

March 28, 2025

Sent Via Email

Robert Luntz, Chair
Croton-on-Hudson Planning Board
1 Van Wyck Street
Croton-on-Hudson, NY 10520

**Re: *1380 Albany Post Road, Croton-on-Hudson*
 *Site Plan Extension***

Hon. Chair and Members of the Planning Board:

This firm represents the Matra Group, LLC (“Matra”), owner of the property located at 1380 Albany Post Road (“Property”), in connection with the previously approved site plan application. As you will recall, on October 25, 2022, your Board granted Amended Site Plan approval for a three story, approximately 33,400s.f. multi-family building on the Property. A copy of the Resolution of Approval (“Resolution”) is attached as **Exhibit A** for your reference.

Pursuant to the Resolution, “[u]nless 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.” In this case, the site plan approval is set to expire on October 25, 2025. Accordingly, any request for an extension must be submitted prior to April 25, 2025.

Matra has recently submitted a building permit application to the Engineering Department for review and comment. This application has been outsourced for review and a first round of comments have been issued. While our consultants are diligently addressing those comments and preparing for re-submission, it is unlikely that a building permit will be issued and work commenced prior to the extension request deadline of April 25th. Accordingly, in an abundance of caution, we are requesting an extension at this time. An extension request application is attached as **Exhibit B**.

Kindly place this matter on the Planning Board’s next available agenda for review and granting of the requested extension.

Please don’t hesitate to contact me if you have questions.

Very truly yours,



Kory Salomone

EXHIBIT A

RESOLUTION

WHEREAS, the Planning Board held a public hearing for an Amended Site Plan application and a Consolidated Subdivision Application on September 27th, 2022 and October 11, 2022 for **THE MATRA GROUP**, hereafter known as “the Applicant.” The subject property, owned by Anthony Matra, is located at 1380 Albany Post Road in the North End Gateway (NEGD) and the Limited Office (“O-1”) Districts and designated on the Tax Map of the Village of Croton-on-Hudson as Section 67.10 Block 2 Lots 14&15; and

WHEREAS, the proposal is for a three story ±33,400 square foot multi-family building; and

WHEREAS, on August 15th, 2022 the Village Board issued a special use permit for a 29-unit multi-family development at 1380 Albany Post Road subject to specific conditions contained therein; and

WHEREAS, on March 7th, 2022, the Village Board issued a negative declaration under SEQRA and a statement of consistency with the Village’s LWRP in connection to this project; and

WHEREAS, under section 196-3(C) of the Village Code, the Planning Board is the approving authority for the Stormwater Pollution Prevention Plan (SWPPP) and hereby approves the Stormwater Pollution Prevention Plan, subject to the conditions specified below.

WHEREAS, under section 120-4 of the Village Code the Planning Board is the approving authority for the issuance of an Excavation and Filling Permit and in accordance with section 120-3(C) of the Village Code, the approval of the Amended Site Plan incorporates the excavation and filling permit, subject to the conditions specified below.

WHEREAS, under section 208-16(C) of the Village Code the Planning Board is the approving authority for the issuance of a Tree Removal Permit and in accordance with section 208-16(F) of the Village Code the approval of the Site Plan includes the approval to remove trees noted on the site plan to be removed, subject to the conditions specified below.

NOW, THEREFORE BE IT RESOLVED, that the Amended Site Plan application as shown on “Existing Conditions, Demo & Site Layout Plan”, prepared by Alfonzetti Engineering, P.C., dated September 10th, 2021, last revised September 16th, 2022; Proposed Grading and Utility Plan, prepared by Alfonzetti Engineering, P.C., dated September 10, 2021, last revised September 16, 2022; Erosion Control Plan, prepared by Alfonzetti Engineering, P.C., dated January 21, 2021, last revised September 16th, 2022; Site Details, prepared by Alfonzetti Engineering, P.C., dated January 21, 2021, last revised September 16th, 2022; Front Elevation – Street Side (Sheet 1 of 4) prepared by DeMasi Architects, P.C., dated September 2, 2022, last revised September 19, 2022; Ground Floor Plan (Sheet 2 of 4), prepared by DeMasi Architects, P.C., dated September 2, 2022, last revised September 19, 2022; Second & Third Floor Plan (Sheet 3 of 4), prepared by DeMasi Architects, P.C., dated September 2, 2022, last revised September 19, 2022; Basement Floor Plan (Sheet 4 of 4), prepared by DeMasi Architects, P.C., dated September 2, 2022, last

revised September 19, 2022 and Planting Plan (Sheet L-2), prepared by IQ Landscape Architects, dated September 2, 2022, last revised September 7, 2022.

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 August 15th, 2022 are incorporated herein as if set forth at length.
3. That, the approval of Westchester County Health Department be obtained for the on-site wastewater treatment system.
4. That, the approval of the NYSDOT for any proposed improvements in the highway ROW or change of use.
5. That, the plans submitted for the building permit application substantially comply with the architectural details and exterior materials noted on the approved site plans.
6. That, the final SWPPP be submitted to and be found acceptable by the Village Engineer prior to a building permit being issued.
7. That, conversation continue with the DOT regarding a crosswalk or some way for residents to safely cross over Albany Post Road on foot to use the trail get to the Baltic Place and the adjacent shopping plaza and written correspondence from the DOT be submitted to the Village Engineer.
8. That, a response, dated 10/18/22, to the comments from the Croton Fire Department was submitted. The applicant shall work with the Village Engineer and Croton Fire Department to answer the remaining questions during the development of the construction plans and construction of the building. The applicant shall also reasonably work with the Village and Croton Fire Department to make arrangements for the Fire Department to drill on the existing building prior to demolition.
9. That, the proposed fire hydrant meet Village fire hydrant specifications.
10. That, the applicant provide some reasonable assistance in clearing portions of the walking trail on the east side of Albany Post Road. The Village Engineer shall coordinate the clearing of the walking trail with the applicant, Village Trail Committee and Scenic Ridge HOA to develop a plan to clear the walking trail from Scenic Drive West to Baltic Place.
11. That, if any trees currently in the DOT ROW along Albany Post Road are in poor condition and cannot be saved the applicant shall apply to NYSDOT to remove the trees and new tree(s) consistent with the approved landscaping plan be planted as approved by the Village Engineer.
12. 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 signs(s).
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

- 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 drywells shall be inspected annually within 48 to 72 hours after a heavy rainfall (1" or more) to determine that the drywells have drained. If the drywells 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 cover shall be provided for each drywell.
- e. 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.
- f. That, in accordance with section 196-10(C) an as-built plan of the stormwater management practices shall be submitted to the Village Engineer.
- g. 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.

- h. That, in accordance with section 196-11 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 (g) 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.
14. 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 on-site 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. 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.

15. That, in accordance with sections 208-18 and 208-19 of the Village Code the following conditions are established for the approval to remove trees:
- a. That, any landscaping, shown on approved plan, be installed prior to a certificate of occupancy being issued. That, all disturbed areas not hardsurfaced or mulched shall be covered with 3" of topsoil, 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.
 - b. That, if any of the trees noted on the plan to be saved are removed or severely damaged during construction, the applicant will replace each removed tree or severely damaged tree with a tree of 2.5" minimum caliber with the species to be approved by the Village Engineer.
 - c. That, the trees to remain shall be protected with tree trunk armor and/or root zone protection as shown on the site plans listed above or as required by the Village Engineer.
 - d. That, in accordance with section 208-19(A) of the Village Code the applicant shall file with the Village a suitable bond or other security payable to the Village in an amount reasonably acceptable to the Village Engineer to cover the completion of conditions (a) through (c) 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.
 - e. That, tree removal 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.
 - f. That, any stumps remaining above grade shall be removed to less than two feet.
 - g. That, no tree removal shall occur unless a building permit has been issued by the Village Engineer.
 - h. That, within 30 days after the completion of all tree removals the Village Engineer shall be notified of such completion.
 - i. That, the approval to remove trees shall be valid for the term of site plan approval and shall terminate upon the issuance of a certificate of occupancy.

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.

The Planning Board of the Village of
Croton-on-Hudson, New York

Rob Luntz, Chairperson
John Ghegan

Geoff Haynes
Steve Krisky
Eva Thaddeus

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

Resolution accepted at the meeting held on October 25th, 2022.

EXHIBIT B



Engineering Department
Stanley H. Kellerhouse Municipal Building
One Van Wyck Street
Croton-on-Hudson, NY 10520-2501
Tel: 914-271-4783, Fax: 914-271-3790

Planning Board and Village Board Application

Rev 3/23

Note: Prior to submitting this application, contact Planning Board Secretary at 914 271-4783

Application Date: _____

Application #: _____
(for Village Use Only)

Property Information:

Section: _____ Block: _____ Lot: _____

Property Location (street address): _____

Zoning District: _____ Commercial Lot: ☐ yes ☐ no Vacant Lot: ☐ yes ☐ no

Applicant Information: ☐ Owner ☐ Contractor ☐ Lessee ☐ Other: _____

Last Name: _____ First Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip Code _____

Office #: _____ Cell #: _____ E Mail Address: _____

Property Owner: ☐ Same As Above

Last Name: _____ First Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip Code _____

Office #: _____ Cell #: _____

E-Mail Address: _____

Application Type: (Please check those that apply)

- | | | |
|---|---|--|
| ☐ Site Plan* | ☐ Amended Site Plan* | ☐ Minor Site Plan |
| ☐ Change of Use | ☐ Amended Site Plan Extension | ☐ Minor Site Plan Extension |
| ☐ Building Envelope Modification | | |
| ☐ Wetlands Permit * | ☐ Village Board Special Permit * | |
| ☐ Steep Slope Permit * | ☐ Village Board Special Permit Renewal * | |
| ☐ Excavation & Fill Permit | | |
| ☐ Preliminary Subdivision | | |
| ☐ Final Subdivision | | |

**note: Public Hearing required for these permits*

NOTE: The Planning Board also reviews applications (e.g., special permits, zoning amendments, etc.) that have been referred to them by the Village Board for a recommendation. No public hearing before the Planning Board is required for referral applications.

Per §230-57, the submission should also include the following documentation:

A. A description of the proposed use, with reference to the appropriate use and regulations of this chapter, including any supplementary regulations applying thereto.

B. A cost-benefit analysis or similar study to review the estimated municipal costs, services and prospective revenues which would be generated by the proposed use.

C. Evidence that the proposed use is consistent with the goals of the Village Master Plan.

D. A traffic and circulation study projecting the effects of the proposed use of the existing and probable future traffic and access in the vicinity of the proposed use.

E. Copies of environmental assessments or permit applications and supporting materials which may be required to meet New York State or federal regulations.

F. A stormwater pollution prevention plan (SWPPP) consistent with the requirements of Chapter 196, Article I, Stormwater Management and Erosion and Sediment Control, shall be required for any special permit approval that qualifies as or authorizes a land development activity as defined in Chapter 196, Article I. The SWPPP shall meet the performance and design criteria and standards in Chapter 196, Article I. The approved special permit shall be consistent with the provisions of Chapter 196, Article I.

INSTRUCTIONS: Please submit eight (8) paper copies (Nine copies if a special permit from the Village Board is also required) of supporting materials to the Planning Board Secretary and one (1) pdf file of all application materials to engineering@crotononhudson-ny.gov

I, certify that the above information is accurate, and I am the property owner or authorized by the owner to file this application on their behalf and that I will indemnify and hold the Village harmless against any damage or injury that may be caused by or arise out of any entry onto the property in connection with the processing of the application, during construction or performance of the work or within one year after the completion of the work.

Applicant certifies that he is authorized by the Owner of subject premises to conduct the project described above.

		
Applicant's Name (please print)	Signature of Applicant or Agent	Date

FOR VILLAGE USE ONLY:

Fee: _____ Paid on: _____ Rec'd by: _____

TAXES PAID: _____ LEASE AGREEMENT (If applicable) _____

HEARD BY THE VILLAGE BOARD ON: _____ (date) HEARD BY THE PLANNING BOARD ON: _____ (date)

PUBLIC HEARING HELD ON: _____ (date) PUBLIC HEARING HELD ON: _____ (date)

APPROVED: _____ DENIED: _____ APPROVED: _____ DENIED: _____