

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, November 3, 2014 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Wiegman	Trustee Gallelli
Assistant Village Manager King	Trustee Levitt
Village Treasurer Bullock	Trustee Slippen
Village Attorney Staudt	

The following officials were absent:

Village Manager Zambrano	Trustee Davis
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1. CALL TO ORDER:

Mayor Wiegman called the meeting to order at 8:00pm; everyone joined in the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS:

Trustee Gallelli made a motion to approve the following Fiscal Year 2014-2015 Vouchers. The motion was seconded by Trustee Levitt and approved with a vote of 4-0 vote.

General Fund	65,026.51
Water Fund	918.86
Sewer Fund	-
Capital Fund	82,236.38
Trust Fund	687.00
Debt Fund	-
Total	\$148,868.75

3. PRESENTATION: None

4. PUBLIC HEARING:

A motion to open the Public Hearing to consider the Special Permit Renewal Application from MetroPCS for the Collocation of a Personal Wireless Services Facility located at 26 Veteran's Plaza was made by Trustee Levitt and seconded by Trustee Slippen. Motion approved with a 4-0 vote.

Douglas Warden, Esq. from the law firm of Snyder and Snyder and on behalf MetroPCS explained that MetroPCS is currently the fourth carrier on the Mono-Pole located at 26 Veteran's Plaza. Mr. Warden stated that as per the Village of Croton on Hudson's Code they are required to appear before the Board every five years to request a renewal.

Trustee Gallelli stated that the Board received a letter from Village Engineer Dan O'Connor indicating that there are no changes from the original installation and there have been no issues and she does not see any reason not to renew the application.

Assistant Village Manager King stated that the renewal is considered a Type II Action and therefore we do not have to go through the SEQRA Process.

There being no further comments to come before the Board a motion to close the Public Hearing to consider the Special Permit Renewal Application from MetroPCS for a Collocation of a Personal Wireless Services Facility located at 26 Veteran's Plaza was made by Trustee Slippen and seconded by Trustee Levitt. Motion approved with a 4-0 vote.

4a. On motion of TRUSTEE LEVITT, seconded by TRUSTEE GALLELLI, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 4-0 vote.

WHEREAS, Douglas Warden of Snyder& Snyder, LLP, attorney for MetroPCS, submitted a special permit renewal application for a personal wireless services facility co-located on the cell tower located at 26 Veterans Plaza; and

WHEREAS, in a memo dated October 30, 2014 the Village Engineer has stated that there have been no changes to or issues associated with the facility and recommends renewing the special permit for another 5 years; and

WHEREAS, a Public Hearing was held and closed on November 3, 2014,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby issue a Special Permit to MetroPCS to collocate a personal wireless facility on the Cell Tower located at 26 Veterans Plaza with the following conditions:

1. As required in the Telecommunications Towers Law, Chapter 206 of the Village Code, the special permit must be renewed every 5 years.

2. As required in the Telecommunications Towers Law, Chapter 206 of the Village Code, the applicant must post a bond in the amount to be determined by the Village Engineer to cover the costs of removing and disposing of the applicant's equipment which may consist of the antenna, building, and associated facilities. In the event that the equipment is not removed within 90 days of the cessation of operations at the site, the equipment may be removed by the Village and the costs of removal assessed against the property, the bond or both.
3. The applicants' telecommunications equipment shall at all times during the life of the facility comply with the applicable FCC regulations pertaining to radio frequency emissions, including such regulations as applicable to cumulative radio frequency emissions. Any necessary mitigation measures to ensure compliance shall follow FCC requirements, procedures and protocols.
4. There shall be no interference with any existing radio frequency equipment or facilities already in place or to be installed in the future at the DPW (Veteran's Plaza) site or on the monopole at 26 Veteran's Plaza.
5. All MetroPCS equipment on the monopole shall be painted to match the approved color and be maintained in the future.
6. The equipment plans for the antennas call for present and future battery cabinets. The Applicant must identify the types of batteries used and their disposal requirements. This information must be posted on the battery cabinets.

## 5. CORRESPONDENCE

- a. Letter from Charlie Kane, Chair of the Waterfront Advisory Committee, dated October 16, 2014 regarding the Special Permit Application for a Mixed Use Occupancy at 379 South Riverside Avenue. Mr. Kane advised in his letter that the Committee has issued a "Preliminary Recommendation of Consistency " and recommends that the Village Board ask for a Phase I and Phase II Environmental Report as well as having the underground tanks removed and the soil tested for heavy metal, leaded gas, batteries and hydrocarbons.

Trustee Gallelli stated that the Board has already declared itself "Lead Agency" and suggested that we direct the staff to follow up with the applicant with regard to the recommendations that the WAC (Waterfront Advisory Committee)

has made; once we have that information we can refer that information back to the WAC.

b. Letter from the John Ghegan, Chairman of the Croton Central Veteran's Committee inviting the Board to the 2014 Veteran's Day Service.

c. Letter from Jennifer Farmwald, Senior Project Manager, New York City Department of Environmental Protection dated October 7, 2014 advising that the EPA is in the process of preparing for the repair of the Delaware Aqueduct that will take place in late 2020; they are requesting access to various sites along the Croton River owned by the Village of Croton for the preparation of using the Croton Reservoir during the Delaware Aqueduct shut-down.

The Board consented for the staff to prepare the necessary Permission Forms as requested by the NYC EPA.

d. Letter from Dan Ahouse of Cablevision advising the Village of various channel line-up changes.

## 6. CITIZEN PARTICIPATION-AGENDA ITEMS

Joel Gingold, 55 Nordica Drive, Croton on Hudson, stated that some homeowners along the river also received a similar letter from the NYC DEP and suggested that we make our participation contingent upon the City providing us with all the reports that they may develop as they do the study.

Mayor Wiegman agreed that this is a good suggestion; the NYC DEP is also pretty good at publishing their findings and is confident that we will be able to get copies of their reports or the links to those reports on their Web-Site.

Dan Chesnard, 64 Farrington Road, Croton on Hudson, asked if "Something Good in the World" will get to use the Gouveia property if the Village takes over the property. Mr. Chesnard said that if they do use the property for their school activities they should pay the Village a fee similar to what the Yacht Club pays the Village which would help to offset some of the loss of taxes.

Mayor Wiegman stated that when the Villages takes ownership of the property "Something Good in the World" will need to come before the Board for permission to use the property similar to any group requesting to use Village property.

## 7. RESOLUTIONS:

a. On motion of TRUSTEE SLIPPEN, seconded by TRUSTEE GALLELLI the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York; with a 4-0 vote.

WHEREAS, the Village has been bequeathed a gift of property located at 1300 Albany Post Road and \$1,000,000 by Laurel Gouveia (the bequest); and

WHEREAS, the terms of the bequest are stated in Mrs. Gouveia's Last Will and Testament Paragraph SECOND, Sub-paragraph U which was sent to the Village in July 2014; and

WHEREAS, in a letter dated October 16, 2014, the attorney for the estate of Mrs. Gouveia, Edward Davidson, requested that the Village proceed with the process for accepting the bequest; and

WHEREAS, the Village Board is considering taking an action to accept the bequest in accordance with the terms and conditions of Mrs. Gouveia's Last Will and Testament Paragraph SECOND, Sub-paragraph U (the "Proposed Action"); and

WHEREAS, the Village has caused Parts 1 and 2 and a portion of Part 3 of an Environmental Assessment Form (the "EAF") to be drafted in connection with the Proposed Action; and

WHEREAS, the Village has caused a Coastal Assessment Form (the "CAF") to be drafted in connection with the Proposed Action,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village Board hereby determines that the Proposed Action is an "Unlisted Action".
2. The Village Board hereby declares itself to be the Lead Agency for SEQRA purposes in connection with the Proposed Action.
3. The Village Board hereby issues the EAF which it has before it in connection with the Proposed Action.
4. The Village Board hereby issues the CAF which it has before it in connection with the Proposed Action.

5. The Village Board hereby refers Mrs. Gouveia's Last Will and Testament Paragraph SECOND, Sub-paragraph U, the EAF and the CAF to the Village Waterfront Advisory Committee for a recommendation back to the Village Board in accordance with Village Law.

6. The Village Board hereby refers Mrs. Gouveia's Last Will and Testament Paragraph SECOND, Sub-paragraph U, the EAF and the CAF to any interested agencies in accordance with Village Law.

Trustee Gallelli advised that she will be recusing herself from the discussion regarding Resolutions b. and c.; her property is adjacent to one of the properties that is being considered for a Zoning change and in accordance with acceptable procedure will be leaving the Board Room.

b. On motion of TRUSTEE LEVITT, seconded by TRUSTEE SLIPPEN, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York; with a 3-0 vote. (Trustee Gallelli recused herself for the reason stated above)

WHEREAS, the Village Board is considering taking an action to adopt Local Law Introductory No. 3-2014 (the "Draft Law") to amend the zoning code of the village and official zoning map which would (1) add a new single family residence RA-60 District and district regulations and (2) amend the official zoning map to remap approximately 482 acres within the Village to Park, Recreation and Education (PRE) District from One Family Residence RA-40 (1 acre) District; and (3) amend the official zoning map to remap an approximately 425-acre portion of the Village from RA-40 to the new RA-60 District (the "Proposed Action"); and

WHEREAS, on July 14, 2014 the Village Board declared itself lead agency for SEQRA purposes, and issued the Environmental Assessment Form (EAF) Parts 1 and 2 and the Coastal Assessment Form (CAF);

WHEREAS, the Village has duly referred this matter for comment and recommendation to the Village Waterfront Advisory Committee (WAC) which has made and provided in writing to the Village Board both a preliminary and final recommendation of consistency with the Local Waterfront Revitalization Program (LWRP) policy standards and conditions; and

WHEREAS, the Village has duly referred this matter for comment and recommendation to the Village Planning Board and has received a favorable recommendation from the Planning Board; and

WHEREAS, the Village has duly referred this matter for comment and recommendation to the Westchester County Planning Board and has received a favorable recommendation from the Westchester County Planning Board; and

WHEREAS, the Village Board of Trustees has undertaken the process and review described in detail in the EAF part 3 "Determination of Significance"; and

WHEREAS, on September 2, 2014 the Village Board of Trustees of the Village of Croton on Hudson issued and adopted the EAF part 3 Determination of Significance and adopted a Negative Declaration in connection with this action; and

WHEREAS, on October 6, 2014 the Village Board of Trustees held and closed a Public Hearing to consider Local Law Introductory No. 3 of 2014; and

WHEREAS, the Village Board has reviewed each of the 44 policies and sub-policies thereunder set forth in the LWRP and the explanation of each policy as set forth in the LWRP and has determined that the proposed action complies with the policy standards and conditions and is consistent with the policies of the LWRP,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees Hereby adopts Local Law Introductory No. 3-2014 to amend the zoning code of the village and official zoning map which would (1) add a new single family residence RA-60 District and district regulations and (2) amend the official zoning map to remap approximately 482 acres within the Village to Park, Recreation and Education (PRE) District from One Family Residence RA-40 (1 acre) District; and (3) amend the official zoning map to remap an approximately 425-acre portion of the Village from RA-40 to the new RA-60 District,

AND BE IT FURTHER RESOLVED: that upon adoption Local Law Introductory No. 3 of 2014 will become Local Law No. 2 of 2014.

Policy		Applicable Yes/no	Consistent Yes/no	COMMENTS
	<b>DEVELOPMENT POLICIES</b>			

1	Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses.	No		
1A	Existing planning and zoning documents should be reviewed and amended where necessary to ensure development within the community is consistent with adopted goals and policies.	Yes	Yes	The intent of the local law is to comply with comprehensive plan recommendations
1B	Redevelop and revitalize Village owned land at the Metro North Train Station, including Village garage and bay area. Encourage integrated development of Village property to assure fulfillment of requirements relating to parking and accessory uses of Metro North Train Station, while facilitating public access to bay area and recreational use.	No		
1C	Every effort should be made by the municipality to encourage the mutual cooperation and exchange of information between governmental agencies involved in clean-up of the Croton landfill and Metro-North lagoon in order to develop commercial use of resources found in the coastal area.	No		
1D	Require restoration of deteriorating structures related to railroad use and assure appropriate	No		



	maintenance and screening to reduce visual impact.			
1E	Develop the old sewage treatment plant site at the intersection of Route 9A and Municipal PLACE	No		
2	Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters.	No		
2A	Expand restrictions on the use of power boats on the Hudson River and Croton River and Bay by further enforcing the parameters that regulate boat traffic such a speed, turbidity, safety, and mooring and sludge disposal. Such controls will further increase the compatibility of power boat use with other forms of recreation use within the coastal zone area.	No		
3	The state coastal policy regarding the development of major ports is not applicable to CROTON	No		
4	The state coastal policy regarding the strengthening of small harbors is not applicable to Croton.	No		
5	Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other	No		

	characteristics which necessitate its location in other coastal areas.			
5A	When feasible, development within the Village should be directed within the current service area of existing water and sewer facilities or in close proximity to areas where distribution lines currently exist.	No		
5B	The extension of water and sewer distribution lines beyond areas currently served should be undertaken cautiously and with prudent regard for Village water resources and the preservation of environmental values in undeveloped areas.	No		
5C	Limit proposed development within those portions of the coastal zone boundary area, where traffic impacts such as site distance and carrying capacity of the roadways are restricted, particularly along Route 9A, Albany Post Road and Route 129.	Yes	Yes	This law will limit potential development by creating RA-60 zone
6	Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	No		

6A	To expedite permit procedures, the Village shall coordinate all relevant local laws into a development package for applicants and/or make all local laws available to applicants proposing development activities.	No		
	<b>FISH &amp; WILDLIFE POLICIES</b>			
7	Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.	Yes	Yes	By rezoning certain properties to PRE – will be protected against development in future
7A	The quality of the Croton River and Bay significant fish and wildlife habitat and Haverstraw Bay significant fish and wildlife habitat shall be protected and improved for conservation, economic, aesthetic, recreational, and other public uses and values. Its resources shall be protected from the threat of pollution, misuse, and mismanagement.	Yes	Yes	By rezoning certain properties to PRE – will be protected against development in future
7B	Materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat and the Haverstraw Bay significant fish and wildlife habitat shall not be disposed of or allowed to drain in, or on land within, the area of influence in the significant	No		

	fish and wildlife habitats.			
7c	Storage of materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat or Haverstraw Bay significant fish and wildlife habitat shall not be permitted within the area of influence of the habitat unless best available technology is used to prevent adverse impacts to the habitat.	No		
7D	Restoration of degraded ecological elements of the Croton River and Bay and Haverstraw Bay significant fish and wildlife habitats and shore lands shall be included in any programs for cleanup of any adjacent toxic and hazardous waste sites.	No		
7E	Runoff from public and private parking lots and from storm sewer overflows shall be effectively channeled so as to prevent oil, grease, and other contaminants from polluting surface and ground water and impact the significant fish and wildlife habitats.	No		

7F	Construction activity of any kind must not cause a measurable increase in erosion or flooding at the site of such activity, or impact other locations. Construction activity shall be timed so that spawning of anadromous fish species and shellfish will not be adversely affected.	No		
7G	Such activities must not cause degradation of water quality or impact identified significant fish and wildlife habitats.	No		
8	Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sub lethal or lethal effect on those resources.	No		
9	Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.	No		

9A	Ensure continued recreational use and public access to the rivers through Village-owned land adjacent to the Metro-North parking lot, at Croton Point Park and at Senasqua Park, along the Croton River, and at the Croton Yacht Club. Efforts should be made to encourage recreational use of the fish and wildlife resources found in these areas by increasing the opportunities for public access and enjoyment.	Yes	Yes	By rezoning Croton Point Park to PRE – will be protecting Croton Point Park from future development
9B	Encourage passive recreational enjoyment of the wildlife in the designated significant fish and wildlife habitats, on the Audubon Society Sanctuaries, on other public or private lands within the Village, where wildlife habitats are located. Encourage the recreational use of areas where such resources are found, as well as the protection of such resources.	Yes	Yes	By rezoning Graf Sanctuary to PRE – will be protecting and promoting its use as passive recreation
10	Further develop commercial finfish, shellfish and crustacean resources in the coastal area by encouraging the construction of new or improvement of existing on-shore commercial fishing facilities, increasing marketing of the state's seafood	No	No	
	<b>FLOODING &amp; EROSION</b>			

11	Buildings and other structures will be sited in the coastal area so as to minimize damage to <del>property and the</del>	No		
11A	Erosion and sediment control measures shall be undertaken in order to safeguard persons, protect property, prevent damage to the environment, and promote the public welfare by guiding,	No		
12	Activities or Development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.	No		
12A	Every effort should be made to protect Croton Point, a natural protective barrier to Croton Bay from activities or development that would increase erosion of or flooding of the Point.	Yes	Yes	The rezoning of Croton Point Park to PRE will protect it from future development
13	The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction	No		

	standards and/or assured maintenance or replacement programs.			
13A	Any bulkheads along the Hudson must be maintained in good condition and private landowners should be required to restore and maintain erosion control mechanisms along their river frontage which are designed for long term stability.	No		
14	Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.	No		
15	Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.	No		



16	Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.	No		
16A	Public funds shall be appropriated for the yearly maintenance of Senasqua Park until such time that is determined that expenditure of funds outweighs the cost of acquiring, constructing and maintaining a similar public park on Croton's waterfront.	No		
17	Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (i) the setback of buildings and structures; (ii) the planting of vegetation and the installation of sand fencing and draining; (iii) the reshaping of bluffs; and (iv) the flood-proofing of buildings or their elevation above the base flood level.	No		

17A	Efforts to control erosion along the rivers and on the steep slopes rising from areas inland shall be of a non-structural nature, wherever possible, in consideration of the visual impact of structural measures. The retention or planting of vegetative covers will be preferred to structural measures.	No		
18	To safeguard the vital economic, social and environmental interests of the state and of its citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the state has established to protect valuable coastal resource areas.	Yes	Yes	The upzoning from RA-40 to RA-60 and rezoning to PRE will protect future development in the Village including Croton Point Park and the Graff and Brinton Brook Sanctuaries
	<b>PUBLIC ACCESS</b>			
19	Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority will be given to public beaches, boating facilities, fishing areas and waterfront parks.	Yes	Yes	The rezoning of Croton Point Park to PRE is intended to protect and maintain the water related recreation resources and facilities at the site

19A	Encourage the linkage of open space along the Hudson and Croton Rivers in the form of a trail or walkway system. Such systems should be provided along undeveloped and underutilized land as well as along previously developed land.	Yes	Yes	The rezoning of Croton Point Park to PRE is intended to protect the trails and walkways at and near Croton Point Park and the Hudson River
19B	Increase physical access to areas that have specific value for their physical and visual access to the Hudson River or Croton River and Bay.	No		
19C	Encourage the expansion of public transportation, when feasible, to areas within the coastal zone area where water dependent and water enhanced recreation activities are located.	No		
19D	Increase access to Croton River and Bay at the Village-owned land south of the Village parking lots at the Croton-Harmon Station.	No		
19E	Maintain the trail, which provides access to the Croton River waterfront, in its current undeveloped condition as a pedestrian walkway.	No		
20	Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it should be provided in a manner compatible with adjoining	No		

	uses. Such lands shall be retained in public ownership.			
21	Water dependent and water enhanced recreation will be encouraged and facilitated, and will be given priority over non-water related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.	Yes	Yes	The rezoning of Croton Point Park to PRE would protect the park from future development and encourage water related recreational activities
21A	Boating activities should be encouraged provided that they do not restrict other recreational opportunities and are undertaken in a manner compatible with existing water- dependent uses.	No		

22	Development when located adjacent to the shore will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light reasonably anticipated demand for such activities and the primary purpose of the development.	No		
23	Protect, enhance and restore structures, districts, areas of sites that are of significance in the history, architecture, archaeology or culture of the state, its communities or the nation.	yes	Yes	Rezoning Croton Point Park and the Graff and Brinton Brook Sanctuaries will protect these areas from future development
24	Prevent impairment of scenic resources of statewide significance as identified on the coastal area map. Impairment shall include: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic	No		

	quality of an identified resource.			
25	Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.	Yes	Yes	Rezoning Croton Point Park and the Graff and Brinton Brook Sanctuaries will protect these areas from future development
25A	Protect local scenic resources by preventing: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation or wetlands, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resources; and (ii) the addition of structures which because of siting scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.	Yes	Yes	Rezoning Croton Point Park and the Graff and Brinton Brook Sanctuaries will protect these areas from future development
25B	Secure the designation of the panoramic views from	No		

	Croton Point as a scenic area of statewide significance			
25C	Secure the designation of Routes 9 and 129 within the Croton boundaries as a scenic road. Ensure developments on or adjacent to Route 9 do not impair scenic resources or views of or from the Hudson and Croton Rivers.	No		
25D	Establish and protect identified viewsheds which provide visual access to the Hudson River, including but not limited to the views of the Hudson River from the western shoreline of the Village, and from Prickly Pear Hill, Lounsbury Hill, and River Landing. In addition, protect viewsheds to and of the Croton River and Gorge.	No		
26	The state coastal policy regarding the protection of agricultural lands is not applicable to Croton	No		
	<b>ENERGY AND ICE MANAGEMENT POLICIES</b>			
27	Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.	No		

28	Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.	No		
28A	Ice management practices must consider short and long term impacts on the Croton River and Bay and Haverstraw Bay significant fish and wildlife habitats.	No		
29	The state coastal policy regarding the development of energy resources is not applicable to Croton.	No		
	<b>WATER AND AIR RESOURCES POLICIES</b>			
30	Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to state and national water quality standards.	No		
30A	Existing rail services and transportation-related facilities shall not dispose any materials in coastal waters until such materials have been tested by the state for conformance with water quality standards.	No		
30B	Storage and disposal of all materials shall be monitored by the state to assure there will be no discharge or leaching of materials into coastal	No		



	waters.			
31	State coastal area policies and purposes of approved local waterfront revitalization programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already over-burdened with contaminants will be recognized as being a development constraint.	No		
31A	Clean water is desired and NYSDEC should continually monitor water quality in the Hudson River and Croton Bay which have already been overburdened with pollutants. Recommendations for mitigation and upgrading water quality classifications cannot be determined without continual monitoring and testing of the waters.	No		
32	Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.	No		
33	Best Management Practices will be used to ensure the control of stormwater runoff and	No		

	combined sewer overflows draining into coastal waters.			
33A	Encourage new developments to retain stormwater runoff on site so as to not increase flows within the existing system or to improve existing stormwater runoff systems to that runoff from such developments does not adversely impact coastal waters.	No		
33B	Improve existing Village stormwater discharge to control flow of pollutants from street and parking areas, etc. directly in the rivers.	No		
34	Discharge of waste into coastal waters from vessels will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.	No		
34A	There shall be no discharge from moored structures or marine vessels, due to shape of cove and lack of tidal flushing.	No		
35	Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing state dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.	No		

36	Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.	No		
37	Best Management Practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	No		
37A	Standards and specifications for the control of non-point source discharge as set forth in Westchester County's Best Management Practice Manual or other recognized reference shall be utilized during development of any site.	No		
37B	Control of the development of hilltops, and steep slopes should be exerted in order to prevent erosion and minimize runoff and flooding from new construction.	No		
38	The quality and quantity of surface water and ground water supplies will be conserved and protected, particularly	Yes	Yes	By creating a new RA-60 residential zone and rezoning certain properties to RA-60

	where such waters constitute the primary or sole source of water supply.			future potential development will be reduced and thus ground water will be protected
39	The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.	No		
39A	Require transporters, producers and storers of hazardous material to inform the public or allow public access to records involving the transport, storage, treatment and disposal of hazardous materials. This is of particular concern with respect to rail transport of such materials, storage of identified materials on railroad property and uses in the waterfront area involved in the treatment, storage and disposal of such materials.	No		
39B	In accordance with Title III, Section 302, Emergency Planning and Community Right-to-Know of the 1986 Superfund Reauthorization Act, the	No		

	local emergency planning committee and the Croton Fire Department shall be notified if hazardous substances exceed the established threshold planning quantity.			
40	Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.	No		
41	Land use or development in the coastal area will not cause national or state air quality standards to be violated.	No		
41A	A NYSDEC point-source air monitoring station should be established within the Village of C Croton-on-Hudson	No		
42	Coastal management policies will be considered if the state reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.	No		
43	Land use or development in the coastal area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.	No		
43A	Encourage the use of shuttle bus service to the train station, thereby decreasing dependency on the automobile use and	No		

	reduce the generation of acid rain precursors.			
43B	Encourage the use of low sulphur fossil fuels for rail vehicles and encourage the development of a monitoring program to assess rail vehicle engines emissions.	No		
44	Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.	Yes	Yes	By limiting future potential development wetlands will be preserved and protected
44A	Wetlands, water bodies and watercourses shall be protected by preventing damage from erosion or siltation, minimizing disturbance, preserving natural habitats and protecting against flood and pollution.	Yes	Yes	By limiting future potential development wetlands will be preserved and protected
	<b>LWRP SECTION IV PROPOSED LAND AND WATER USES AND PROPOSED PROJECTS</b>	Completed	Action Required	As per section 225-6 (j): Agencies which directly undertake actions shall also consult with Section IV of the LWRP regarding land and water uses and projects in making their consistency determination.
		yes/no	yes/no	
1	CROTON RIVER GORGE TRAIL	yes	No	
	The Croton River Gorge Trail has been completed and has been open to the			

	public for many years.			
2	INVESTIGATE ALTERNATIVE SITES FOR VILLAGE-OWNED RECREATIONAL AREAS ALONG THE WATERFRONT.	yes	no	
	The Village acquired the waterfront land which is now Croton Landing Park which has been open to the public for many years.			
3	IMPROVEMENTS TO CROTON BAY BOAT RAMP AND VILLAGE LANDS SOUTH OF THE VILLAGE PARKING AREAS AT METRO-NORTH (THE CROTON HARMON STATION).	yes	no	
	Improvements have been completed and the Echo Canoe Launch has been open to the public for many years.			
4	ESTABLISHMENT OF AN AIR QUALITY MONITORING STATION IN THE VILLAGE.	no		The proposed action has no relation to this proposed project
	An air quality monitoring station has not been established in the village.			
5	STUDY OF VILLAGE	yes		
	The Village's storm water system has been extensively studied by the Village's Engineering Consultant and Village Engineer.			

6	DESIGNATION OF ROUTE 9, WITHIN THE BOUNDARIES OF CROTON, AS A NYS SCENIC ROAD.	no		The proposed action has no relation to this proposed project
	Route 9 within the Village boundary has not been designated as a NYS Scenic Road.			
7	PREPARATION OF A TRAFFIC AND ROADWAY CONDITIONS STUDY.	no		The proposed action has no relation to this proposed project
	A village-wide traffic and roadway conditions study has not been completed. However specific areas have been studied as part of projects or applications.			
8	PREPARATION OF AMENDMENTS TO 1977 MASTER PLAN TO ENSURE CONSISTENCY WITH LWRP.	yes		
	The Village Comprehensive (master) Plan was updated in 2003.			

c. On motion of TRUSTEE SLIPPEN, seconded by TRUSTEE LEVITT, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York; with a 3-0 vote. (Trustee Gallelli recused herself for the reason stated above)

WHEREAS, the Village Board is considering taking an action to adopt Local Law Introductory No. 3-2014 (the "Draft Law") to amend the zoning code of the village and official zoning map which would (1) add a new single family residence RA-60 District and district regulations and (2) amend the official zoning map to remap approximately 482 acres within the Village to Park, Recreation and Education (PRE) District from One Family Residence RA-40 (1 acre) District; and (3) amend the official zoning map to remap an approximately 425-acre portion of the Village from RA-40 to the new RA-60 District (the "Proposed Action"); and



WHEREAS, on July 14, 2014 the Village Board declared itself lead agency for SEQRA purposes, and issued the Environmental Assessment Form (EAF) Parts 1 and 2 and the Coastal Assessment Form (CAF);

WHEREAS, the Village has duly referred this matter for comment and recommendation to the Village Waterfront Advisory Committee (WAC) which has made and provided in writing to the Village Board both a preliminary and final recommendation of consistency with the Local Waterfront Revitalization Program (LWRP) policy standards and conditions; and

WHEREAS, the Village has duly referred this matter for comment and recommendation to the Village Planning Board and has received a favorable recommendation from the Planning Board; and

WHEREAS, the Village has duly referred this matter for comment and recommendation to the Westchester County Planning Board and has received a favorable recommendation from the Westchester County Planning Board; and

WHEREAS, the Village Board of Trustees has undertaken the process and review described in detail in the EAF part 3 "Determination of Significance"; and

WHEREAS, on September 2, 2014 the Village Board of Trustees of the Village of Croton on Hudson issued and adopted the EAF part 3 Determination of Significance and adopted a Negative Declaration in connection with this action; and

WHEREAS, on October 6, 2014 the Village Board of Trustees held and closed a Public Hearing to consider Local Law Introductory No. 3 of 2014; and

WHEREAS, the Village Board has reviewed each of the 44 policies and sub-policies thereunder set forth in the LWRP and the explanation of each policy as set forth in the LWRP and has determined that the proposed action complies with the policy standards and conditions and is consistent with the policies of the LWRP,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees Hereby adopts Local Law Introductory No. 3-2014 to amend the zoning code of the village and official zoning map which would (1) add a new single family residence RA-60 District and district regulations and (2) amend the official zoning map to remap approximately 482 acres within the Village to Park, Recreation and Education (PRE) District from One Family Residence RA-40 (1 acre) District; and (3) amend the official zoning map to remap an approximately 425-acre portion of the Village from RA-40 to the new RA-60 District,

AND BE IT FURTHER RESOLVED: that upon adoption Local Law Introductory No. 3 of 2014 will become Local Law No. 2 of 2014.

DISCUSSION:

Trustee Levitt stated that the RA60 Zone will protect the Village if down the road the golf course is ever sold. Trustee Levitt stated that at the last meeting we discussed grandfathering one or two lots that may become non-conforming and asked how this is going to be done.

Assistant Villager Manager King stated that this will be done in the next Introductory Local Law.

d. On motion of TRUSTEE GALLELLI, seconded by TRUSTEE SLIPPEN, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York; with a 4-0 vote.

WHEREAS, the Village Board is considering taking an action to adopt Local Law Introductory No. 4-2014 (the "Draft Law") to amend the zoning code of the village Zoning Code to (1) modify certain existing provisions regarding customary home occupations to better reflect current employment trends, while ensuring that these accessory uses are compatible with the Village's neighborhood character; and (2) to modify the provision regarding existing small lots in RA and RB districts, to ensure that lots within approved subdivisions are grandfathered from the recent creation of a new RA- 60 residential district (the "Proposed Action"); and

WHEREAS, the Village Board has caused Parts 1 and 2 of a Full Environmental Assessment Form (the "EAF") to be drafted in connection with the Proposed Action; and

WHEREAS, the Village Board has caused a Coastal Assessment Form (the "CAF") to be drafted in connection with the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village Board hereby determines that the Proposed Action is an unlisted action.

2. The Village Board hereby declares itself to be the Lead Agency for SEQRA purposes in connection with the Proposed Action.

3. The Village Board hereby issues the EAF which it has before it in connection with the Proposed Action.

4. The Village Board hereby issues the Coastal Assessment Form which it has before it in connection with the Proposed Action.

5. The Village Board hereby refers to the Village Planning Board, the Draft Law for a report back to the Village Board in accordance with Village law.

6. The Village Board hereby refers the Draft Law, the EAF and the CAF to the Village Waterfront Advisory Committee for a recommendation back to the Village Board in accordance with Village Law.

7. The Village Board hereby refers the Draft Law, the EAF and the CAF to the Westchester County Planning Board/Planning Department for review in accordance with law.

8. The Village Board hereby directs Village staff to make any other circulations and notifications regarding the Proposed Action as may be required by law.

#### DISCUSSION:

Trustee Gallelli stated that modifying "Customary Home Occupations" is a recommendation that is in our adopted "Comprehensive Plan". Trustee Gallelli stated that the "Customary Home Occupations" is currently not very well defined in our Code and is different from "Professional Offices" which are typically law or dental offices. Trustee Gallelli stated that the "Customary Home Occupations" are more for those uses where a client or a customer may come to visit once in a while.

e. On motion of TRUSTEE LEVITT seconded by TRUSTEE GALLELLI, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 4-0 vote.

WHEREAS, the Village provides a service to its residents by picking up fall leaves and organic yard waste; and

WHEREAS, the Inter-Municipal Agreement for Organic Yard Waste and Recycling Program between the Village and Westchester County has expired; and

WHEREAS, the Village wishes to renew this agreement; and

WHEREAS, the cost for this service is \$16.32 per ton from April 1, 2013 through December 31, 2013 and effective January 1, 2014 the fee will be \$16.56 per ton which will be subject to an Adjustment Factor Equal to the Consumer Price Index every January 1, thereafter until March 18, 2018,

NOW THEREFORE BE IT FURTHER RESOLVED: the Village Board of Trustees has determined that the proposed action is a Type II action under SEQRA,

AND BE IT FURTHER RESOLVED; that the Village Manager is hereby authorized to sign the Inter-Municipal Agreement with Westchester County for participation in the Organic Waste and Recycling Program.

f. On motion of TRUSTEE GALLELI, seconded by TRUSTEE LEVITT, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 4-0 vote.

WHEREAS, the Village owns and operates a Public Water System which provides the Village with potable water and fire protection; and

WHEREAS, on September 26, 2011 the Village received a letter from the Westchester County Health Department that the Village's Water System did not provide adequate chlorine contact time and that plans for the necessary improvements would need to be approved by the Westchester County Health Department; and

WHEREAS, the Village retained Chazen Engineering to design the necessary improvements to the Village's Water Supply System; and

WHEREAS, Chazen has completed the design and submitted the plans to the Westchester County Health Department which were approved on October 17, 2014; and

WHEREAS, the proposed improvements also require permits from the New York State Department of Environmental Conservation and Army Corps of Engineers; and

WHEREAS, Chazen is in the process of applying for the permits from the NYSDEC and ACOE; and

WHEREAS, the Village has received a memorandum and Environmental Assessment Form from Chazen Engineering indicating that the proposed improvements are considered a Type II action under SEQRA, and

WHEREAS, the Village Board has reviewed these documents,

NOW THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby declares the proposed Water System chlorine contact time improvement project a Type II action under SEQRA and determines that it will not have a significant impact on the environment.

#### 8. CITIZEN PARTICPATION-NON AGENDA ITEMS

Roseann Schuyler, Olcott Avenue, Croton on Hudson, stated that she has concerns on how the Mayor is reporting his hours. Ms. Schuyler stated that there had been errors in his reporting and feels that the hours are being reported too casually.

Mayor Wiegman stated that he had corrected the errors that were submitted and continues to submit his hours in the format that the Village requires.

Roseann Schuyler, Olcott Avenue, Croton on Hudson, asked if Greentree Realty submitted any special permit application to resume operations in the Village as of today.

Village Attorney Staudt responded by saying that not as of 5:00pm today when he left his office.

Joel Gingold, 55 Nordica Drive, Croton on Hudson, stated that he felt that the Board is out of touch with its constituents; there are people in our community that are still hurting financially and noted that the Food Bank reports that their demand is up thirty percent and that food baskets distributed by the Croton Caring Committee during the holidays are also up forty to fifty percent Mr. Gingold also stated that he is concerned that the School District was not consulted regarding the Gouveia property and that the businesses were not consulted with respect to the proposed Croton Point Avenue Project.

#### 9. APPROVAL OF MINUTES

Trustee Slippen made a motion to approve the minutes as amended of the Regular Meeting held on October 20, 2014. Trustee Levitt seconded the motion. The Board approved with a vote of 4-0.

#### 10. REPORTS

Assistant Village Manager Janine King reported that the Duck Pond Park has started the renovations today and the park has now been closed.

Trustee Slippen thanked the Department of Public Works staff for removing the many trees and tree limbs so quickly that came down after the recent wind storm.

Trustee Slippen stated that she is participating in the "Love Em and Leave Em" program and is pleased to announce that it is going very well on her property.

Trustee Gallelli announced that the Yacht Club will be sponsoring a lunch for all Veterans and active military and their spouses on Tuesday, November 11<sup>th</sup> following the Veterans Day Ceremony. Trustee Gallelli advised that everyone is invited for a \$10.00 fee that helps defray their costs; any excess money from this event will be given to the "Central Veterans Fund".

Trustee Levitt encouraged everyone to go out and vote on Election Day and wished those elected to the open Trustee seats the best of luck; it is a very rewarding position despite the fact that it can seem thankless at times.

Mayor Wiegman advised that Acting Village Justice Anne Minihan is on the ballot tomorrow for a higher Judicial Office; Ms. Minihan's term is up December 1<sup>st</sup> and, at the request of the Court, would like, with the Board's approval, to reappoint her Acting Village Justice; if Ms. Minihan is successful in her election she will resign December 31<sup>st</sup> and we can then start the new year with a new Acting Justice.

Mayor Wiegman reminded everyone that the Ballot tomorrow has three propositions on the back.

There being no further business to come before the Board; Trustee Gallelli made a motion to adjourn the meeting. Trustee Levitt seconded the motion approved with a vote of 4-0. The meeting was adjourned at 9:10pm.

Respectfully submitted

Judy Weintraub, Board Secretary

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Paula DiSanto, Village Clerk