

Village of

**Croton-on-Hudson**



Engineering Department  
Stanley H. Kellerhouse Municipal Building  
One Van Wyck Street  
Croton-on-Hudson, NY 10520-2501  
Tel: 914-271-4783  
engineering@crotononhudson-ny.gov

**Zoning Board of Appeals**

**REC Application (ZBA)**

(Form # Eng-§230-160)

APR 28 2026

Engineers Office

(Revised 11.2025)

**Application Date:** 5/19/2026

**Application #:** \_\_\_\_\_

**Type of Application:**  Area  Special Permit  Appeal  Interpretation  Use  Fence

**NYS SEOR (§617) Actions:**

- Type I** - Submit long EAF and CAF
- Type II** - Not subject to SEQR (area variances for 1, 2 and 3 family homes and lot line variances and individual setback variances) EAF & CAF not required
- Unlisted** - Submit short EAF (long EAF may be required) and CAF

Other Involved Agencies:  Village Board  Planning Board  Other: \_\_\_\_\_

**Property Information:**

Section: 79.13

Block: 2

Lot: 45

Property Location (street address): 40 Young Avenue, Croton-on-Hudson, NY 10520

- Zoning District  RA5  RA9  RA25  RA40  RB (2 family)  RC Multiple Residence  
 Limited Office  O-1  O-2  
 Commercial  C1 Central  C2 General  Gateway overlay  
 Other  LI Light Industrial  WC Waterfront  WD Waterfront Development

**Current Use:**  1 Family  2 Family  3 Family  Multi Family  Vacant Lot  
 Commercial/Other (description): \_\_\_\_\_

**Applicant Information:** (if other than owner, supply a letter from the property owner authorizing application)

- Owner  Tenant  Contractor/Vendor
- Attorney  Engineer  Architect  Other: \_\_\_\_\_

Last Name: Glancy / Sexton First Name: Coleman / Kate Mi: E / M

Company: \_\_\_\_\_

Address: 40 Young Avenue, Croton-on-Hudson, NY 10520

Address: \_\_\_\_\_

Phone #: [REDACTED] Cell #: [REDACTED] E-mail: [REDACTED]

**Property Owner:**  Same As Above

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Cell #: \_\_\_\_\_ E-mail: \_\_\_\_\_

**General Application requirements:**

1. **Forns & fees:** This completed application plus seven (7) copies (total of 8) plus eight (8) copies of the supporting documentation shall be submitted by the applicant, accompanied by the applicable fee. Electronic version (pdf, jpeg, other) of all documents must be submitted with the application. Appropriate photographs of the property and surrounding properties should be submitted. Please note the application **fee is non-refundable** even in the event the application is withdrawn.
2. **Content of submission:** Application shall fully set forth the circumstances of the case, accompanied by a preliminary plan showing the size and location of the lot, a site plan showing location of all buildings and proposed facilities, including access drives, parking areas, landscaping and streets. Each application shall refer to the specific provision

of the chapter and the interpretation that is claimed, details of the variance that is applied for and the grounds on which it is claimed that the same should be granted, or the use for which the special permit is sought.

3. Drawings, elevation plans, and surveys must reflect what is existing and what is proposed and **must be submitted at the time of application**. Failure to do so may result in your application being deemed incomplete.
4. If a recent sale of the property has taken place, please submit proof of ownership.
5. If you are in contract to purchase, please submit a **notarized letter** from the current owner stating that the applicant has his/her permission to file on his/her behalf and applicant is not the owner.
6. Applications **must** be submitted **21 days prior** to the date of the hearing in order to meet **required** deadline dates for Legal Noticing. ZBA meetings/hearings are usually held on the 3rd Tuesday of each month at 7 PM.
7. If the application is approved by the Zoning Board of Appeals and a building permit is needed, a separate application for the building permit will need to be submitted.
8. Appeal: shall be taken within 60 days after the filing of any order, requirement, decision, interpretation or determination by filing with the administrative official and the ZBA, a notice of appeal specifying the grounds of appeal and relief sought.
10. Stay upon appeal: an appeal shall stay all proceedings in furtherance of the action appealed from, unless it is determined that the stay would cause imminent peril to life or property, in which case, proceedings shall not be appealed other than by a restraining order which may be granted by the ZBA or by a court of record on application.

**1. Area Variances**

Village Code Section(s): 230-40C

**Description of variance requested:**

We are requesting a variance to increase the allowable fence height along our property at the corner of Young Avenue and Benedict Boulevard. The previous owners, Jason and Tiffany Chan, received a Zoning Board resolution on 9/13/23 permitting the fence height within this corner area to be increased from 30 inches to 48 inches, provided that the fence is no more than 25% solid. This corner area extends 30 feet along both Young and Benedict and is identified as the "triangle" in the prior resolution. We are seeking approval to maintain this increased height allowance so that a 48 inch fence may be installed consistently within our property

(can use separate paper if necessary)

	Required setbacks:	Proposed Setbacks:	Variance Requested:
Side Yard	_____	_____	_____
Total Side Yard	_____	_____	_____
Front Yard	_____	_____	_____
Rear Yard	_____	_____	_____
Fence Height	30 inches	48 inches	18 inches

The ZBA shall take into consideration the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such a grant. To be considered:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties;
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
3. Whether the requested area variance is substantial;
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the ZBA but shall not necessarily preclude the granting of the area variance.

Please provide a detailed response to all five factors above:

1. The requested fence height is not a substantial change in the character of the neighborhood nor a detriment to any nearby properties.
2. The benefit we are seeking from this variance cannot be achieved by another method.
3. The variance we are requesting is substantial as this is in regards to the section of fence 30 feet from the corner of Young and Benedict on each side.
4. The variance we are proposing will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. The difficulty alleged in this proposal refers to extending the maximum fence height within the requested section of our yard.

(can use separate paper if necessary)

Have any previous area variance applications been made?  yes  no If so, give date: 9/13/2023

**Description of previous variance:**

The previous owners of our home at 40 Young Avenue were granted this same variance in 2023. We are requesting it again because our family now has a clear need for a secure, consistent fence. We have a four-month-old daughter who we want to safely enjoy the yard without the risk of approaching Young Avenue or Benedict Boulevard, and we are also planning to get a dog, which requires a reliable enclosure. The standard 30-inch height limit does not provide any meaningful visibility benefit at this intersection. Vehicles turning left or right from Young Avenue onto Benedict Boulevard retain clear sight-lines due to the roadway layout and center divider. A 48-inch fence constructed with no more than 25% solid area does not obstruct visibility for drivers or pedestrians.

**2. Special Permit**

Village Code Section(s): \_\_\_\_\_

Special Permit Description: \_\_\_\_\_

Explanation: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(can use separate paper if necessary)

Have any previous special permit applications been made?  yes  no If so, give date: \_\_\_\_\_

Description of previous special permit: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3. Appeal**

Village Code Section(s): \_\_\_\_\_

Description of administrative decision or order (include copy): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(can use separate paper if necessary)

Date of decision or order: \_\_\_\_\_

Explanation of reason for appeal: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(can use separate paper if necessary)

**4. Interpretation**

Village Code Section(s): \_\_\_\_\_

Description of proposed project or improvement: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Explanation/describe request: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**5. Use Variances**

Village Code Section(s): \_\_\_\_\_

Existing Use of Property: \_\_\_\_\_

Proposed Use of Property: \_\_\_\_\_

No use variance shall be granted by the ZBA without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. **These four criteria must be satisfied:**

1. Applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence.
2. Alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood.
3. Requested use variance, if granted, will not alter the essential character of the neighborhood.
4. Alleged hardship has not been self-created.

Provide additional Information for all four factors above:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(can use separate paper if necessary)

Have any previous use variance applications been made?       yes    no    If so, give date: \_\_\_\_\_

Description of previous use variance:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Answer Questions (1-5):**

- |  |                              |                             |
|--|------------------------------|-----------------------------|
| 1. I have submitted required number of copies + documentation. | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 2. Drawings, elevation plans & surveys have been submitted     | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 3. All required application information has been provided      | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 4. Proof of ownership, if applicable, has been provided        | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 5. Digital files of all documentation have been submitted      | <input type="checkbox"/> yes | <input type="checkbox"/> no |

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.

Coleman Clancy                      Coleman Clancy                      4/28/26  
 Applicant's Name (please print)      Applicant's Signature                      Date

**Note: According to Section 230-164(E), "Unless work is commenced and diligently prosecuted within one (1) year of the date of the granting of a variance or special permit, such variance or special permit shall become null and void."**

**For larger projects, a request can be made for a variance from §230-164(E) for up to a two year period.**

**I request a 2 year variance:                       YES       NO**

**FOR VILLAGE USE ONLY:**

Is lot an existing small lot?       yes    no

Note: If yes, lot area, lot depth and lot width exceptions are granted under Village Zoning Code 230-40G

Decision Type: \_\_\_\_\_                      Decision Type: \_\_\_\_\_

Date: \_\_\_\_\_                                      Date: \_\_\_\_\_

Approved                                       Approved

Denied     Denied

Fee: \$ 150.00                      Date paid: 4/28/26                      Rec'd by: sc

## RESOLUTION

NOTICE IS HEREBY GIVEN THAT; **Jason Chan**, Owner-has applied to the Zoning Board of Appeals of the Village of Croton-on-Hudson for a variance from Village Zoning Code Section 230-40C for a proposed fence taller than 30 inches within the triangle at a street intersection and within 30 feet of the lot corner and for a variance from Village Zoning Code Section 230-40H for a fence over 4 feet in height in a front yard. The property, at **40 Young Ave**, is located in a RA-5 Residential District and designated on the Tax Maps of the Village of Croton-on-Hudson as Section 79.13 Block 2 Lot 45.

This proposed action is considered a Type II Action under the State Environmental Quality Review Act (SEQRA) therefore, no Negative Declaration is required.

A public hearing having been held after due notice, this Board, after reviewing the application and viewing the premises and neighborhood concerned, finds:

1. No undesirable change in the character of the neighborhood nor detriment to nearby properties will be produced by the granting of the variance.
2. The benefit sought by the applicant cannot be achieved by a method other than the requested variance.
3. The requested variance is substantial; but mitigated by the property line distance from the street.
4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. The difficulty alleged by the applicant was self-created.

**NOW, THEREFORE, BE IT RESOLVED**, that a variance for a fence taller than 30 inches within the triangle centered at the street lines and within 30 feet of the lot corner, be **GRANTED** subject to the following conditions, and further finds the variance granted herein is the minimum variance necessary and adequate.

Motion: Mr. Tuman

Second: Mr. Olcott

Vote: AYES-5 NAYS-0

Condition(s):

1. That, according to Section 230-164(E), "Unless work is commenced and diligently prosecuted within one (1) year of the date of the granting of a variance or special permit, such variance or special permit shall become null and void".
2. That, the variance is granted based on the plans and other documents submitted in support of the application.
3. That, the fence shall not exceed four feet in height and be 25% or less solid.

9/13/2023

LOT 41

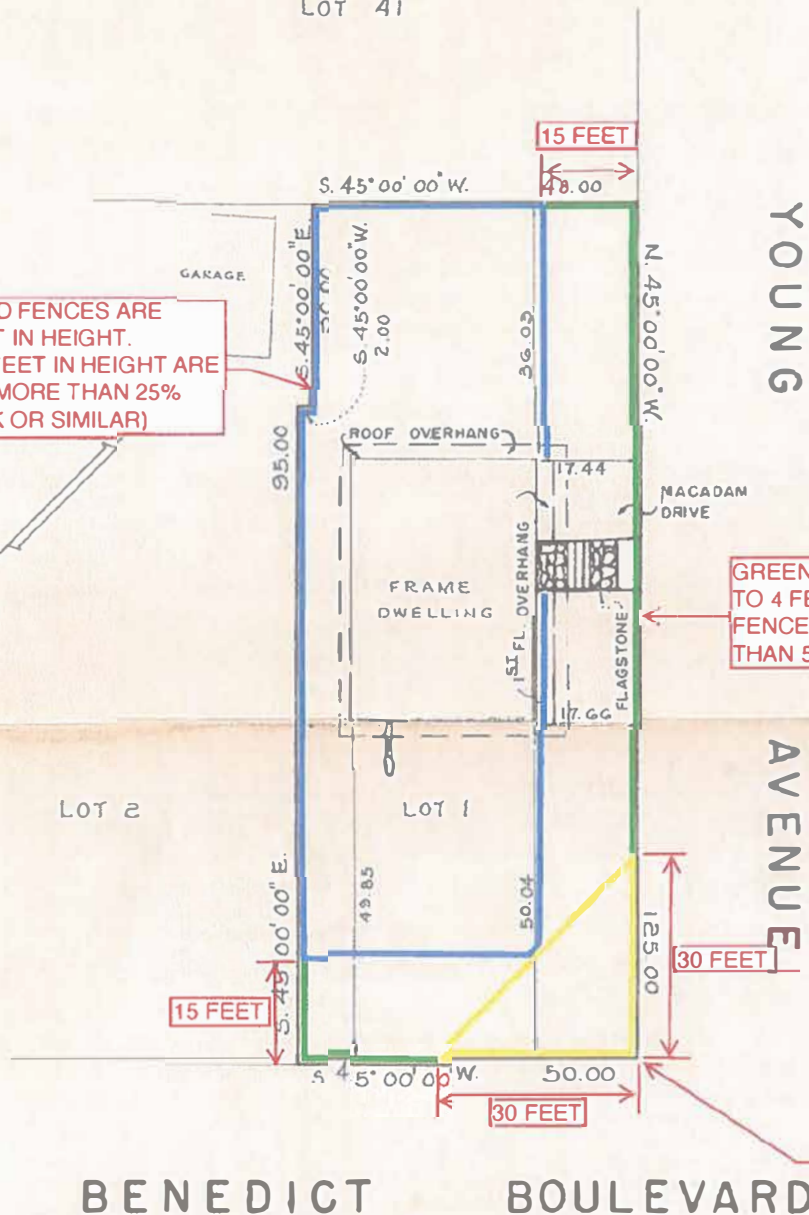
BLUE AREAS SOLID FENCES ARE LIMITED TO 6 FEET IN HEIGHT. FENCES UP TO 8 FEET IN HEIGHT ARE ALLOWED IF NOT MORE THAN 25% SOLID (CHAIN LINK OR SIMILAR)

GREEN AREAS ARE LIMITED TO 4 FEET IN HEIGHT, FENCES CAN NOT BE MORE THAN 50% SOLID.

YELLOW AREAS ARE LIMITED TO 30 INCHES IN HEIGHT, FENCES CANNOT BE MORE THAN 50% SOLID.

FENCES SHALL BE CONSTRUCTED WITH THE FINISHED SIDE FACING THE STREET OR NEIGHBORING PROPERTY.

FRONT YARD SETBACK (15 FEET) APPLICABLE TO RA-5 DISTRICT. FRONT YARD SETBACK IS 25 FEET IN RA-9 DISTRICT, 40 FEET IN RA-25 DISTRICT, 50 FEET IN RA-40 DISTRICT, 50 FEET IN RA-60 DISTRICT AND 20 FEET IN RB DISTRICT.



# BENEDICT BOULEVARD

YOUNG AVENUE

AVENUE

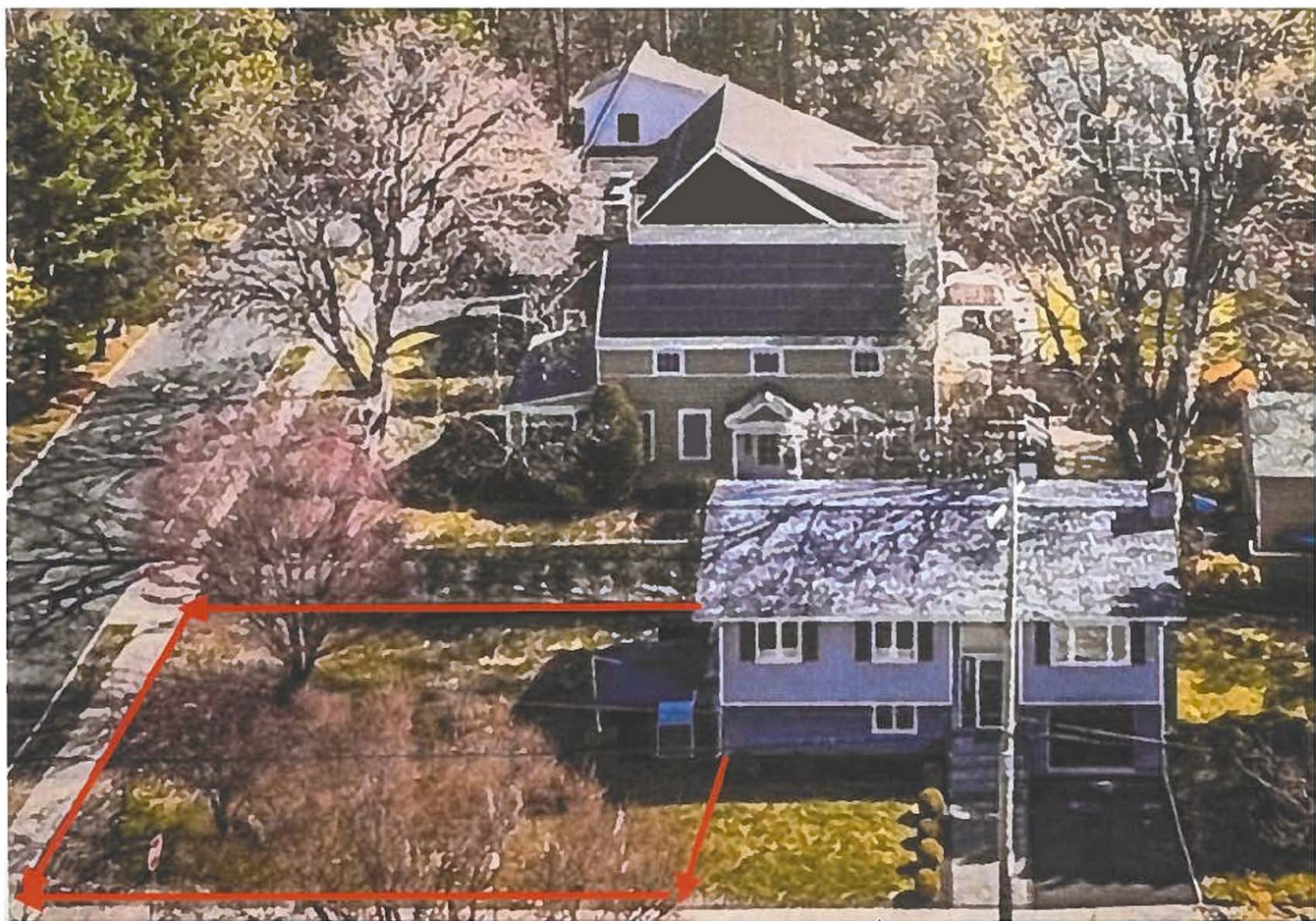
PREMISES HEREON BEING LOT No 1, BLOCK 111 AS SHOWN ON FILED MAP No 1776.

CERTIFIED TO INTER COUNTY TITLE GUARANTY & MORTGAGE CO. AND PEOPLES BANK FOR SAVINGS OF NEW ROCHELLE

*Charles Riley*  
CHARLES RILEY - N.Y.L.S.  
OFFICE OF EDWARD J. MARTIN, JR.  
ENGINEER & SURVEYOR.  
21 NORTH BROADWAY  
TARRYTOWN, N.Y.

SCALE 1" = 20'  
MAR. 31, 1966  
APR. 14, 1966  
JULY 7, 1966 FINAL

DEED OF PROPERTY PREPARED FOR  
**BALTIC ESTATES, INC.**  
LOCATED IN THE VILLAGE OF CROTON-ON-HUDSON  
TOWN OF CORTLANDT  
WESTCHESTER COUNTY, N.Y.





# Proposal

Date	Estimate #
4/21/2026	2018-13265

Name / Address
Kate Saxton 40 Young Ave Croton, NY 10520

PO Box 1940  
Ossining, NY 10562

[info@davesfences.com](mailto:info@davesfences.com)  
[www.davesfences.com](http://www.davesfences.com)

Description	Rate	Total
<p>We hereby propose to furnish the materials and perform the labor necessary for the installation of:</p> <p>In front yard install 170 ft of 4f high style Ovation aluminum in black with one 5ft wide walk gate and one 4ft wide walk gate</p> <p>***** If you do two 4ft wide walk gates, you will save \$50.00 *****</p> <p>All posts will be set 2 1/2 feet deep in concrete.</p> <p>50% Deposit Required / Balance Due Upon Completion</p> <p>FINAL PAYMENT IS DUE THE DAY OF COMPLETION OF JOB</p> <p>All prices quoted are valid for 30 days from the date of stated on the proposal</p> <p>All installation dates are subject to change according to weather</p>	8,500.00	8,500.00

Dave's Fences is a proud member of the Better Business Bureau. We are fully licensed and insured. A specific rider in your name will be provided per your request. Fence will be installed in the location you specify. We are NOT responsible for incorrect location. Additionally, homeowner is responsible for obtaining all permits, if required. Any changes or additions will incur additional charges. Work will be started as outlined in our proposal, weather permitting. Special orders require additional time. Your job will be scheduled upon receipt of the 50% deposit, signed contract, materials and acceptance. Contract balance is due upon job completion.

<b>Total</b>	<b>\$8,500.00</b>
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**ACCEPTANCE OF PROPOSAL**

I have read, accepted, and signed the terms and conditions included with this proposal. The above prices, specifications and conditions are satisfactory and hereby accepted, Dave's Fences is authorized to do the work as specified. Payments will be made as outlined with proposal. I understand we have the right to cancel this contract within 3 business days of acceptance

Date \_\_\_\_\_ Signature \_\_\_\_\_ Print Name \_\_\_\_\_

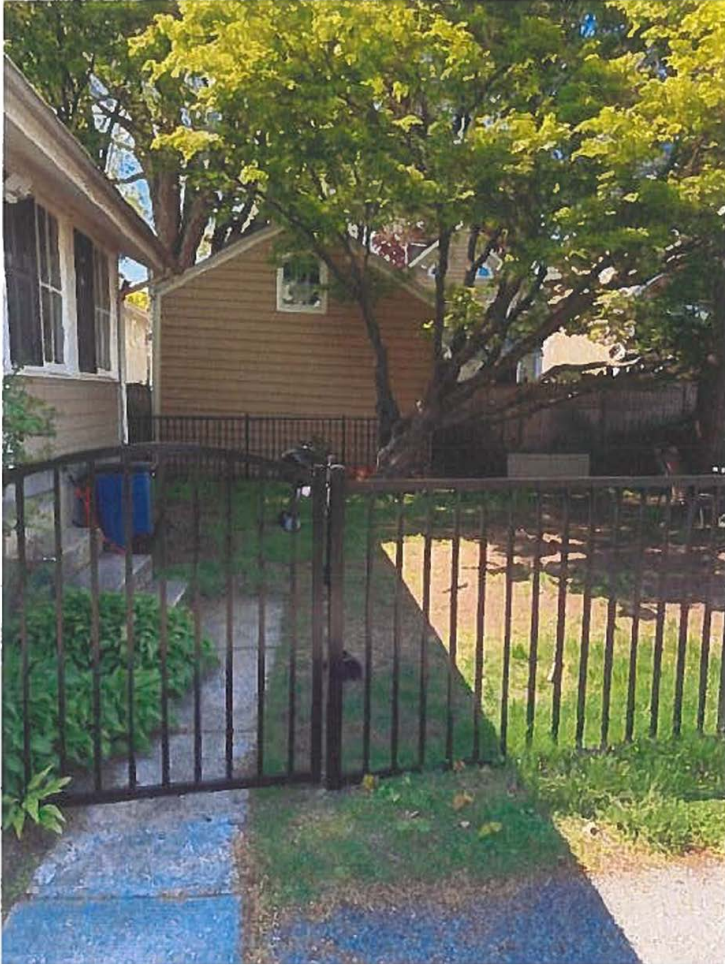


40 YOUNG AVE ZBA APPLICATION: PROPOSED FENCE

Same as neighbor's fence:



40 YOUNG AVE ZBA APPLICATION: PROPOSED FENCE



40 YOUNG AVE ZBA APPLICATION: PROPOSED FENCE