

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 with the following vote:

Resolution #137-2024

WHEREAS, the Indian Brook – Croton Gorge Conservation Action Plan was completed in 2007 to help preserve this natural area in Westchester County; and

WHEREAS, since that time, the Town of Cortlandt, Town of New Castle, Town of Ossining, Village of Ossining and Village of Croton-on-Hudson have worked together to implement various aspects of the plan; and

WHEREAS, the five municipalities received grant funding from New York State to implement an overlay zoning district for areas of the watershed; and

WHEREAS, Local Law Introductory No. 7 of 2024 has been drafted for such purposes; and

WHEREAS, on May 15, 2024, the Village Board of Trustees declared itself Lead Agency for SEQRA purposes; and

WHEREAS, on June 12, 2024, the Village Board of Trustees undertook the process and review described in detail in Parts 2 and 3 of the Full EAF “Determination of Significance” attached hereto; and

WHEREAS, the Village Board held a public hearing to consider Local Law Introductory No. 7 of 2024, which was opened and closed on June 12, 2024,

WHEREAS, the Village Board has received a recommendation of consistency from the Waterfront Advisory Committee with the Village’s Local Waterfront Revitalization Program; and

WHEREAS, the Village Board must make its own determination of consistency with the LWRP policy standards and conditions; and

WHEREAS, on June 12, 2024, the Village Board reviewed the LWRP policy standards and conditions,

NOW THEREFORE BE IT RESOLVED as follows:

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 5: Encourage the location of development in areas where public services and facilities essential to such development are adequate.*

*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 7: Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.*

*POLICY 7A The quality of the Croton River and Bay Significant Coastal 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.*

*POLICY 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.*

*POLICY 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.*

*POLICY 7D: Restoration of degraded ecological elements of the Croton River and Bay and Haverstraw Bay Significant Fish and Wildlife Habitats and shore/ands shall be included in any programs for cleanup of any adjacent toxic and hazardous waste sites.*

*POLICY 7E: Runoff from public and private parking lots and from storm sewer overflows shall be effectively managed so as to prevent oil, grease, and other contaminants from polluting surface and ground water and impact to the significant fish and wildlife habitats.*

*POLICY 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 in the Croton River and Hudson River spawning areas shall be timed so that spawning of anadromous fish species and shellfish will not be adversely affected.*

*POLICY 7G: Construction activity of any kind must not cause significant degradation of water quality or impact identified significant fish and wildlife habitats.*

*POLICY 7H: Habitat-related policies identified in the Indian Brook-Croton Gorge Watershed Conservation Action Plan will be considered in actions proposed for these areas (see Appendix C).*

*POLICY 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.*

*POLICY 9A: Ensure continued recreational use and public access to the rivers through Village-owned land adjacent to the railroad parking lot, at Croton Point Park, at Senasqua and Croton Landing Parks, along the Croton River, and at the Croton Yacht Club. Efforts should be made to increase opportunities for public access and enjoyment in these areas.*

*POLICY 9B: Encourage passive recreational enjoyment of the wildlife in the designated significant fish and wildlife habitats, on the Audubon Society sanctuaries, Jane Lytle Arboretum, Gouveia Park and on other public or private lands within the Village where wildlife habitats are located, as well as the protection of such resources.*

*POLICY 19: Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.*

*POLICY 19A: Encourage the linkage of open space from upland areas to and along the Hudson and Croton Rivers in the form of a trail or walkway system.*

*POLICY 19B: Increase public access to areas that offer physical and visual connection to the Hudson River or Croton River and Bay.*

*POLICY 19D: Improve and maintain access to Croton River and Bay at the Village owned Echo Canoe Launch south of the Village parking lots at the Croton Harmon Station.*

*POLICY 21A: Boating and fishing activities should be encouraged provided that they do not restrict other water-related recreational opportunities and are*

*undertaken in a manner compatible with existing water-dependent uses.*

*POLICY 25A: Establish and protect identified public viewsheds of the Hudson River, including, but not limited to the public views of the Hudson River from the western shoreline of the Village, and of the Croton River and Gorge.*

*POLICY 32: Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.*

*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: The flow of stormwater discharge shall be controlled to limit the flow of pollutants from street and parking areas, etc. directly into the rivers and water bodies.*

*POLICY 37A: 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.*

*POLICY 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.*

*POLICY 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, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.*

*POLICY 44: Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.*

*POLICY 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.*

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: that based upon the above, the Village Board of Trustees confirms its determination that the Proposed Action, the adoption of a local law amending Chapter 230, of the Code of the Village of Croton on Hudson to add

new Article IVB, Indian Brook -Croton Gorge Inter-Municipal Watershed Protection Overlay District (WPOD),

AND BE IT FURTHER RESOLVED: that 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 in connection with this action,

AND BE IT FURTHER RESOLVED: that the Village Board of Trustees hereby adopts Local Law Introductory No. 7 of 2024, to amend Chapter 230, of the Code of the Village of Croton-on-Hudson to add new Article IVB, Indian Brook -Croton Gorge Inter-Municipal Watershed Protection Overlay District (WPOD), which upon adoption becomes Local Law No. 11 of 2024.

Dated: June 26, 2024