parcel 79.5-2-39 on the Village tax map, from the Ossining Sanitary Sewer District, and

BE IT FURTHER RESOLVED: that the Village Engineer is directed to provide the requested documentation to the Westchester County Department of Environmental Facilities.

Resolution 199 of 2023

On motion of TRUSTEE HOROWITZ, seconded by TRUSTEE SIMON, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 5-0 vote.

WHEREAS the Village Board of Trustees adopted Resolution 68-2021 on May 17, 2021, to authorize a tax certiorari settlement with Sky View Nursing Realty, LLC, and

1 WHEREAS as part of this settlement, the Village agreed to reduce the assessed valuation
2 of the property from 541,200 to 408,882, and

3 WHEREAS at the time of the settlement agreement, the assessment roll for 2021-2022
4 was already finalized, and

5 WHEREAS the Village owes a refund of \$35,984.52 to Sky View Nursing Realty, LLC,
6 based on the new assessed valuation,

7 NOW THEREFORE BE IT RESOLVED: that the Village Treasurer is authorized to process a
8 tax refund to Sky View Nursing Realty, LLC, in the amount of \$35,984.52, and

9 BE IT FURTHER RESOLVED: that the payment of \$35,984.52 shall be charged to the tax
10 stabilization reserve.

11 **Resolution 200 of 2023**

12 On motion of TRUSTEE HOROWITZ, seconded by TRUSTEE GALLELLI, the following
13 resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New
14 York with a 5-0 vote.

15 WHEREAS the Department of Public Works utilizes a Large Format Printer for the Village's
16 various ongoing projects in lieu of using a third-party for printing services, and

17 WHEREAS the current printer was repurposed from the Engineering Department several
18 years ago, and

19 WHEREAS the printer has reached the end of its useful life, and

20 WHEREAS the Fiscal Year 2024 adopted budget does not include funds to purchase a new
21 Large Format Printer,

22 NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby authorizes
23 the Village Treasurer to transfer \$2,008.99 from Contingency Account A1990.4000 to the
24 following account:

25 A5010.2000 - DPW Admin Equipment: \$2,008.99

26 **Resolution 201 of 2023**

On motion of TRUSTEE GALLELLI, seconded by TRUSTEE SIMON, the following resolution was adopted by the Board of Trustees of the Village of Croton on Hudson, New York, with a 5-0 vote.

WHEREAS the Department of Public Works provides a wide variety of services for the Village, and

WHEREAS employee salaries are traditionally budgeted in a single departmental account, Street Maintenance, and then allocated throughout the year in accordance with payroll,

NOW THEREFORE BE IT RESOLVED that the Village Treasurer is authorized to amend the General Fund 2023-2024 budgets in the amount of \$318,509.85 to allocate funds for each of the Department of Public Works based on services below:

GENERAL EXPENSES

Increase

A1620 1000 Buildings-Personnel ,	\$ 33,270.55
A3310 1000 Traffic-Personnel Srvcs	\$ 2,491.00
A3410 1210 Fire-Pers Srvcs OT- Projects	\$ 3,258.86
A4540 1210 Personal Services OT Invest	\$ 721.01
A5010 1999 DPW Adm-Personnel Srvcs Comp	\$ 821.34
A5110 1999 St Maint-Personnel Srvcs Comp	\$ 371.00
A5140 1000 Brush-Personnel Srvcs	\$ 11,876.20
A5183 1000 Public Wrks-Personnel Srvcs	\$ 115,154.81
A7110 1000 Parks-Personnel Srvcs	\$ 3,362.83
A7140 1000 Com Rec-Personnel Srvcs	\$ 6,020.24
A8090 1000 Recycling-Personnel Srvcs	\$ 70,622.41
A8140 1000 Storm Sewr-Personnel Srvcs	\$ 2,684.82
A8160 1000 Refuse-Personnel Srvcs	\$ 54,128.78

1	A8170 1000 St Clean-Personnel Srvcs	\$ 3,677.02
2	A8560 1000 Shade Trees-Personnel Srvcs	\$ 8,107.11
3	A8560 1200 Shade Trees-Pers Srvcs OT	\$ 395.67
4	A8710 1100 Conservation-Personal Srvs PT	\$ 1,546.20
5		Total: \$ 318,509.85

6 ***Decrease***

7	A5110 1000 Street Maint.	\$ 318,509.85
8		Total: \$ 318,509.85

9 9. PUBLIC COMMENTS ON NON-AGENDA ITEMS

10 Elisa Silverglade Rader, 1308 Half Moon Bay, Croton on Hudson, stated that
11 according to the Trevor Project Report, LGBTQ youth who attend schools and
12 live in communities that accept and affirm LGBTQ have a much lower suicide
13 rate and thanked the many houses of worship in Croton and the community who
14 came out in support of the LGBTQ community this past Saturday. Ms.
15 Silverglade Rader also encouraged the Board to expand their current statement
16 of inclusivity which does not acknowledge gender or sexuality and to make the
17 statement more explicit.

18 10. APPROVAL OF MINUTES:

19 Motion to approve the minutes as amended of the Regular Meeting held on
20 August 28, 2023, was made by Trustee Simon. The motion was seconded by
21 Trustee Horowitz and approved with a 5-0 vote.

22 11. REPORTS

23 Trustee Nicholson advised that the Police Advisory Committee has rescheduled
24 their Town Hall meeting to October 19th, the Village of Croton on Hudson,
25 Village of Buchanan and the Town of Cortlandt held a beautiful 9-11 ceremony
26 and thanked everyone for all the work that went into putting it together.

27 Trustee Simon thanked everyone for contributing to a very moving and
28 wonderful 9-11 ceremony, the Telecommunications Advisory Committee met

1 last night and they are focusing on our Village Code, the Rotary Car Show will
2 take place on Sunday, October 1st, the Croton All Business Meeting will take
3 place on October 2nd, and welcomed Croton Hudson Distillery and Little Sprouts
4 Boutique to Croton, the Fire Council met on August 29th and updated us on
5 renovations and equipment as well as the upcoming Fire Fair scheduled for
6 October 8th, Octoberfest will be held on October 7th, congratulated everyone on
7 a wonderful Arts Festival, thanked our DPW for the new bench made from the
8 wood from the Merwin Oak tree, thanked our Police Department for a
9 magnificent job during last Saturday's event, and advised that Village Historian
10 Marc Cheshire will be giving a presentation on Thursday at 7:00pm at the
11 Library on the Destruction of Riverside Avenue.

12 Trustee Gallelli dittoed all the comments made regarding the 9-11 ceremony as
13 well as the other events that have taken place in Croton, the
14 Telecommunications Advisory Committee is working on a survey that they will
15 be sending out to the community, Hudson River Day was well attended and a
16 wonderful day was had by all attendees, sat in on a Webinar this week
17 regarding Downtown Revitalization Initiatives regarding future grant money,
18 this Thursday at 9:00am a ribbon cutting ceremony will take place regarding
19 the opening of the new sidewalk section at the corner of Croton Point Avenue
20 and South Riverside.

21 Trustee Horowitz stated that last Saturday's event held in the Upper Village was
22 a very compassionate and displayed our community's support for Croton Pride
23 and thanked Michael Grant of the Black Cow for his consistent support of the
24 LGBTQ community, Andy DeRado of By the Dam Books for hosting a Drag
25 Queen story hour, the Interfaith community for showing their support as well as
26 our Village officials and Croton Police Department who did an outstanding job of
27 community policing. Trustee Horowitz also thanked the Croton Advisory Council
28 and the Department of Public works for putting together a lovely garden in
29 Senasqua Park in memory of David Bruce Laemmel in honor of all his
30 contributions to the Village, State Assemblywomen Dana Levenberg invited all
31 artists residing in or practicing in her District to submit their work by Thursday,
32 September 14th for the Inaugural Exhibit called "Contemplating the Hudson
33 Rivier".

34 Mayor Pugh advised that they will be putting out a request for applicants for the
35 Conservation Advisory Committee, the Diversity and Inclusion Committee and

1 the Visual Environment Board. Mayor Pugh thanked Village Manager Bryan
2 Healy for organizing the upcoming Citizen's Preparedness Workshop scheduled
3 for December 16th.

4 There being no further business to come before the Board a motion to close the
5 meeting was made by Trustee Horowitz. The motion was seconded by Trustee
6 Nicholson and approved with a 5-0 vote. The meeting was adjourned at 7:39pm

7 Respectfully submitted,

8 Judy Weintraub, Board Secretary

9 _____
10 Paula DiSanto, Village Clerk