

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 # 258-2024

WHEREAS, the Village of Croton-on-Hudson has owned a parcel located on the north side of Croton Point Avenue at its intersection with Veterans Plaza, also known as Tax Map Parcel 79.17-1-5 (“Lot A”) since the 1960s; and

WHEREAS, Lot A was utilized as overflow parking for the Croton-Harmon Train Station for many years and since the COVID-19 pandemic reduced the demand for commuter parking, and additional parking spaces were added with the relocation of the Department of Public Works from the Train Station, the Village Board of Trustees (“Village Board”) has determined Lot A is not needed for municipal purposes and issued a Request for Proposals (“RFP”) for the development of Lot A; and

WHEREAS, on April 24, 2024, the Village Board adopted Resolution 86-2024 to move forward with WBP Development LLC (“the Applicant”) of Chappaqua, New York, as the proposed purchaser and developer of Lot A; and

WHEREAS, the Applicant has also entered into a contract for the purchase of the adjacent parcel owned by Croton Point Realty Inc. located at 1 Croton Point Avenue and also known as Tax Map Parcel 79.17-1-4 (“the CPR Parcel”); and

WHEREAS, as the Applicant will be purchasing the CPR Parcel, the Village Board has indicated it will also include an additional adjacent Village owned parcel currently leased to Croton Point Realty Inc. for use in conjunction with the CPR Parcel, which additional parcel is known as Tax Map Parcel 79.17-1-3 (“the Additional Village Parcel”) (Lot A, the CPR Parcel and the Additional Village Parcel are collectively referred to as “the Property”); and

WHEREAS, the Property is located in the LI Zoning District and within 1,500 feet of the Croton-Harmon Train Station, allowing for a variety of light industrial and multi-family residential uses; and

WHEREAS, the Proposed Action includes the sale of Lot A and the Additional Village Parcel by the Village and the redevelopment of the Property with a 5-story, 100 unit, affordable multifamily building with amenity space and 105 on-site parking spaces in a combination of surface and below-building parking areas; and

WHEREAS, the Village Board has received a special permit application for the proposed five-story, one hundred (100) unit residential building on the Property from the Applicant; and

WHEREAS, the Applicant has submitted Part 1 of a Full Environmental Assessment Form (“Full FEAF”) with supplemental studies and a Coastal Assessment Form; and

WHEREAS, on July 17, 2024, the Village Board declared its intent to be the Lead Agency for State Environmental Quality Act (“SEQRA”) purposes in connection with the Proposed Action and directed Village staff to circulate its intent to all interested and involved agencies; and

WHEREAS, on August 21, 2024 the Village Board referred the special permit application and associated documents and the Coastal Assessment Form to the Waterfront Advisory Committee for a recommendation of consistency with the Village’s Local Waterfront Revitalization Program (“LWRP”); and

WHEREAS, the Village Board retained the consulting firm AKRF Inc. of White Plains, New York (“AKRF”) to assist in the SEQRA, LWRP and special permit reviews; and

WHEREAS, the Village Board as Lead Agency has reviewed the entire record, including the Full EAF Part 1 and Supplemental Studies and additional information together with the Memoranda provided by AKRF, as well as comments received from the Planning Board, the Waterfront Advisory Committee, the Westchester County Planning Board, other involved agencies, and the public comments; and

WHEREAS, at its work session meetings on September 25, 2024, October 16, 2024 and November 6, 2024 the Village Board reviewed the Full EAF Part 2 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, at its work session on December 4, 2024 the Village Board also reviewed the Full EAF Part 2 and 3 as well as the proposed attachment to the Negative Declaration and the Reasons Supporting the Determination; 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, 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 16, 2024, the Village Board reviewed the recommendations of the Waterfront Advisory Committee in relation to the applicability and consistency of each of the policies and sub-policies thereunder set forth in the LWRP and reviewed all the policies 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 16, 2024 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 adopts the EAF Parts 2 and 3 Determination of Significance including the Attachment to and Forming a Part of the Negative Declaration attached hereto, and adopts a Negative Declaration under SEQRA determining that the Proposed Action will not result in any potential adverse environmental impacts and that therefore an Environmental Impact Statement will not be required in connection with this Proposed 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 - 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 the bay area and recreational use.

The Village Board found that this policy is applicable to the Proposed Action. The Board found the action is consistent with this policy as the proposed development will be a transit-oriented development appropriately located adjacent to the Metro-North train station. The Village Board also found that the Proposed Action is an appropriate use of Lot A as the parking is no longer needed or utilized at that location given the reduced parking demand and the provision of additional parking spaces with the relocation of the DPW facilities.

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.

The Village Board found that these policies are applicable and that the Proposed Action is consistent with the policies as it proposes development in an area where public services and facilities are adequate. Utility connections are available and mass transit (rail and bus) are within walking distance. Existing water and sewer distribution facilities and capacity are available and the Applicant will make any upgrades as may be necessary.

Policy 6 - Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.

The Village Board found that this policy is applicable and that the Proposed Action and the procedures followed is consistent with the policy.

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.

The Village Board found that this policy is applicable to the Proposed Action. The Board found the action is consistent with this policy as the proposed development will provide for treatment of stormwater and stormwater management where none is provided today for the existing parking lot, resulting in an improvement over existing conditions.

Policy 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.

The Village Board found that this policy is applicable to the Proposed Action. The Board found the action is consistent with this policy as the proposed development is located outside of a flood zone and will not result in any risks related to flooding and erosion. As noted above, on-site stormwater management practices are proposed.

Policy 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.

The Village Board found that this policy is applicable to the Proposed Action. The Board found the action is consistent with this policy as the Property consists of a parking lot with a commercial building and the Proposed Action will not result in any damage to natural resources. No natural protective features are located on or near the Property.

Policy 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.

The Village Board found that this policy is applicable to the Proposed Action. The Board found the action is consistent with this policy as the Property consists of a parking lot with a commercial building which are not in the vicinity of any valuable coastal resources.

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.

The Village Board found that these policies are applicable and that the Proposed Action is consistent with the policies as Best Management Practices will be used to capture, treat and release stormwater from the Property.

Policy 41 - Land use or development in the coastal area will not cause national or State air quality standards to be violated.

The Village Board found that this policy is applicable to the Proposed Action and that the action is consistent with this policy as no federal or State air quality standards will be violated.

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 complies with the policy standards and conditions set forth in the Village's LWRP.

Dated: December 18, 2024