

**Minutes of the
Waterfront Advisory Committee
October 7, 2014**

Present: Charlie Kane, Chairman
Ann Gallelli
Bruce Kauderer
Andy Levitt
Stuart Greenbaum

Also present: Daniel O'Connor, Village Engineer

1. Charlie Kane called the meeting to order at 7:30 p.m.

2. REFERRALS

a) 379 South Riverside Avenue--Referral from Village Board (pending) on Special Permit Application for Mixed-Use Occupancy Building—preliminary review of consistency.

Mr. Ed Gemmola, architect for the applicant (Mr. Laurence Doyle) presented the application for the proposed three-story mixed-use occupancy building at 379 South Riverside Avenue. The mixed-use building will have commercial space on the ground floor in the front, with studio apartments in the back, and the second and third floors will have four apartments on each floor.

In a review of the Coastal Assessment Form (CAF), there were no comments or questions.

On the Short EAF, on p. 2, #12b, "is the proposed action located in an archeological sensitive area", it was noted that this question was overlooked, and should be checked "NO."

Mr. Greenbaum pointed out that #20 "*Has the site of the proposed action or an adjoining property been the subject of remediation (on going or completed) for hazardous waste?*" has to be changed to "YES" and the proposed action must be specified. Mr. Greenbaum asked if the site has been remediated since there used to be a gas station at the site. Mr. Gemmola stated that the Village Engineer had observed when 383 SRA (the building next door) was being built that there was a tank still in the ground at the property lot line. The Village Engineer stated that it was clearly a gasoline tank that had been abandoned in place (common practice years ago) but there was no way of knowing whether the proper removal procedures had been used. Because the sale of this property did not involve a bank, neither a Phase I nor Phase II environmental report has been completed. The Village Engineer stated that the tanks will need to come out and the soil tested for contaminants. He recommended that Mr. Gemmola foil the Westchester County Health Department, and the Department of Environmental Conservation records for information. Mr. Gemmola agreed.

Mr. Kane stated that the report should include a check for heavy metals, leaded gas, and hydrocarbons.

The WAC then evaluated this referral for consistency with the LWRP policy standards and agreed that the following policies are applicable to this proposed application:

Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses.

Since the entire village is considered in the waterfront zone, this policy is applicable to the proposed mixed-use building. The proposed mixed-use building will contribute to the revitalization and development of the C-2 Commercial and Harmon/South Riverside Gateway Overlay district.

Policy 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 characteristics which necessitate its location in other coastal areas.

Policy 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.

The above policies are applicable to the proposed application because these policies are intended to “strengthen existing residential, industrial and commercial centers”; the proposed application is consistent with these policies because the mixed-use building is in one of the Gateway Overlay districts specifically identified as a vehicular entry point in Croton from Route 9/9A and having possibilities for development and redevelopment. The proposed mixed-use building will be constructed where public services and existing water and sewer lines already exist in a neighborhood with commercial and residential buildings.

Policy 6: Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.

This policy is applicable to the proposed application because permits are required from a variety of boards: the Village board (special permit), the Planning Board (site plan review), the Building Department (building permit), and recommendations from the WAC and VEB advisory committees. The Engineering Department facilitates this process.

Policy 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 regulating, and controlling the design, construction, use and maintenance of any development or other activity which disturbs or breaks the topsoil or results in earth movement.

This policy is applicable to the proposed application because the mixed-use building is a new construction in which there will be a disturbance to the topsoil. The proposed application is consistent with this policy because a sediment and erosion control plan will be required when the site plan is evaluated. The committee recommended that the applicant conduct a Phase I and Phase II environmental study on the property to ensure that the soil is free of contaminants.

Policy 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 so that runoff from such developments does not adversely impact coastal waters.

Policy 33B: Improve existing Village stormwater discharge to control flow of pollutants from street and parking areas, etc. directly in the rivers.

These policies are applicable to the proposed application because with adequate infiltration devices placed into the ground, pollutants from stormwater runoffs will be minimized. A Stormwater Management Plan will be required.

Policy 37A: Standards and specifications for the control of non-point source discharge as set forth in Westchester County Best Management Practice Manual or other recognized reference shall be utilized during development of any site.

This policy applies to the application because runoff from the parking areas will be directed to an infiltration type storm water management system. This will minimize the discharge of pollutants into coastal waters. The proposed project is consistent with the policy because Best Management Practices will be utilized to minimize the amount of nutrients, organics and eroded soils that could enter the system.

Mr. Kauderer made a motion to issue a preliminary recommendation of consistency with the LWRP, with the following recommendations: 1) that a Phase I and Phase II environmental report be completed, 2) that the underground tank be removed, 3) that the soil is tested for heavy metals, leaded gas, batteries and hydrocarbons. The motion was seconded by Mr. Greenbaum and carried in favor by a vote of 5-0.

3. APPROVAL OF MINUTES

Ms. Gallelli made a motion to approve the minutes of September 9, 2014, seconded by Mr. Kane and carried all in favor by a vote of 3-0 (2 abstentions).

4. ADJOURNMENT

Mr. Greenbaum made a motion to adjourn the meeting, seconded by Mr. Kauderer, and carried by a vote of 5-0. The meeting was adjourned at 8:30 p.m.

Respectfully submitted,
Ronnie L. Rose
Secretary to the WAC