



Waterfront Advisory Committee

Stanley H. Kellerhouse Municipal Building
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Village Engineer

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Secretary

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TO: Mayor Brian Pugh and the Village Board of Trustees

FROM: Chairman Gallelli, Waterfront Advisory Committee

RE: Referral from Village Board for LWRP Consistency Review regarding Local Law Introductory 19 of 2023 to amend Chapter 230, Zoning

DATE: October 26, 2023

On October 24th, 2023, the Waterfront Advisory Committee (WAC) reviewed for consistency with the Village's Local Waterfront Revitalization Program (LWRP) a referral from the Village Board listed above. Based on the Committee's review of the 44 LWRP policies, the Waterfront Advisory Committee made a recommendation of consistency with the LWRP. The vote was all in favor.

The WAC reviewed the Coastal Assessment Form and Short Environmental Assessment Form and no changes were noted.

The committee reviewed the 44 LWRP policies and determined that the following policy was relevant:

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 committee also recommends the following revision to the definition to make it clear that all five criteria apply and must be satisfied.

FAMILY

One or more persons living together in a single dwelling unit as a traditional family or the functional equivalent of a traditional family. It shall be a rebuttable presumption that five or more persons living together in a single dwelling unit, who are not related by blood, adoption or marriage, do not constitute the functional equivalent of a traditional family. **ALL OF** the following criteria shall be present in determining the functional equivalent of a traditional family;

1. The group is permanent and stable, and not transient or temporary in nature.
2. The group shares the entire dwelling unit, including cooking facilities.
3. The group shares expenses for rent, utilities or other household expenses.
4. Members of the household have the same address for purposes of voter's registration, driver's license, motor vehicle registration, and filing of taxes.
5. Any other factor reasonably related to whether the group is the functional equivalent of a family. A dwelling unit in which various occupants act as separate roomers may not be deemed to be occupied by the functional equivalent of a traditional family.

The WAC believes that the proposed revisions to the zoning code will not have any potentially significant adverse impacts on coastal resources and is consistent with the LWRP policy standards.

It is for the reasons contained in this memorandum that the WAC issues its recommendation of consistency.