

July 27, 2026

Constancia Warren and Bruce Dollar
1 Young Avenue
Croton-on-Hudson, NY 10520

Planning Board
Village of Croton-on-Hudson
Stanley H. Kellerhouse Municipal Building
One Van Wyck Street
Croton-on-Hudson, NY 10520

CC: Board of Trustees

We live at 1 Young Avenue, one of the properties that is immediately adjacent to the site.

We want to make clear that we respect the challenge before the Planning Board as it balances the needs of the Village as a whole against the needs of individual citizens and neighborhoods as you review Andrew Cortese's application for a special permit and site plan approval. We also want to make clear that we are not opposed to building more multi-family housing in Croton or in Harmon.

In fact, we were persuaded by Mayor Pugh's argument that Croton needs more housing, especially for folks like us and our Harmon neighbors, people with modest incomes, seniors who are downsizing, or young families that are buying their first houses.

But the maximalist, aggressive, high-density, in-your-face development that has been proposed by Andrew Cortese is not what Croton needs. It violates both the spirit and letter of the Village's laws on scale, land use requirements, and design; site appropriateness, tree preservation, and steep slope protection. It fails to comply with established regulations and fails to meet the standards for the issuance of a special permit. It also threatens the environment and deeply disrespects the neighboring community.

For these reasons, discussed in more detail below, we are asking that the Planning Board reject the site plan application and not grant the special permit that has been requested.

Specific concerns

1. Concerns raised by the Type II SEQRA exemption

In order to qualify as a Type II SEQRA exemption, the proposed construction must be connected to existing community or public water and sewer systems. On page 9, the full proposal shows four different options for water access. Which of these options is going to be used to connect the proposed building to an adequate water supply for sewage and fire

safety, and does that option currently connect to the site, or will it require additional public work and construction to complete? If so, what are impacts of the neighboring properties?

2. Scale, land use requirements, and design issues

The preliminary review of the proposal by Nelson, Pope, and Voorhis points out that the design does not comply with § 230.20.3 for the rear yard for lots within 25 feet of a residence district boundary and that the front yard setback does not comply with the Harmon South Riverside Gateway Overlay District. In addition, the review states that the proposed building appears to exceed the size limit of 20,000 square feet, in violation of §230-20.4(B).

With regard to design regulations, the preliminary review notes that, as per §230.20.5(G), the proposal does not meet requirements of the placement of off-street parking nor regulations for curb cuts and sidewalks. Nor does the design set aside a minimum of 15% of the plot as open space. Accordingly, this matter must be referred to the Zoning Board.

3. Tree preservation

In its statement of purpose, Croton's Tree Preservation law states: *"Trees provide oxygen, impede soil erosion, aid water absorption, ameliorate against potential flooding, and absorb CO₂ and other pollutants and breathable particulate matter; provide shade, screening, privacy, green space, aesthetic appeal and even historic value; absorb and lessen impacts from winds and act as natural noise barriers; yield advantageous microclimatic effects and provide other environmental benefits and generally enhance the quality of life and values of properties within the Village. Indiscriminate removal of trees causes deprivation of these benefits and disrupts the Village's ecological systems."*

This is our third house in the 31 years we have lived in Croton. What each of our houses had in common was that they were surrounded by a wonderful variety of trees—fitting because, as Mayor Pugh has recently posted on Facebook, Croton is an officially designated "Tree City USA." We now live in a modest ranch house on 1/6th of an acre that sits on a bluff overlooking the north end of the 425 South Riverside site. It is surrounded by a chain link fence to keep people from falling off the steep slopes of the bluff.

Currently, our view of 425 S. Riverside is blocked by a dense barrier of mature trees. Other properties adjacent to the site and throughout the neighborhood have a variety of mature trees that are an important part of the visual appeal of the residential area, distinguishing it from the commercial areas below on South Riverside Avenue.

Mr. Cortese, at his request, met with those of us with properties adjacent to the 425 site in November of 2024. At this time, he made it clear that he plans to remove ALL the trees on his property so that he can build the largest possible structure that he can shoehorn into the site. According to the plans submitted, his planned retaining wall will be just 10 feet from our property line.

In addition, the artist's rendering on the proposal documents misleadingly shows the new building surrounded by tall trees, but the landscaping plan shows no such trees. It includes new plantings atop the retaining wall, including evergreens known to be highly susceptible to deer damage. But it shows none of the existing trees that are visible on other documents, nor does he provide any detail about his tree removal plans.

The trees that Mr. Cortese promises to remove have been critical in providing our home a sense of verdant privacy despite the small size of our yard. It was part of what made this very modest house—one that needed a lot of investment on our part to fix it up—so attractive as a place to spend our waning years.

Equally—if not more—important, the trees that he plans to remove play a vital role in supporting the slopes of the bluff. Just beyond the chain link fence, near the corner of the bluff, there is an enormous double oak tree—roughly 80 feet high. In addition to privacy, this majestic double tree shades the house from the southern sun, reducing our energy bills in the summer. We are fortunate that it is a regular stopping point for magnificent bald eagles as they make their way north up the Hudson River each February. And it also plays a critical role in holding up the bluff, a vulnerable steep slope that is composed of glacial debris, like so many others on this stretch of the Hudson River. A part of the bluff collapsed in 1999, sending part of one our neighbor's back yards sliding down onto the 425 S. Riverside site.

4. Appropriateness of the design to the site

In the statutes creating the three gateway areas in Croton, the Village stated that "Each of the gateway areas should have a special character that should be preserved and enhanced. In § 230-20.6, the design guidelines for the three gateway areas, the Village statute says that in our area, known as the South Riverside/Harmon gateway, *"New development, landscaping and streetscaping in the South Riverside/Harmon District shall be designed to enhance the district's small-scale character and to improve connections between the railroad station and the South Riverside/Harmon shopping area."*

Croton's residents—not just those in Harmon—value that small-scale character. The charm of living in this kind of village has attracted many of our more recent residents, seeking to escape urban sprawl. However, if this application is approved, what people

entering Croton from the south will see when they exit Route 9 onto Croton Point Avenue, is a massive, ugly, grey, institutional-style building (one of my friends said it looks like a prison), surrounded by an enormous concrete retaining wall. Most of the trees that crown the bluff will be gone.

The construction of a large block-like, concrete and stone apartment building in a neighborhood of small frame houses, with occasional multi-family buildings that mirror the local style, is radically at odds with the Village's guidelines.

5. Steep slope and the risk of a collapse

Our yard, at 1 Young Avenue, sits at the corner of a very steep bluff overlooking 425 South Riverside, anchored by that 80-foot-tall double oak tree. In fact, almost half of the proposed development site is composed of steep slopes, with those having a more than 15% grade constituting 46% of the total area, according to the documents provided in the application.

The bluffs adjoining the development site are what was "left behind when the last glacier receded from the Hudson Valley, leaving behind glacial lakes and delicately balanced hillsides of fine-grain sediment."¹ This description comes from an article about the massive slope collapse in Briarcliff in 2023, which deposited 900 tons of debris onto the Metro North tracks. It cites geologist Andrew Kozlowski, who directs the New York State Geological Survey's mapping program, which studies about 200 landslides a year in New York State. According to Kozlowski, this glacial terrain is "primed for catastrophe" as increasingly severe rainfall pushes the limit of what the land can absorb.

This is not just academic speculation. In addition to the Briarcliff slope collapse, the eastern slope behind 425 South Riverside suffered a collapse during Hurricane Floyd in 1999, taking with it a substantial portion of the backyard of one of the properties adjacent to the site. And at least two of the houses on the adjacent properties sit much closer to the edge of the slope than was the case for construction at 25 South Riverside, and are thus at much greater risk.

Moreover, according to Kozlowski, while human activity at the top of a hill can disturb a hillside —such as removing the trees and shrubs whose root systems retain and reinforce the slope, it's even more common that developers set the stage for catastrophe when they remove a small but crucial bit of soil at the bottom of the hill. One of the water main

¹ Michael del Castillo, "Westchester County yard that caused landslide showed flaws at least 18 months earlier." *Albany Times Union*, Dec 12, 2023.

connection options would require just such disruption at the bottom of the slope. This proposed project puts all of us whose properties overlook the site at greatly increased risk of suffering future slope collapse.

Failure to comply with conditions for granting a special permit

§ 230-58 of the Village zoning codes sets forth six conditions to be met in the review of an application for a special permit.

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

The proposed design includes only a narrow walkway behind the building, raising questions about the adequacy of access for fire protection. In addition, the details about water main connections also leave serious questions about whether the water supply, originally intended for smaller commercial buildings, is adequate to the scale of demand from a large apartment building.

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.

As noted above, the size and character of the proposed building is radically at odds with the modest frame houses of the surrounding neighborhood, as is the removal of mature trees that separate the Harmon South Riverside Gateway area from the residential neighborhood it adjoins.

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.

The scale of the new building will disrupt an already crowded traffic area, especially when the added traffic for the new 100-unit apartment building at 1 Croton Point Avenue is taken into consideration.

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.

The maximalist approach taken by the developer to exploit every last square centimeter of space is incompatible with the landscaping and building design in the adjacent area of

Harmon. This is in direct contravention of the 2017 Comprehensive plan that called for “appropriately scaled mixed-use development.” (p. 98.)

E. Protection of adjacent properties or impacted communities.

The proposed design, with its wholesale tree removal and aggressive design is deeply disruptive and disrespectful of the Harmon residential neighborhood, showing apparent disregard for the structural integrity and visual appeal of the adjacent properties and community.

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

The plan to remove all the trees deprives the neighbors who occupy the adjoining properties of trees that provide shade and privacy, screening them from the noise and pollution of Shoprite and Route 9, and increases the risk of a slope collapse by large trees and their root systems in fragile locations, subjecting neighbors to environmental hazards.

Conclusion

We wish to again make clear that we are not opposed to housing development, including on this site. A building that does not require removing trees or threatening steep and precarious slopes, and one that is visually consistent with the neighboring residential area, as has been the case with other multifamily housing in Harmon would be a net gain for the site. However, what is striking about Mr. Cortese’s plans (and his prior track record in Croton and elsewhere) is his maximalist approach that flouts important Village zoning laws, coupled with a disregard for the adjacent neighborhood.

When reviewing this proposal, the Planning Board must consider how to weigh its standards for evaluating new development in relation to the Village’s obligation to those already residing in the adjacent area. Particularly in the Harmon Gateway Zone, most homeowners don’t have significant investments or generous retirement accounts. Our immediate neighborhood is full of modest houses and families with modest incomes. For these residents, their primary asset is their home. We question the wisdom and fairness of placing a heavy burden on them for new development projects such as the one Mr. Cortese proposes.

For these reasons, we are asking the Planning Board to reject the current site plan and to deny the requested special permit application.

The image shows two handwritten signatures in black ink. The first signature, on the left, is 'Constancia Warren' and the second signature, on the right, is 'Bruce Dollar'. Both signatures are written in a cursive, flowing style.

Constancia Warren and Bruce Dollar, 1 Young Avenue

Croton-on-Hudson Planning Board
1 Van Wyck St.
Croton-on-Hudson NY

July 28, 2026

Dear Chairman Luntz and Members of the Planning Board:

I am writing regarding the proposed development at 425 South Riverside Avenue. This proposed 49-unit development is quite literally a threat to my home, my property and my family's safety.

I was born in Croton, as was my wife, and we have lived here most of our lives. In 1998, we had Kevin Dymes build us a house at 11 Hastings Ave., in Harmon. It is perched at the top of the steep hillside overlooking the building site at 425 S. Riverside.

In September 1999, both my neighbor at 9 Hastings and I lost a good part of our backyards due to a landslide following Hurricane Floyd. All the soil and mud from our yards collapsed down the hill, and much of it wound up *inside* the E T building that housed the John Deere dealership at 425 South Riverside, at the bottom of the steep slope directly below my house. My children's swing set was on the part of the yard that collapsed, and it ended up down in a hole big enough to swallow a car.

The damage was pretty devastating, to say the least. I took on most of the costs in bringing in 8-10 big truckloads of small boulders and soil to fill in the huge crater on our properties, and I had a berm constructed near the edge of the slope to try to avoid further loss of land. Soon after, there was another big storm, on Father's Day, in which we had more erosion.

This is not a hypothetical engineering puzzle. This is a fragile steep slope with a documented history of severe landslides. Forcing a massive, three-story residential complex into the base of this unstable incline is a recipe for disaster.

Construction on this scale requires deep excavation, heavy vibrations and the clear-cutting of mature trees whose root systems are the only thing keeping that sandy soil and rock from sliding. If you allow the applicant to undermine the bottom of this slope, you are risking a catastrophic failure that could compromise the foundations of the homes at the top of the hill – including mine.

Furthermore, replacing natural ground cover with an expansive footprint of concrete and asphalt means storm water will no longer be absorbed. It will run off aggressively, worsening erosion and flooding surrounding properties.

As a directly impacted neighbor, I am asking this board to deny this application. If you do move forward, you must protect us by mandating a full, independent, third-party geotechnical study – not one bought and paid for by the developer's engineers. We need a real assessment of landslide risks, and we need a full Environmental Impact Statement under SEQRA. Please do not wait for the hillside to come crashing down before concluding that this project was a dangerous mistake.

Sincerely,



Scott Giordano

11 Hastings Avenue

cc: Board of Trustees 