



ENGINEERS OFFICE
Stanley H. Kellerhouse Municipal Building
One Van Wyck Street
Croton-on-Hudson, NY 10520.2501

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Engineer/Building Inspector
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Asst. Engineer/Asst. Building Inspector
Ronald Wegner, P.E., CEO
Fire Inspector
Peter Anfiteatro

December 6th, 2023

Lijuan Jiang
352 South Riverside Avenue
Croton on Hudson, NY, 10520

Re: Site Plan Approval
352 South Riverside Avenue, Croton-on-Hudson, NY

Dear Ms. Jiang:

At its regularly scheduled meeting on December 5th, 2023, the Planning Board of the Village of Croton-on-Hudson approved the Site Plan for a New Mixed-Use Building at the above referenced address.

Enclosed please find the resolution with conditions.

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

Sincerely,

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

RESOLUTION

WHEREAS, the Planning Board held a public hearing for an Amended Site Plan application on November 7th, 2023, which closed on November 21st, 2023 for **Ameriland Brook LLC**, hereafter known as “the Applicant.” The subject property, owned by Spring Come LLC, is located at 352 South Riverside Avenue in a C-2 General Commercial Zoning District and Harmon/South Riverside Gateway Overlay Zone and designated on the Tax Map of the Village of Croton-on-Hudson as Section 79.13 Block 1 Lot 74; and

WHEREAS, this amended site plan application was submitted to add a three-story mixed-use building next to their existing one-story commercial building located at 352 South Riverside Avenue; and

WHEREAS, a Site Plan, Environmental Assessment Form, Coastal Assessment Form, and photographs have been submitted with the application; and

WHEREAS, the proposal is for a three-story mixed-use occupancy building; and

WHEREAS, under the requirements of the State Environmental Quality Review Act (SEQRA), the above action is considered a Type 2 Action. A Negative Declaration was issued by the Village Board on July 24th, 2023; and

WHEREAS, on September 6th, 2023 the Village’s Waterfront Advisory Committee (WAC) made a recommendation of consistency with the Village’s Local Waterfront Revitalization Program; and

WHEREAS, on September 26th, 2023, the Village Board issued a special permit for a mixed-use occupancy subject to specific conditions contained therein; and

NOW, THEREFORE BE IT RESOLVED, that the Amended Site Plan application as shown on “Enlargement 352 S Riverside Avenue, NY 10520” last revised on November 20th, 2023 entitled Zoning Analysis & Plot Plan Z-001.00, Exist. Site Plan Z-001.00, Building Rendering Z-001, Existing/Demo Floor Plans DM-001.00, Proposed Floor Plans A-002.00, Proposed Floor Plans A-003.00, and Lighting Plot Plan E-001.00 prepared by Ameriland Brook LLC, architect/zoning & building code/interior design, Queens, NY be approved subject to the following conditions:

1. That, the foregoing recitals are incorporated herein as if set forth at length.
2. That, all conditions specified in the Special Permit issued by the Village Board on September 26, 2023 are incorporated herein as if set forth at length.
3. That, the sign(s) application be submitted to the Advisory Board on the Visual Environment for their review and recommendation to the Planning Board, and that the applicant return to the Planning Board for final approval of the sign(s).
4. That the architectural plans for the building submitted for the building permit application substantially comply with the architectural plans for the building approved by the Planning Board.
5. That, a construction staging/sequencing plan, and schedule be submitted with the building permit application.
6. That, the site plans submitted with the building permit application shall be revised to address the comments in the memorandum from the Village Engineer dated 12/5/23.
7. That, the applicant shall apply to the Zoning Board of Appeals for all required variances. If one or more variances are not approved by the Zoning Board of Appeals and/or the Zoning Board of Appeals requires changes to the site plan the applicant shall return to the Planning Board for approval of any necessary site plan revisions.

8. That, in accordance with section 208-12 of the Village Code the applicant shall receive approval of the Superintendent for the removal of the two street-trees noted on the site plan to be removed.
9. That, the applicant shall use good faith efforts to enter into a mutual agreement with the owner adjacent property owner to have the proposed concrete walkway between the two buildings extend from building to building.
10. That, on page A-004.00, titled "Proposed Elevations" and submitted on December 4th, 2023 (drawn on March 13th, 2023), the word "Proposed" be removed from the drawing where it says "Proposed Planter to Replace Steel Railing," so that it reads, "Planter to Replace Steel Railing."
11. That, the site plan be revised to show the foundations for the parking lot light poles extending above the ground surface sufficient height to protect the light poles from vehicle impacts.
12. That, in accordance with sections 120-7 and 120-8 of the Village Code the following conditions are established for the approval of the excavation and fill work:
 - a. That, suitable fencing, with a minimum height of 48", be provided to guard any excavation greater than four feet in depth. All gates shall be locked at all times when work is not being performed on the property.
 - b. That, excavation and/or filling work shall not commence until a building permit has been issued and erosion and sediment control devices have been installed, inspected, and accepted by the Village Engineer in order to prevent potential impacts to stormwater drainage, water bodies and/or wetlands.
 - c. That, during construction all excavations shall be drained so that any standing water at the bottom not be greater than one foot.
 - d. That, any fill from off-site shall be clean, containing no garbage, refuse or deleterious matter, the Village Engineer shall inspect all fill from off-site sources and may require testing, by an approved laboratory, to determine the cleanliness of the fill.
 - e. That, appropriate dust-control measures shall be implemented onsite and on access roads and any traveled areas used in connection with any excavation and/or filling work to protect the public and surrounding area against windblown soil and dust.
 - f. That, removal of soil or other material from the ground and/or placement of fill on the ground shall not prevent or interfere with the orderly development of land in the vicinity, shall not unreasonably impede traffic flow, or parking.
 - g. That, to prevent the earth of adjoining property from caving in before permanent supports have been provided for the sides of such excavation, any person causing any excavation to be made shall provide such sheet piling, bracing or other methods as may be necessary, plans for which are to be submitted to and approved by the Village Engineer prior to any such excavation being undertaken.
 - h. That, provisions shall be made for the temporary drainage of the property during excavations or filling operations and for the permanent drainage to be effective upon the completion of the operations.
 - i. That, any excess soil from the excavation shall be removed from the site immediately but in no event more than 20 days from excavation.
 - j. That, all disturbed areas not hardsurfaced or mulched shall be covered with 3" of top soil, perennial rye grass and mulch, and be reseeded and remulched as necessary to achieve a minimum 85% grass

coverage or covered with other ground cover as shown on the approved landscaping plan.

- k. That, the Village Engineer shall be notified by the next business day if bedrock is encountered in the excavation. If hammering is required, a rock excavation plan shall be submitted to the Village Engineer for review and approval and shall not include any blasting operations. The rock excavation plan shall provide for the shortest possible timeframe for the removal of bedrock with the goal that all bedrock removal operations be conducted in a two-to-three-week period as approved by the Village Engineer. The Village Engineer may extend this period on a day-by-day basis due to weather events that would not allow reasonable working conditions. The rock excavation plan shall also include an analysis of leaving part of the basement a crawl space to reduce the quantity of bedrock required to be excavated.
 - l. That, in accordance with section 120-7 of the Village Code the applicant shall file with the Village a suitable bond or other security to cover the completion of conditions (a) through (k) above, said bond to be filed prior to the issuance of a building permit with amount and form of the bond to be approved by the Village.
 - m. That, excavation and/or filling operations shall not be permitted between the hours of 8:00 p.m. and 8:00 a.m. Sunday through Friday and between the hours of 8:00 p.m. and 10:00 a.m. Friday through Sunday.
 - n. That, there shall be no on-site processing of fill or excavated soil or the erection or use of any structure for such processing however, power equipment for the purpose of filling and excavation is permitted.
 - o. That, the Planning Board reserves the right to impose additional reasonable conditions related to the excavation and filling operations during the terms of this approval if in its opinion such additional reasonable conditions are necessary.
 - p. That, the approval for excavation and/or filling operations shall be valid for a period of one year starting on the date of issuance of the building permit and subject to termination or renewal as specified in section 120-10(A) of the Village Code.
 - q. That, any revision to the work covered by the approval of the excavation and or filling work shall be reviewed by the Village Engineer and if determined to be a substantial revision a submission of a new application to the Planning Board shall be required.
 - r. That, following the completion of the work the applicant shall submit a certification of completion by a NYS licensed design professional to the Village Engineer if requested. The Village Engineer may require the submission of an as-built survey.
 - s. The approval for excavation and filling operations may be suspended or revoked and stop work orders issued as set forth in section 120-10(E)-(G) of the Village Code.
13. That, the following conditions are established as part of the approval of the Stormwater Pollution Prevention Plan under Chapter 196 of the Village Code.
- a. That, a copy of the SWPPP shall be retained at the site of the land development activity during construction from the date of initiation of construction activities to the date of final stabilization.
 - b. That, no land disturbance work shall commence until the installation of the sediment and erosion control devices has been completed and found acceptable by the Village Engineer or his authorized agent.

- c. That, each contractor and subcontractor who will be involved in soil disturbance and/or stormwater management practice installation shall sign and date a copy of the following certification statement before undertaking any land development activity: "I certify under penalty of law that I understand and agree to comply with the terms and conditions of the stormwater pollution prevention plan. I also understand that it is unlawful for any person to cause or contribute to a violation of water quality standards." Copies of these statements shall be delivered to the Village Engineer prior to the issuance of a building permit.
 - i. That, the certification must include the name and title of the person providing the signature, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.
 - ii. That, the certification shall contain proof that each contractor who will be involved in a land development activity has obtained training and/or certification in proper erosion and sedimentation control practices. Such certification shall become part of the SWPPP for the land development activity and shall be retained on-site.
- d. That, the applicable stormwater facility maintenance, inspection and repair requirements in section 196-9 of the Village Code be complied with, the stormwater dry wells shall be inspected annually within 48 to 72 hours after a heavy rainfall (1" or more) to determine that the chambers have drained. If the dry wells have not drained remedial action shall be taken to rebuild the storm water management system and restore the infiltrative capacity of the soil. An inspection manhole shall be provided.
- e. That, deep and percolation tests be conducted in the area of the storm water dry wells (unless waived by the Village Engineer due to sand and gravel soils) and that an engineer's report on the soil testing, and redesign if the percolation rate is greater than 15 minutes/inch, be submitted to and approved by the Village Engineer prior to installation of the chambers.
- f. That, the applicant shall contact the Village Engineer at least 48 hours before any of the work inspections listed in section 196-10(A)(1) of the Village Code are required.
- g. That, in accordance with section 196-10(C) an as-built plan of the stormwater management practices shall be submitted to the Village Engineer.
- h. That, in accordance with section 196-10(F) the landowner shall grant to the Village the right to enter the property at reasonable times and in a reasonable manner for the inspection of the stormwater management facilities.
- i. That, the bases of the light poles in the parking lot be enlarged to prevent damage when cars are parking.

Unless a building permit is issued and work is commenced and diligently prosecuted within three years of the date of the resolution approving the site plan, such site plan shall become null and void. Any application for an extension of site plan approval shall be made six months prior to the expiration date.

Croton-on-Hudson, New York

Rob Luntz, Chairperson

John Ghegan

Geoffrey Haynes

Steve Krisky

Eva Thaddeus

Motion to approve by Steve Krisky, seconded by Eva Thaddeus, and carried by a vote of 5 to 0.

Resolution accepted at the meeting held on December 5th, 2023.

On motion of TRUSTEE SIMON, seconded by TRUSTEE HOROWITZ the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York, with a 4-0 vote.

Resolution #204-2023

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

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

WHEREAS at its meeting on September 12, 2023, the Village Board reviewed Part 2 of the Short Environmental Assessment Form for this special permit application and verbally answered the questions set forth therein based upon the entire record, 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 September 12, 2023, meeting in written form, and

WHEREAS at its meeting on September 12, 2023, 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 September 12, 2023, meeting in written form, and

WHEREAS a public hearing on the special permit application was opened and closed on September 26, 2023,

NOW THEREFORE BE IT RESOLVED 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, that the Village Board of Trustees 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 1: Restore, revitalize and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible 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.

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.

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 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 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.

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 to that runoff from such developments does not adversely impact coastal waters.

POLICY 33B: Improve existing Village stormwater discharge to control flow of pollutants from street and parking areas, etc. directly in the rivers.

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.

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 based upon the entire record on the Proposed Action and the above, the Village Board of Trustees confirms its determination that the Proposed Action, a special permit to add a three-story mixed-use building next to the existing one-story commercial building located at 352 South Riverside Avenue, complies with the policy standards and conditions set forth in the Village's LWRP, and

BE IT FURTHER RESOLVED that the Village Board, after studying the issues and listening to public comment at the aforesaid Public Hearing, hereby issues a special permit to 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, subject to the following conditions:

1. That, an application shall be submitted to the Village Engineer's Office for Site Plan Approval and any associated approvals, and any waiver of off-street parking spaces from the Planning Board.
2. That, no street trees shall be removed without first obtaining the approval of the Superintendent of the Department of Public Works, as per section 208-12 of the Village Code.
3. That, any determination approving the removal of street trees shall be conditioned on the planting of additional trees or providing funds for such.
4. That, the applicant shall submit site plans to the Planning Board showing two or more parking lot designs with the street trees on Clinton Street and Wayne Street remaining and also proposed for removal with a request to waive off-

street parking requirements in order to preserve the street trees.

5. That, if during the Planning Board's review of the site plan the board determines that a waiver of off-street parking spaces cannot be granted under Section 230-35 of the Village Code and that street trees need to be removed to allow extra parking spaces to be developed, the Planning Board shall submit their reasoning for the removal to the Superintendent of the Department of Public Works for a determination on their removal.
6. That, an application shall be submitted to the Village Engineer's Office for side and rear yard variances and any other needed variances from the Zoning Board of Appeals.

Dated: September 26, 2023