

February 24, 2026

Via Hand Delivery

Hon. James Tuman, Chair
and Members of the Village of Croton-on-Hudson ZBA
Village Hall
1 Van Wyck Street
Croton-on-Hudson, New York 10520

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Engineers Office

**Re: 52 Mt. Airy Road
Croton-on-Hudson, New York
Application for Area Variance Approval**

Honorable Chair and Members of the ZBA:

This firm represents 52 Mt Airy Rd LLC (“Applicant”), the owner of the property located at 52 Mt. Airy Road (SBL 68.17-1-3) (“Property”), in connection with its application for lot area variances necessary to subdivide the Property into two lots and to construct a single-family residence and related improvements on the newly created lot (“Project”).

This letter supplements our letter dated February 17, 2026 that was submitted into the record at your Board’s February 17th meeting. Its purpose is to provide more information about the Project and how the Project, as designed, would avoid impacts to the surrounding neighborhood.

Enclosed are the following materials to facilitate your Board’s continued review:

- Topographical Survey, prepared by Mastrogiacomo Engineering, P.C., last revised February 18, 2026, depicting current site conditions;
- Proposed 2 Lot Subdivision Plan Set, prepared by Mastrogiacomo Engineering, P.C., last revised February 24, 2026;
 - Existing Conditions & Site Demolition Plan;
 - Proposed Subdivision Layout Plan;
 - Proposed Grading & Erosion Control Plan;
 - Proposed Utility Plan;
 - Proposed Landscaping Plan;
 - Stormwater Calculations & Specifications;
 - Construction Details;
 - Exterior Elevations; and
 - Floor Plans.

Discussion of Project Impacts

We understand that concerns have been raised about the potential impact of the Project on the environment and surrounding neighborhood, as well as questions about whether the Project is in harmony with community character and whether there are any alternatives to the requested variances. We respectfully submit that there will be no adverse impacts to the surrounding neighborhood, as explained herein and demonstrated in the Project materials submitted by the Applicant.

A. Environmental Impacts

1. Tree Removal

First, there will be no impacts from the proposed tree removal. The Applicant is proposing to remove 30 trees, which removal is necessary for the construction of the proposed house and driveway. Although not a part of this application, the Applicant did previously remove trees as part of site work aimed at improving access to the Property—all of which work was completed pursuant to a permit issued by the Village. Indeed, the Applicant has not undertaken any tree removal, disturbance, or construction work on the Property without the requisite permits.

There is also no anticipated impact of tree removal on the habitat for wildlife in the area. The proposed tree removal here cannot reasonably be considered impactful under the circumstances. The Property does not include any particular environmental features or special habitat that is different from the rest of the neighborhood. There will still be large swaths of wooded area in the neighborhood to support wildlife. Specifically, there are two large parcels owned by the Village totaling approximately 12.5 acres located directly across Mt. Airy Road from the Property. One of these parcels is vacant, and a significant portion of the other parcel is wooded. As such, there will still be available habitat for coyotes, hawks, bobcats, foxes, and other typical wildlife.

Moreover, the Applicant is proposing a robust landscape plan that would entail the planting of 74 trees consisting of a mix of juniper and holly trees and 65 shrubs consisting of a mix of azalea and ilex plants. These plantings will certainly enhance the appearance of the Property and also provide habitat for smaller species. A copy of the proposed Landscaping Plan is enclosed as Sheet C104.

2. Steep Slopes

Next, there will be no adverse impacts resulting from disturbance of steep slopes on the Property. The Project has been designed to follow the existing grades of the Property without largely impacting the natural grading. The slopes of the site are primarily 30% slopes. The steeper sloped area at the center of the property was man-made to construct the existing septic system for the existing residence. As proposed, the existing and proposed residence will be connected to the public sanitary sewer main on South Mount Airy Road, and this existing septic system can be abandoned and removed to eliminate this very steeply sloped area. Moreover, the proposed

driveway was designed to have a 14.8% slope for the first 113 feet of the driveway and a 6.8% slope for the remaining 59 feet of driveway in order to provide a balanced cut and fill for excavation of the site. Based on the current Project design, it is anticipated that approximately 975 cubic yards of cut and approximately 1,085 cubic yards of fill will be required. However, the additional 110 cubic yards of fill are not needed for grading purposes, but rather, it is necessary for landscaping purposes to be used as top soil.

Additionally, the Board is respectfully referred to the Proposed Grading & Erosion Control Plan (Sheet C102) for details regarding the proposed erosion control and site stabilization measures that will be implemented to ensure that there are no adverse impacts resulting from site disturbance.

3. *Stormwater*

There will also be no adverse flooding impacts related to stormwater runoff from the Project. All runoff will be managed on-site so that there are no off-site impacts. Currently, the existing contours of the vacant lot and the man-made area for the existing septic system create ridge and valley lines that direct stormwater runoff to flow from north to south, leading directly towards 48 Mount Airy Road. The proposed grading would *reduce* this direct runoff by bisecting the flow of runoff with terraced, 4-foot retaining walls and the proposed driveway, which will direct the runoff to a subsurface stormwater infiltration system. Preliminary computations indicate between a 40% and 50% reduction in the overland flow. Thus, current site conditions will likely be improved by implementation of the SWPPP, which will take overall site conditions into consideration to reduce the amount of overland flow from the Property to neighboring properties.

4. *Traffic*

Finally, there will be no traffic-related impacts. Although neighbors have raised safety concerns regarding travel along the portion of Mt. Airy Road from which the Property derives access, we respectfully submit that the Project has no bearing on road safety here. The proposed single-family house will add minimal traffic to the roadway, and the type and amount of traffic (e.g., residents, delivery drivers, etc.) will be the same as the traffic associated with every other lot in this neighborhood.

Additionally, the Applicant has undertaken efforts to improve the safety of the Property's access. Specifically, the Applicant has removed trees to create a proper driveway and turning area, lowered the grade and walls at the front of the Property to improve sight lines, demolished the garage that required backing out onto Mt. Airy Road to exit, and created better turning radii for entering and exiting the driveway. These improvements reduce the risk of crashes occurring as a result of vehicles entering and exiting the existing driveway. Moreover, the proposed driveway that will serve the new home on Lot B has been designed so that there will be proper sight lines and turning radii so that any potential impacts to traffic here will be avoided.

B. Community Character

Additionally, we understand that there are concerns about whether the Project will be in harmony with the character of the surrounding neighborhood. We respectfully submit that the Project will be consistent with the pattern of development in the neighborhood such that it will be in harmony with the character of the community. A variance satisfies the “community character” prong of the standard set forth in N.Y. Village Law Section 7-712-b(3) when the proposal conforms to the established pattern of development in the area. As this application involves a variance to the minimum required lot area, the relevant inquiry is whether other lots are similarly sized and/or possess similar nonconformities. *See generally Pecoraro v. Bd. of Appeals of Town of Hempstead*, 2 N.Y.3d 608 (2004).

Here, the neighborhood is made up exclusively of single-family residential lots of varying shapes and configurations. Moreover, most of these lots are also deficient in the required lot area for the RA-25 zoning district. As such, the proposed lot area and shape would be consistent with the pattern already established in this neighborhood, and subdividing the Property in this way will create two lots that are actually more consistent with the surrounding pattern of development than the existing over-sized lot.

Moreover, the proposed design for the new home would be consistent with the architecture and complement the style of the existing homes in the neighborhood. *See Exterior Elevations (Sheet A100)*. Additionally, the Applicant is proposing a robust planting plan, including 74 trees and 65 shrubs, that will enhance views of the house from adjacent properties and provide screening.

C. Alternatives

Finally, there are no feasible alternatives. The ultimate purpose of this variance—and the resulting subdivision this variance would permit—is to construct a new single-family house on Lot B. As discussed in our February 17th letter, because the minimum area required for lots in the RA-25 zoning district is 25,000 SF, any lot area variance would be necessary to subdivide this 49,483.1-SF lot into two lots. These lots, and the proposed improvements, would otherwise be zoning compliant.

Respectfully, there are no other alternatives by which the Applicant could achieve the objective allowed by the requested variance. Thus, we respectfully submit that the Applicant should be permitted to proceed with its preferred plan.


Conclusion

For the reasons set forth above, we respectfully submit that the benefit to the Applicants outweighs any detriment to the health, safety and welfare of the neighborhood. Accordingly, the Applicant respectfully requests that your Board approve the requested lot area variances so that the Applicant may move forward with its subdivision plans.

We look forward to continuing review of this Application at the continued public hearing on March 17th. If you have any questions, or require any additional information, please do not hesitate to contact us. Thank you for your consideration.

Very truly yours,

ZARIN & STEINMETZ, LLP



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