**Minutes of the Planning Board**
**Tuesday, December 8, 2015**

Present: Chairman Rob Luntz
Bruce Kauderer
Steve Krisky
Janet Mainiero
Rocco Mastronardi

Also present: Bob Anderson, Village Board Liaison
Daniel O'Connor, Village Engineer

**Call to order:**
Chairman Luntz called the Planning Board meeting of December 8, 2015 to order at 8:00 p.m.

**1. PUBLIC HEARINGS**

*a) Croton-on-Hudson Veterinary Clinic—401 South Riverside Avenue (Sec. 79.13 Blk. 2 Lot 3)—Application for Amended Site Plan approval for installation of solar photovoltaic panels in C-2 General Commercial Zoning District and Harmon/South Riverside Gateway Overlay Zone.*

**Present:** Representative from Sunrise Solar Solutions, LLC

**Motion:** Mr. Krisky made a motion to open the public hearing, seconded by Mr. Mastronardi, and carried, all in favor by a vote of 5-0.

There were no comments from the public.

**Motion:** Ms. Mainiero made a motion to close the public hearing, seconded by Mr. Krisky, and carried all in favor, by a vote of 5-0.

The Planning Board stated its support for the application with no conditions.

**Motion:** Mr. Kauderer made a motion to adopt the draft resolution granting amended site plan approval for the installation of solar (photovoltaic) panels on the Croton Veterinary Clinic, seconded by Mr. Krisky, and carried, all in favor, by a vote of 5-0.

**2. NEW BUSINESS**

*a) Doran Construction Corp—30 Grand Street (Sec. 78.8 Blk 6 Lot 87)—Application for Minor Site Plan Approval for new single-family dwelling.*

**Present:** Butch Doran, Doran Construction Corp, and Mr. Ron Wegner, P.E.,Cronin Engineering

Ms. Mainiero, Planning Board member recused herself from the meeting because she resides in close proximity to the proposed property.

**DISCUSSION:**

Mr. Wegner stated that the project involves the construction of a single family residence on an existing 9.763 square foot vacant parcel. The steep slope disturbances will fall below the threshold number. The site meets all zoning code requirements and setbacks. The front yard setback is 15 ft. which is allowable with houses built prior to zoning; the setbacks can be the average of two neighboring houses within 300 ft. The square footage of the house is 2,580 sq. feet, and is below the permitted FAR.

The Planning Board reviewed the site plan. Mr. Wegner stated he will utilize masonry stone wall construction instead of mesa block since the upper retaining wall serves as a vehicle barrier. Chairman Luntz stated that he would like to see that the two retaining walls as shown on the site plan be constructed with the same masonry stone. Mr. Doran stated he would do so.

The Village Engineer noted that the deck on the neighbor's property should be screened from the patio. The Planning Board agreed that the planting of six to seven feet high spruce evergreens trees (preferable to the less hardy arborvitaes) would be attractive screening in the back section of the property. The Planning Board thought this type of evergreen are preferable to the less hardy arborvitaes. When asked about installing a fence where there is a steep slope, Mr. Doran stated that he chose a split rail fence with a wire fence behind it so that the area would be safe without the view being blocked.

Mr. Doran brought in samples of the paint colors for the house, trim and roof. The Planning Board had no objections. The Planning Board agreed that the architecture of the house was in character with the neighboring houses.

Ms. Frances Fenaro, the neighbor at 34 Grand Street, was present at the meeting and expressed concerns about potential erosion as a result of excavation, potential damage caused by drainage that flows past the driveway, and potential blasting during construction.

Mr. Doran stated there would be no blasting or hammering. Chairman Luntz noted that erosion control and drainage issues had been addressed on the plan, and the Village Engineer observed that most of the water, given the topography of the site, will drain away from her house.

She also expressed concern about the 20 ft. maple tree on the corner of her property and asked if it would be disturbed. Mr. Wegner responded that it will be designated on the site plan as a preserved tree. Allthough there will be no construction near this tree, the grading may be close, and the Planning Board recommended that a protective construction fence be installed around it.

The Planning Board recommended that the applicant request a recommendation from the Conservation Advisory Committee on the species for replacement of two street trees.
The following conditions will be added to the resolution:

1. That the two proposed retaining walls be made of the same stone masonry,
2. That, a minimum of six feet screening spruce evergreens be added between the patio and adjoining neighbor's deck,
3. That, the contractor obtain recommendations from the CAC as to which street trees species would be preferable to plant for the replacement of two existing street trees that will be removed,
4. That, a construction fence be installed to protect the neighboring 20' maple tree,
5. That, the site plan house square footage needs to be revised to be consistent with the house square footage on the architectural plans.

**MOTION:** Mr. Kauderer made a motion to accept the resolution, as amended with the additional five conditions (as specified above) and grant Minor Site Plan approval, seconded by Mr. Krisky, and carried by a vote of 4-0 (Ms. Mainiero recused)

*b) 11 Prospect Place (Sec. 67.20 Blk. 4 Lot 13) --Request for extension of Minor Site Plan for single family dwelling.*

**DISCUSSION:** Mr. Doran explained that he had recently bought the property but because he was currently building another house he would not be able to build this house prior to the current expiration of the minor site plan.

**MOTION:** Mr. Krisky made a motion to approve the extension of the minor site plan until April 23, 2017, seconded by Mr. Mastronardi, and carried, all in favor by a vote of 5-0.

**3. OLD BUSINESS**

a) *MAF Realty--74 Grand Street (Sec. 78.08 Block 6 Lot 59)--Application for Minor Site Plan Approval for a new single family dwelling.*

b) *MAF Realty--78 Grand Street (Sec. 78.08 Block 6 Lot 56)--Application for Minor Site Plan Approval for a new single family dwelling.*

c) *MAF Realty--88 Grand Street (Sec. 78.08 Block 6 Lot 48)--Application for Minor Site Plan Approval for a new single family dwelling.*

**PRESENT:** Dan Ciarcia, P.E. and Gary Arbusto (from Ed Gemmola & Associates)

Mr. Ciarcia stated that he had made some adjustments to the site plans based on the discussion at the last Planning Board meeting. He shifted the retaining walls over the five feet minimum so that the retaining walls were now code compliant.

Mr. Kauderer asked about the installation of a fence at the back of the property since there was a steep dropoff.
Mr. Ciarcia stated that there was already an existing chain link fence and the landscaping showed screening at the fence wall with arborvitaes. The Planning Board recommended a deer resistant type of arborvitaes. The Planning Board agreed that the arborvitaes planted at this elevation will nicely screen the wall and the house.

Chairman Luntz noted that the Planning Board had recommended alternating the elevations of the houses so that they look different from one another (the houses next to each other). Mr. Arbusto stated that 78 Grand house will look different from 74 Grand--the landscaping, the color scheme and the elevations will vary.

The Planning Board reviewed the memo that the Village Engineer wrote on December 8, 2015. Based on the discussion of this memorandum, the following items were eliminated (#1 and #9), items #2-#8 will remain, as applicable to the house, and items #6 and #7 are to be completed to the satisfaction of the Village Engineer.

**MOTIONS:**

Ms. Mainiero made a motion to approve the Minor Site Plan application of 74 Grand Street, to be revised in accordance with the Village Engineer's memorandum dated December 8, 2015 which includes items #2-8, and adding to items #6 and #7 the provision "to the satisfaction of the Village Engineer", seconded by Mr. Krisky, and carried, all in favor, by a vote of 5-0.

Ms. Mainiero made a motion to approve the Minor Site Plan application of 78 Grand Street, to be revised in accordance with the Village engineer's memorandum dated December 8, 2015 which includes the items #2-8, and adding to items #6 and #7 the provision "to the satisfaction of the Village Engineer", seconded by Mr.Kauderer, and carried all in favor by a vote of 5-0.

Ms. Mainiero made a motion to approve the Minor Site Plan application of 88 Grand Street, to be revised in accordance with the Village Engineer's memorandum dated December 8, 2015 which includes the items #2-8, and adding to items #6 and #7 the provision "to the satisfaction of the Village Engineer", seconded by Mr.Krisky, and carried, all in favor, by a vote of 5-0.

*d) 32 PIney Point Avenue (Sec. 79.13 Blk. 4 Lot 44) and 34 Piney Point Avenue (Sec. 79.13 Blk 4 Lot 45)--Determination of escrow amount for Chazen Companies Engineering services for the review of two minor site plan applications to construct single family houses on two separate (adjacent) individual lots.*

**PRESENT:** Mr. Mark Franzoso, Applicant

**DISCUSSION:**
An amount of money was agreed upon based upon the recommendation of the Village Engineer. Mr. Franzoso expressed concerns that Chazen would use up the escrow amount more quickly if the amount of money were a known quantity. The Village Engineer stated that Chazen would not see the established amount and the invoices would be submitted to the Village and paid from the escrow account.

Mr. Franzoso agreed to the recommended amount. The Village Engineer asked if one escrow account or two individual accounts should be created since Chazen is reviewing both lots. Mr. Franzoso stated he wanted to create only one escrow account and he would have Ms. Cross, his attorney, write a letter confirming this.

Mr. Krisky asked if there has been any substantial changes since the Planning Board discussed this application and Mr. Franzoso responded that there have been no changes.

The Village Engineer stated that the Planning Board would first be addressing the major issues first: the geotechnical issues related to the house, stabilization of the slope, and the retaining walls.

Chairman Luntz asked about the Zoning Board's interest with respect to the variance requested. The Village Engineer stated that the Planning Board can invite them to a joint meeting to hear Chazen's presentation. Chairman Luntz agreed that the Zoning Board should be invited to hear the presentation since there may be similar questions from both boards.

**MOTION:** Mr. Kauderer made a motion to establish the intial escrow account as discussed at the meeting, Mr. Mastronardi seconded, and the vote carried, all in favor, by a vote of 5-0.

**REFERRALS**

a) *Palladino--365 South Riverside Avenue (Sec. 79.13 block 1 Lot 66)-Referral by Village Board for consideration of the renewal of Special Permit for Motor Vehicle Service Station and sale of used cars.*

The Planning Board had reviewed this request several years ago for a special permit and had written a memo to the Village Board recommending the renewal of the special permit. The Village Board had granted the renewal of the special permit for the motor vehicle service station and used car sales with conditions and recommendations for improvements. Mr. Palladino stated that he had met those conditions.

Chairman Luntz stated that the Special Permit had been issued for a specific use, this use has not changed, and that he did not see any problem with the renewal. The Planning Board concurred.

**MOTION:** Mr. Krisky made a motion to recommend that the Special Permit for 365 South Riverside be renewed and be extended for two years from the date of the Village Board's issuance of the Special Permit, seconded by Ms. Mainiero, and carried, all in favor, by a vote of 5-0.

**DISCUSSION**

- The Village Engineer discussed the letter of December 4, 2015 sent by Mr. Bob Hilpert, attorney for Mr. Fallacaro. The letter stated that Mr. Fallacaro was interested in hiring Mr. Ralph Mastromonaco, P.E., to evaluate the retaining wall at 3 Arrowcrest Drive. Chairman Luntz noted that in the past the board had required that a licensed engineer certify, with his seal, the wall's structural integrity. Mr. Kauderer stated he would like to hear about Mr. Mastromonaco's experience but it has to be made clear that his clients are both the Village and Mr. Fallacaro. Mr. Mastromonaco would not be answering solely to Mr. Fallacaro. Mr. Mastronardi, having worked with Mr. Mastromonaco many years ago, stated that the village would need someone who has experience with retaining wall structure, dams, earth and embankments/impoundments and he believed Mr. Mastromonaco has this experience. Mr. Kauderer asked Mr. Mastronardi if in his professional judgment he would feel comfortable with Mr. Mastronmonaco as the engineer, and Mr. Mastronardi said that he thought that Mr. Mastronmonaco could handle the job. Mr. Krisky asked about setting aside an escrow and the board agreed that an escrow account would demonstrate a commitment on the part of Mr. Fallacaro. The Planning Board expressed interest in reviewing Mr. Mastromonaco's resume.

**APPROVAL OF MINUTES**

Ms. Mainiero made a motion to approve the minutes, as amended, of November 24, 2015, seconded by Mr. Krisky, and carried, all in favor, by a vote of 5-0.

**ADJOURNMENT:**

There being no more business to come before the board, the meeting was adjourned at 9:38 p.m.

Respectfully submitted,

*Ronnie Rose*

Ronnie L. Rose
Planning board Secretary

**Village of Croton-on-Hudson Planning Board**
**Minutes for the meeting of the**
**February 26, 2019**

Present: Robert Luntz, Chairman
Bruce Kauderer
Steve Krisky
Richard Zumbach
Edward Doherty

Also Present: Daniel O'Connor, Village Engineer
Ann Gallelli, Village Board Liaison

1. **Call to Order:**

Chairman Luntz called the Planning Board meeting of February 26, 2019 to order at 8:04 p.m.

**2. NEW BUSINESS**

a) *Segundo Tenecota and Zulma Z. Ramirez - 191 Grand Street (Section 68.17 Lot 1 Block 44) -- Application for Change of Use from currently vacant space to retail use for small grocery store.*

Mr. Tenecota and Ms. Ramirez explained that they want to open a small grocery store in a vacant store space next to the laundromat on Grand Street.

The Planning Board members reviewed the floor plan and acknowledged that there was a use variance for commercial use in a residential district (RB) granted by the ZBA in 1981. This use variance runs with the property. Street parking is available. The Planning Board agreed that a bigger trash container and enclosure might be necessary for the new business.

After a brief discussion about the proposed signage, the Planning Board referred the sign application to the Advisory Board of the Visual Environment. The Planning Board members offered the suggestion that the proposed sign above the store might be reduced so that the windows above have a better view and the signage size would be more in proportion with the building size. Planning Board members also wondered if deleting the second phone number drawn on the proposed sign might better reduce the size of the sign.

The Planning Board members discussed the unsightly plastic street chairs that have been observed outside of the neighboring storefront. The Planning Board added as a condition that the applicants make a good faith effort to speak to the landlord about the removal of the plastic chairs and to have the landlord speak to the Village Engineer about an alternative.

Mr. Kauderer made a motion to approve the Change of Use, seconded by Mr. Krisky, and the motion carried all in favor by a vote of 5-0.

*b) Five to Thrive Kickboxing 38-48 Maple Street (Sec. 79.09 Lot 1 Block 77--Application for Change of Use from currently vacant space to professional/personal services use (kickboxing studio).*

Ms. Steinmann, applicant, explained that currently her kickboxing gym is located in Peekskill but she is moving out of the space and is proposing to occupy the former Blockbuster space in Van Wyck II Shopping Center. The proposed gym will have 36 bags for kickboxing and hour-long instructor classes will be offered. Most of these classes will take place in the early mornings starting at 5:15 a.m, and there will be some evening classes at 5:30 p.m. and 6:45 p.m. She stated that the average number of people to attend a class is between 6 and 12.

Ms. Steinmann acknowledged that parking can be tight in this shopping center but she did not think that it would be difficult to find a spot in the early morning. In the evening there are spaces available where during the day the post office trucks park.

The Planning Board agreed that this use seems to be less of a parking challenge than a restaurant might be, and agreed that the early morning parking would not be a problem. The Planning Board agreed that this type of franchise business was an excellent use for this space.

Mr. Krisky made a motion to approve the Change of Use, seconded by Mr. Doherty, and the motion carried all in favor by a vote of 5-0.

*c) Shinglehouse Development Corp -- 30 Grand Street (Sec. 78.08 Blk. 6 Lot 87) -- Submission of revised house and site plans for previously approved minor site plan.*

Mr. Doran, owner of the property, explained that he had previously come before the board for minor site plan approval for this lot, but he was now proposing a different house design and revised site plan than what was previously proposed. The first proposal was for a colonial design, and now the proposed new house is for a contemporary house. The house is larger but the access to the site is straighter with more yard available with subsequent less impervious surface. The location of the driveway is similar to what had previously been proposed but there is a better separation of the deck from the neighbor's property. Mr. Doran stated he hopes to plant arborvitaes along the proposed fence and plant sugar maples on the street side.

When asked about the house being the only contemporary style in the neighborhood, Mr. Doran responded that the location of the proposed house feels like it is closer to the commercial district (near the auto dealer and medical building on South Riverside Avenue) than the other houses on Grand and therefore he believed the house could stand alone in its more contemporary industrial design.

The color scheme will be a mix of natural cedar on top; pearl gray clapboard on second floor, darker gray cement panels on the lower level; and stone veneer will go on the columns. The garage is at grade level.

The Planning Board agreed that this design was a better use of the site and a nice improvement.

Mr. Doherty made a motion to approve the revised house plans and site plan, seconded by Mr. Kauderer, and the motion carried all in favor by a vote of 5-0.

*d) Croton Westchester LLC- 1250 Albany Post Road (Sec. 67.19 Blk. 1 Lot 2) -- Application for New Accessory Apartment.*

Mr. Lee Dykxhoorn, the architect representing Croton Westchester LLC (Mr. Kenneth Tan), stated that entire project involves the renovation of the residence at 1250 Albany Post Road , the creation of a small courtyard, the expansion of the 2 car garage to a 4- car garage, and the addition of an accessory apartment. The application before the Planning Board tonight is the new accessory apartment.

The Village Engineer explained that there is no restriction on building an accessory apartment for this house renovation. The house and apartment meet the zoning setbacks and the owner, as has other homeowners have done on Albany Post Road, will sign a sewer use agreement with the village (and the septic system will be abandoned) in order to get into the village sanitary sewer system. The Village Engineer explained that all the Velardo lots (on Albany Post Road), for example, are pumped into the force main of the village sanitary sewer system.

After some discussion, the majority of the Planning Board members agreed that the proposed apartment was like a modern carriage house and an interesting and creative use of the property. The requirements for the accessory apartment have all been met. Ownership has been established, the entrance to the apartment is in the courtyard, there are plenty of off-street parking spaces, and the setback is 50 ft from the street.

Mr. Doherty made a motion to approve the accessory apartment permit, seconded by Mr. Kauderer, and the motion carried all in favor by a vote of 5-0.

**3. OLD BUSINESS**

*a) M & A Real Estate -- 1216 Albany Post Road (Sec. 67.19 Block 1 Lot 4.03) -- Application for Minor Site Plan approval and steep slope permit for new single-family dwelling.*

Mr. John Alfonzetti, P.E. returned to the Planning Board to discuss the steep slope review standards and address the comments and questions previously asked by the Planning Board.

He pointed out that he had made changes to the the emergency pullover area by adding pavers to make the area more distinct and had widened the driveway so that two cars can pass each other.

The turnaround is not on the property but there is an easement agreement which requires the owner to maintain it. The Planning Board wanted the easement agreement to be included in the resolution and to indicate that the property owner of Lot 4 shall provide maintenance of all improvements in the easement area including but not limited to grass cutting and snow removal of the emergency turnaround driveway.

The Planning Board also added in the resolution that the easement area (Control #482560289) needs to be correctly shown on the site plan.

The Planning Board acknowledged that the architectural plans had been reversed, as requested previously, to match the site plan.

The Planning Board reviewed the steep slopes criteria with the following revisions to be met as conditions for the steep slope permit:

> Review standard #13: The second sentence in the response is not applicable because it is all fill, so this should be removed.
>
> Review standard #14: The site plan should be revised to show the regrading west of the driveway retaining wall.

Mr. Kauderer made a motion to approve the minor site plan, with the conditions discussed above, seconded by Mr. Doherty, and the motion carried all in favor by a vote of 5-0.

> *b) Berger, Michael and Simone -- 1210 Albany Post Road (Sec. 67.19 Blk. 1 Lot 4.03) -- Application for preliminary two-lot subdivision and steep slopes permit.*

Mr. Mastromanaco, P.E. and representing the applicant, stated that at the previous Planning Board meeting the primary concern was the emergency fire truck access and conforming to the fire code. After discussions with the Fire Inspector, the emergency vehicle access was revised in a couple of locations. He explained that the beginning of the driveway entrance has been widened and there is now a passing lane which can accommodate a fire truck.

The steep slopes permit was reviewed and approved at the previous Planning Board meeting, and the Village Engineer stated that the Planning board will review the steep slopes again during minor site plan approval.

Mr. Krisky made a motion to approve the preliminary two-lot subdivision and steep slopes permit, seconded by Mr. Zumbach, and the motion carried all in favor by a vote of 5-0.

> *c) Franzoso, Mark --74 Grand Street (Sec. 78.8 Lot 6 Block 59) -- Request for two-year extension for Approved Minor Site Plan for new single-family dwelling.*

*d) Franzoso, Mark - 78 Grand Street (Sec. 78.8 Lot 6 Block 56)- Request for two-year extension for Approved Minor Site Plan for new singl- family dwelling.*

Mr. Franzoso was unable to attend the Planning Board meeting tonight but had requested a two- year extension for each of the approved minor site plans. The Planning Board noted that it is a longstanding policy of the Planning Board to grant only one-year extensions with the option for an additional one-year extension, if necessary, after the first year's extension expires.

Mr. Krisky made a motion to extend the minor site plan for 74 Grand Street for a one-year period, seconded by Mr. Doherty and the motion carried all in favor by a vote of 5-0.

Mr. Krisky made a motion to extend minor site plan for 78 Grand Street for a one-year period, seconded by Mr. Doherty, and the motion carried all in favor by a vote of 5-0.

**3. APPROVAL OF MINUTES**

Mr. Doherty made a motion to approve the minutes of January 22, 2019 seconded by Mr. Krisky, and the motion was carried by a vote of 5-0.

**4. ADJOURNMENT**

There being no more business to appear before the board, the meeting was duly adjourned at 10:25 p.m.

Respectfully submitted,

Ronnie L. Rose
Secretary to the Planning Board

**VILLAGE OF CROTON ON HUDSON**
**PLANNING BOARD MINUTES OF October 15, 2019**

Present: Robert Luntz, Chairman
Geoffrey Haynes
Richard Zumbach
Bruce Kauderer
Steve Krisky

Also Present: Daniel O'Connor, Village Engineer
Ann Gallelli, Village Board Trustee Liaison

**1. Call to order**

Chairman Luntz called the Planning Board meeting of October 15, 2019 to order at 8:00 p.m.

**2. NEW BUSINESS**

a) *MAF Realty 74 Grand (Sec. 78.8 Lot 6 Block 59) -- Request for one-year extension of Approved Minor site plan for new single-family dwelling.*

b) *MAF Realty 78 Grand (Sec. 78.8 Lot 6 Block 56) -- Request for one-year extension of approved minor site plan for new single-family dwelling.*

Mr. Franzoso stated that nothing has changed with the approved minor site plans for the two lots on Grand Street. These minor site plans were approved originally for three years (2015-2018) and a one-year extension was granted a year ago for each lot. Mr. Franzoso stated that he does not plan to build next year and will be back in another year to request another extension. He plans on building a house on Beekman in the spring.

Given that there are no changes to the site plans and there are no changes in the zoning requirements in the RA-5 Zoning district, Mr. Krisky made a motion to grant a one-year extension for 74 Grand Street and one-year extension for 78 Grand Street, seconded by Mr. Haynes, and the motion carried, all in favor, by a vote of 5-0.

c) *Ghegan, John -- 54 Young Avenue (Sec. 79.13 Block 1 Lot 43) -- Application for approval of Accessory Apartment as required by §230-41 in the Village Code.*

Mr. Ghegan explained that his son just got married, and his son will be moving into the basement so he can save up some money and buy a house in Croton. Mr. Ghegan stated that parking is not a problem-- he can fit two or three cars in the driveway and additional cars on the street. The total square footage of the apartment is 555 sq. ft (29%) and this meets the requirements for an accessory apartment square footage and percentage of the primary structure.

New exterior stairs will be installed with a separate entrance to the basement. To the left of the walkway, a solid four ft. fence will be installed to screen the stairs. Mr. Ghegan noted that neighbors have stopped by and did not seem to have any issues with his adding an accessory apartment. Mr. Ghegan stated that he will conform to any requirements necessary.

Chairman Luntz noted that the apartment meets the criteria required for an accessory apartment. Mr. Kauderer made a motion to approve the new accessory apartment permit, seconded by Mr. Krisky, and the motion carried, all in favor, by a vote of 5-0.

d) *10 Hamilton Avenue, LLC - 10 Hamilton Avenue (Sec. 78.08 Blk. 5 Lot 50) -- Application for Minor Site Plan approval for new single-family dwelling.*

Mr. Butch Doran, owner of 10 Hamilton Avenue, LLC, and Ms. Katie Arbusto, from Cronin Engineering presented the application for minor site plan approval. Mr. Doran is proposing to remove the existing house and construct a 2,380 sq. ft. new two-story house. He has applied for and received a demolition permit and has abated the asbestos in the floor tiling. He hopes to start in November. One tree is to be removed but the hickory and maple tree will remain. A replacement tree (flowering cherry) will be planted in the front right side of the property.

The Planning Board discussed the possibility of having the driveway curbing wrap towards the yard drain, and asked if the silt fence could be brought to the front of the house. Mr. Doran agreed.

Mr. Doran presented the materials and colors: the house will be a gray pallet--shakes on the gable (lighter gray in the body, darker on top, with white trim).

The Planning Board asked about solar panels on the house, but Mr. Doran stated he thought the roof design makes solar installation difficult.

Mr. Doran explained that the driveway does not go straight into the garage because he wanted the existing tree to remain. The existing sidewalk can be kept open for pedestrians while the construction is going on (maybe with the use of cones) and Mr. Doran stated that any repair or replacement of the sidewalk will be fixed.

The Planning Board agreed that the proposed house seemed like it will fit into the character of the existing neighborhood and will be an improvement in the neighborhood.

The Planning Board added two conditions to the resolution: 1) extend the driveway curbing to the yard drain, and 2) extend the silt fence at the south side to the front of the house. Mr. Zumbach made a motion to approve the minor site plan, with these amendments, seconded by Mr. Haynes, and the motion carried, all in favor, by a vote of 5-0.

**3. OLD BUSINESS**

a) *Boulos, John -- 30 Piney Point Avenue (Sec. 79.13 Block 4 Lot 44) -- Amendment of minor site plan approval for single-family house construction to modify tree removal permit and to apply for steep slope permit. Request for adjournment until October 29, 2019 meeting.*

b) *Franzoso, Mark - 32 Piney Point Avenue (Sec. 79.13 Block 4 Lot 45) -- Amendment of minor site plan approval for single-family house construction to modify tree removal permit and to apply for steep slope permit. Request for adjournment until October 29, 2019 meeting.*

Chairman Luntz noted that the Planning Board has neither an application nor an applicant before them at this meeting and therefore there is nothing at this point for the Planning Board to review or react to.

Chairman Luntz acknowledged the email letter submitted from Mr. Russ Davies, 27 Nordica Drive, and noted that this email letter will be entered into the record on file. This email requested that the board address some questions about the vacant Nordica lot (referred to in the letter as "Lot #16"). Chairman Luntz explained that as a board they do not determine whether or not a person should apply for a minor site plan application nor is it under the board's purview to decide whether a site requires a minor site plan.

Chairman Luntz stated that he understands that the neighbors are frustrated with the process as is the board, and the Planning Board would like to do everything they can to ensure the safety of everyone and the neighbors, however, without representation for applicant, it is difficult to entertain any comments at this point. The Planning Board expects to have something at the next meeting and cannot call for a public hearing for an application that has not been submitted yet. The Planning Board will take public comment at the next meeting assuming that there is an application before the board.

A discussion ensued regarding the Piney Point lots which is not part of the record since these applications had been adjourned and were not on the agenda.

**4. APPROVAL OF MINUTES**

Mr. Haynes made a motion to approve the minutes of September 24, 2019, as amended, seconded by Mr. Zumbach, and the motion carried all in favor by a vote of 3 -0 (Mr. Kauderer and Mr. Krisky abstained due to their being absent at that meeting).

**5. ADJOURNMENT**

There being no further business to come before the board, the meeting was duly adjourned at 9:30 p.m.

Respectfully submitted by,

Ronnie L. Rose

Secretary to the Planning Board

**THE VILLAGE OF CROTON ON HUDSON**
**MINUTES OF THE PLANNING BOARD MEETING**
**TUESDAY, December 8, 2020**
Zoom Video Conference

Present: Chairman Luntz
Mr. Haynes
Mr. Kauderer
Mr. Ghegan
Mr. Krisky

Also Present: Daniel O'Connor, P.E., Village Engineer
Ann Gallelli, Village Board Trustee

1. **Call to Order**

Chairman Luntz called the Zoom Videoconference of Tuesday, December 8, 2020 at 7:05 p.m. The Village Hall is closed to the public due to the COVID-19 pandemic.

2. **NEW BUSINESS**
   a) *MAF Realty -- 74 Grand Street (Sec. 78.8 Block 6 Lot 59) -- Request for one-year extension of approved minor site plan for single-family dwelling.*
   b) *MAF Realty -- 78 Grand Street (Sec. 78.8 Block 6 Lot 56) -- Request for one-year extension of approved minor site plan for single-family dwelling.*

**PRESENT:** Mr. Mark Franzoso, applicant

Mr. Franzoso stated that he is requesting a one-year extension because he is not prepared to build at this time; he did not think he will be building in 2021 either.

Chairman Luntz noted that given the pandemic, it is not an optimal time to be building, and he was inclined to grant an extension. The other Planning Board members agreed.

Mr. Kauderer made a motion to grant a one-year extension of the approved minor site plans for 74 and 78 Grand Street, seconded by Mr. Haynes, and the motion carried all in favor by a vote of 4-0 (Mr. Ghegan had not yet arrived at the meeting) (ROLL CALL: Chairman Luntz, yes, Mr. Kauderer, yes, Mr. Haynes, yes, Mr. Krisky, yes)

3. **REFERRALS**

*a) Hudson National Golf Club--40 Arrowcrest Drive (Sec. 67.15 Block 1 Lot 4) -- Consent for Village Board to be Lead Agency and review and recommend to the Village Board for special permit application for Matrix Solar Array Project.*

**PRESENT:** Robert Davis, attorney, Ralph Mastromonaco, P.E., Stuart Meisinger (Chazen), Alan Milton (HNGC and resident), Linda Whitehead, Village Attorney, Mike Doud, Solar Matrix

The Planning Board reviewed the letter dated December 4, 2020 submitted by Mr. Mastromonaco, P.E. in response to the site plan comments from Chazen Companies. Items addressed included the concrete pad on the plan, tree plan, screening and landscaping, and SWPPP.

approved 12/14/21 FINAL

**VILLAGE OF CROTON-ON-HUDSON**
**MINUTES OF THE PLANNING BOARD MEETING**
**TUESDAY, November 9th, 2021**

**Present:** Robert Luntz, Chairman
Bruce Kauderer
Geoffrey Haynes
Steve Krisky
John Ghegan

**Also Present:** Daniel O'Connor, Village Engineer
Ann Gallelli, Village Board Liaison
Len Simon, Village Board Liaison

1. **Call to order**

Chairman Luntz called the Planning Board meeting of November 9th to order at 8:00 p.m.

2. **Public Hearing**

*Helpsy (Thrift Land Acquisition) 425 S. Riverside Ave. (Sec. 79.13 Block 2 Lot 66). Application for amended site plan approval for clothing donation bins on a commercial property parking lot.*

Shonda Hunter was present to represent HELPSY. She wants the bins placed back where they were on 425 S. Riverside Ave. Ms. Hunter is committed to do whatever has to be done to satisfy the Village Board. Ms. Hunter stated that HELPSY would commit to two daily pickups of donated items in response to complaints of overflowing bins. When presented with pictures of overflowing bins, Ms. Hunter said she was embarrassed by the unsightliness of both the overflow of clothing and inappropriate, large items being dumped. Ms. Hunter offered to address the problem by having newer bins with cameras and attempting to prosecute people who violated conditions listed on new signage. Ms. Hunter stated that the property owner was in favor of the bins being put back.

The Planning Board had questions regarding what happens to the clothes after they were dropped off. The Board was satisfied with the answer that some clothes were sold and some were recycled. Mr. Kauderer spoke of being moved by a letter read from the owner of Straddles Gymnastics, who expressed concerns regarding the safety of the children attending his program. The owner of Straddles believes that the increased traffic caused by people driving in to drop-off donations presents a safety hazard. The Planning Board believes that the bins may be better placed in another location, especially considering that there is an auto body shop also on sharing the same driveway that was not there when the bins were originally installed.

The Board Members suggested that HELPSY look to other sites in town that may be more suitable for their bins. A question was raised as to whether the Board could grant approval for one year to determine if HELPSY could better maintain the bins. The Village Engineer was to

check with the Village Attorney to see if this was an option. There were enough concerns to determine that a conversation with the Village Attorney was required. Chairman Luntz opened the hearing to public comments but none were raised. The Public Hearing remains open and HELPSY will be back on the agenda on November 23, 2021.

**3. OLD BUSINESS**

a. *Rossoff, Fred-- 80 Morningside Drive (Sec. 79.09 Block 6 Lot 5) --Application for approval of an existing accessory apartment due to change in ownership.*

Mr. Rossoff and his wife just bought the home in September. Mr. Rossoff said that nothing has changed in the accessory apartment. His in-laws live in the apartment part time. The entrance to the apartment is through the driveway in the back of the house

**MOTION:** Mr. Krisky made a motion to approve the Existing Accessory Apartment, seconded by Mr. Kauderer, and the motion carried, by a vote of 5-0.

b. *MAF Realty (Mark Franzoso) 74 Grand St. (Section 78.8 Block 6 Lot 59) -request for extension of approved Minor Site Plan*

Mark Franzoso was present. Mr. Franzoso says that he absolutely plans to move forward with building on the lot. He was asked about the timeframe and he stated that he hopes to begin the project in the middle to the end of 2022.

**MOTION:** Mr. Kauderer made a motion to approve the extension of approved Minor Site Plan, seconded by Mr. Haynes, and the motion carried, by a vote of 5-0.

c. *MAF Realty (Mark Franzoso) 78 Grand St. (Section 78.8 Block 6 Lot 56) – request for extension for approved Minor Site Plan*

**MOTION:** Mr. Kauderer made a motion to approve the extension of approved Minor Site Plan, seconded by Mr. Haynes, and the motion carried, all in favor, by a vote of 5-0.

d. *Franzoso, Mark 23 Nordica Drive (Section 79.13 Block 4 Lot 64) – Minor Site Plan Application for construction of a new Single-Family House*

Mark Franzoso and Dan Ciarcia, engineer, were present in support of this application. There was a discussion as to whether or not a steep slope application was necessary. Mr. Ciarcia is requesting to not have a public hearing regarding the steep slope. The Board discussed the overall disturbance which is necessary to develop the lot. Mr. Krisky asked if building the retaining wall could potentially impact the house behind it on Piney Point Ave and it was determined that it would not. Chairman Luntz questioned quite a few trees and if they should be mapped. As per Dan O'Connor, the trees need to be shown on site plans. There was discussion as to whether or

**Planning Board Meeting Minutes**
**December 13th, 2022**
**8:00 p.m.**

**PRESENT:** Robert Luntz, Chairman
Eva Thaddeus
Steve Krisky
Geoffrey Haynes
John Ghegan

**ALSO PRESENT:** Daniel O'Connor, P.E., Village Engineer
Len Simon, Village Board Trustee & Planning Board Liaison
Sherry Horowitz, Village Board Trustee
**ABSENT:** Anne Gallelli, Village Board Trustee & Planning Board Liaison

**1. CALL TO ORDER:**

Chairman Luntz called the Planning Board meeting of December 13th, 2022 to order at 8:01 p.m.

**2. NEW BUSINESS**

***a) Referral from the Village Board of Trustees to review a special Permit Application from Dish Wireless to collocate new transmission equipment on existing wireless tower near Croton-Harmon Train Station***

Greg Lahey of Tectonic Engineering and Daniel Patrick of Cuddy & Feder, LLP were present in support of the application. Daniel Patrick reported that Dish was established in the past few years, coming out of the merger between Sprint and T-Mobile when T-Mobile was required to sell some licenses to prevent a monopoly. Dish are required to offer coverage to 70% of the country by 2023, and are looking for space on existing telecommunications towers. The existing tower near the Croton-Harmon Train Station is 142 feet tall and Dish wants to collocate at the 85-foot level. There will be no increase in tower height and no increase to the base station. Dish plans to paint their antennas a cool blue color to match the existing antennas and surrounding environment. Metro North currently use the tower, and they have their own separate, private network. The owner of the tower, M&B Towers, LLC worked with Sprint to leave the platform for Dish. Sprint will take their wires off the tower. When asked why Dish did not plan to occupy the top of the tower, Daniel Patrick stated that Dish is a new carrier and have will be serving a smaller number of clients. Dish is proposing only three antennas, even though there is space for nine antennas. Steve Krisky asked if this was not counterintuitive, as occupying the top if the tower would likely provide optimal cellular service to Croton residents. Geoff Haynes stated that he did some research and it looks like Dish is using band 70 part of spectrum that is more software based, and maybe that factored into the decision.

Rob Luntz notes that there is an osprey nest at the top of the tower where the Sprint materials are. Dan O'Connor says that Sprint will have to relocate the nest. Currently, the nest is inactive. Dan O'Connor stated that the ospreys have been using the tower for many years, and although they are not there now, they could come back. Rob Luntz reported that it is quite common for poles to have platforms for birds to use, so if we are going to have 12 feet or so empty space on this tower, why not put a platform for the birds, it is a great opportunity for nature. Attorney Daniel Patrick says that Dish are not involved in what Sprint does. The Planning Board members agreed that the Village Board should engage with an expert to see what would be most beneficial for the birds. Rob Luntz says that he is in favor of Dish collocating. John Ghegan asks if 70% of the US must be covered by June, 2023, will this change the number of

people that the tower serves? Daniel Patrick says that Dish is a new carrier, not every Sprint customer is transitioning over to Dish. Geoff Haynes asked why MTA and Town of Ossining are listed as interested parties on a resolution, Dan O'Connor and Daniel Patrick replied that it is due to proximity.

Steve Krisky made a motion to approve the concept that the Planning Board have no objection to the Village Board being lead agency on this project for SEQRA review, seconded by John Ghegan, and the motion passed, 5-0.

The Planning Board recommends that the Village Board grant a special permit for Dish Wireless to collocate new transmission equipment on existing wireless tower near the Croton-Harmon Train Station with the following recommendation:

1) That the Board of Trustees consult with Cari Andrews, Village Bird Commissioner, or Charlie Roberto to investigate opportunities for establishing an osprey platform at the top of the tower.

***b) Referral from Village Board to review Special Permit for a Non-Conforming Use for Ella 1 LLC, 193-195 Grand St (68.17-4-58)***

Owner Ron Napolitano and Attorney Luke Hilpert were present in support of the application. The applicant is seeking a special permit for non-conforming use which will be ground level apartments in this former bar space. The applicant believes that ground level apartments could be good for senior citizens. The applicant addressed an email and photographs sent from a former tenant with many complaints regarding the condition of the building. The applicant reported that the building had changed since this tenant moved out and further changes are planned, including; replacing the roof, replacing the oil burner, bringing all plumbing up to code, and addressing water drainage issues. When asked about the second floor of this building, the applicant reported that there are two two-bedroom apartments up there that are already upgraded and renovated (the applicant provided photographs). Also, by changing from a bar to apartments, the need for approximately 15 parking spots will be eliminated. Ten parking spots are proposed behind the building. Steve Krisky asked about handicapped parking and the applicant reported that he will make one spot a handicap parking space. The applicant reports that you will be able to pull into the parking lot from Harrison Street.

The three new apartments will be one-bedroom units. The applicant plans to put a little patio in front of each apartment. The applicant owns this building and the one next door and each building has access through the front and back. On the back of the building, large concrete stairs will be eliminated. There are new gas fired boilers in the basement which will be hooked up.

Rob Luntz asked if the applicant received permits for the renovations on the second floor of this building and the applicant responded that they did not need to as they cleaned up, changed cabinets, etc. When asked about the pictures from the former tenant, the applicant replied that he needed four 40-yard dumpsters to remove the debris that was left behind when this tenant moved out. The applicant spoke of the former tenant using drones to take pictures in front of other tenant's windows. Steve Krisky asked about the water issues cited in the letter. The applicant stated that he never saw water in the basement, but he did see water in the patio area by the back door. The applicant stated that any issues with the water will be addressed when the whole back area is fixed up.

Rob Luntz asked for clarification on the balcony. The applicant stated that he wants some coverage for the tenants during snowy weather. The balcony will go the length of the building in the back. The applicant reports that he purchased the building in 2017. When asked about the roof, the applicant

reported that there will be a flat roof. Steve Krisky asked the applicant if he has considered solar on the roof. The applicant also indicated that he would explore that possibility.

Rob Luntz suggests maybe an awning or some type of covering. The Planning Board encourages the applicant to go a step further to have a nicer streetscape for the village. The applicant says he will get professional help in terms of aesthetics. Rob Luntz also mentioned the building next door and suggests that this building, that the applicant also owns, could be cleaned up.

John Ghegan asked if the bedrooms will need fire escape windows upstairs and Dan O'Connor states that bedrooms need escape windows and that there are building codes for new construction. Eva Thaddeus confirmed that this application was solely for change of use and that the applicant will come back with revised plans once he is seeking site plan approval. Geoff Haynes asked if 193 Grand (the building next door, also owned by the applicant) is covered under the existing non-conforming use and Dan O'Connor said that the buildings were built in 1925, so they did not need to comply with zoning.

Geoff Haynes asks about the dens in each of these three proposed one-bedroom apartments and how to control if the den is used as a second bedroom. Rob Luntz says that given the size of the room labeled a den, it looks like a bedroom. The applicant said that the thinking behind the den was that many people now work from home and this space would be ideal as a home office. It was mentioned that the landlord could have some control with a lease. After some discussion, it was deemed that calling the space a den is correct.

Geoff Haynes said that it is a relief that the applicant is taking care of any issues during the renovation and advises the applicant that the letter from the former tenant will be passed along to the Village Board with the Planning Board's recommendation. Attorney Luke Hilpert says that all the remediations were already on the plans. When asked about a timeline, the applicant stated that he would like to have the apartments completed by March or April and that he has contractors in place.

Neighbor, Jerry DeMarco of 6 Harrison Street was present and stated that he was in favor of the change. Jerry DeMarco said that he was looking forward to the front of the building being spiffed up and it will be nice for the building to be aesthetically improved. The applicant also stated that there will be a new garbage area with two dumpsters in a gated/fenced area.

John Ghegan made a motion to make a recommendation to the Village Board to approve the change of use from commercial to residential on the first floor of this property and that the Village Board strongly consider a condition that requires the applicant to work with the Planning Board during site plan review to make improvements to the current rendering to make the building façade and patio areas architecturally more exciting and vibrant for the neighborhood and that the deficiencies pointed out in the letter from the former tenant be addressed during project construction and that the applicant considers the installation of solar panels on the roof of the building. Eva Thaddeus seconded the motion, and the motion carried, 5-0.

c) ***Referral from Village Board of Trustees to review an application for a Special Permit to run a day care center at Happy Hearts on the Hudson located at 10 Old Post Road South (78.8-7-5)***

The Planning Board discussed how Happy Hearts on the Hudson received a Special Permit in 2009 for a Day Care Center on the first floor of the property located at 10 Old Post Road South. In 2013, the day care center expanded to include the lower floor of the building and the Special Permit was modified to include the expansion. The Special Permit is, at this time, expired. The Planning Board Members

discussed that the Engineering Office was not aware of any complaints regarding parking or traffic during drop-off or pick-up times.

Eva Thaddeus made a motion to recommend that the Village Board reissue the Special Permit for a Day Care Center for Happy Hearts for a five-year period, seconded by Steve Krisky, and the motion passed, 5-0.

**3. OLD BUSINESS**

***a) MAF Realty (Mark Franzoso) 74 Grand Street (78.8-6-59) – Request for extension of Minor Site Plan Approval***

The original application for this Minor Site Plan Approval came in seven years ago and Rob Luntz says nothing has changed. Currently, the applicant is requesting a two-year extension for the minor site plan approval. According to an email from the applicant, he is finishing up current projects and plans to build on these lots in 2024.

Steve Krisky asked if the lots were being maintained and Dan O'Connor replied that yes, the applicant maintains the front of the properties and there have been no complaints regarding either property.

Geoff Haynes expressed concern about the neighbors and inquired if anything has changed that would make the extension of the approval hard for the neighbors. Rob Luntz replied that at the time of the initial approval, the area at the back of the lots was addressed. Dan O'Connor said that there is an erosion and sediment control plan in place. It was also mentioned that the retaining walls behind these lots have been upgraded from wood to ready rock.

Eva Thaddeus made a motion to approve the extension of this Minor Site Plan Approval for two years with the following conditions, seconded by Steve Krisky, and the motion passed 5-0;

1) That the vegetation along Grand Street (sidewalk area) be maintained and

2) That the vegetation on the remainder of the property also be maintained including trees, especially trees not shown to be removed on the approved site plan. Maintenance of vegetation shall also include the removal and/or cutting of invasive plants

***b) MAF Realty (Mark Franzoso) 78 Grand Street (78.8-6-56) – Request for extension of Minor Site Plan Approval***

The original application for this Minor Site Plan Approval came in seven years ago and Rob Luntz says nothing has changed. Currently, the applicant is requesting a two-year extension for the minor site plan approval. According to an email from the applicant, he is finishing up current projects and plans to build on these lots in 2024.

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sediment control plan in place. It was also mentioned that the retaining walls behind these lots have been upgraded from wood to ready rock.

Rob Luntz made a motion to approve the extension of this Minor Site Plan Approval for two years with the following condition, seconded by Eva Thaddeus, and the motion passed, 5-0;

1) That the vegetation along Grand Street (sidewalk area) be maintained and
2) That the vegetation on the remainder of the property also be maintained including trees, especially trees not shown to be removed on the approved site plan. Maintenance of vegetation shall also include the removal and/or cutting of invasive plant

**4. APPROVAL OF MINUTES**

***a) Draft Minutes November 29, 2022 Planning Board Meeting***

Steve Krisky made a motion to approve the Planning Board minutes of November 29, 2022, as amended, seconded by Eva Thaddeus, and the motion carried by a vote of 5 - 0.

There being no further business to come before the board, the meeting was duly adjourned at 10:05p.m.

**5. NON- ADGENDA DISCUSSION ITEMS**

Steve Krisky asked about a Water Control Commission application from Hudson National Golf Club regarding an irrigation project and Wetlands Permit and if this application will be coming before the Planning Board. Dan O'Connor reported that there is a quirk in the wetland law language. A wetlands permit application normally goes to the Water Control Commission, but because there is a pending application for a special permit (solar) on the property, then it should have come before the Planning Board. It went to the WCC in error. HNGC are now discussing withdrawing the solar application. Dan O'Connor will speak to HNGC as will as the Village Manager and Village Attorney.

Rob Luntz spoke of receiving a call at his workplace regarding HNGC's WCC application. Rob Luntz would like to go on the record and state that if someone wants to speak with him regarding Planning Board issues, they should go through the Village and the proper channels so that it is on record. Rob Luntz will not be returning the phone call that he received at his office.

Respectfully submitted,

Karen Stapleton
Secretary to the Planning Board

**Steve Krisky made a motion to approve minutes, as amended, seconded by Eva Thaddeus, and the motion passed 5-0 at the 1/17/23 Planning Board Meeting**

**Planning Board Meeting Minutes**
**October 1, 2024**
**8:00 p.m.**

**PRESENT:** Rob Luntz **(Absent)**
John Ghegan (Absent)
Geoffrey Haynes
Steve Krisky
Eva Thaddeus

**ALSO PRESENT:** Daniel O'Connor, P.E., Village Engineer
Len Simon, Village Board Trustee & Planning Board Liaison

**ABSENT:** Ian Murtaugh, Village Board Trustee & Planning Board Liaison

1. **CALL TO ORDER:**

Acting Chairman Steve Krisky called the Planning Board meeting of September 17th, 2024 to order at 8:00 p.m.

2. **PUBLIC HEARING**
   a) *Fields, Maria, Sprocket Power – 1 Municipal Place (78.12-3-2) Amended Site Plan – Croton Auto Park for Battery Energy Storage System*

Geoff Haynes made a motion to open public hearing, seconded by Eva Thaddeus, and carried, 3-0, with Rob Luntz and John Ghegan being absent.

Maria Fields, CEO Sprocket Power and Peter Fazio, Project Manager, Sprocket Power were present in support of the application. The applicants reported that, in response to feedback from an earlier Planning Board meeting, they submitted an amended site plan which moves the battery energy storage system and equipment to a location near the proposed solar canopy car port and EV charging station. The equipment will be surrounded by a fence. There will be a Con Edison utility pole placed on the north side of the driveway, so the existing flag pole will need to be moved. Dan O'Connor said that he will send the plans to the Croton-on-Hudson Fire Chief to review. The applicant stated that this battery is in a container and has a fire suppression system, and, this is a lithium iron phosphate battery, not lithium ion, so is less flammable.

Geoff Haynes stated that at the last Planning Board meeting, the Planning Board and Village Board of Trustees were pleased with the relocation of the equipment and noted that the concerns raised by the Westchester County Planning Board were also addressed by the relocation of the equipment.

Acting Chairperson Steve Krisky invited comments from the audience, and John & Christine Dichiara of 60 Beekman Avenue spoke and had concerns with the revised plans and the proposed placement of the equipment as their home is the closest private residence to Croton Auto Park. Mr. and Mrs. Dichiara noted that there are still many unknowns with this application and had questions regarding potential hazards that this project may bring, including, "Will there be noise from the transformer"? ""Will there be radiation emitted from the equipment"?" "Is this a fire hazard and in the event of a fire, what about the pollution that comes from attempts to contain chemical fires?" "Will there be additional lighting"? "What about the underground wires?" Mr. and Mrs. Dichiara also asked about the canopies and Dan O'Connor reported that the proposed canopies will be in an area approximately 20 ft x 20 ft and 11-feet tall at the highest point, similar to the size of a two-car garage. The canopy will have solar panels.

The applicants addressed some of the neighbor's concerns. The applicants said that the transformer will make noise, a low hum. The applicants could not say that there was no radiation, but noted that transformers were ubiquitous. The applicants noted that the solar panels have low reflectivity and are

sloped west, toward the river. When asked exactly what chemicals would be released into the air in the event of a fire, the applicant did not know, but said that there are best practices around this.

Steve Krisky expressed surprise that they were not building a larger canopy area, and the applicant said that was the original concept, but in part, one of the reasons was that to downsize that battery and solar together can control the cost.

Steve Krisky said Croton's Conservation Advisory Council is working with the village to establish Dark Skies protocols within Croton's village code. (There already is a national movement & Cortlandt has recently passed a brand-new set of Dark Skies code, and hoped that someone would speak the owner of the Auto Park about the current lighting so that it could maybe be retrofitted to lessen the "spill light" or "bleed light" to provide some benefit for the neighbors. Dan O'Connor said that he would speak with the owner of Croton Auto Park.

The applicants said that there is no landscape plan as all the equipment will be on the pavement, but offered that the canopy itself will block the view of some of the equipment. Goeff Haynes noted the line of existing trees near where the equipment will be placed and wondered if that could be extended. The applicant did say that the fence around the equipment will be green and Eva Thaddeus remarked that if there was concern about a fire, surrounding the area with trees would not be a good idea. Dan O'Connor reiterated that he will speak with the Croton Fire Department, advise them of the plans, and invite them out to the site.

The neighbors spoke again and asked why the plans were changed and they were told that both the Planning Board and Westchester County Planning Board thought it would be obtrusive to the entire community at the original location. In the revised plan, the equipment will be surrounded by the dealership. It was noted that the battery and transformer are approximately seven-feet high and the surrounding fence will be approximately seven or eight-feet high.

Arthur Aguilar, homeowner from 62 Beekman Avenue spoke and said that it sounds like it's a done deal. Mr. Aguilar wondered why the current location was chosen for the equipment and thought that the auto park had more than enough space for the equipment to go elsewhere. Dan O'Connor reported that the current location meets the zoning requirements.

Noting that there were no additional comments from the audience, Geoff Haynes made a motion to close the public hearing, seconded by Eva Thaddeus, and carried, 3-0, with Rob Luntz and John Ghegan being absent. Dan O'Connor committed to sharing the plans with the fire department and schedule a site visit.

Acting Chairperson Steve Krisky said that voting on this application will be tabled until the next meeting so that there will be time to hear back from the Croton-on-Hudson Fire Department regarding the neighbor's concerns. Steve Krisky would also like to hear something back about the light issues.

**3. NEW BUSINESS**

a) *Holcomb, Helen, 62 Young Avenue (79.13-1-41) Application for Approval of an Accessory Cottage*

Architect Julie Evans is present in support of the application. The project is a garage conversion to an accessory cottage with a little expansion of the footprint. The goal of the project is for the owner to age in place while her daughter and son in law move back to the home to assist with her care. The new part of the building falls within the setback requirements. There will be a new, small porch, new pathway to driveway, a new, small cultec system. The new section of the project will conform to the NY Stretch Code. There is room for two cars in the existing driveway.

The loft space will not be habitable space. The loft space will be storage, accessed by a rolling ladder, and it may be used for mechanicals. The accessory cottage will be all electric, with a heat pump and on demand hot water. They will need to run a new sewer line that will connect to the main house.

Erica Lauden of 68 Young Avenue and 124 Penfield Avenue spoke in favor of this application. Erica Lauden believes that it is not too big and fits in with the character.

Geoff Haynes asked about the timing of the project and when it would get underway. The applicant said that the intention is to begin the project shortly. Geoff Haynes asked the applicant to make sure that a second car fits in the driveway, without blocking the sidewalk. The applicant said that they will measure it out and take down the gate if they needed to.

Eva Thaddeus made a motion to approve the resolution, as written, for an accessory cottage at 62 Young Avenue for Helen Holcomb, seconded by Geoff Haynes, and carried 3 – 0 with Rob Luntz and John Ghegan being absent.

**4. OLD BUSINESS**

a) *MAF Realty (Mark Franzoso) 74 Grand Street (78.8-6-59) – Extension of Minor Site Plan Approval*

b) *MAF Realty (Mark Franzoso) 78 Grand Street (78.8-6-56) – Extension of Minor Site Plan Approval*

Steve Krisky asked if there were any code changes since the original minor site plans were approved and Dan O'Connor said that there were, but the applicant would be required to comply with the building code that is in effect when the building permit is issued. Dan O'Connor said that these sites were part of the Croton Meadows subdivision, where some land was given to the Village, so there would be no recreation fee involved.

Eva Thaddeus made a motion to pass the resolution to extend the minor site plan application for 74 Grand Street for two years, with the condition that a landscape plan be provided as part of the building permit application or as part of the next extension application, seconded by Geoff Haynes, and carried, 3 – 0, with Rob Luntz and John Ghegan being absent.

Eva Thaddeus made a motion to pass the resolution to extend the minor site plan application for 78 Grand Street for two years, with the condition that a landscape plan be provided as part of the building permit application or as part of the next extension application, seconded by Geoff Haynes, and carried, 3 – 0, with Rob Luntz and John Ghegan being absent.

**5. APPROVAL OF MINUTES – Draft Minutes September 17th, 2024**

Geoff Haynes made a motion to approve the Planning Board minutes of September 17th, 2024, as amended, seconded by Eva Thaddeus, and the motion carried, 3 – 0, with Rob Luntz and John Ghegan being absent.

**6. ADJOURNMENT**

Eva Thaddeus made a motion to adjourn, seconded by Geoff Haynes, and the Planning Board meeting adjourned, at 10:00 p.m. with a vote of 3 – 0, with Rob Luntz and John Ghegan being absent.

Respectfully submitted,
*Karen Stapleton*
Secretary to the Planning Board

*****Minutes approved, as amended, with a motion by Eva Thaddeus, seconded by John Ghegan, and carried 3-0, with Rob Luntz and Steve Krisky being absent on 10/15/24*****