



## Memorandum

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**To:** Bryan Healy, Village Manager, Village of Croton-on-Hudson  
Mayor Brian Pugh, Village of Croton-on-Hudson  
Village of Croton-on-Hudson Board of Trustees

**From:** AKRF, Inc.

**Date:** December 2, 2024

**Re:** **WBP Development LLC - 1 Croton Point (aka Lot A)**  
**Potential Special Use Permit Conditions of Approval**  
WBP Development LLC (Applicant)

**cc:** Linda Whitehead (Village Attorney)  
Dan O'Connor, P.E. (Village Engineer)

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The Applicant, WBP Development, LLC, is seeking special use permit approval from the Village of Croton-on-Hudson (the "Village") Board of Trustees to construct a proposed 5-story, 100-unit affordable homeownership project with amenity space and on-site parking (the "proposed project") at the intersection of Croton Point Avenue and Veterans Plaza.

At the request of the Village Manager, this memorandum is intended to assist with the development of potential conditions of approval for consideration by the Village Board of Trustees should they move forward in granting approval of the Special Use Permit for the above-referenced application.

The information presented below, which can be utilized to develop conditions of approval, was taken from the draft Determination of Significance (Negative Declaration) prepared by AKRF and the Village Attorney for the proposed project's review under the State Environmental Quality Review Act (SEQRA) and is organized by relevant topic.

### **WATER AND SEWER SYSTEMS**

The following language is found on page 4 of the draft Negative Declaration, after the Applicant's proposed options for water and sewer service to the proposed project are summarized:

*"Through the Site Plan process, the layout of the proposed water and sewer systems will be finalized, with input from the Village Engineer."*

### **NOISE ATTENUATION**

The following language is found on pages 5 and 6 of the draft Negative Declaration, after the findings of the Applicant's noise study are presented and the required attenuation is summarized:

*"Through issuance of the Special Permit, the Village Board of Trustees will require that any Site Plan be conditioned on the Building Department being provided with the documented sound transmission ratings of the proposed windows and façade materials, as well as composite attenuation calculations completed by the Applicant's Architect of Record. Review and approval of*

*these materials (including input from the Village's consultants) prior to the issuance of a building permit will provide assurance to the Village that appropriate attenuation (26-31 dBA as noted above) can be achieved through design."*

## **TRAFFIC SIGNALS**

The following text is found on page 5 of the draft Negative Declaration, after the summary of the Applicant's Traffic Impact Study (TIS) and the signal timing adjustments proposed by the Applicant for the intersections of Croton Point Ave and the 9/9A ramps as part of the proposed project to preclude any significant adverse impacts related to traffic (outlined in Table 4 of the October 21, 2024 TIS):

*"Through issuance of the Special Permit, the Village Board of Trustees will require that the Applicant, as part of the Planning Board's Site Plan review process, coordinate with NYSDOT on adjusting the timing for the identified signals as proposed in the TIS. As part of this request, NYSDOT will review the findings of the Applicant's TIS."*

## **FIRE DEPARTMENT REQUESTS**

The following language is found on page 8 of the draft Negative Declaration, after the summary of the October 2, 2024 meeting with the Village's Fire Department (as contained in a memorandum to the Village Board of Trustees from the Village Manager dated November 6, 2024) is provided:

*"Through issuance of the Special Permit, the Village Board of Trustees will require that any Site Plan be conditioned on the Applicant agreeing to the Fire Department's requests."*

## **HAZARDOUS MATERIALS**

The following language is found on page 10 of the draft Negative Declaration, after the summary of the Applicant's Phase II Environmental Site Assessments of the property, and the Applicant's commitment to prepare a Soil Management Plan (SMP) and install a vapor barrier as part of the proposed project's foundation design:

*"Through issuance of the Special Permit, the Village Board of Trustees will require that any Site Plan be conditioned on the Building Department being provided with the Soil Management Plan (SMP) and vapor barrier specifications for review and approval, with input from the Village's consultants. Review and approval of these materials prior to issuance of a building permit will provide assurance to the Village that appropriate measures will be in place to address human health."*

## **OTHER CONSIDERATIONS**

The Village Board of Trustees, in considering any application for a special permit, shall make findings on the five objectives and goals listed in §230-58 (provided below). Any resolution granting approval of the special use permit shall address the Village Board of Trustees' findings related to these goals and objectives, with reference to the recommendations provided by the Planning Board. In doing so, the Village Board of Trustees can incorporate additional conditions deemed appropriate.

*A. The accessibility of all proposed structures to fire and police protection.*

*B. The compatibility of the location, size and character of the proposed use with the orderly development of the zoning district in which it is located and with that of adjacent properties in conformity with the zoning district applicable to such properties.*

*C. The safety, convenience and congruity with the normal traffic of the neighborhood and of the pedestrian and vehicular traffic generated by the proposed use, taking into particular account the*

*location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets.*

*D. The compatibility of the location and height of buildings, the location, nature and height of walls and fences and the nature and extent of landscaping on the site with adjacent land and buildings and their appropriate development.*

*E. The preservation of ecological or environmental assets of the site or adjacent lands.*