

VILLAGE OF CROTON-ON-HUDSON
Minutes of the Planning Board
Monday, September 21, 2015

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

Also Present: Daniel O'Connor, P.E., Village Engineer

1. Call to order

Chairman Luntz called the meeting to order at 8:07 p.m.

2. OLD BUSINESS

*a) Maroon Realty Inc—25 South Riverside Avenue (Sec. 78.08 Blk. 5 Lot 43)—
Approval of temporary sign application for Change of Use from Retail Services to
temporary use as a Martial Arts Studio—VEB recommendation.*

DISCUSSION: The Planning Board members noted that the sign was already up and it was apparent that they did not follow the VEB's recommendations, however, because it is a temporary sign, the board agreed to its approval. The Village Engineer will follow up on the status of the trailers and, in addition, remind the owner that the existing "Croton Ace Hardware" sign needs to be blanked out.

MOTION: Mr. Kauderer made a motion that the sign be approved as installed, although it is noted that the applicant did not follow the recommendations of the Advisory Board of the Visual Environment. However, because it is a temporary sign, the Planning Board issues final approval. Mr. Krisky seconded the motion, and the vote carried, 5-0 in favor.

3. REFERRALS

*a) Village Board referral to Planning Board to review draft Local Waterfront
Revitalization Program (LWRP) which is being updated to reflect current conditions
in the Village.*

DISCUSSION: Mr. Kauderer, as the Planning Board representative on the Waterfront Advisory Committee, provided some background information on the LWRP revisions. He noted that the WAC had reviewed and made some comments on the 44 policies, and Ms. Gallelli, suggested that the Planning Board primarily focus on Section IV: Proposed Land Uses and Projects.

Mr. Krisky asked the Village Engineer about the Croton River Basin Projects (1) "*Ensure Maintenance of New Croton Dam Conservation Flow*" and how the potential drought conditions would affect the Croton reservoir supplies. The Village Engineer explained that the DEC has control over the dam water flow in the Croton River and has the right to shut off the village's water that feeds the wells. The DEC has regulations on the mandated minimum reservoir releases and the NYCDEP has a drought plan that highlights the difference levels of drought conditions.

Mr. Krisky suggested that the Planning Board recommend that there be more specificity about the drought conditions included in this particular section. The Village Engineer agreed that the DEC regulations and the NYCDEP drought plan could be referenced in the LWRP document.

Mr. Krisky noted in #5 *“Improve Echo Cano Launch and Village-Owned Land South of Metro-North Parking Areas”*, that he supports those improvements made to the Echo Canoe launch; he pointed out that the first storage boat rack had been very successful and an additional rack would be helpful. The Village Engineer noted that DPW had made the first rack at a low cost and it seems to have paid for its self.

Mr. Kauderer noted that in #8 (*“Facilitate Croton Yacht Club/Croton Landing Improvements”*) there was reference made to a study that evaluated the possibility of a restaurant at Croton Landing. Mr. Kauderer stated that he previously had spoken publicly in favor of building a restaurant at the Croton Yacht Club’s location; however, this was not an option since their lease had been renewed. Mr. Kauderer stated that he believed that a waterfront restaurant would be a desirable amenity for the community but the only way to find out if it were viable was to retain an established commercial real estate broker to explore the possibility for a ground lease. The risk of building the restaurant would therefore not be placed on the Village.

The Planning Board therefore agreed that the following recommendations be made to the Village Board regarding the revisions to the LWRP:

1. The Planning Board recommends that in the Croton River Basin Projects (1) *“Ensure Maintenance of New Croton Dam Conservation Flow”* there be a reference to the DEC regulations on the mandated minimum reservoir releases and the NYCDEP Drought Plan in order to highlight the different levels of drought conditions.
2. In the section entitled Hudson Riverfront Projects (8) *“Facilitate Croton Yacht Club/Croton Landing Improvements”*, the Planning Board recommends that the Village retain an established commercial real estate brokerage company to explore the opportunities and possibility for a ground lease for a possible future waterfront restaurant.

4. FOLLOW UP DISCUSSION ITEMS

Mr. Kauderer asked about the situation with Mr. Fallacaro and stated that to continue to delay will mean nothing will happen. The Village Engineer stated that Mr. Fallacaro had mentioned to him that he was considering hiring Mr. Ralph Mastromonaco. He had called Mr. Hilpert, the attorney, but Mr. Hilpert had not returned the call.

Mr. Kauderer stated the Planning Board had given him the names of engineering firms and he recommends that the Planning Board write a letter to Mr. Fallacaro that he hasn’t met his responsibilities to the Planning Board’s satisfaction. The ZBA had stated that the variance is dependent on the Planning Board’s decision about the wall’s safety, and it is up to Mr. Fallacaro to prove that the wall is safe. Mr. Kauderer asserted that the long delay in action is jeopardizing the ZBA variance. The Village Engineer stated that the Building Inspector (i.e. the Village Engineer) has the authority to declare the variance is null and void after a year if there is no action taken by the applicant.

Mr. Krisky stated that maybe the Planning Board could again provide, in writing, the names of the engineering firms, and in the letter, state that if in a certain amount of time there has been no action taken, then the variance will become null and void. Mr. Kauderer stated that it must be done in a formalized manner and the Village Attorney should advise the Planning Board on the ZBA variance. There was consensus to ask the Village Attorney to meet with the board in an executive session or, as an alternative, have a teleconference with the Planning Board to arrive at a course of action.

After a discussion with the Village Attorney, the Planning Board will write a letter to Mr. Fallacaro.

5. APPROVAL OF MINUTES

Mr. Kauderer made a motion to approve the minutes of August 25, 2015, as amended, seconded by Mr. Krisky, and carried in favor by a vote of 5-0.

6. ADJOURNMENT

There being no further business to come before the board, the meeting was duly adjourned at 9:00 p.m.

Respectfully submitted,

Ronnie L. Rose

Ronnie L. Rose
Secretary to the Planning Board