

## DRAFT RESOLUTION

**WHEREAS**, the Planning Board reviewed a minor Site Plan application for an Accessory Cottage on Tuesday, January 27, 2026 for **43 Riverview Trail**, owned by **Roseanne Macdonald**, hereafter known as "the Applicant," said property located at 43 Riverview Trail, and designated on the Tax Map of the Village of Croton-on-Hudson as Section **68.17 Block 2 Lot 11** and

**WHEREAS**, this proposal is considered a Type II Action under the State Environmental Quality Review Act (SEQRA), therefore, no Negative Declaration is required; and

**WHEREAS**, under section 230-41 of the Village Code, the Planning Board is the approving authority for approving the accessory cottage and hereby approves the accessory cottage, with **750 square feet** of habitable floor area, subject to the conditions specified below; and

**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 Accessory Cottage incorporates the excavation and filling permit, subject to the conditions specified below, and

**WHEREAS**, land disturbance activity is under 5000 sq-ft as such will be approved by the stormwater management officer; and

**WHEREAS**, no trees are being removed, and therefore no tree removal approval is required, and

**NOW, THEREFORE BE IT RESOLVED**, the Planning Board of the Village of Croton-on-Hudson hereby determines that the Minor Site Plan application for an Accessory Cottage is approved subject to the following conditions:

1. Approved Plans. Except as otherwise provided herein, all work shall be performed in strict compliance with the plans submitted to the Planning Board and approved by the Planning Board as follows:
  - a. Site Plans: "Colonial Proposed Site Plan" Drawing 1 of 3 entitled "Proposed Site Plan" 2 of 3, entitled "Elevations", Drawing 3 of 3, multi-view photographs all dated November 26, 2025, and revised for the Planning Board on January 6, 2026, and
  - b. Architectural Plans: Exterior Building Material Selection for New ADU at 43 Riverview Trail, prepared by Westchester Modular Homes Construction Corp. of Brewster, New York; be approved under sections 230-41 of the Zoning Code subject to the following conditions:
2. The following conditions must be met before the Planning Board Chair may sign the approved Site Plan ("Final Site Plan"):
3. That, the colors and materials of the proposed accessory cottage be substantially consistent as set forth in the above reference documents and described during the meeting.

That, under section 230-73 of the Village Zoning Code, the Planning Board finds that the development of this site will contribute to population growth in the Village and that no suitable land is available on the site for a park. Therefore, the Planning Board hereby requires the payment by the applicant to the Village of a fee in lieu of parkland in an amount and upon terms deemed satisfactory by the Village Board in its discretion.
4. Stormwater: That, the storm water drainage system and erosion and sediment control management plan be approved by the Village Engineer.

Building Permit: No work may commence on any portion of the site without first contacting the Building Inspector to ensure that all permits and approvals have been obtained and meet the requirements of Article I of Chapter 86, Building Construction. The following conditions must be met before the issuance of a Building Permit:

- i. That, three sets of signed and sealed site plans, revised as required by this resolution, be submitted with the building permit application.
  - ii. The Applicant receives all approvals required by other governmental approving agencies without material deviation from the Approved Plans. Evidence of compliance with conditions and any such approvals must be submitted to the Village Building Department.
5. The following conditions must be met before the issuance of a Certificate of Occupancy:
- i. That, an as-built survey of the foundation shall be submitted prior to any framing and an updated as-built survey shall be included with the application for a certificate of occupancy.
  - ii. That, the approval of the Village Engineer be obtained for all connections to Village owned utilities.
6. Address: That, a distinguishable address for the accessory cottage is clearly visible from the street for the benefit of emergency vehicles when needed.
7. That, in accordance with Section 230-41 of the Village Code, the following condition is established for the approval of the accessory cottage:
- a) Upon a change in ownership, should the new owner desire to continue the accessory apartment or accessory cottage use, the new owner shall provide notification to the Building Department confirming the new owner will reside in the premises as required and that they are aware of the laws regarding accessory apartments and accessory cottages and will remain in compliance. Such notice shall be provided within 90 days of the change of ownership. Failure to timely file will result in a revocation of the accessory apartment or accessory cottage approval and the new owner will have to make a new application.:

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

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

Robert Luntz, Chairman  
John Ghegan  
Geoffrey Haynes  
Steven Krisky  
Eva Thaddeus

A motion to approve the resolution, with conditions, was made by , seconded by , and the motion carried, by a vote of to on January 27<sup>th</sup>, 2026.