

GATEWAY DISTRICTS

**VILLAGE OF CROTON ON HUDSON
WESTCHESTER COUNTY, NEW YORK**

DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

LEAD AGENCY:
Village of Croton-on-Hudson
Board of Trustees

PREPARED BY:
Buckhurst Fish & Jacquemart, Inc.

October 2003

On motion of TRUSTEE GRANT, seconded by TRUSTEE WIEGMAN, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village Board is considering the adoption of Local Law Introductory No. 3 of 2003, adopting a Gateway Overlay District for the Village; and

WHEREAS, on July 22, 2003, the Village of Croton-on-Hudson Board of Trustees designated itself as Lead Agency for the environmental review of the Proposed Action and authorized the circulation of the Environmental Assessment Form to all interested parties; and

WHEREAS, on August 20, 2003, the Village Board of Trustees issued a positive declaration with respect to this action and determined that a Draft Environmental Impact Statement (DGEIS) should be prepared for the proposed action; and

WHEREAS, the Village Board of Trustees has reviewed the DGEIS and finds that said document is satisfactory and wishes to accept it as complete and ready for the purpose of commencing public review with the addition of the changes agreed to at the work session of 10/07/03 held at 7 pm. And by the changes submitted in writing by Ann Gallelli, Chairperson of the Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED, that the Board accepts the DGEIS as complete with respect to its scope and content as required under SEQR regulations for the purpose of commencing the public review, subject to the changes mentioned above,

AND BE IT FURTHER RESOLVED, that the Board directs the Village Manager to correct the DGEIS with respect to the above-mentioned changes and have the corrected version reprinted,

AND BE IT FURTHER RESOLVED, that the Board authorizes the corrected DGEIS to be made available to involved agencies, interested parties and the public,

AND BE IT FURTHER RESOLVED, that the Board hereby calls for a Public Hearing in regard to the DGEIS and to consider Local Law Introductory No. 3 of 2003 on Monday, November 3, at 8:00 PM at the Stanley H. Kellerhouse Municipal Building.

Date: October 7, 2003

Village of Croton-on-Hudson
Proposed Gateway Overlay District Ordinance
Westchester County, New York 10520

DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

LEAD AGENCY:

Village of Croton-on-Hudson
Board of Trustees
Westchester County, NY

APPLICANT:

Village of Croton-on-Hudson,
Kellerhouse Municipal Building
One Van Wyck Street
Croton-on-Hudson
Westchester County, NY 10520

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Robert W. Elliott
Georgianna K. Grant
Deborah Y. McCarthy
Gregory Schmidt
Leo A. W. Wiegman

Seymour Waldman, Village Attorney

ACCEPTED FOR PUBLIC DISTRIBUTION ON October 7, 2003

PUBLIC HEARING SCHEDULED FOR November 3, 2003 at Kellerhouse Municipal Building

CREDITS

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Roger Solymosy

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EXECUTIVE SUMMARY

A. Description of Proposed Action

The Village of Croton-on-Hudson is proposing the adoption of a Gateway overlay zoning district for three gateway areas as identified in the Village's 2003 Comprehensive Plan. The goal of the proposed zoning is to establish standards that upgrade the image and function of gateway areas, strengthen the overall visual identity of the Village, and improve linkages to adjacent residential neighborhoods.

The proposed overlay includes special use regulations, FAR controls, size limitation, design regulations, open space requirements and individual design guidelines for each of the three gateways. These controls are discussed in greater detail in section 2.1 of this document, Land Use, Zoning and Public Policy.

B. Involved Agencies and Required Approvals

The Village of Croton-on-Hudson Board of Trustees functions as Lead Agency for SEQR process for the proposed project. The following are involved agencies:

INVOLVED

Village of Croton-on-Hudson Planning Board

Ann Gallelli, Chair
Kellerhouse Municipal Building
One Van Wyck Street
Croton-on-Hudson
Westchester County, NY 10520

Westchester County Department of Planning

Gerard E. Mulligan, AICP, Commissioner
148 Martine Avenue
White Plains, NY 10601

C. List of Potential Impacts and Mitigation Measures Identified in this DGEIS

LAND USE, ZONING & PUBLIC POLICY

The proposed overlay will introduce a number of new controls within the Village's gateway areas. New special permit uses will include farmers markets, greenmarkets or garden centers. Prohibited uses will include commercial parking lots and fast-food restaurants (see Appendix for full list). The introduction of special permit uses and prohibited uses will have a beneficial impact on the small-scale character of the Village.

The proposed overlay will also reduce the maximum allowable FAR by 0.1 or 0.15, depending on whether mixed uses are proposed, in the South Riverside and Municipal Place gateways. The underlying 0.2 FAR in the North End Gateway will remain the same. The reduction in the maximum allowable FAR should discourage the construction of parking decks as all required parking should be accommodated at grade. This will have a beneficial overall effect on neighborhood character within the Village. As part of the proposed overlay, 0.35 FAR will be permitted for single-use properties and 0.40 FAR will be permitted for multi-use properties. The additional 0.05 FAR permitted for multi-use properties will encourage a greater mix of uses within the gateway areas, which will also have a beneficial impact on both the economic diversity and neighborhood character within the gateways. Mixed use also will allow, in some instances, for "shared parking¹."

The proposed controls will establish an 8,000 square foot size limit for any single building designed for retail use. This effectively prohibits big-box retail thereby preserving the small-scale character of the Village (See Section 2.7, Socioeconomics and Neighborhood Character for more detail).

Finally, the proposed overlay will incorporate design controls and improvements as described in the Village's 2003 Comprehensive Plan. These controls will include off-street parking requirements, curb cut and sidewalk requirements, open space requirements (minimum 25% of the lot), signage, lighting and building orientation requirements. See Section 2.6, Visual Resources for more detail.

With the proposed overlay in place, the potential impacts to the Village as a whole will be beneficial. Therefore no mitigation is proposed.

¹ Shared parking is a term used to describe different uses sharing the same parking facility. The concept is that different uses have different peak characteristics for their parking demands and that this difference, in the timing of the peak demand, enables more efficient use of the same lot with minimal conflict. For example, office use generally requires its peak parking demand during the day, and residential use generally requires its peak parking in the evenings and at night. In this way, office and residential uses can be combined and can share their parking facility. The total parking supply required under the shared parking scenario would be less than the sum of the two parking that would need to be supplied by each use if they remained separate. The actual shared parking demand should be calculated through a shared parking analysis, in effect estimating the parking demand of each component use for various time periods (weekday am, midday, weekday pm, weekday evening, Saturday midday, etc).

The North End gateway area contains some undeveloped wooded lots that may contain wildlife common throughout Westchester County. The proposed overlay will increase open space requirements and add street trees and landscaping within the gateway areas. This will have a beneficial impact on land and water resources. No development is proposed as part of this action; therefore, no negative impacts are anticipated and no mitigation is proposed.

AIR QUALITY & NOISE

The proposed overlays will reduce density, increase buffers and screening and limit hours of operation to 16 hours within any 24- hour period. These restrictions will have a beneficial impact on air quality and noise within the gateway areas. With reduced density and reduced hours of operation, fewer vehicular trips will be generated than under the current zoning and it is likely that most of these trips will be during the day and not late at night or early in the morning.

COMMUNITY FACILITIES AND SERVICES

No new development is proposed as part of this action, therefore there will be no direct impact on community facilities as a direct result of the proposed action. However, in the longer term, the reduction of the maximum density permitted within the gateway areas will effectively limit the potential impact on community facilities and services as compared to the existing zoning which allows higher densities within the gateway areas.

TRANSPORTATION

The proposed overlay will reduce the maximum permitted density within the gateway areas and limit the size of retail permitted. In the long-term, the reduction in density, retail size limitation and design improvements may increase the amount of foot traffic in the gateways and reduce the amount of vehicular traffic as compared to development permitted under current zoning. The impact on transportation will therefore be beneficial.

HISTORIC, CULTURAL & VISUAL RESOURCES

No historic or cultural resources are located directly within the gateway areas. However, the Village as a whole contains historic landmarks including Van Cortlandt Manor, located just outside the proposed South Riverside gateway.

Under the proposed zoning, new design guidelines will be introduced to the gateway areas. This will include provisions for new sidewalks, streetscape improvements, signage, landscaping and stone walls. In combination with the proposed regulations to limit large-scale retail and density, the proposed overlay design guidelines will have a significant beneficial impact on the visual character of the Village of Croton-on-Hudson. No negative impacts are expected, therefore no mitigation measures are proposed. See Section 2.6, Historic, Cultural and Visual Resources for greater detail.

SOCIOECONOMIC & NEIGHBORHOOD CHARACTER

The proposed overlay will have a number of impacts on socioeconomics and neighborhood character within the gateway areas. The special permit uses will require Village review of

farmers markets, greenmarkets and garden centers. This will ensure that future greenmarkets, farmers markets and garden centers are held to a high standard.

Certain uses will be prohibited such as commercial parking lots and automobile dealerships. While such existing uses will be permitted as prior non-conformances, the prohibition will prevent the expansion of such uses. This may have an economic impact on such existing uses, but not to the extent that it significantly interferes with any existing operations. It will have a correspondingly beneficial impact on neighborhood character.

The FAR reduction will limit potential density within the gateway areas, however as a result the parking requirement will also be reduced and there will be a greater requirement for open space than under the existing zoning. This will improve neighborhood character within the gateway areas and the Village as a whole.

The proposed 8,000 square foot size limitation will limit the potential to develop large-scale retail and as such will discourage large national retail chains from locating within the three Gateways (See Section 2.7 for more detail). However, the proposed size limitation will still accommodate a wide range of commercial uses and potential tenants. Furthermore, the size limitation is consistent within other economically vital northern Westchester towns such as Mount Kisco.

Combined with the proposed design guidelines, the overall impact of the proposed overlay will be beneficial to both socioeconomics and neighborhood character within the gateway areas.

1.0 INTRODUCTION

A. *Introduction*

The proposed action, to adopt a gateway overlay district ordinance, is a direct outcome of the Village of Croton-on-Hudson 2003 Comprehensive Plan. The Plan was conceived during a 16 month planning process which included ideas and recommendations of Village officials, residents, and the Comprehensive Plan Committee. The zoning text itself was drafted to be consistent with the Plan. The full zoning text is included in Appendix B.

This Draft Generic Environmental Impact Statement (DGEIS) evaluates the potential impacts that could result from the following action by the Board of Trustees of the Village of Croton-on-Hudson: the adoption of the proposed gateway overlay district zoning ordinance. The action consists solely of an amendment to the Village's zoning code and therefore there will be no construction or development as a direct result of this action.

B. *Description and Purpose of Proposed Action*

Croton's gateways serve as the major entry points from surrounding municipalities and roads (See Figure 1: Gateway Districts). The physical gateway area is comprised of the roads and surrounding properties that a motorist or pedestrian encounters when first entering the Village. These areas mark a sense of arrival and connection to the Village, and establish an image and initial impression of the community.

The Village of Croton-on-Hudson is proposing the adoption of a gateway overlay zoning district to establish standards that upgrade the image and function of gateway areas, strengthen the overall visual identity of the Village, and improve linkages to adjacent residential neighborhoods. The Village's January 2003 Comprehensive Plan, identified three gateway areas in the Village, which share the following defining characteristics:

1. Vehicular entry points in Croton-on-Hudson from Route 9/9A
2. Commercial or office uses oriented toward automobile traffic
3. Opportunities for development

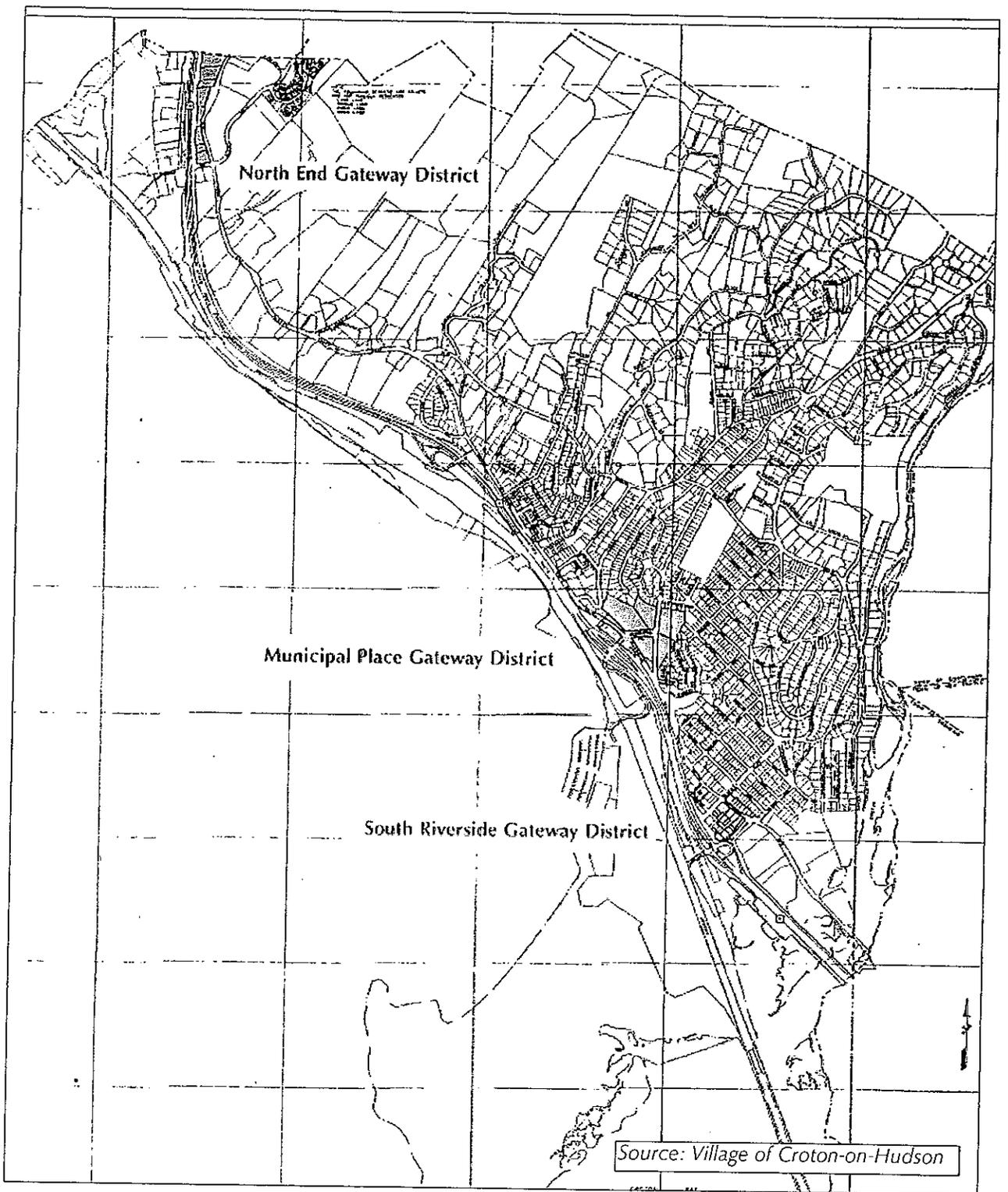
C. *Location of Gateway Areas*

Croton-on-Hudson's three gateway areas are described below and shown in Figure 1: Gateway Districts.

1. *Harmon / South Riverside*, running along Croton Point Avenue between Route 9 and South Riverside Avenue, and along South Riverside Avenue between Croton Point Avenue and Benedict Boulevard. The area is an important link to the train station via Croton Point Avenue and to the Harmon neighborhood. It also provides a connection to the historic Van Cortlandt Manor to the south.
2. *Municipal Place Shopping Area*, consisting of lots on the north and south sides of Municipal Place between Route 9 and Maple Street, and the commercially-zoned portion of the block on the east side of Maple Street. The Municipal Place Shopping

Area is an important entrance to the Village from Route 9. It connects to the Upper Village via Maple Street and to the surrounding neighborhoods.

3. *North End of the Village along Albany Post Road (9A)*, consisting of the eight lots between Routes 9 and 9A, and Village boundary and Warren Road. This area marks the entrance to the Village from the north along Routes 9 and 9A.



Village of Croton-on-Hudson, New York
Gateway Districts DGEIS

Figure 1: Gateway Districts

2.0 RELEVANT ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION

2.1 Land Use Zoning and Public Policy

a. *Existing generalized land uses and zoning in the Gateway District areas*

South Riverside/Harmon: The South Riverside/Harmon Gateway is a 3.8 acre area consisting of residential and commercial uses. The surrounding land uses are predominantly single-family residential with some multi-family. Route 9, Metro North and Amtrak lay to the immediate south. South Riverside/Harmon is currently zoned C-2, permitting general commercial uses (see Figure 2: Land Uses within Proposed Gateway Zones).

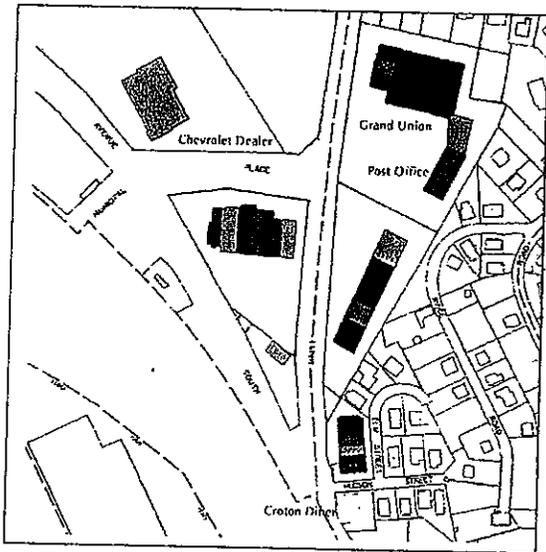
Municipal Place Gateway: The Municipal Place Gateway is a 17.1 acre area containing residential, commercial and limited office uses. Municipal Place is also zoned C-2, permitting general commercial uses.

North End Gateway: The North End Gateway is a 7.6 acre area surrounded by residential uses, and the Hudson National Golf Club to the east and the village border to the north. The Gateway itself consists of eight lots including two buildings used as residences, two office buildings and a non-conforming commercial use. North End Gateway is currently zoned O-1, permitting limited office uses.

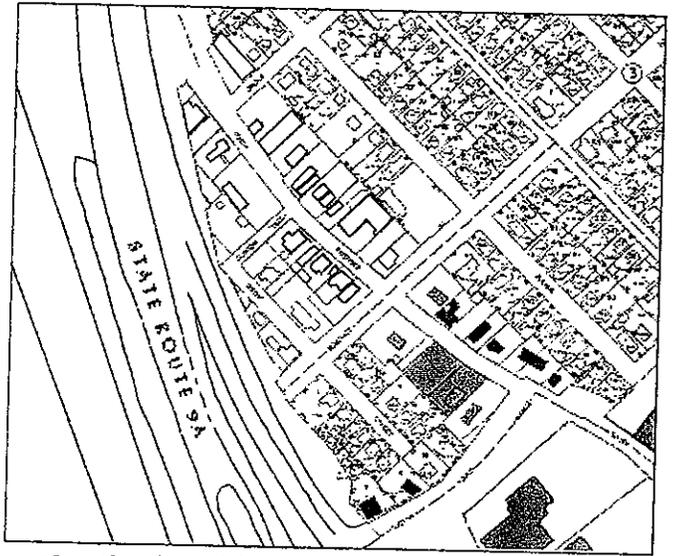
Table 1: Existing Zoning

District	Zone	Permitted FAR	Permitted Use
South Riverside	C-2	0.5	General Commercial
Municipal Place	C-2	0.5	General Commercial
North End	O-3	0.2	Limited Office

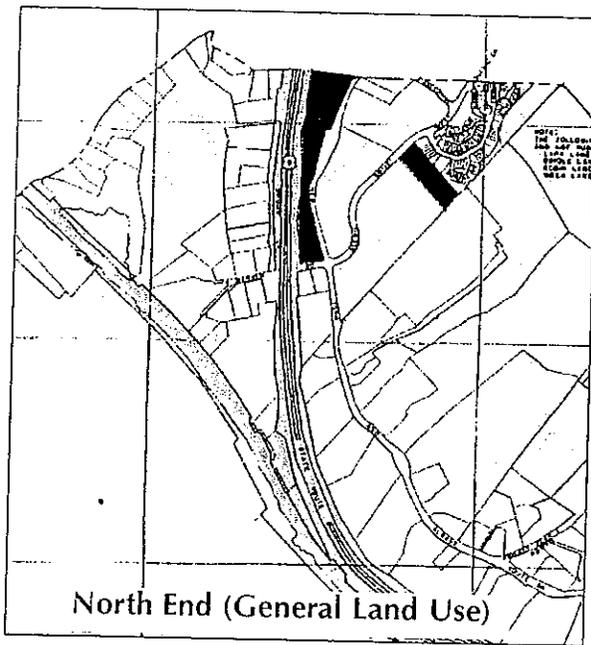
Source: Village of Croton-on-Hudson Tax Maps



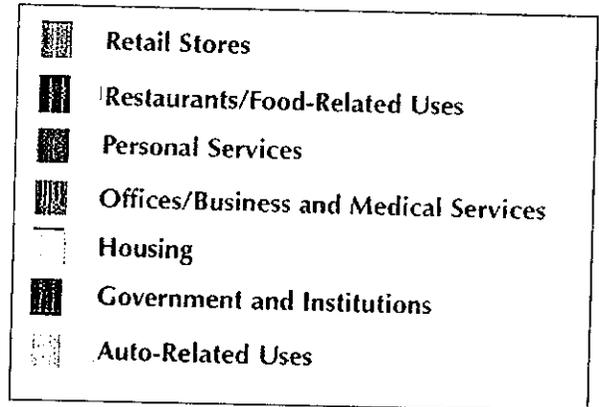
Municipal Place



South Riverside/Harmon



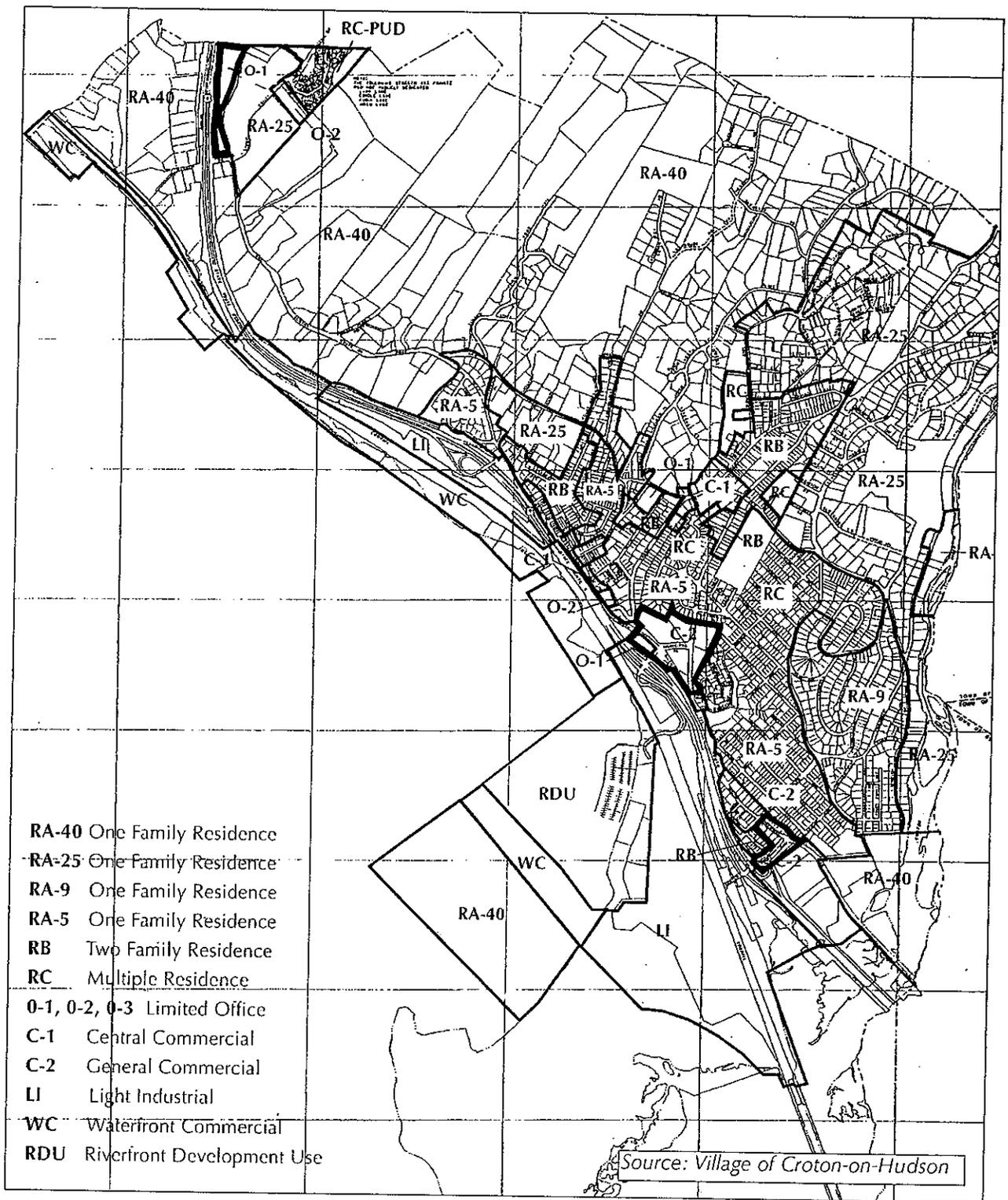
North End (General Land Use)



Source: Village of Croton-on-Hudson

Village of Croton-on-Hudson, New York Gateway Districts DGEIS

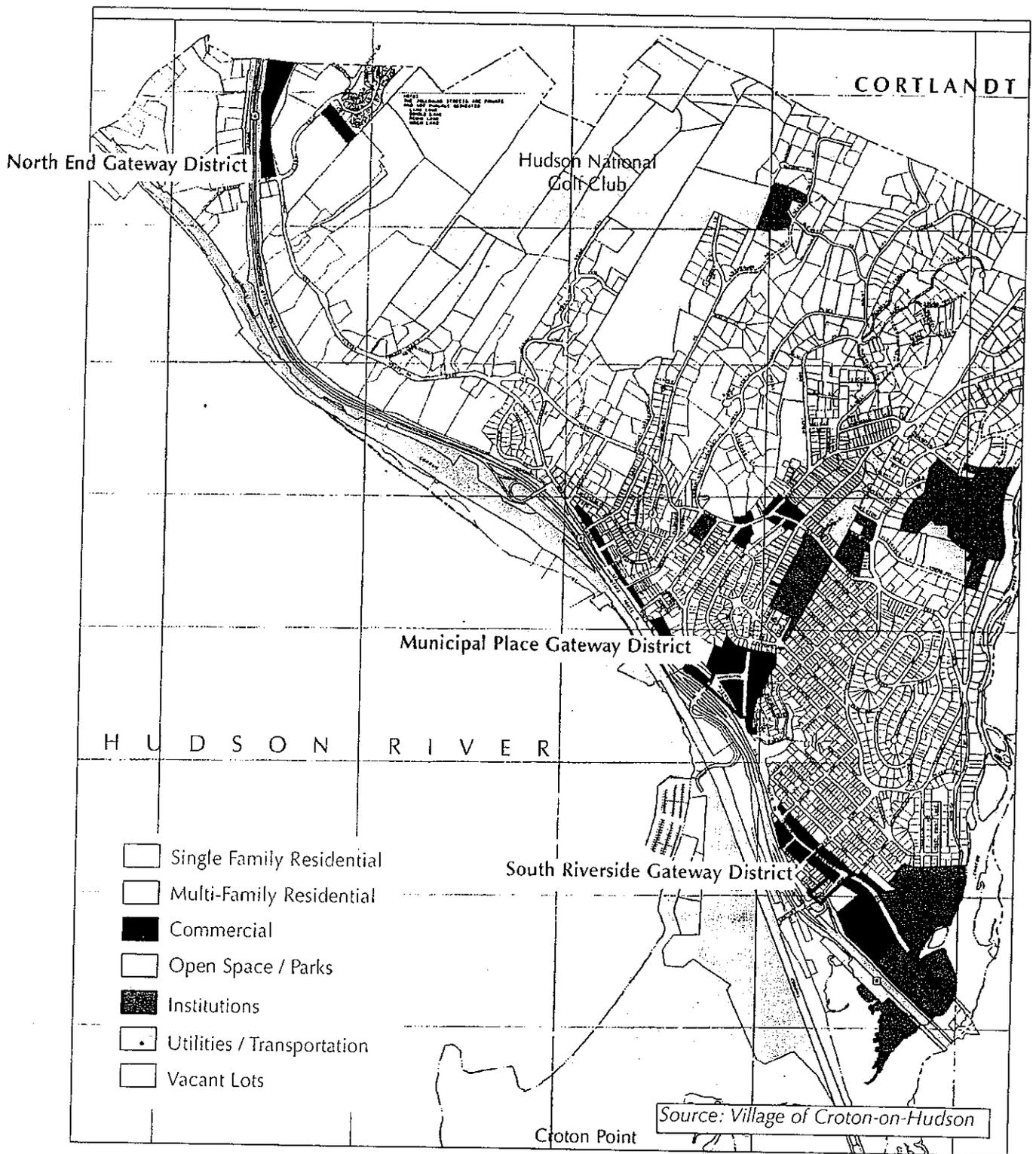
Figure 2: Land Use within Proposed Gateway Zones



Village of Croton-on-Hudson, New York
Gateway Districts DGEIS

Figure 3: Existing Zoning

Proposed Overlays 



Village of Croton-on-Hudson, New York
Gateway Districts DGEIS

Figure 4: General Land Use

b. *Comprehensive Plan Recommendations and Proposed Zoning Amendment*

1. Municipal Place Shopping Area The Plan states that the Municipal Place shopping area is viewed by many residents as the major commercial hub of the Village, due to its central location and the range of stores and services available, including the Village Post Office. The following issues are also identified:

"The area's role as a potential "center" for the village as a whole has remained largely unfulfilled, due in part to the fragmented nature of the various plazas and adjoining commercial sites which lack a coordinated pedestrian network and/or consistent streetscape treatment."

And,

"The current layout of the Municipal Place shopping area discourages pedestrian access and instead requires shoppers to drive from one plaza area to another. A network of pedestrian routes should be established that provides safe and attractive links between the various shopping plazas and other commercial sites as well as other major destination points such as schools, the library, and recreation areas. These routes should link directly to store entrances and include landscaping, signage and seating areas that encourage pedestrian activity... As a first step in this program, the Village has already approved the construction of a sidewalk along the south side of Municipal Place, linked to new sidewalks along the east side of Riverside Avenue."

Within the Municipal Place area, the Plan identifies the vacant Katz Property located on the north side of Municipal Place, adjacent to Maple Street, as "an important opportunity to create a focal point for the area." It suggests that it may also be possible to upgrade other sites within this area due to vacancies and possible relocation of businesses. The following site improvements to the Municipal Place shopping area are recommended:

- *A mixed-use building on Maple Street that could include professional office as well as community facility space*
- *A park and meeting area oriented to the Municipal Place-Maple Street intersection*
- *Convenient pedestrian access to both the proposed building and park, and connecting via a crosswalk to the stores on the east side of Maple Street*
- *A landscaped parking area set back from Maple Street with buffer planting to isolate it from nearby housing.*
- *Create a Pedestrian Network*
- *Adapt Municipal Place Facility for Recreational Use. The Municipal Place facility (recently used as a leaf composting area by Village residents) is located on the west side of South Riverside Avenue across from the automobile dealership. This area should be developed in a manner consistent with Gateway guidelines.*
- *Prepare Long Term Redevelopment Guidelines. In the longer term, redevelopment opportunities may occur which could help establish Municipal Place as a more pedestrian oriented road with new buildings creating a more traditional "street wall," thereby screening parking lots to the rear (see drawing below). The Village should monitor potential redevelopment in this area and take advantage of opportunities that arise to re-orient this area from an automobile-based layout to one that better reflects Croton-on-Hudson's historic development and character.*

2. South Riverside/Harmon. The Plan next focuses on the South Riverside/Harmon. This area contains several service facilities as well as a mix of retail outlets. As a result, much of

the street frontage is dominated by parking areas, driveways and service areas that are often unscreened from the roadway. The Plan makes the following recommendations for improving this area:

Streetscape Improvements - a well-designed streetscape program should be initiated as a priority action for South Riverside to encourage pedestrian use and improve the image of this gateway district. Recommended streetscape improvements are listed below:

- Additional landscaping including street trees and new planting and screening adjacent to parking and service areas.
- Sidewalk improvements should include paving treatments consistent with the sidewalk design incorporated in other Village commercial areas. The Village should explore the feasibility of installing sidewalks along the west side of South Riverside Avenue, south of Croton Point Avenue, to improve the pedestrian accessibility of this portion of Harmon/South Riverside. The Village should also consider installing crosswalks at the intersection of Croton Point Avenue and South Riverside Avenue (as indicated on Figure 4.5) to improve walkability.
- Reducing the number and scale of curb cuts where feasible in order to maintain stronger pedestrian path continuity.
- Encouraging the use of distinctive and attractive commercial signage.

Improve Pedestrian and Bicycle Links - Many residents of the Harmon neighborhood have noted the need for improved pedestrian and bike routes between the South Riverside/Harmon commercial district and nearby residential areas. The Village should also examine the feasibility of establishing a clearly identified bike route on both sides of Croton Point Avenue, including connections to the railroad station and to the shopping area south of Croton Point Avenue.

Reinforce Gateway Identity - The area's role as a major gateway should be reinforced through additional signage and other streetscape features. Consideration should be given to the placement of attractive gateway signage at the junction of Croton Point Avenue and Route 9A, and the addition of a distinctive feature within the landscaped area adjacent to the Exxon Gas Station to give prominence to the pedestrian link leading to the railroad station.

3. North End Office District. Next the Plan focuses on the North End describing it as a "partially developed" office area. The Plan recommends that future office development is appropriately sited and attractively designed, and that generous landscape planting is provided in order to maintain the rural quality of the area. The use of low stone walls along property lines to screen parking should be strongly encouraged as a means of providing a special identity for this gateway area and visually linking the area to similar features south of Warren Road on 9A. In addition, the gateway overlay should include a provision for the continuation of the farmers' market, which is a valued feature of this section of the Village.

Following the analysis of each of the commercial areas within the Village the Plan concludes with a recommendation for an amendment to the Village's zoning ordinance as follows:

"The underlying zoning for all three gateway areas will remain the same. However, the gateway overlay district will establish supplemental use, area, and bulk regulations, and design guidelines for these areas. The overlay districts also establish more restrictive floor area ratios (FARs), thereby restricting the maximum development potential."

"The proposed ordinance will prohibit the following uses in the gateway area: commercial parking lots; automobile storage lots; automobile dealerships; as well as drive-through windows for commercial establishments. Any such existing uses will become prior non-conforming uses and will be able to continue operation but will not be able to expand. In addition, new buildings designed for retail use will have a restriction on maximum size of 8,000 square feet. This restriction is imposed to encourage a small-scale village character in each of the gateways."

c. *Summary of the Proposed New Zoning*

The proposed zoning incorporates the recommendations outlined in the Comprehensive Plan. It also includes design guidelines as follows: requirements for off-street parking, curb cuts and sidewalks; a requirement that a minimum of 25% of the lot area shall be set aside as open space and new signage-controls and requirements for lighting. These are discussed in Section 2.6 in greater detail. A new control requires that buildings are oriented close to the front property line to help maintain a continuous street wall (see page 11 for an illustration of a typical street wall). Figures 5a through 5c, show the proposed gateway areas.

A key component of the proposed amendment is the introduction of an 8,000 square foot size limitation for any building designed for retail use. This policy is similar to size restrictions in similar villages in northern Westchester. For example, the zoning ordinance of the Village of Mount Kisco includes the following provisions:

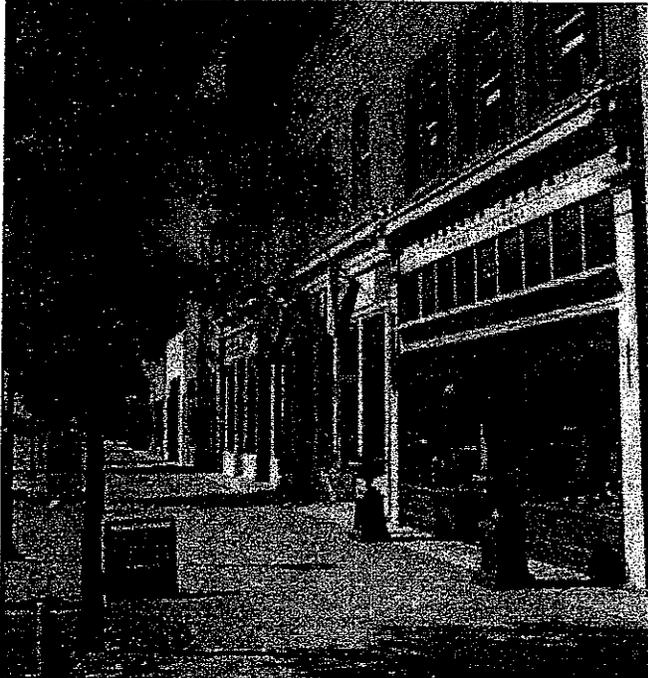
§110-15. CB1 Central Business District – 1.

- A. *Purpose and intent. The CB-1 District is intended to provide for a variety of small-scale to medium-scale commercial activities within the Central Business District of the village. The purpose of this district is to preserve the existing architectural character while reflecting the present nature and intensity of land use in the heart of the Village. It is recognized that the land use pattern in this district is such that the only available parking for commercial activities in the downtown area is, and will continue to be, that provided in common (public and private) parking facilities. Future development and/or conversions to a more intense commercial activity may require additional off-street parking. The permitted uses within this district are intended to balance its land use function within existing parking constraints.*
- B. *Permitted uses. No building or premises shall be used, and no building shall be erected, altered or added to, unless otherwise provided in this chapter, except for the following:*
 - (1) *Principal uses.*
 - (a) *Except as provided in this SubsectionB(1), stores and shops for the conduct of any retail business or personal service establishments, but excluding drive-up facilities, **not to exceed 8,000 square feet (emphasis added)** of gross floor area.*
 - (b) *Restaurants and drinking establishments, other than cabarets, not to exceed 8,000 square feet of gross floor area.*

- (c) *Business, professional and government offices not to exceed 8,000 square feet of gross floor area.*
- (d) *Banks not to exceed 8,000 square feet of gross floor area.*
- (e) *Theaters and cinemas, excluding the drive-up type, not to exceed 8,000 square feet of gross floor area.*
- (f) *Telephone exchanges not to exceed 8,000 square feet of gross floor area.*

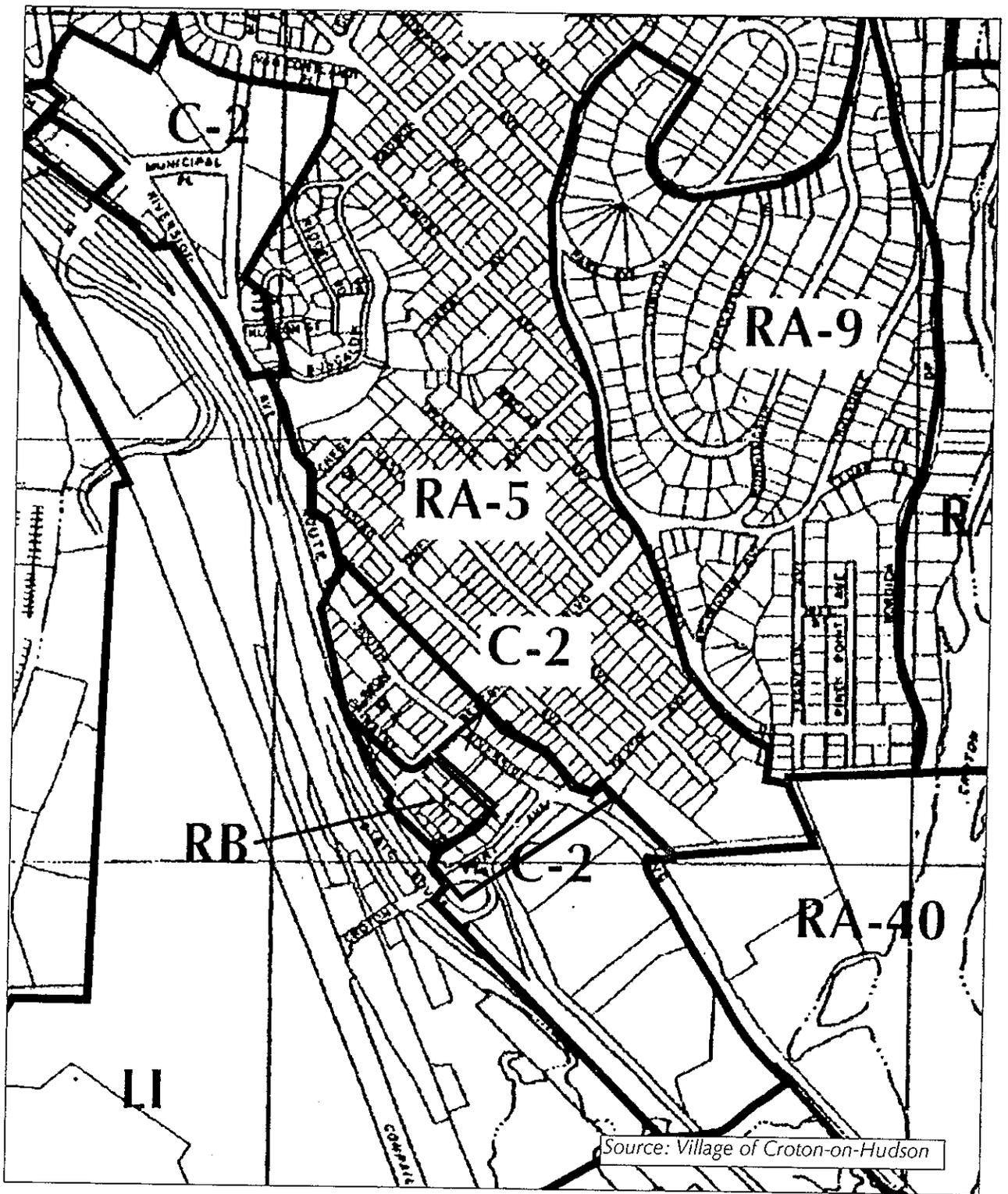
In other villages, the restrictions on the size of retail uses are greater. For example, in the Village of Mamaroneck, within General Commercial Districts, retail stores and personal service stores in excess of 3,000 square feet are subject to a Special Permit. 2.1 d. discusses the impacts of the proposed new zoning.

Illustration of Typical Street Wall



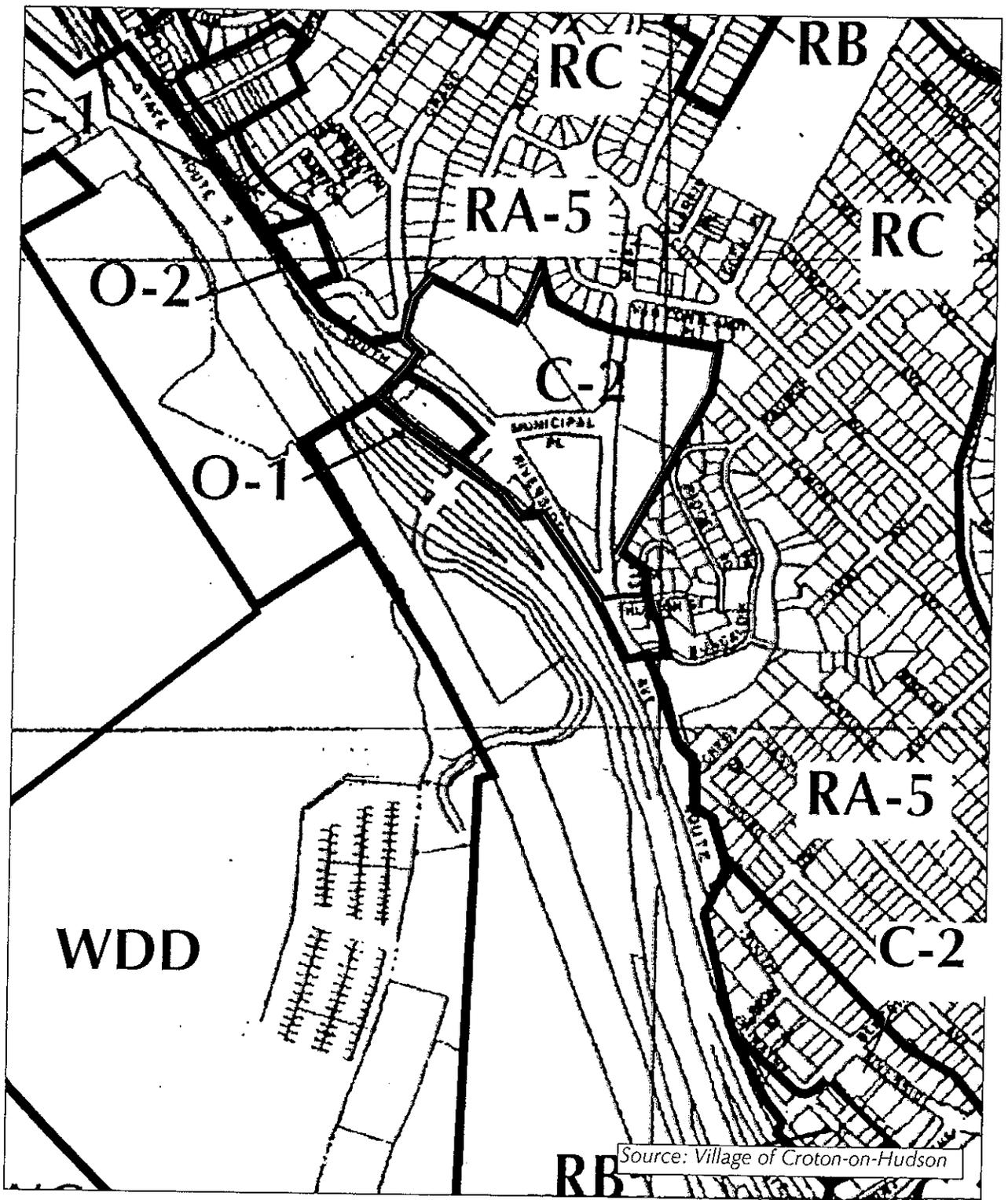
Built to the property line, buildings create a street wall

Source: Steuteville, Langdon et al. New Urbanism: Comprehensive Report and Best Practices Guide New Urban News (2003)



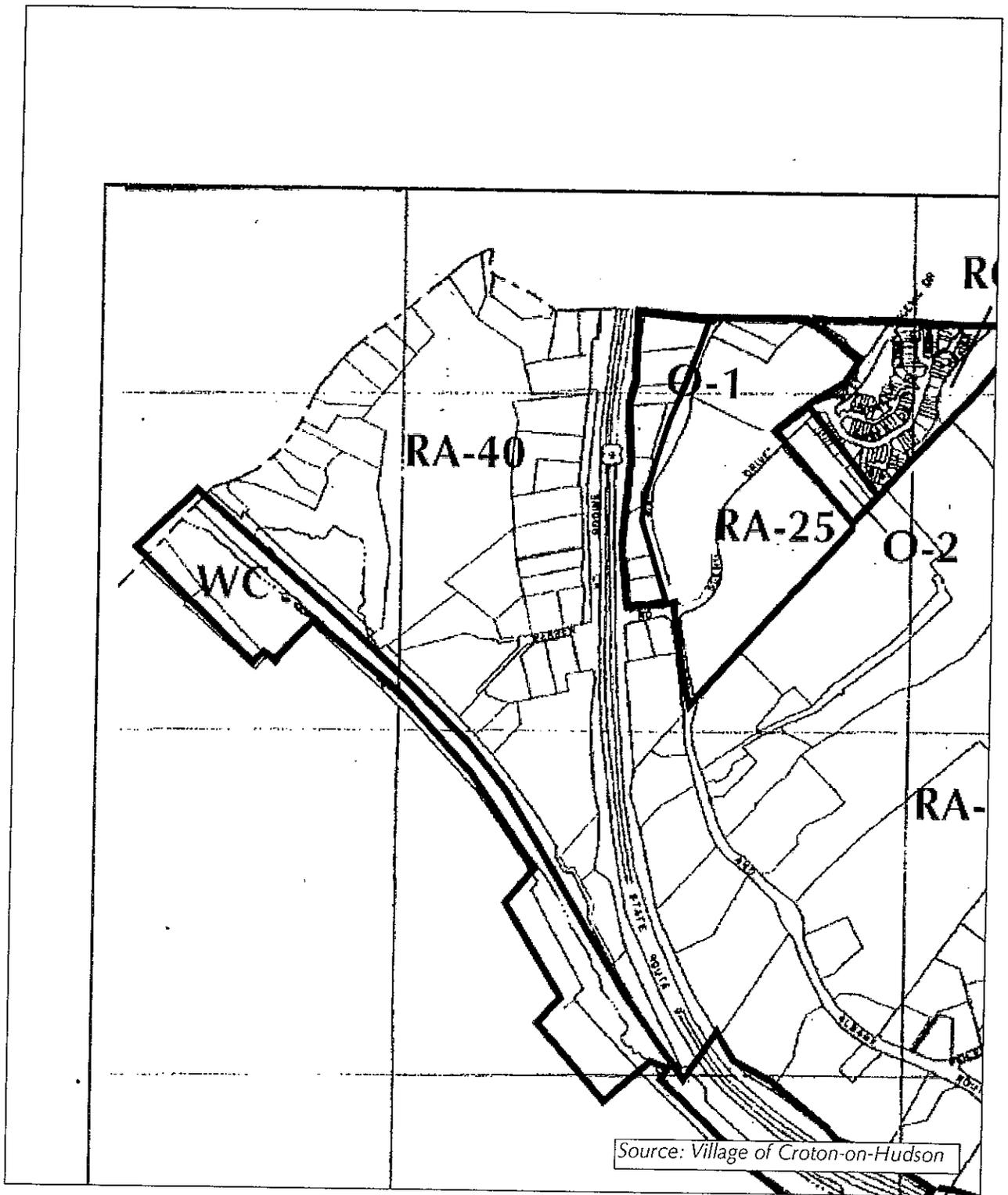
Village of Croton-on-Hudson, New York
Gateway Districts DGEIS

Figure 5a: Proposed South
Riverside Gateway



Village of Croton-on-Hudson, New York
Gateway Districts DGEIS

Figure 5b: Proposed Municipal
Place Gateway



Village of Croton-on-Hudson, New York
Gateway Districts DGEIS

Figure 5c: Proposed North
End Gateway

d. *Potential Impacts and Mitigation Measures*

AREA AND BULK REGULATIONS

One principal impact of the proposed gateway overlay district ordinance will be a reduction in the development potential in two of the three gateway areas – South Riverside and Municipal Place - as follows:

Table 2: Existing Development Potential

District	FAR	Total Area (SF)	Maximum Development (SF)
South Riverside	0.5	165,528	82,764.0
Municipal Place	0.5	744,876	372,438.0
North End	0.2	329,967	65,993.4
	Total	1,240,371	521,195.4

Table 3: Proposed Development Potential

District	FAR	Total Area (SF)	Maximum Development (SF)
South Riverside	0.4	165,528	66,211.2
Municipal Place	0.4	744,876	294,466.0
North End	0.2	329,967	65,993.4
	Total	1,240,371	426,671.0

Under the proposed zoning, 0.35 FAR is permitted for single-use properties and 0.40 FAR is permitted for multi-use properties. This represents an incentive to develop properties for multiple uses. Over time this may result in a greater mix and diversity of uses within the gateway areas of Croton-on-Hudson. A greater diversity of uses may encourage greater numbers of visitors which will in turn stimulate the local economy. No mitigation is proposed.

USE REGULATIONS

The proposed ordinance will allow certain uses only by special permit and prohibit other uses. The proposed ordinance will permit farmers markets, greenmarkets and garden centers only by special permit. The proposed ordinance will prohibit the following uses including commercial parking lots, automobile storage lots, fast food restaurants, automobile dealerships and drive-through windows for commercial establishments. These

uses are contrary to the goals of both the Village's Comprehensive Plan and the proposed ordinance which are to strengthen the Village's visual identity, improve pedestrian linkages and encourage a mix of uses. Any existing auto-dealerships or commercial drive-throughs will become prior non-conforming uses. However, such existing uses will not be able to expand. These use restrictions will have a number of beneficial impacts including limiting the number of paved surfaces (auto-dealerships and commercial parking lots typically require a large percentage of the lot to be paved), preserving the visual character of the Village and discouraging higher volumes of vehicular traffic. These public policy benefits are deemed by the Trustees to outweigh the limitations put on property owners in terms of future development of individual properties. There will still be a range of uses and potential tenants for any given property as outlined in Section 2.7.

HOURS OF OPERATION

Establishments will not be permitted to be open for business for more than sixteen hours in any twenty-four hour period. The purpose of this limitation is to provide some sense of "peace and quiet" to residents in and near the gateways during the late night and early morning hours. It is expected that most establishments will choose to close during these hours.

SIZE LIMITATION

The proposed ordinance will restrict all new retail to a maximum size of 8,000 square feet. This will have the beneficial impact of preserving the small-scale character of the Village (see Section 2.7 Socioeconomics and Community Character for more detail).

DESIGN GUIDELINES

The proposed ordinance will include design guidelines including controls for off-street parking, curb cuts, sidewalks, open space requirements, signage, lighting and building orientation. See Figures 9a through 9c for more details. The overall impact of these controls will be beneficial to the visual character of the gateway areas and the village as a whole (see Section 2.6 Historic, Cultural and Visual Resources).

The zoning impacts are mainly beneficial or are reasonable in terms of limitations on private property. As a result no public policy mitigation is necessary.

2.2 Land and Water Resources

a. Existing vegetation, wildlife, watercourses and wetlands resources in the Gateway District Areas

VEGETATION

There is a limited amount of vegetation in the South Riverside and Municipal Place gateways. With the exception of a lot at the corner of Maple Street and Municipal Place, both these gateways consist mostly of paved surfaces with limited amounts of landscaping; such as the plantings at the Van Wyck Shopping Center. The North End gateway contains some undeveloped, wooded lots along the west side of Route 9a (see Figure 7).

Figure 6: Vegetation at the intersection of Municipal Place and Maple Street



Figure 7: Vegetation on the West Side of 9A (proposed North end gateway)



WILDLIFE

The urbanized and commercial character of the gateway areas limits wildlife potential. The nearest natural habitat is the Hudson River, which is separated from all three gateways by Route 9 and the railway tracks. Species common to rivers and streams would therefore not be prevalent in the gateway district areas. Of the three proposed gateways, the North End has the most potential for wildlife. A list of species that may exist in an urban/disturbed setting or in a wooded area, according to the Westchester County Department of Planning, in *The Wildlife Resources of Westchester County*, is provided in the Appendix. All of the species listed are commonly found throughout Westchester County.

WATERCOURSES AND WETLANDS

The water resources in the Village include the Hudson and Croton Rivers and associated wetlands, the ponds at the north end of the Village, and the small rivers that run from higher elevations to the lower rivers and their wetlands. The entire Village falls within the New York State Coastal Zone.

There are no rivers, wetlands or ponds located within the gateway areas. The Municipal Place Gateway is closest to the Hudson River at a distance of approximately 400 feet; however, like the South Riverside Gateway and the North End Gateway, the Municipal Gateway is separated from the Hudson River by Route 9. The South Riverside Gateway is the nearest gateway to the Croton River, at a distance of approximately 900 feet. However, like the Hudson River, the Croton River is separated from the South Riverside Gateway area by Route 9.

b. Potential Impacts and Mitigation Measures

VEGETATION

The proposed overlay will have no direct effect on any existing vegetation within the gateway areas. Under the proposed design guidelines and open space requirement, the amount of vegetation in the Village will be increased. In addition, the proposed reduced FARs will lead to a reduction in the number of required parking spaces for the uses within the district. Fewer required parking spaces would lead to fewer impervious surfaces and allow more landscaping. No mitigation measures are proposed.

WILDLIFE

The proposed overlay will have no effect on existing wildlife within the gateway areas. However, future actions, not contemplated in this DGEIS, such as the development of undeveloped properties within the North End area, may require the removal of trees and vegetation. This may require a separate SEQR analysis. See discussion in Section 5.0 Subsequent SEQR actions for greater detail.

WATERCOURSES AND WETLANDS

None of the gateway districts are contiguous to either the Hudson or Croton rivers nor do any of the gateway districts include State-designated wetlands. The Municipal Place Gateway District is geographically close to the Hudson River, but Route 9A serves as a barrier which separates the District from the River. In addition, the proposed zoning will reduce the maximum permissible FAR which will lead to a reduction in the number of required parking spaces within the districts. Fewer required parking spaces will lead to fewer impervious surfaces that would potentially impact the River. The proposed zoning also includes recommendations for additional landscaping that will allow stormwater to be absorbed into the soil rather than flowing into any neighboring streams or rivers. No mitigation measures are proposed.

2.3 Air Quality & Noise

a. Existing Conditions in the Gateway District Areas

AIR QUALITY

Air quality in the gateway areas is typical of a heavily trafficked village center.

NOISE

Table 5 is a US Department of Transportation, Federal Highway Administration guide to typical noise levels within urban and suburban settings. The proposed gateway areas, particularly the Municipal Place and South Riverside areas are likely to fall into the 60 to 65 dBA range. The North End area has a semi-rural character and may fall more into the 50 to 60 dBA range. For all three gateway areas, a certain amount of background noise can be attributed to the proximity of Route 9 and the railroad.

Table 5: Noise Chart

Common Outdoor Noises	Sound Pressure Level (dBA)	Common Indoor Noises
	110	Rock Band at 5 m
Jet Flyover at 300 m		
	100	Inside Subway Train (NY)
Gas Lawn Mower at 1 m		
	90	Food Blender at 1 m
Diesel Truck at 15 m		
Noisy Urban Daytime	80	Garbage Disposal at 1 m Shouting at 1 m
Gas Lawn Mower at 30 m Commercial Area	70	Vacuum Cleaner at 3 m Normal Speech at 1 m
	60	Large Business Office
Quiet Urban Daytime	50	Dishwasher Next Room
Quiet Urban Nighttime	40	Small Theater, Large Conference Room (Background) Library
Quiet Suburban Nighttime	30	Bedroom at Night Concert Hall (Background)
Quiet Rural Nighttime	20	
	10	Broadcast and Recording Studio
	0	Threshold of Hearing

Source: U.S. Department of Transportation, Federal Highway Administration, *Highway Noise Fundamentals*, September 1980

b. Potential Impacts and Mitigation Measures

AIR QUALITY & NOISE

The proposed overlays will reduce the maximum allowable density, increase buffers and screening and limit the hours of operation to 16 hours within any 24- hour period. All of these restrictions will have a beneficial impact on air quality and noise within the gateway areas. With less density and reduced hours of operation, fewer vehicular trips will be generated than might be generated under a full build-out under the current zoning. In addition, the proposed design guidelines include the construction of stone walls, street trees and screening that will help to muffle sound.

2.4 Community Facilities and Services

The following information is taken from the Village's 2003 Comprehensive Plan.

a. Existing Public and Private Parks, Recreation Facilities, Schools, Libraries, Police and Fire Departments and Public Utilities in the Gateway District Areas

PUBLIC AND PRIVATE PARKS, RECREATION

According to the Comprehensive Plan, parks, trails, and open space occupy almost one half (45%) of the Village's land area. This comprises a mixture of public and private lands and overall contributes to the semi-rural character of the Village. The Village has approximately 713.7 acres of parks and nature preserves including Croton Point Park, a portion of the Brinton Brook Sanctuary and numerous municipal parks and recreation spaces. Approximately 297 acres is private recreational space including the Hudson National Golf Course.

SCHOOLS

The Village of Croton-on-Hudson is served by two school districts: the Croton-Harmon Union Free School District and the Hendrick Hudson School District. The Croton-Harmon District has three schools, all located in Croton-on-Hudson: Carrie E. Tompkins Elementary School, Pierre Van Cortlandt Middle School, and Croton-Harmon High School. Only 85 students, or 3 percent of HHSD's student body, lived in Croton-on-Hudson.

POLICE

The Croton-on-Hudson Police Station is located in the Stanley H. Kellerhouse Municipal Building, at One Van Wyck Street. The Village's police force consists of 21 full-time officers, including two detectives, as well as two parking enforcement officers, five crossing guards and two dispatchers. The full-time force is supplemented by the volunteer Auxiliary Police, who assist the Police Department with crowd and traffic control at special events. The Department has a five-officer Dive Team and a six-officer Emergency Response Team as well as a Youth Officer who is available to work with youths in the community. Programs sponsored by the Police Department include DARE (Drug Abuse Resistance Education) and a "Dark House List," designed to protect vacant homes from burglary. At all times, the Police Department has two officers patrolling Croton-on-Hudson by car and one available for dispatching at headquarters. Emergency response time throughout the Village is approximately three minutes. Patrol cars are equipped with automated electronic defibrillators, and full first aid kits and all officers are trained in C.P.R. and first aid. Laptop computers have been installed in all patrol cars with a link to headquarters so that police reports can be filed on-site and downloaded directly into the station computer.

FIRE-FIGHTING AND EMERGENCY MEDICAL SERVICES

Croton-on-Hudson's Fire Department is a volunteer organization that provides fire-fighting and emergency medical response services to the Village. The approximate emergency response time to all points in the Village is five minutes. The Department has three fire stations and five companies, and approximately 220 volunteers, including fire fighters and emergency medical technicians. The three fire-fighting stations, located throughout the Village, are:

1. Harmon Engine Company, located at Benedict Boulevard and Wayne Street. The reconstruction of the station was completed in the spring of 2002.

2. Grand Street Firehouse, located on Grand Street in the Upper Village. The original building, which is over 100 years old, was recently expanded to accommodate a ladder truck.
3. Washington Firehouse, located on North Riverside Avenue at High Street.

Village residents in need of medical care can be brought to one of the following four medical centers, depending on the nature of the care needed: Phelps Memorial Hospital, Center, in Sleepy Hollow, NY (7 miles), Hudson Valley Hospital Center, in Peekskill, NY (6 miles), Northern Westchester Medical Center, in Mount Kisco, NY (8 miles), Westchester Medical Center in Valhalla, NY (11 miles).

PUBLIC UTILITIES

Water Resources: Water supply comes directly from sand and gravel aquifers pumped from three deep wells under the Croton River Basin. Well water provides a very pure source of water because it requires only a minimum amount of treatment and avoids the potential problems with pollution run-off that are associated with surface water from the reservoir system. The Village's three active wells are located on Route 129 (a fourth well is inactive). The wells can produce up to 1.8 – 2 million gallons of water per day; the average daily water consumption is 1 million gallons per day. The automation of the well pumping system was completed in 2001. Water pumped from the wells is stored in a network of four reservoir tanks located throughout the Village; two tanks in the Mount Airy area, one on Hessian Hills Road and the fourth on the Hudson National Golf Course. The four tanks can hold a total of 2.3 million gallons of water. By tank, the capacity is as follows:

1. Upper North Highland:	1,250,000
2. North Highland underground:	400,000
3. Hessian Hill Road:	500,000
4. Hudson National Golf Course:	<u>150,000</u>
	2,300,000 gallons

The installation of this fourth reservoir tank at the golf course in the early 1990s, coupled with a water main extension completed in early 2001, connected neighborhoods in the northern part of the Village – Scenic Ridge, Westwind, and Arrowcrest – to the Village water system. These areas had previously been served by the Town of Cortlandt's system.

Although the current three-well system serves the Village adequately, if a well were to be taken out of service, the supply to the Village would be significantly reduced. As such, the Water Department has requested funds to install a fourth well, to ensure adequate supply of water if one of three wells is out of service.

Sewer System: The Village utilizes a sanitary sewer system in the most densely populated areas of the Village, and septic system systems in the less dense areas. Most of the Village's sanitary sewer system was installed during the 1920s and 1930s, connecting already constructed houses to the sewer system. Subdivisions constructed more recently by private developers also have sewer connections, as the Village required private developers to install sanitary sewers. However, houses developed after the 1930s by individual residents in the

outlying areas of the Village on single lots were often not connected to the system. These homes are served by private septic systems.

Most of the Village's sewer lines are between 70 and 80 years old and are beginning to show signs of age. Some lines are cracking and need to be re-lined or replaced. The Village invested \$100,000 in 2000 to rehabilitate several manholes and sewer lines and has focused efforts on sections of the lines that have problems. A proactive effort to reline the sewer lines before the conditions worsen could help preempt further problems.

b. Potential Impacts and Mitigation Measures

No new development is proposed as part of this action. Therefore there will be no direct impact on community facilities as a direct result of the proposed action. However, in the longer term, the reduction of the maximum density permitted within the gateway areas will effectively limit the potential impact on community facilities and services as compared to the existing zoning which allows higher densities within the gateway areas.

2.5 Transportation

a. Existing Conditions and Facilities in the Gateway District Areas

New York State Department of Transportation publishes traffic counts for sections of Route 9A, which are as follows:

Table 6: NYSDOT Traffic Counts for Route 9A

Segment of Route 9A (from = to)		Count (both directions)
Old Post Road and Rte. 9A	Croton Point Avenue and Rte. 9A	49,893
Croton Point Avenue and Rte. 9A	Old Post Road	5,719
Old Post Road and Rte. 9A	Rte. 9 Montrose	5,768

Source: New York State Department of Transportation

As Table 6 shows, a high volume of traffic uses the section of Route 9/9A immediately south of the Village up to Croton Point Avenue. The volume then drops off significantly. This is likely to reflect the large number of trips generated by people traveling to and from the Croton Harmon train station. Counts for specific streets within the gateway areas are not currently available. However, much of the traffic observed during site visits to the gateway areas appeared to be local either passing through or making visits to the gas stations, Croton Commons and the Post Office. Traffic with destinations beyond the Village generally uses Route 9 and bypasses the Village.

b. Potential Impacts and Mitigation Measures

The proposed zoning overlay will reduce the maximum permitted FAR within two of the gateway districts and restrict the maximum permissible square footage for any single building designed for retail use. In the long term, as compared to the higher densities permitted under the existing zoning, the proposed restrictions will have a beneficial impact on traffic generation within the gateway areas.

2.6 Historic, Cultural and Visual Resources

a. Existing historic, cultural, and visual resources in the Gateway District Areas

HISTORIC

The Van Cortlandt Manor is located just south of the proposed South Riverside gateway district and is described as follows in the Comprehensive Plan:

"A National Historic Landmark, the Van Cortlandt Manor is situated at the southern end of the Village, just east of South Riverside Avenue along the Croton River. The Manor was developed in the 18th century on lands owned by the Van Cortlandt family, a prominent merchant and political family who played a significant role in the development of colonial New York. The Manor buildings include the stone manor house, an 18th-century tavern and a reconstructed tenant dwelling. The Manor once encompassed over 2,400 acres but almost all of this land was sold or divided among family heirs over the years. Today, the Manor is open to the public as a working estate and museum, on five acres of land. It is owned and operated by Historic Hudson Valley, an organization devoted to historic preservation in the Hudson River Valley.

CULTURAL

The Croton Council on the Arts, a non-profit group founded in 1976, promotes the arts in Croton-on-Hudson and sponsors events featuring local and visiting artists. The CCoA organizes several annual events, including Photographers of Northern Westchester, the "Local Color" Exhibition and "ArtsJam." The Croton Chamber of Commerce also organizes several community events each year in conjunction with the Village Recreation Department, including Summerfest in June, Winterfest in December, and several holiday programs over the course of the year. Summerfest is held each year on the first Sunday in June.

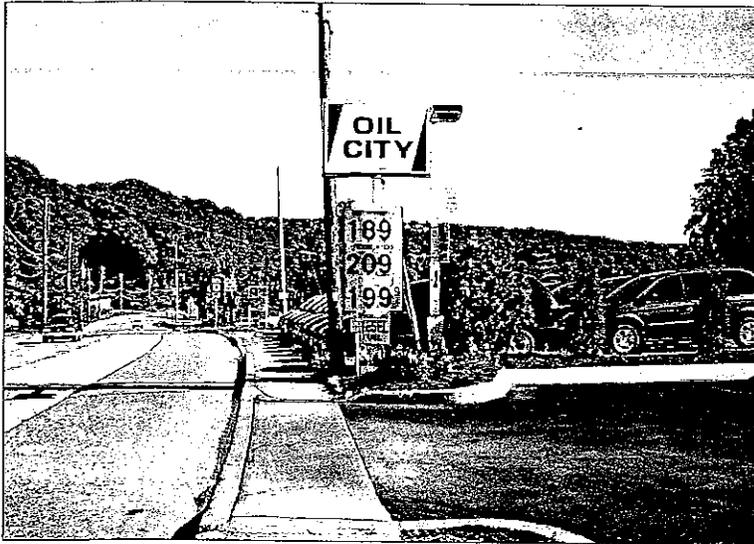
VISUAL

See Figures 8a through 8c.

South Riverside Gateway: As Figure 8a shows, the South Riverside Gateway suffers from multiple visual impairments including overhead utilities, limited street trees, lack of screening in front of parking lots, multiple driveways and large expanses of paved, un-landscaped parking lots.

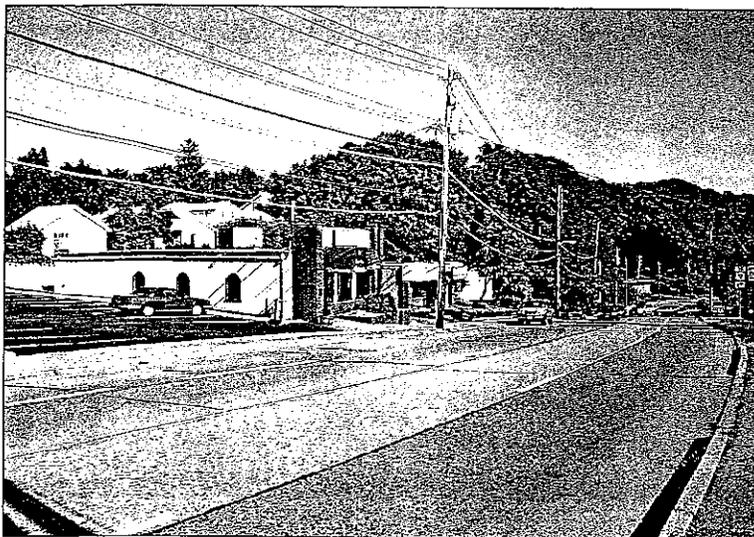
Municipal Place Gateway: Figure 8b shows similar visual impairment including overhead utilities and large expanses of pavement. In addition, the west side of Maple Street lacks sidewalks and Van Wyck Shopping Center lacks pedestrian walkways and connections to Croton Commons across Maple Street.

North End Gateway: Figure 8c indicates the North End Gateway is different to the other two gateways; the east side of 9A is heavily wooded lending this area a more rural feel. However, on the west side, a number of lots have been developed with parking fronting the street and without adequate screening. This gateway is also generally without sidewalks.



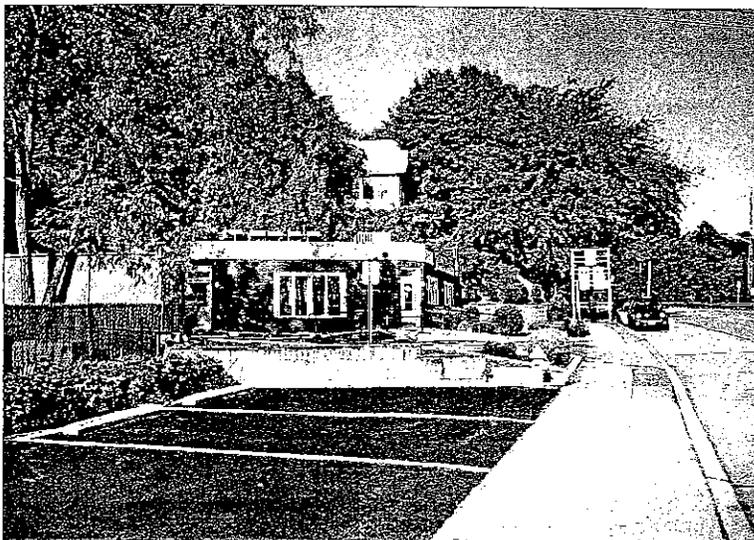
View South on Riverside Avenue

- Overhead utilities
- Limited street trees



East Side of Riverside Avenue

- Overhead utilities
- Limited street trees
- Lack of screening in front of Parking lots along Riverside Avenue
- Street frontage interrupted by multiple driveways

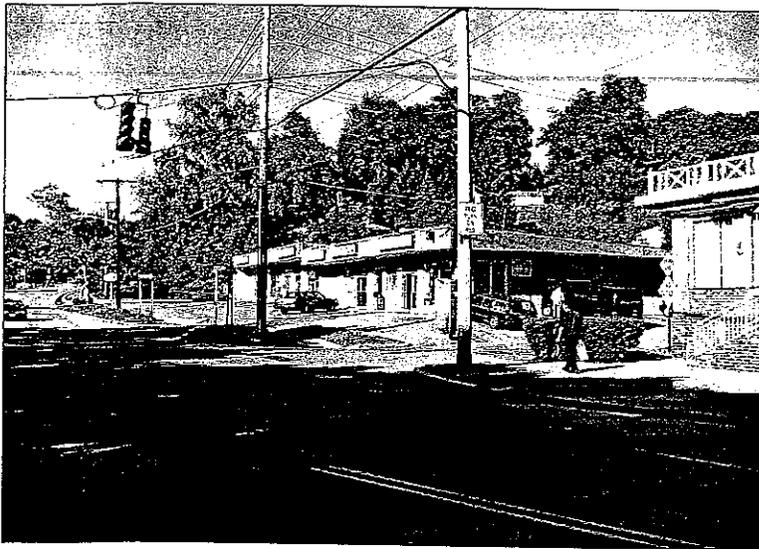


Looking east down Croton Point Avenue

- Overhead utilities
- Large paved areas
- Separate driveways

**Village of Croton-on-Hudson, New York
Gateway Districts DGEIS**

Figure 8a: South Riverside Gateway



Retail at Intersection of Maple Street and Riverside Avenue

- Overhead Utilities
- Lack of pedestrian crosswalks on Maple Street
- Lack of attractive street lighting and street trees



Van Wyck Plaza

- Absence of pedestrian sidewalks or crosswalks within Van Wyck Plaza
- Building oriented at a right-angle to Maple Street

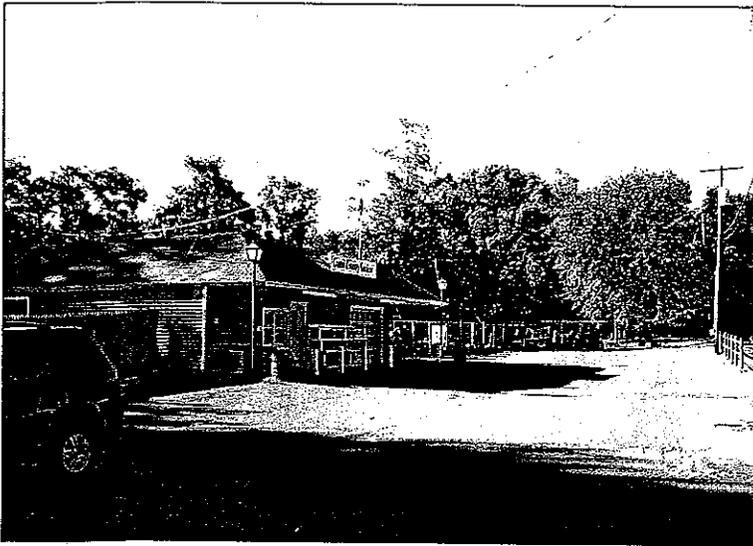


Croton Commons

- Absence of pedestrian crosswalks and street trees.
- Absence of sidewalk along west side of Maple Street

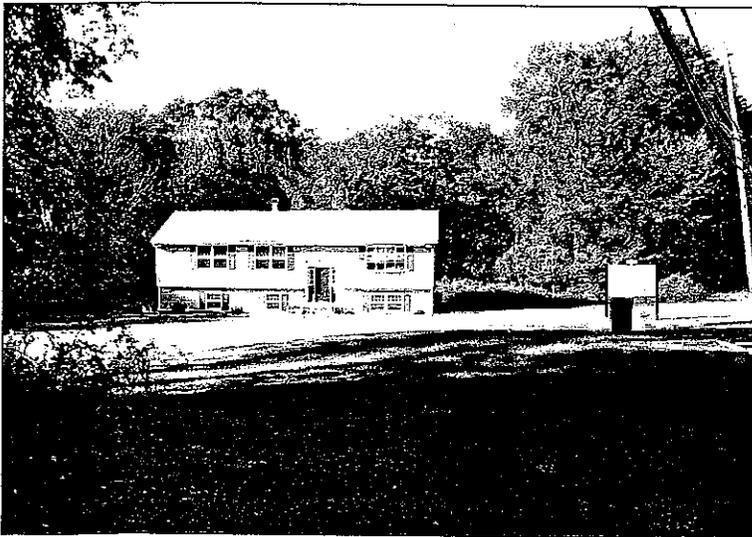
Village of Croton-on-Hudson, New York
Gateway Districts DGEIS

Figure 8b: Municipal Place Gateway



Garden Center and Lot off of 9A

- One story structure
- Parking lot in front of building along 9A
- Overhead utilities
- Decorative wooden fence at entrance to parking lot



Doctors Offices and Adjacent Lot

- Overhead utilities
- Country-like setting
- Office in residential style building perpendicular to main road
- Absence of landscaping in parking lot.



9A Looking North

- Overhead utilities
- Absence of street trees
- Country-like setting

Village of Croton-on-Hudson, New York
Gateway Districts DGEIS

Figure 8c: North End Gateway

b. Potential Impacts and Mitigation Measures

HISTORIC

The Van Cortlandt Manor is not included in the South Riverside Gateway District and will therefore not be directly affected by the proposed overlay districts. However, the Van Cortlandt Manor may be positively affected by being proximate to the district. The overlay district's bulk, use and design guidelines aimed to improve the major entry points into the Village will create a more attractive overall setting for the Manor. For instance, under the proposed ordinance, commercial parking lots and auto dealerships would be prohibited which would detract from the Manor's bucolic setting. No mitigation measures are proposed.

CULTURAL

Since no cultural institutions are located within any of the three gateway areas, no cultural institutions will be impacted by the creation of the proposed overlay districts. Therefore, no mitigation measures are required.

VISUAL

The proposed ordinance includes design guidelines that are specifically intended to improve the visual quality of the gateway districts. Each aspect of these guidelines is discussed below (please refer to the Appendix for the full text amendment):

Off-Street Parking Placement / Design: The proposed ordinance will require that all off-street parking be located along the side and in the rear of buildings, unless site or business constraints prevent conformance with this requirement.

Vehicular Curb Cuts: The proposed ordinance requires one vehicular curb cut per lot per street frontage, unless the property owner can demonstrate that this standard cannot be achieved or is not appropriate to the specific site. The same standard would apply to the owner of a developed property with more than one curb cut applying for a change of use, a site plan and/or amendment to a site plan. The ordinance also recommends that where possible, curb cuts shall be shared among adjoining properties.

Sidewalks: All new developments must provide sidewalks along any property lines that front on public streets. Internal sidewalks will be provided as deemed appropriate by the Planning Board.

Open Space: A minimum of twenty-five percent (25%) of the lot area shall be set aside as open space. Applicants will be required to submit a landscape plan as part of the site plan application. Where a lot has frontage on a street or sidewalk, landscaping shall be designed to provide an attractive, green buffer between the building and the sidewalk and the sidewalk and the street. A buffer of street trees, ornamental shrubs or low stone walls shall be required to screen parking areas and auto service stations from adjacent sidewalks and streets.

Signage: The proposed ordinance will restrict signs to a maximum of 48 square feet in area.

Lighting: All applicants shall be required to submit a lighting diagram at the time of site plan application showing the location of lights on buildings and in parking lots, and the actual areas of illumination. Free-standing lighting in parking lots shall not be higher than 20 feet.

on poles.

Building Orientation: In order to discourage parking lots in front of buildings, new buildings shall be oriented with the building front facing the street and situated close to the front property line to create a more continuous street wall.

In addition to the above, design guidelines have been established as part of the Comprehensive Plan for each of the three gateway areas that build upon the individual features of each district. These are described below.

South Riverside/Harmon

- New development, landscaping and streetscaping in the South Riverside/Harmon district shall be designed to enhance the district's small-scale character and to improve connections between the railroad station and the South Riverside/Harmon shopping area.
- Pedestrian and Bicycle Networks: To improve safety and accessibility in the Harmon/South Riverside area, the installation of sidewalks and bikeways along the south side of Croton Point Avenue shall be required as practicable. Any new sidewalks shall include paving treatments that are consistent with the sidewalk design incorporated in the commercial areas on South Riverside between Benedict Boulevard and Oneida Avenue.
- Streetscape: The Planning Board shall require the use of pedestrian-scale lighting and other streetscape features similar to those used in the North Riverside and Upper Village commercial areas, to visually link this district to other commercial areas and to create a more attractive and accessible pedestrian environment.
- Signage: All signage within the district shall conform to the signage regulations set forth in the Zoning Code. In addition, to reinforce the area's role as a major gateway, the Planning Board shall encourage the design and placement of a distinctive gateway feature such as a clock or sculpture near the corner of Croton Point Avenue and South Riverside Avenue.

Municipal Place

- Pedestrian Networks: A network of pedestrian routes would provide safe and attractive links between the shopping plazas and other commercial sites, as well as to other major destination points such as schools, the library and recreation areas. In site plan applications the following shall be implemented wherever it is deemed practicable by the Planning Board:
- The installation of sidewalks in the following locations within the gateway district:

- The west side of Maple Street along the parcel with the following tax map designation: 78-12-3-3
 - The east side of Maple Street from Municipal Place to Hudson Street
 - The north and south sides of Municipal Place between South Riverside Avenue and Maple Street
 - The installation of sidewalks within each shopping plaza. These routes shall link directly to store entrances and to pedestrian crosswalks, and shall include landscaping, signage and seating areas that encourage pedestrian activity.
 - Any new sidewalks shall include paving treatments that are consistent with the sidewalk design incorporated in the North Riverside at Brook Street and Upper Village commercial areas.
- Landscaping: Landscaping in the Municipal Place gateway district shall conform to the regulations set forth in §230-20.5 (3) of this ordinance and Section 230-71 of the Zoning Code. In addition, landscaped islands, including ornamental trees and shrubs, shall be incorporated as practicable for the plaza parking lots.
 - Streetscape: The Planning Board shall require the use of pedestrian-scale lighting and other streetscape features similar to those used in the North Riverside at Brook Street or Upper Village commercial areas, to visually link this district to other commercial areas and to create a more attractive and accessible pedestrian environment.
 - Signage: All signage within the district shall conform to the signage regulations set forth in the Zoning Code.

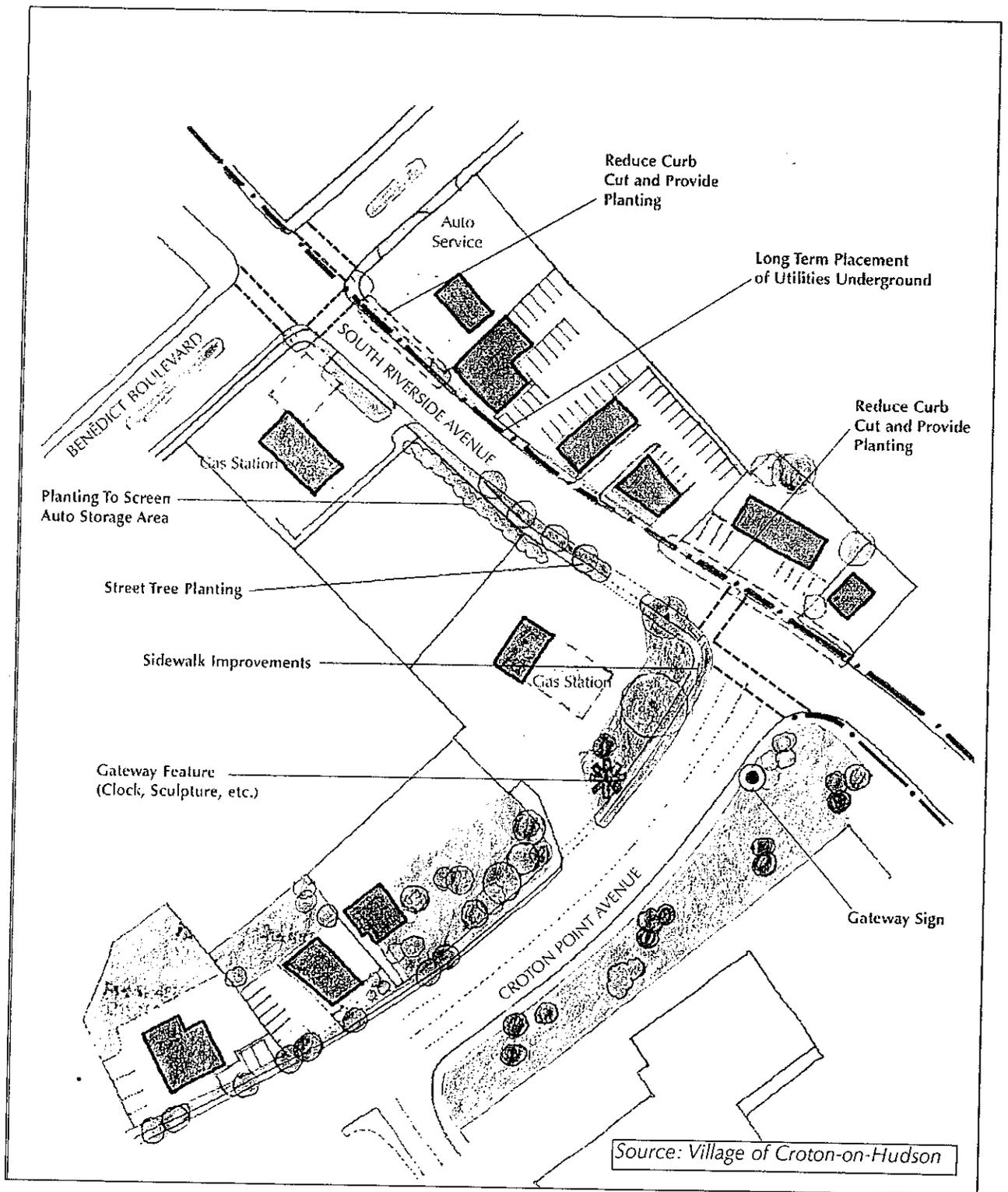
North End

- New development, landscaping and streetscaping in the North End gateway district shall be designed to preserve the district's residential and rural feel, connect the district to the neighborhoods to the south, and provide a more defined entrance into the Village.
- Pedestrian Networks: The installation of sidewalks along the Route 9 side of Route 9A, approximately from the village boundary line to the properties immediately south of Warren Road, and the installation of sidewalks on Warren Road between Route 9 and Route 9A shall be incorporated into site plans as practicable. Any new sidewalks along Route 9A shall include paving treatments that are consistent with the sidewalk design incorporated in the North Riverside at Brook Street and Upper Village commercial areas.
- Landscaping: Landscaping in the North End gateway district shall conform to the regulations set forth in §230-20.5 (3) of this ordinance and Section 230-71 of the Zoning Code. In addition, street trees and ornamental shrubs shall also be planted

on the east side of Route 9 and the west side of Route 9A to form a buffer between these roads and the North End gateway properties.

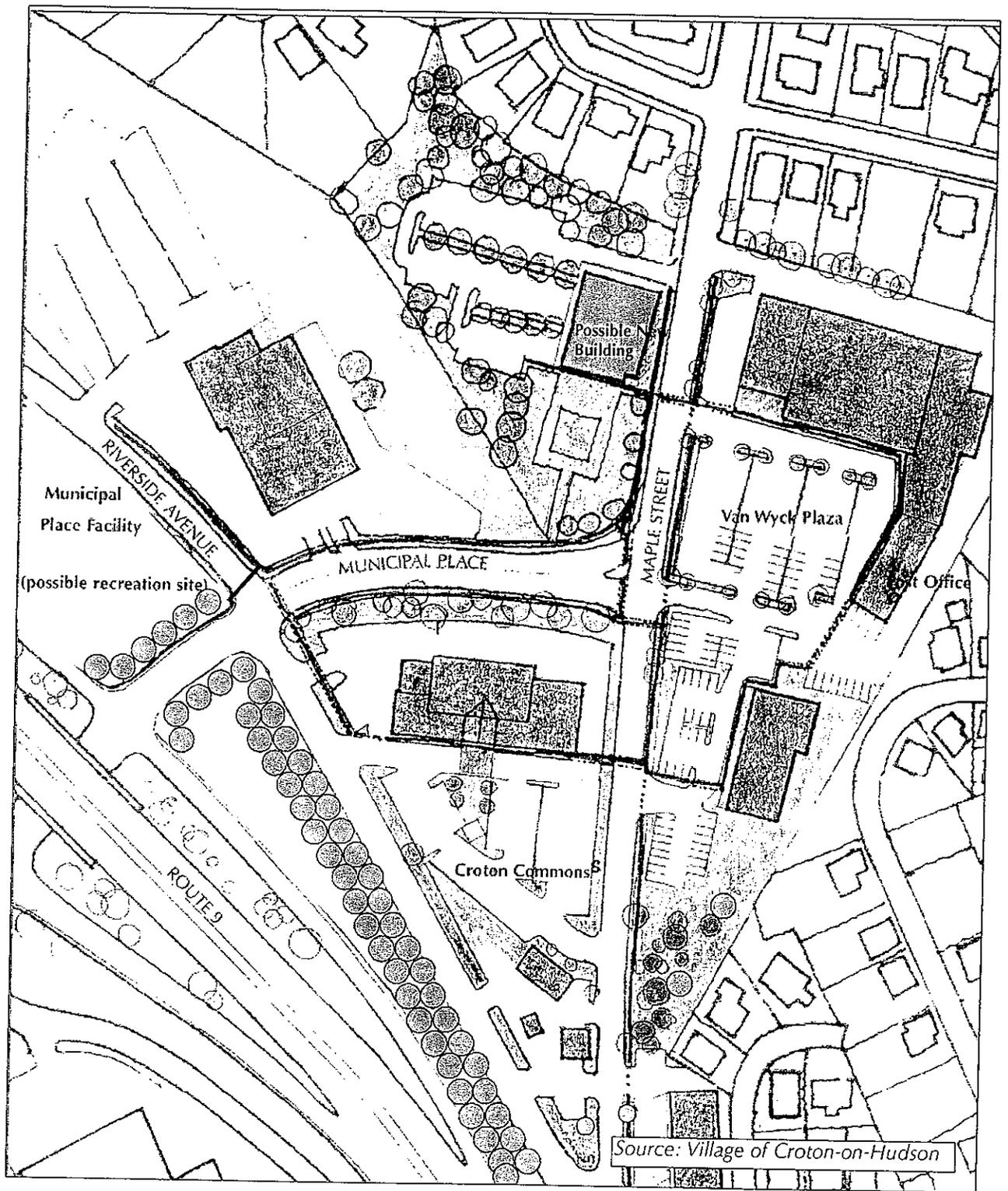
- **Stone Walls:** The use of low stone walls consistent with existing built walls along property lines to screen parking, to provide a special identity for this district, and to visually link the district to similar features south of Warren Road shall be preferred in considering site plans.

The overall visual impacts will be beneficial to the gateway areas and the Village as a whole, therefore no mitigation is proposed.



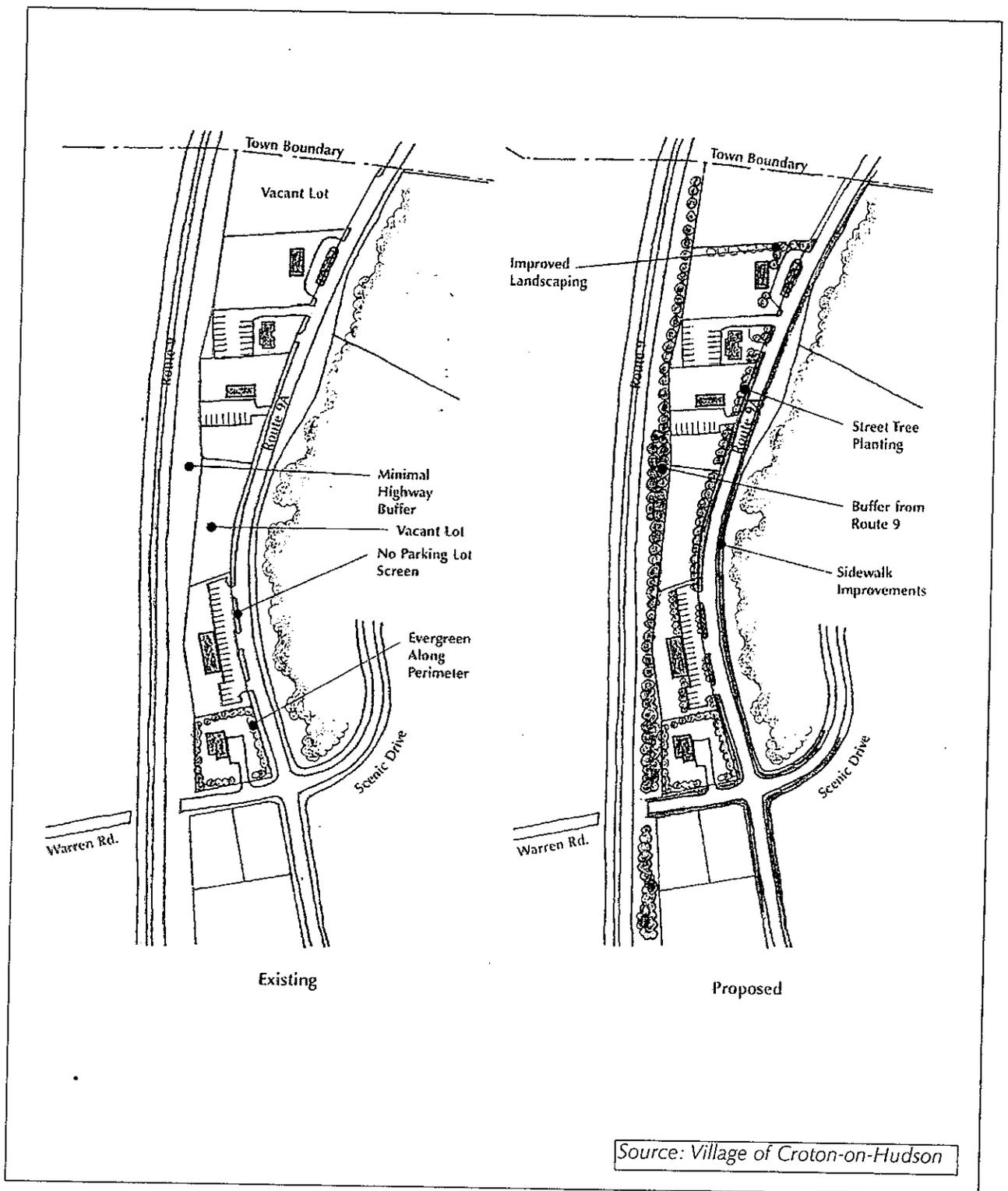
Village of Croton-on-Hudson, New York
Gateway Districts DGEIS

Figure 9a: Riverside Guidelines



Village of Croton-on-Hudson, New York
Gateway Districts DGEIS

Figure 9b: Municipal Place
Guidelines



Village of Croton-on-Hudson, New York
Gateway Districts DGEIS

Figure 9c: North End
Guidelines

2.7 Socioeconomics and Community Character

a. Economics and Community Character in the Gateway District areas

As part of this study, the Village undertook a survey of existing commercial properties within the Village (see Appendix C). Land uses were recorded for a total of 81 tax lots across the Village including commercial properties on the following streets: North Riverside Avenue, South Riverside Avenue, Brook Street, Grand Street, Old Post Road South, Maple Street, Croton Point Avenue and Benedict Boulevard, Oneida Avenue and Municipal Place. Based on the Village survey, out of a total of 132 retail/commercial uses, only 9 exceed 8,000 square feet. These larger commercial uses include Shoprite, New York Sports Club and Pizza Brew which are all located just south of the proposed South Riverside Gateway District. At 3,235 square feet, the average size of a commercial use within Croton is well under 8,000 square feet. Of the total 132 uses surveyed, the largest percentage (39%), were in the 1,000 to 1,999 square foot range. These uses include mostly restaurants, delis, medical offices and contractors. The next biggest percentage of stores (15% of the total) was in the 500 to 999 square foot range. These uses include pizza parlors, groceries, a florist and an insurance office. The proposed 8,000 square foot limit is therefore in keeping with existing sizes of commercial uses within the Village.

Table 7: Summary of Village Retail (See Appendix for more detail)

Range (square feet)	Number of Stores	Percentage of Total
100 to 499	9	7%
500 to 999	20	15%
1,000 to 1,999	51	39%
2,000 to 2,999	19	14%
3,000 to 3,999	14	11%
4,000 to 7,999	10	8%
8,000 +	9	7%

Numbers include commercial uses located inside and outside the Gateway areas. Ranges simply provide a breakdown of the different store sizes within the Village. Percentage total is greater than 100 due to rounding.

b. Potential Impacts and Mitigation Measures

The proposed gateway overlay ordinance will introduce a number of new restrictions, controls and design guidelines. Most of these new controls will have beneficial impacts on socioeconomics and neighborhood character within the gateway districts. Each of the restrictions and potential impacts are discussed below.

1. **Special Permit Uses:** Under the proposed ordinance farmers markets, greenmarkets and garden centers will be permitted by special permit.

2. **Prohibited Uses:** Commercial parking lots, automobile storage lots, drive-through windows for commercial establishments, auto-dealerships and fast-food restaurants will be prohibited. Such existing uses will be permitted as prior non-conformances, although the prohibition will prevent the expansion of such uses. This may have an economic impact on such existing uses, but will have a beneficial impact on neighborhood character. Drive-through windows, auto-dealerships and storage, and fast food restaurants often generate large amounts of vehicular traffic and require a large percentage of the lot to be paved.

3. **Hours of Operation:** The proposed overlay will also restrict hours of operation to no more than sixteen hours within a twenty-four hour period. This will have an impact on the local market for all-night services within the gateway areas. However, it will also have a beneficial impact on neighborhood character by limiting the amount of vehicular traffic and noise during off-business hours.

4. **Maximum allowable FAR:** The proposed overlay will effectively introduce incentive zoning to two of the gateway areas. Within the Riverside and Municipal Place gateways, 0.35 FAR will be permitted for single-use properties, but 0.4 FAR will be permitted for multi-use properties. While this is a reduction of 0.1 FAR from the current zoning, which permits 0.5 FAR, by allowing an additional 0.05 FAR for mixed use, the overlay will encourage a greater mix of uses. The potential for a mix of residential and commercial may add to the vibrancy of the gateway areas. Within the North End, the proposed overlay will not alter the underlying 0.2 FAR. The overall impacts of reducing the FAR and the incentive FAR are beneficial, therefore no mitigation is proposed.

5. **Maximum Building Square Footage:** The proposed ordinance will establish a "maximum permissible square footage for any single building designed for retail use" of 8,000 square feet. As discussed in Section 2.1, this size is consistent with size restrictions in ordinances in other northern Westchester Villages such as Mt. Kisco. Based on consultation with retail specialists, JSS Advisors LLC, this size limit could discourage many national chains such as Crate and Barrel and Pottery Barn which generally desire 12,000 to 15,000 square feet. The following types of chains would also be discouraged from locating within the gateway areas.

Table 8: Retail Chains generally desiring more than 8,000 square feet

Tenant	Typical Size (SF)
Cheesecake Factory	12,000 - 14,000
Whole Foods Market	35,000 - 40,000
CVS/Eckerd	12,000 - 15,000
Stop and Shop/Shaws	70,000

Source: *New York Times*, 9/28/03, Westchester Section

However, in other northern Westchester villages such as Mount Kisco, where similar retail size limits are enforced, tenancy levels are high and space is rented by smaller, local concerns including restaurants and convenience stores. In addition, based on information from the retail specialists, JSS Advisors LLC, the following types of chains would lease a space for 8,000 square feet or under:

Table 9: Retail Chains generally desiring less than 8,000 square feet

Tenant	Typical Size (SF)
Apple Computer	8,000
Red Lobster	5,000
PF Changs	6,500
Wolfgang Puck	4,500
Starbucks	1,500

Source: JSS Advisors LLC

It should be noted that these smaller stores rarely act as single operations or as "anchor stores" and often require a "critical mass" of other stores before leasing space. In the case of the proposed Municipal Place gateway, there is already something of a critical mass with the presence of Croton Commons and Van Wyck Shopping Center. Therefore it is not unreasonable to assume that one of the national chains requiring less than 8,000 square feet may show interest in establishing a store within the gateway areas.

Overall, the proposed 8,000 square foot size limit will reduce the options for landowners seeking to develop and/or lease property within the gateway areas. National chains requiring a larger amount of space may not seek space within the Gateway areas. However, smaller chains, such as Starbucks, may lease property and smaller, locally-owned businesses such as those already found in the Village may find an 8,000 square foot space attractive (see Table 10).

Table 10: Stores within the Village occupying less than 8,000 square feet

Address	Tenant	Size (SF)
380 No. Riverside Avenue	Mixed Offices	2,479
68 Brook Street	Antique Store	1,968
43 Croton Point Avenue	Jean Jacques Patisserie	1,000
387-389 So. Riverside Avenue	Tutto Bene Restaurant	1,700
360 No. Riverside Avenue	Nursery/Fruit Stand	972

Source: Village of Croton-on-Hudson (See Appendix C for survey of entire Village)

3.0 OTHER ENVIRONMENTAL IMPACTS

3.1 Irreversible/Irretrievable Commitment of Resources

The proposed action is an amendment to the Village's zoning ordinance and will not directly result in the irreversible or irretrievable commitment of resources. In the future there may be development within the gateway areas that will require the irretrievable commitment of building materials and labor, but this will be subject to separate review and is not contemplated as part of this action.

3.2 Unavoidable Adverse Environmental Impacts

No unavoidable adverse environmental impacts are anticipated as a result of the proposed action. As discussed in Sections 2.1 and 2.7, the proposed overlay will eliminate the option for property owners to develop properties within the gateways for retail in excess of 8,000 square feet. However, the environmental benefits in the long-term will be improved urban design and visual resources, a greater mix of uses and better connectivity between the gateways and surrounding neighborhoods.

3.3 Growth Inducing, Cumulative and Secondary Impacts

The proposed gateway overlay district ordinance may have growth-inducing, cumulative and secondary impacts. The proposed overlay will provide the framework to ensure that future investment in the Village results in the upgrade of the image and function of the gateway areas, a strengthening of the overall visual identity of the Village, and improvements in the linkages to adjacent residential neighborhoods. In this way, as elements of the proposed ordinance are implemented (such as design improvements and a greater mix of uses), there will be increased growth and vitality within the Village's gateway areas. There may be increased traffic, but with the proposed reduction in allowable FAR, future traffic growth would be less than under the existing zoning. Overall, the beneficial economic and visual impacts would likely outweigh any potential deleterious impacts. Cumulative impacts may include an increase in visitors to the Village, an expanded tax base and greater profits for local merchants.

3.4 Energy Use and Conservation

The proposed overlay is simply a zoning text amendment and will not create an increase in energy use within the Village. In the long term, the proposed size limitation for retail and the open space requirements, included as part of the proposed overlay, will assist in the conservation of energy. This is especially true when compared to the existing zoning, which permits the construction of larger commercial stores which require correspondingly larger amounts of energy.

4.0 ALTERNATIVES

4.1 No Action Alternative: No Adoption of a Gateway Overlay District

If the proposed Gateway Overlay District Ordinance is not adopted, the goals of designating the gateway districts – as described in the Village's 2003 Comprehensive Plan - will not be met. The image and function of commercial areas will not be upgraded; the entries into the Village will not be defined; the overall visual identity of the Village will not be strengthened and linkages to adjacent residential neighborhoods will not be improved.

Furthermore, it can be expected that many of the current visual, urban design and circulation problems within the three gateway areas will persist and worsen over time. There may be an increase in automobile storage lots, fast-food restaurants and drive-through operations. Without the proposed action, there may be a proliferation of 24-hour convenience stores and associated round-the-clock noise and traffic. Lots may be sold off and/or assembled for large-scale retail that will require large amounts of surface parking. This in turn would create increased volumes of traffic and a further loss of the Village's small-scale character. Without the proposed action, off-street parking will continue to be located in front of new developments, further disrupting the street frontage and small-scale character of the Village. Without the proposed action, adjacent lots will continue to have multiple curb cuts, creating further conflicts with pedestrians.

Without the proposed action, as lots are developed, the opportunity for open space amenities will be lost. The gateway areas will continue to lack buffers between buildings, the sidewalk and the street. There will continue to be no provision for screening auto service stations and parking areas from sidewalks and streets. Without the proposed building orientation requirements, new buildings may also be oriented away from the street, further breaking up the street wall within the gateway areas.

Without the proposed action, there will be no site-specific urban design guidelines for each of the three gateway areas - this will allow continued development with no regard for the existing aesthetic or visual qualities within the Village's gateway areas.

Overall, the no action alternative would be detrimental to the character and quality of life in the Village and is not viable for furthering the goals of the 2003 Comprehensive Plan.

5.0 SUBSEQUENT SEQR ACTIONS

This document is the generic assessment of Village-wide environmental impacts likely to result from the adoption and implementation of the proposed Gateway Overlay District Ordinance. In accordance with SEQR section 617.10, the generic impact statement must set forth specific conditions under which future actions will be undertaken or approved, to reflect site-specific impacts that have not been adequately addressed or analyzed in the generic EIS. The proposed Gateway Overlay District Ordinance contains special permit requirements, design guidelines and recommendations for specific areas that must be further analyzed before they can be implemented. These are:

- Site-specific location and construction on undeveloped lots
- Application for a special permit use within the gateway areas

Each of the above will require separate SEQR review based upon the completion of a long form Environmental Assessment Form (EAF), and, if required, an EIS.

APPENDIX

A. SEQR Documentation

B. Proposed Gateway Overlay District Text

C. Retail Survey

D. Other Retail Restrictions

**E. Common Species that can potentially be
found in Urban/disturbed Settings**

Appendix A: SEQR Documentation

Village of Croton-on-Hudson, New York



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

(914) 271-4781-2
FAX (914) 271-2836

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ROBERT W. ELLIOTT

Trustees
GEORGIANNA K. GRANT
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Manager-Clerk
RICHARD F. HERBEK

Treasurer-Deputy Village Clerk
ROBERT T. REARDON

Attorney
SEYMOUR M. WALDMAN

Engineer
DANIEL O'CONNOR, RE.
271-4783

SEQR Lead Agency Designation

MEMO TO: **ALL INVOLVED AGENCIES**

FROM: Village of Croton-on-Hudson

PROJECT TITLE: **Adoption of Gateway Overlay District Regulations as Local Law
Introductory No. 8
Village of Croton-on-Hudson
Westchester County**

MAILING DATE: October 22, 2002

This notification is for the purpose of designating a lead agency according to the requirements of Article 8 of New York State Environmental Conservation Law for the following proposed action:

Adoption of Gateway Overlay District Regulations as Local Law Intro. No. 8

If no written objections are received within 30 days of the above date of this notice, the Village of Croton-on-Hudson Board of Trustees will assume the role of Lead Agency. An Environmental Assessment Form will follow under separate cover.

Contact Person:

**Richard F. Herbek, Village Manager
Kellerhouse Municipal Building
One Van Wyck Street
Croton-on-Hudson, New York 10520**

Village of Croton-on-Hudson, New York



Stanley H. Kellerhouse Municipal Building
One Van Wyck Street
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Mayor
ROBERT W. ELLIOTT

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GEORGIANNA K. GRANT
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Manager-Clerk
RICHARD F. HERBEK

Treasurer-Deputy Village Clerk
ROBERT T. REARDON

Attorney
SEYMOUR M. WALDMAN

Engineer
DANIEL O'CONNOR, PE
271-4783

MEMO TO: ALL INVOLVED AGENCIES

FROM: Village of Croton-on-Hudson

**PROJECT TITLE: Adoption of Gateway Overlay District Regulations as
Local Law Introductory No. 3 of 2003
Village of Croton-on-Hudson
Westchester County**

MAILING DATE: July 22, 2003

Attached are a revised Environmental Assessment Form and revised Gateway Overlay District Local Law. The lead agency designation form was mailed out to you on October 22, 2002 and a previous EAF was mailed out on November 25, 2002. The Village declared itself lead agency on July 22, 2003.

The Village Board of Trustees intends to make a determination of significance on August 20, 2003. If you have any comments, we would appreciate your response prior to August 20, 2003.

Involved Agencies:

Westchester County Department of Planning
Michaelian Office Building
148 Martine Avenue
White Plains, NY 10601

Town of Cortlandt
Town Clerk
One Heady Street
Cortlandt Manor, NY 10567

New York State Department of Environmental Conservation
Region 3 Office
21 South Putt Corners Road
New Paltz, NY 12561-1696

Town of Ossining
Town Clerk
16 Croton Avenue
Ossining, NY 10562

Town of Haverstraw
One Rosman Road
Garnerville, NY 10923

Town of Clarkstown
10 Maple Avenue
New City, NY 10956

Town of New Castle
200 South Greeley Avenue
Chappaqua, NY 10514

Board of Legislators
Clerk
County of Rockland
27 New Hempstead Road
New City, NY 10956

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**State Environmental Quality Review
Positive Declaration
Notice of Intent to Prepare a Draft Generic EIS
Determination of Significance**

August 20, 2003

Project Name: Gateway Overlay District Ordinance

This notice is issued pursuant to Part 617.7 of the implementation regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Croton-on-Hudson, as lead agency, has determined that the proposed action described below may have a significant effect on the environment and that a Draft Environmental Impact Statement will be prepared.

Name of Action: Gateway Overlay District Ordinance

SEQR Status: Type I X

Unlisted

Description of Action:

The Village of Croton-on-Hudson is proposing the adoption of a gateway overlay zoning district to establish standards that upgrade the image and function of gateway areas, strengthen the overall visual identity of the Village, and improve linkages to adjacent residential neighborhoods. The Village's January 2003 Comprehensive Plan, which was recently approved by the Board of Trustees, identified three gateway areas in the Village, which share the following defining characteristics:

1. Vehicular entry points in Croton-on-Hudson from Route 9/9A
2. Commercial or office uses oriented toward automobile traffic
3. Opportunities for development

The component is described more fully through the following documents on file with the Village Board of Trustees.

- Full EAF Part 1
- January 2003 Village of Croton-on-Hudson Comprehensive Plan

Location:

Croton-on-Hudson's three gateway areas are described below and shown in Figure 1: Gateway Districts.

1. *Harmon / South Riverside*, running along Croton Point Avenue between Route 9 and South Riverside Avenue, and along South Riverside Avenue between Croton Point Avenue and Benedict Boulevard. The area is an important link to the train station via Croton Point Avenue and to the Harmon neighborhood. It also provides a connection to the historic Van Cortlandt Manor to the south.
2. *Municipal Place Shopping Area*, consisting of lots on the north and south sides of Municipal Place between Route 9 and Maple Street, and the commercially-zoned portion of the block on the east side of Maple Street. The Municipal Place Shopping Area is an important entrance to the Village from Route 9. It connects to the Upper Village via Maple Street and to the surrounding neighborhoods.
3. *North End of the Village along Albany Post Road (9A)*, consisting of the eight lots between Routes 9 and 9A, and Village boundary and Warren Road. This area marks the entrance to the Village from the north along Routes 9 and 9A.

Reasons Supporting this Determination:

The Village Board of Trustees has determined that the Proposed Action may have a significant effect on the following:

- Socioeconomic/Neighborhood Character

For further information:

Contact Person: Richard Herbek, Village Manager
Address: Kellerhouse Municipal Building
One Van Wyck Street
Croton-on-Hudson, NY 10520
Telephone: (914)-271-4848

**VILLAGE OF CROTON-ON-HUDSON PROPOSED GATEWAY OVERLAY DISTRICTS
DGEIS SCOPE**

1.0 INTRODUCTION

- 1.1 Planning History and Support for Proposed Gateway Overlay Districts
- 1.2 Purpose of Proposed Gateway Overlay Districts

2.0 RELEVANT ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION

- 2.1 Land Use, Zoning and Public Policy
 - a. Existing generalized land uses and zoning in the Gateway District areas
 - b. Proposed zoning amendments
 - c. Potential impacts and mitigation measures
- 2.2 Land and Water Resources
 - a. Existing vegetation, wildlife, watercourses and wetlands resources in the Gateway District areas
 - b. Potential impacts and mitigation measures
- 2.3 Air Quality and Noise
 - a. Existing conditions in the Gateway District areas
 - b. Potential impacts and mitigation measures
- 2.4 Community Facilities and Services
 - a. Existing public and private parks, recreation facilities, schools, libraries, police and fire departments, and public utilities in the Gateway District areas
 - b. Potential impacts and mitigation measures
- 2.5 Transportation
 - a. Existing conditions and facilities in the Gateway District areas
 - b. Potential impacts and mitigation measures
- 2.6 Historic, Cultural and Visual Resources
 - a. Existing historic, cultural, and visual resources in the Gateway District areas
 - b. Potential impacts and mitigation measures
- 2.7 Socioeconomics and Community Character
 - a. Economics and community character in the Gateway District areas
 - b. Potential impacts and mitigation measures

3.0 OTHER ENVIRONMENTAL IMPACTS

- 3.1 Irreversible / Irrecoverable commitment of resources
- 3.2 Unavoidable adverse environmental impacts
- 3.3 Growth inducing, cumulative and secondary impacts
- 3.4 Energy Use and conservation

4.0 ALTERNATIVES

- 4.1 No Action Alternative: No Adoption of a Gateway Overlay District

5.0 SUBSEQUENT SEQRA ACTIONS

Appendix B: Proposed Gateway Overlay District Text

DRAFT

Village of Croton-on-Hudson

Local Law Introductory No. 3 of the year 2003

A local law establishing a gateway overlay district within the Zoning Law of the Village

Be it enacted by the Board of Trustees of the Village of Croton-on-Hudson as follows:

Section 1. Amendment to Zoning Law, Chapter 230 of the Croton-on-Hudson Village Code

A new Article IV.A entitled Gateway Overlay District shall be added to Chapter 230 and shall read as follows:

Article IVA – Gateway Overlay District

§ 230-20.1 Purpose / Definition of Gateway Overlay District

Croton's commercial gateways are the major entry points from surrounding municipalities and roads. The physical gateway areas are comprised of the roads and surrounding properties a motorist or pedestrian encounters when first entering the Village. These areas create a sense of arrival and connection to the Village, and establish an image and initial impression of the community.

The 2002 Comprehensive Plan identified three gateway areas in the Village, which currently share the following defining characteristics:

1. Vehicular entry points in Croton-on-Hudson from Route 9/9A
2. Commercial or office uses principally accessed by automobile traffic
3. Possibilities for development and redevelopment.

The purpose of the gateway overlay district is to establish standards that upgrade the image and function of gateway areas, strengthen the overall visual identity of the Village, and improve pedestrian linkages to adjacent residential neighborhoods.

§ 230-20.2 - Location of Gateway Areas

Croton-on-Hudson's three gateway areas are:

1. *Harmon / South Riverside*, running along Croton Point Avenue between Route 9 and South Riverside Avenue, and along South Riverside Avenue between Croton Point Avenue and Benedict Boulevard. The area is an important link to the train station via Croton Point Avenue and to the Harmon neighborhood. It also provides a connection to the historic Van Cortlandt Manor to the south.
2. *Municipal Place Shopping Area*, consisting of lots on the north and south sides of Municipal Place between Route 9 and Maple Street, and the commercially-zoned portion of the block on the east side of Maple Street, and the lots located between Route 9 and South Riverside Avenue from the Village-owned parcel to the north to the intersection of Maple and South Riverside to the south, as shown on Figure 3. The Municipal Place Shopping Area is an important entrance to the Village from Route 9. It connects to the Upper Village via Maple Street and to the surrounding neighborhoods.
3. *North End of the Village along Albany Post Road (9A)*, consisting of the eight lots between Routes 9 and 9A, and Village boundary and Warren Road. This area marks the entrance to the Village from the north along Routes 9 and 9A.

The locations of the gateway districts are shown in Figure 1.

§ 230-20.3. Gateway Overlay District Use Regulations

1. *Special Permit Uses*. The uses permitted in the gateway districts shall correspond to the permitted and special permit uses set forth in the underlying zoning district. In addition, the following uses, when not otherwise authorized in the underlying zone, shall be permitted by a special permit granted by the Village Board of Trustees in the Gateway districts:
 - a. Farmers markets, greenmarkets or garden centers.
2. *Prohibited Uses*. Notwithstanding uses otherwise permitted by the underlying zoning district, the following uses shall be prohibited in the gateway districts:
 - a. Commercial parking lots
 - b. Automobile storage lots
 - c. Drive-through windows for commercial establishments
 - d. Automobile or other vehicle dealerships
 - e. Fast-food restaurants
3. *Hours of Operation*. No establishment shall be open for business for more than sixteen hours within any twenty-four hour period.

§ 230-20.4 Gateway Overlay District Area and Bulk Regulations

1. Maximum Allowable Floor Area Ratio

The maximum allowable Floor Area Ratio (FAR) standards that shall be adhered to for new development shall be the FAR listed for the underlying zone or the following, whichever is more restrictive:

- a. 0.35 for single-use properties, that is a property proposed for only one principal permitted use.
- b. 0.40 for multi-use properties, including combinations of retail and office, retail and residential uses or office and residential.

2. Maximum Building Square Footage

The maximum permissible square footage for any single building designed for retail use shall not exceed 8,000 square feet. This requirement is imposed in order to encourage a compact urban design of the gateway.

§ 230-20.5 Gateway Overlay District Design Regulations

1. Off-Street Parking Placement / Design.

All off-street parking shall be located along the side and in the rear of buildings, unless the applicant demonstrates to the Planning Board that site or business constraints prevent conformance with this requirement. In accordance with §230-52 of the Zoning Code, parking lots shall be landscaped.

2. Curb Cuts and Sidewalks.

a. *Vehicular Curb Cuts.* Properties within the gateway areas shall be permitted a maximum of one (1) vehicular curb cut per lot per street frontage, unless the property owner can demonstrate to the Planning Board that this standard either cannot be achieved or is not appropriate to the specific site. Where the owner of a developed property with more than one curb cut applies for a change of use, a site plan and/or amendment to a site plan, the property owner shall be required to meet the conditions of this paragraph. Curb cut consolidation plans shall be presented to the Planning Board as part of the site plan application. Where possible, curb cuts shall be shared among adjoining properties.

b. *Sidewalks.* All sidewalks shall be properly maintained in accordance with Village regulations. All new property developments must provide sidewalks along any property lines that front on public streets. Internal sidewalks will be provided as deemed appropriate by the Planning Board.

3. Open Space.

To enhance the appearance of the gateway areas and contribute to Croton's open space character, a minimum of twenty-five percent (25%) of the lot area shall be set aside as open space. Applicants will be required to submit a landscape plan as part of the site plan application.

a. This open space allotment shall either be left in its natural state or appropriately landscaped and open to the air, and may include:

1. Landscaped or planted building setbacks
2. Landscaped or planted islands in parking lots
3. Grass or planted areas on the lot.

b. The open space allotment may not include parking lots, buildings or sidewalks.

c. Where a lot has frontage on a street or sidewalk, the planting of trees, shrubs and other landscaping shall be designed to provide an attractive, green buffer between the building and the sidewalk and the sidewalk and the street.

d. A buffer of street trees, ornamental shrubs or low stone walls shall be required to screen parking areas and auto service stations from adjacent sidewalks and streets. The effectiveness of the buffer including its width height and length shall be determined during site plan review by the Planning Board.

4. Signage.

All signs in the gateway districts must conform to the Village's signage regulations set forth in §230-44 of the Zoning Code. In addition, no sign in a gateway district shall exceed 48 square feet in area.

5. Lighting

- a. All applicants shall be required to submit a lighting diagram at the time of site plan application showing the location of lights on buildings and in parking lots, and the actual areas of illumination.
- b. The illumination glare from building and parking lot lights shall not be permitted to spill over into any adjoining lots.
- c. *Parking Lot Lighting.* Free-standing lighting in parking lots shall not be higher than 20 feet.

3. Building Orientation

In order to discourage parking lots in front of buildings New buildings shall be oriented with the building front facing the street and situated close to the front property line to create a more continuous street wall.

§ 230-20.6 Gateway Overlay District Design Guidelines

Each of the gateway areas should have a unique character that should be preserved and enhanced. Accordingly, in addition to the Design Regulations set forth above in § 230-20.5 of this ordinance, design guidelines have been established in the 2002 Comprehensive Plan for each of the three gateway areas that build upon the individual features of each district. The design guidelines for each gateway district are depicted in Figures 2, 3, and 4 of this ordinance and described below.

1. South Riverside/Harmon.

New development, landscaping and streetscaping in the South Riverside/Harmon district shall be designed to enhance the district's small-scale character and to improve connections between the railroad station and the South Riverside/Harmon shopping area.

- a. *Pedestrian and Bicycle Networks.* To improve safety and accessibility in the Harmon/South Riverside area, the installation of sidewalks and bikeways along the south side of Croton Point Avenue shall be required as practicable. Any new sidewalks shall include paving treatments that are consistent with the sidewalk design incorporated in the commercial areas on South Riverside between Benedict Boulevard and Oneida Avenue.
- b. *Streetscape.* The Planning Board shall require the use of pedestrian-scale lighting and other streetscape features similar to those used in the North Riverside and Upper Village commercial areas, to visually link this district to other commercial areas and to create a more attractive and accessible pedestrian environment.
- c. *Signage.* All signage within the district shall conform to the signage regulations set forth in the Zoning Code. In addition, to reinforce the area's role as a major gateway, the Planning Board shall encourage the design and placement of a distinctive gateway feature such as a clock or sculpture near the corner of Croton Point Avenue and South Riverside Avenue.

2. Municipal Place.

- a. *Pedestrian Networks.* A network of pedestrian routes would provide safe and attractive links between the shopping plazas and other commercial sites, as well as to other major destination points such as schools, the library and recreation areas. In site plan applications the following shall be implemented wherever it is deemed practicable by the Planning Board:
 - 1) The installation of sidewalks in the following locations within the gateway districts:
 - The west side of Maple Street along the parcel with the following tax map designation: 78-12-3-3
 - The east side of Maple Street from Municipal Place to Hudson Street
 - The north and south sides of Municipal Place between South Riverside Avenue and Maple Street
 - 2) The installation of sidewalks within each shopping plaza. These routes shall link directly to store entrances and to pedestrian crosswalks, and shall include landscaping, signage and seating areas that encourage pedestrian activity.
 - 3) Any new sidewalks shall include paving treatments that are consistent with the sidewalk design incorporated in the North Riverside at Brook Street and Upper Village commercial areas.
- b. *Landscaping.* Landscaping in the Municipal Place gateway district shall conform to the regulations set forth in §230-20.5 (3) of this ordinance and Section 230-71 of the Zoning Code. In addition, landscaped islands, including ornamental trees and shrubs, shall be incorporated as practicable for the plaza parking lots.
- c. *Streetscape.* The Planning Board shall require the use of pedestrian-scale lighting and other streetscape features similar to those used in the North Riverside at Brook Street or Upper Village commercial areas, to visually link this district to other commercial areas and to create a more attractive and accessible pedestrian environment.

d. *Signage.* All signage within the district shall conform to the signage regulations set forth in the Zoning Code.

3. North End.

New development, landscaping and streetscaping in the North End gateway district shall be designed to preserve the district's residential and rural feel, connect the district to the neighborhoods to the south, and provide a more defined entrance into the Village.

a. *Pedestrian Networks.* The installation of sidewalks along the Route 9 side of Route 9A, approximately from the village boundary line to the properties immediately south of Warren Road, and the installation of sidewalks on Warren Road between Route 9 and Route 9A shall be incorporated into site plans as practicable. Any new sidewalks along Route 9A shall include paving treatments that are consistent with the sidewalk design incorporated in the North Riverside at Brook Street and Upper Village commercial areas.

b. *Landscaping.* Landscaping in the North End gateway district shall conform to the regulations set forth in §230-20.5 (3) of this ordinance and Section 230-71 of the Zoning Code. In addition, street trees and ornamental shrubs shall also be planted on the east side of Route 9 and the west side of Route 9A to form a buffer between these roads and the North End gateway properties.

c. *Stone Walls.* The use of low stone walls consistent with existing built walls along property lines to screen parking, to provide a special identity for this district, and to visually link the district to similar features south of Warren Road shall be preferred in considering site plans.

§ 230-20.7 Compliance with Gateway District Regulations

All site plan, change of use and special permit applications within a Gateway Overlay District shall provide a design guidelines compliance chart or drawing which shall show how the application conforms to the gateway improvement plans set forth in the 2002 Comprehensive Plan and described in § 230-20.6 of this ordinance. The Planning Board shall use such compliance chart or drawing in its review of the application. The applicant shall indicate to the Planning Board reasons for any non-compliance with the gateway improvement plans.

Section 2. Zoning Overlays

A. South Riverside/Harmon Zoning District

The following parcels having the following Village tax map designations hereby comprise the South Riverside/Harmon Zoning District

- 79.13-2-5
- 79.13-2-6
- 79.13-2-18
- 79.13-2-19
- 79.13-2-20
- 79.13-2-21
- 79.13-2-22
- 79.13-2-22.1
- 79.13-2-23

79.13-2-24
79.13-2-25
79.13-2-26
79.13-2-27
79.13-2-28
79.13-2-29
79.13-2-30
79.13-2-31
79.13-2-32
79.13-2-33

B. Municipal Place

The following parcels having the following Village tax map designations hereby comprise the Municipal Place Zoning District

78.12-3-4
78.12-3-5
78.12-3-6
78.12-3-7
78.12-3-3
78.12-3-2
78.12-3-8
78.12-3-9
78.12-3-10
79.9-1-30
79.9-1-77
79.9-1-66
79.9-1-67

C. North End

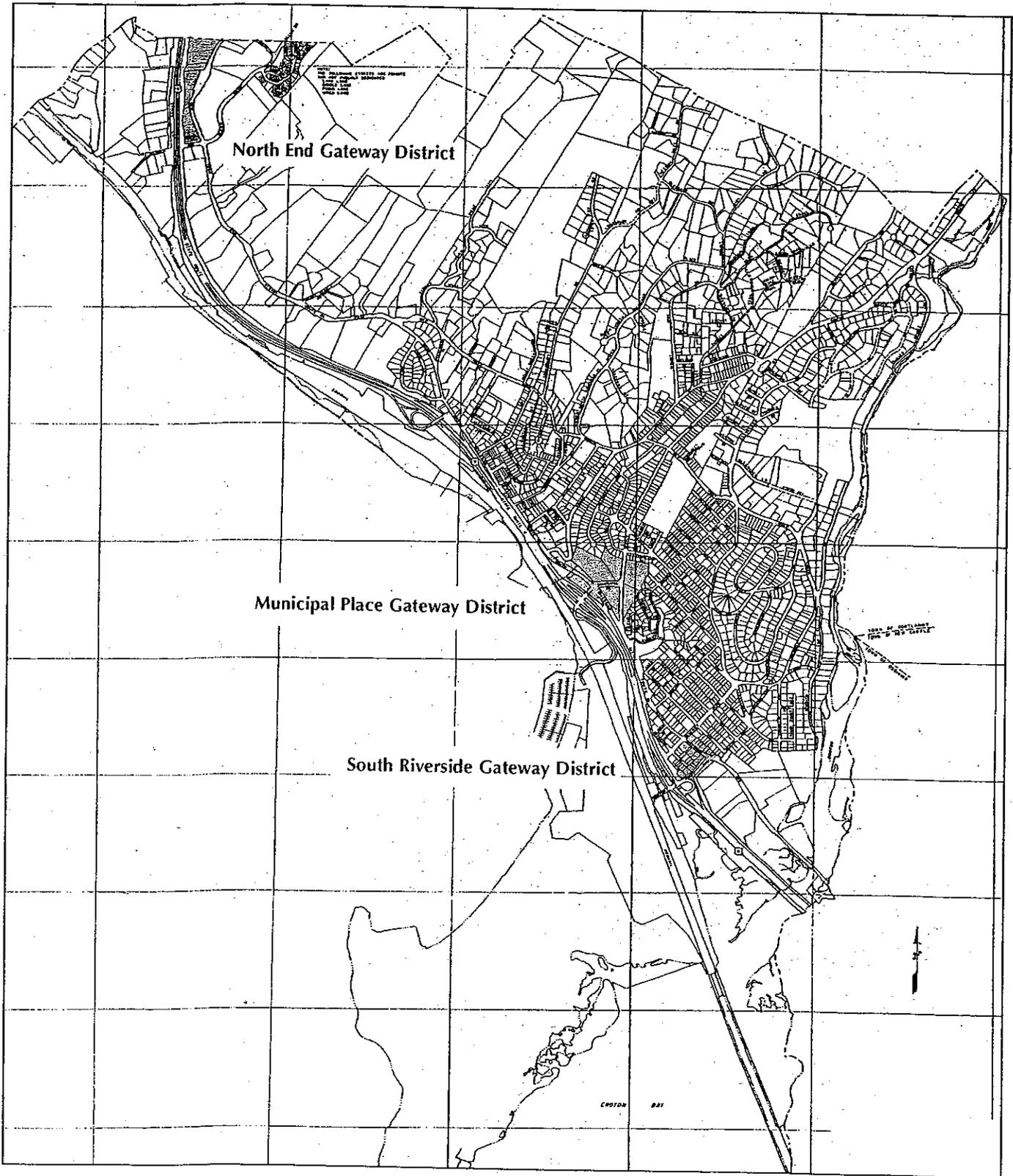
The following parcels having the following Village tax map designations hereby comprise the North End Zoning District

67.10-2-11
67.10-2-12
67.10-2-13
67.10-2-14
67.10-2-15
67.10-2-16
67.10-2-17
67.10-2-1

Section 3. This Local Law shall be effective upon filing in the office of the Secretary of State.

The following definition shall be added to the definitions section of the code, 230-4
"Terms Defined"

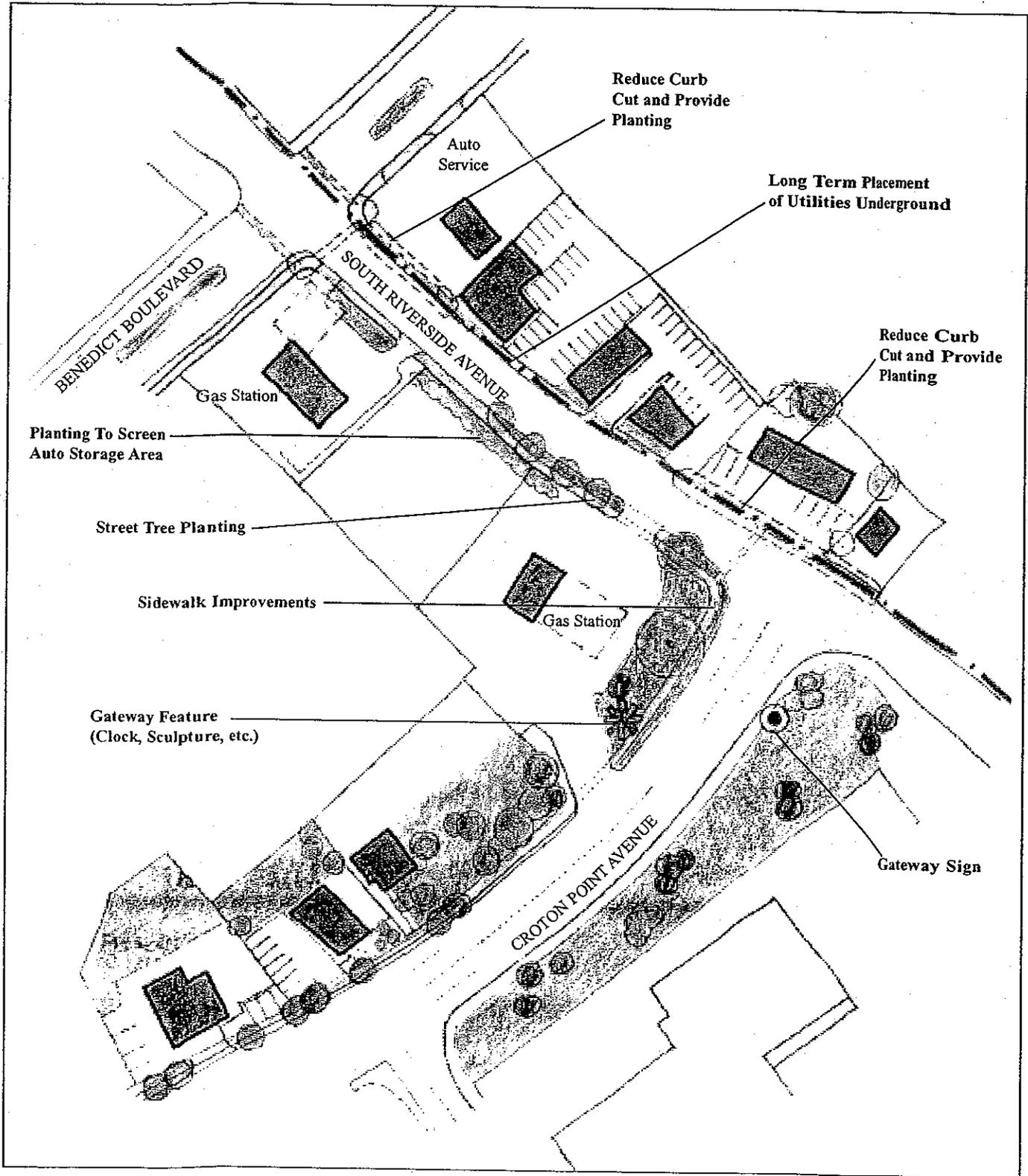
Fast Food Restaurant: An establishment primarily engaged in the sale of ready-to-consume food and beverages, generally served in disposable or prepackaged containers or wrappers, in which patrons usually select their orders from a posted menu offering a limited number of specialized items such as but not limited to hamburgers, chicken, fish and chips, pizza, tacos and hot dogs; these items are prepared according to standardized procedures for consumption either on or off the premises in a facility where a substantial portion of the sales to the public is by drive-in or stand-up service and primary cleanup is generally performed by the customer. The term "fast-food restaurant" shall not be considered to include restaurant, delicatessen, take-out establishment, bakery, coffee shop, or ice cream/confectionary store.



Village of Croton-On-Hudson, NY

Figure 1: Gateway Districts

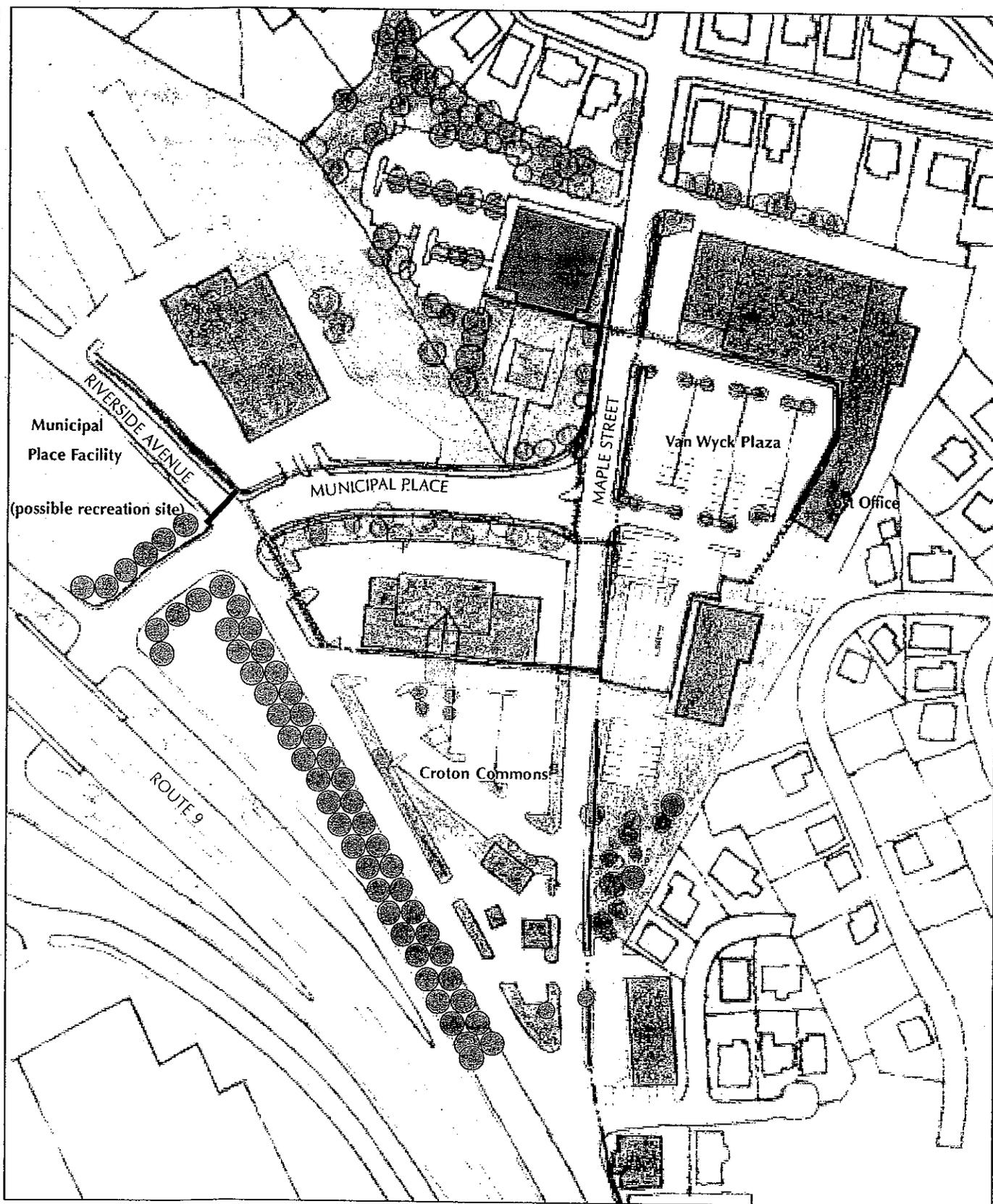




Village of Croton-On-Hudson, NY

Figure 2: South Riverside / Harmon Gateway Plan

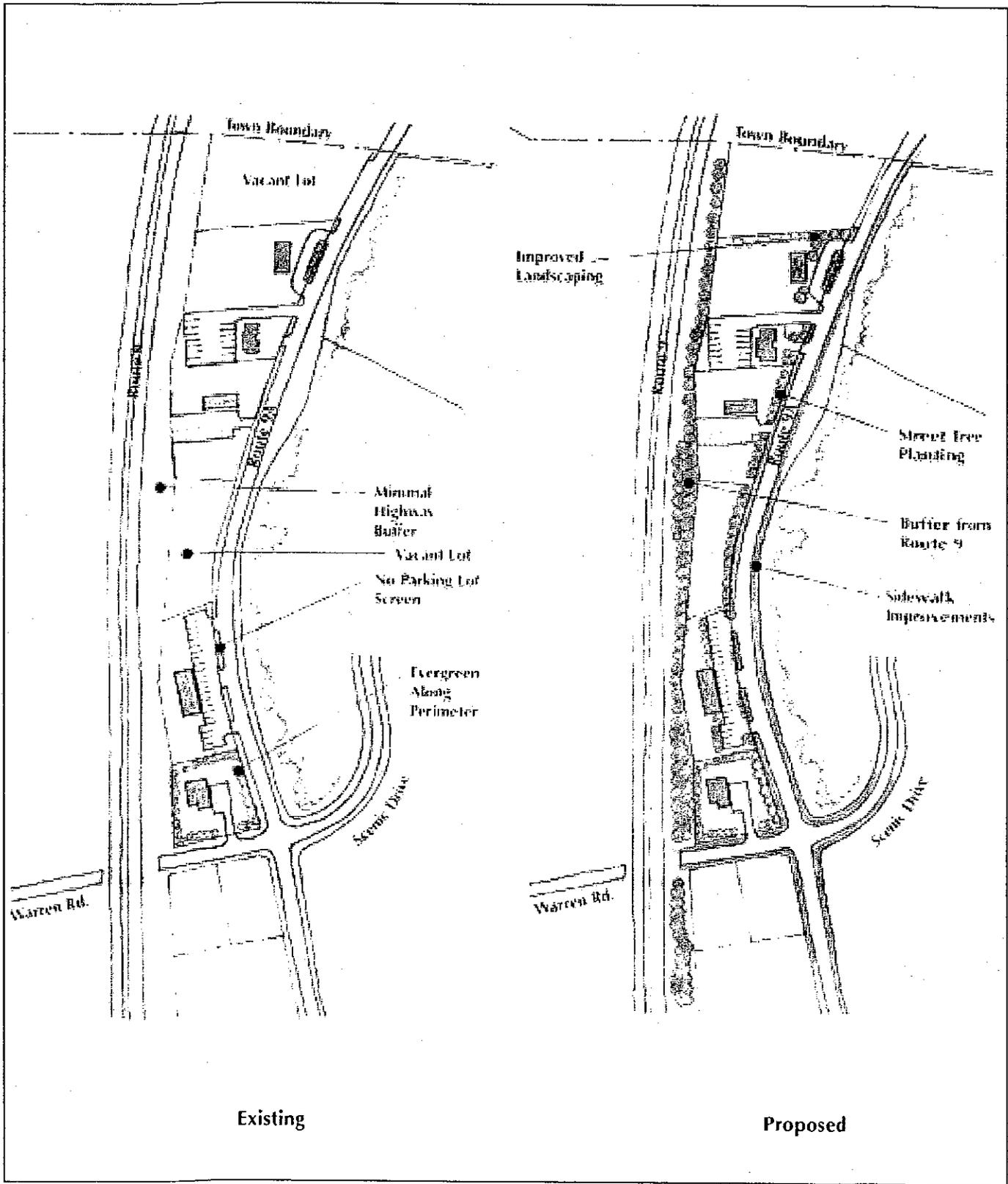




Village of Croton-On-Hudson, NY

Figure 3: Municipal Place Plan

-  Existing Buildings
-  Possible New Building
-  Landscaped Plazas
-  Pedestrian Routes



Village of Croton-On-Hudson, NY

Figure 4: North End Gateway

Appendix C: Retail Survey

Retail Survey Field Sheet

Name: Joseph Sperber

Date 6/5/03

Tax Number	Address	Use of each store: Retail, Food Service, Office, Auto Dealer, Auto Repair, Etc.	Property Type Classification Code	Area for EACH use (SQ FT)
78.08-003-077	39 No. Riverside Ave.	Pet Grooming	481	418
78.08-003-078	41 No. Riverside Ave.	Restaurant	421	1,500
78.08-003-079	43 No. Riverside Ave.	Grocery	481	924
78.08-003-081	49 No. Riverside Ave.	Diner	422	750
67.20-004-038	89 No. Riverside Ave.	Boat Sales/Service	455	2,860
67.19-002-055	169 No. Riverside Ave.	Real Estate	464	1,200
67.18-001-002	280 No. Riverside Ave.	Nursing Home	633	58,000
67.10-002-012	360 No. Riverside Ave.	Nursery/Fruit Stand	484	972
67.10-002-015	380 No. Riverside Ave.	Mixed Offices	480	2,479

Retail Survey Field Sheet

Name: Joseph Sperber

Date 6/5/03

Tax Number	Address	Use of each store: Retail, Food Service, Office, Auto Dealer, Auto Repair, Etc.	Property Type Classification Code	Area for EACH use (SQ FT)
67.10-002-016	392 No. Riverside Ave.	Real Estate	464	7,821
78.12-003-001	75 So. Riverside Ave.	Bike Store Law Office	481 481	3,500 3,000 6,500
78.08-005-061	35 So. Riverside Ave.	Medical Center	642	14,245
78.08-005-043	25 So. Riverside Ave.	Hardware Best Web	481 481	2,800 2,200 5,000
78.08-005-041	7 So. Riverside Ave	Animal Hospital	472	1,900
78.08-005-040	16 Brook Street	Chromascan Office	482	480
78.08-003-062	15 No. Riverside Ave.	Auto Repair	433	2,800
78.08-003-064	25 No. Riverside Ave.	Electrical Contractor	484	1,120
78.08-003-072	33 No. Riverside Ave. 35 No. Riverside Ave. 35 No. Riverside Ave.	Consignment Shop Comic Store Kitchen Cabinet Distributor	481 481 481	2500 1250 1250 5000

Retail Survey Field Sheet

Name: Joseph Sperber

Date 6/5/03

Tax Number	Address	Use of each store: Retail, Food Service, Office, Auto Dealer, Auto Repair, Etc.	Property Type Classification Code	Area for EACH use (SQ FT)
78.08-005-032	34 Brook Street	Electrical Contractor (Conte)	480	1,560
78.08-005-023	60 Brook Street	Contractor Office (Adam West)	440	2,450
78.08-005-018	68 Brook Street	Antiques	484	1,968
78.08-005-007	87 Brook Street	Auto Body Repair	480	3,272

Retail Survey Field Sheet

Name: Frank Pusatere

Date: 6/6/03

Tax Number	Address	Use of each store: Retail, Food Service, Office, Auto Dealer, Auto Repair, Etc.	Property Type Classification Code	Area for Each Use (Sq. Ft.)
23 68.17-004-032	208 Grand Street	Office	464	464
29 68.17-004-058	195 thru 197 Grand Street	Bar/Restaurant	421	2,052
25 68.17-001-044	191 Grand Street	Laundromat	481	860
26 68.17-004-051	186 Grand Street	Deli	481	650
27 68.17-001-048	171 Grand Street	Warehouse Restaurant	449 421	4,896 <u>1,575</u> 6,471
28 67.20-003-006	163 Grand Street	Pizza Parlor	481	830
29 79.05-001-061	140 Grand Street	Bar/Restaurant (Marks)	421	1,000
30 79.05-001-060	138 Grand Street	Retail Kitchen/Office (Ideal)	480	550
31 79.05-001-057	130 Grand Street	Doctors Office (Belkin)	465	3,900
32 79.05-001-058	132 Grand Street			

Retail Survey Field Sheet

Name: Frank Pusatere

Date: 6/6/03

Tax Number	Address	Use of each store: Retail, Food Service, Office, Auto Dealer, Auto Repair, Etc.	Property Type Classification Code	Area for Each Use (Sq. Ft.)
79.05-001-056	128 Grand Street	Retail 50 % (Robbins)	481	3,780
79.05.001-059	136 Grand Street	Offices 50%	481	<u>3,780</u> 7,560
79.05-001-055	3 Old Post Rd. So.	Retail	484	567
79.05-001-054	5 Old Post Rd. So.	Retail	485	2,065
79.05-001-052	19 Old Post Rd. So.	Law Office	485	1,900
78.08-007-007	18 Old Post Rd. So.	Insurance Office Retail/Food	483 423	890 420 <u>1,310</u>
78.08-007-005	10 Old Post Rd. So.	Professional Offices	465	10,000
78.08-007-004	2 Old Post Rd. So.	Food Retail (Wondrous Things)	485	1,200 <u>5,600 +/-</u> 6,800+/-
78.08-007-003	120 Grand Street	Restaurant	481	2,500
67.20-003-026	111 Grand Street	Retail	481	590

Retail Survey Field Sheet

Name: Frank Pusatere

Date: 6/6/03

Tax Number	Address	Use of each store: Retail, Food Service, Office, Auto Dealer, Auto Repair, Etc.	Property Type Classification Code	Area for Each Use (Sq. Ft.)
42 67.20-003-024	119 Grand Street	Retail	481	1,000
44 67.20-003-022	123 Grand Street	Food Service (Deli)	481	900
44 67.20-003-021	125 Grand Street	Food Office	481	250 144 <u>394</u>
46 67.20-003-020	129 Grand Street	Retail (store #1) Retail (store #2) Retail (store #3)	481	300 450 <u>900</u> 1,650
47 67.20-003-019	133 Grand Street	Offices	481	1,200
49 79.05-005-001	124 Maple Street	Offices (Real Estate)	483	2,200

Retail Survey Field Sheet

Name: Ryan Reardon

Date: 6/6/03

Tax Number	ADDRESS	Use of each store: Retail, Food Service, Office, Auto Dealer, Auto Repair, Etc.	Property Type Classification Code	Area for EACH Use (Sq. Ft.)
49 79.17-002-001	420 So. Riverside Ave.	Professional Food Service(Croton Natural Foods) Retail (Home Entertainment Center) Professional (Straddles) Professional (NYSC)	423 423 423 546 540	1,200 ± 1,000 2,200 4,000 <u>20,000</u> 28,400+/-
50 79.17-002-002	440-460 So. Riverside Ave.	Food Service (Pizza and Brew) Service (Sudz Laundromat) Retail (Auto Parts) Medical Retail (Goodwill) Service (MT Cleaners) Retail (GNC) Retail (Liquor store) Food Service (New Happy Garden) Food Service (Shoprite)	421 470 455 470 400 470 400 422 454	15,000 3,500 4,200 1,000 ± 7,100 1,500 1,500 1,760 1,400 <u>40,000 +/-</u> 76,960+/-
51 79.13-001-089	320 So. Riverside Ave.	Service (Auto Collision)	433	3,600
52 79.13-001-87	326-328 So. Riverside Ave.	Service (Westchester Coach and Limo)	484	1,300
53 79.13-001-86	336 So. Riverside Ave.	Gas Station (Sunoco)	432	3,500

Retail Survey Field Sheet

Name: Ryan Reardon

Date: 6/6/03

Tax Number	ADDRESS	Use of each store: Retail, Food Service, Office, Auto Dealer, Auto Repair, Etc.	Property Type Classification Code	Area for EACH Use (Sq. Ft.)
54 79.13-001-074	352 So. Riverside Ave.	Food Service (Far East Kitchen)	421	1,700
55 79.13-001-072	362-366 So. Riverside Ave.	Food Service (Harmon Deli)	422	2,500
		Service (Pet Luv)	485	800
		Service (Florist) Office (All State)	485 485	700 <u>1,300</u> 5300
56 79.13-001-071	368 So. Riverside Ave.	Medical Office & CPA Office	485	3,260
57 79.13-001-070	370 So. Riverside Ave.	Food Service (Mart)	486	1,000
58 79.13-002-025	380 So. Riverside Ave.	Gas Station (Oil City)	432	1,000
59 79.13-001-025	67 Croton Point Ave.	Gas Station (Exxon)	432	1,200
		Food Service (Jean Jacques)	422	1,000
60 79.13-002-036	43 Croton Point Ave.	Food Service (Jean Jacques)	422	1,000
61 79.13-002-005	33 Croton Point Ave.	Contr. Service (Fronzoso)	455	3,000

Retail Survey Field Sheet

Name: Ryan Reardon

Date: 6/6/03

Tax Number	ADDRESS	Use of each store: Retail, Food Service, Office, Auto Dealer, Auto Repair, Etc.	Property Type Classification Code	Area for EACH Use (Sq. Ft.)
62 79.13-002-033	409 So. Riverside Ave.	Office (Larry Fields)	484	580
63 79.13-002-031	401 So. Riverside Ave.	Office (Croton Vet)	472	1,200
64 79.13-002-030	395 So. Riverside Ave.	Service (Hair Care/Nails)	484	1,100
65 79.13-002-029	387-389 So. Riverside Ave.	Restaurant (Tutto Bene)	421	1,700
66 79.13-002-027	382 So. Riverside Ave.	Office (Century 21)	464	4,000
67 79.13-002-026	379 So. Riverside Ave.	Gas Station (Nappy Auto)	433	1,000
68 79.13-001-069	73 Benedict Blvd.	Service (Perfect 10 Nails)	484	1,500
69 79.13-001-066	365 So. Riverside Ave.	Auto Dealer (Croton Dodge)	431	8,800
70 79.13-001-065	351-353 So. Riverside Ave.	Car Service (Taxi)	484	900

Retail Survey Field Sheet

Name: Ryan Reardon

Date: 6/6/03

Tax Number	ADDRESS	Use of each store: Retail, Food Service, Office, Auto Dealer, Auto Repair, Etc.	Property Type Classification Code	Area for EACH Use (Sq. Ft.)
71 79.13-001-064	349 So. Riverside Ave.	Service (Coco Nails)	484	1,000
72 79.13-001-063	345 So. Riverside Ave.	Food Service (Pizza)	485	600
73 79.13-001-062	337 So. Riverside Ave.	Restaurant (Elmer Suds)	421	1,800
74 79.13-001-09	36 Oneida Ave.	Doctor Office (Larry Fasman DDS) Professional Service (Granite Medical) Office (Law Office) Office Office (Karus Insurance)	485 485 485 485 485	1,000 500 1,000 300 <u>1,500</u> 4,300
75 79.09-001-030	40 Maple Street	Food Service (Black Cow) Bank (First Union) Service (Cleaners) Retail (CVS) Retail (closed) Post Office Retail (liquor store)	422 461 470 400 425 422	2,000 3,000+/- 1,500 5,500 8,000+/- 4,800 <u>1,500</u> 26,300+/-

Retail Survey Field Sheet

Name: Ryan Reardon

Date: 6/6/03

Tax Number	ADDRESS	Use of each store: Retail, Food Service, Office, Auto Dealer, Auto Repair, Etc.	Property Type Classification Code	Area for EACH Use (Sq. Ft.)
79.09-001-066	2-12 Maple Street	Food Service (New China) Food Service (Mini Del) Service (Coach Nails) Retail (Coin Store) Food Service (Capprico 1) Laundromat	422 422 470 470 422 470	1,500 1,800 1,200 800 750 <u>1,500</u> 7,550
77 78.12-003-001	75 So. Riverside Ave.	Gas Station (Shell)	432	1,500
78 78.12-003-004	171-187 So. Riverside Ave. (Croton Commons)	Service/Retail (Bank) Retail (Kelleher Appliance) Retail (Sav Mor) Food Service (Bagels on Hudson) Service (Croton Vision Center) Service (Curves) Service (Hudson View Cleaners) Service (Coach Nails Day Spa)	461 470 400 422 470 470 470 470	4,000 1,350 3,000 2,600 1,480 1,700 2,500 <u>3,000</u> 19,630
79 79.09-001-077	20-30 Maple Street	Food Service (Capprico 2) Service (Block Buster) Service (Coach Nails) Food Service (Japanese Rest.) Food Service (Dunkin Donuts)	421 470 470 422 422	2,000 2,300 1,700 1,200+/- <u>1,800</u> 9,000+/-

Retail Survey Field Sheet

Name: Ryan Reardon

Date: 6/6/03

Tax Number	ADDRESS	Use of each store: Retail, Food Service, Office, Auto Dealer, Auto Repair, Etc.	Property Type Classification Code	Area for EACH Use (Sq. Ft.)
78.12-003-002	1 Municipal Place	Auto Dealer (Croton Auto Park)	431	20,000+/-
79.09-001-054	215 South Riverside Ave	Food Service (Diner)	421	2,744

Appendix D: Other Retail Size Restrictions

§ 110-15. CB-1 Central Business District - 1.

A. Purpose and intent. The CB-1 District is intended to provide for a variety of small-scale to medium scale commercial activities within the Central Business District of the village. The purpose of this district is to preserve the existing architectural character while reflecting the present nature and intensity of land use in the heart of the village. It is recognized that the land use pattern in this district is such that the only available parking for commercial activities in the downtown area is, and will continue to be, that provided in common (public and private) parking facilities. Future development and/or conversions to a more intense commercial activity may require additional off- street parking. The permitted uses within this district are intended to balance its land use function within existing parking constraints. [Amended 1 1-2-1 998 by L.L. No. 8-1998]

B. [Amended 11-16-1987 by L.L. No. 11-1987; 12-7-1987 by L.L. No. 9-1987; 4-16-1990 by L.L. No. 4-1990; 11-2-1998 by L.L. No. 8-1998] Permitted uses. No building or premises shall be used, and no building shall be erected, altered or added to, unless otherwise provided in this chapter, except for the following:

(1) Principal uses.

- (a) Except as provided in this Subsection B(1), stores and shops for the conduct of any retail business or personal service establishments, but excluding drive-up facilities, not to exceed 8,000 square feet of gross floor area.
- (b) Restaurants and drinking establishments, other than cabarets, not to exceed 8,000 square feet of gross floor area.
- (c) Business, professional and government offices not to exceed 8,000 square feet of gross floor area.
- (d) Banks not to exceed 8,000 square feet of gross floor area.
- (e) Theaters and cinemas, excluding the drive-up type, not to exceed 8,000 square feet of gross floor area.
- (f) Telephone exchanges not to exceed 8,000 square feet of gross floor area.
- (g) Storefront drycleaners not to exceed 5,000 square feet
- (h) Libraries, museums and community centers for the local community.
- (i) Local governmental uses
- (j) Parking lots and structures, subject to the applicable provisions of Article IV of this chapter.

(k) Educational institutions and uses not to exceed 8,000 square feet of gross floor area.

(1) Service stores, such as small appliance and electronic stores, not to exceed 8,000 square feet of gross floor area.

(m) Residences above stores, restaurants, banks and personal service establishments, provided that such residences were existing as of the effective date of this chapter.

(n) Public utility structures and utility rights-of-way, excluding utility garages and storage yards.

(2) Special permit uses, subject to § 110-46 of this chapter.

(a) Stores and shops for the conduct of any retail business or personal service establishments, but excluding drive-up facilities, greater than 8,000 square feet of gross floor area.

(b) Restaurants and drinking establishments greater than 8,000 square feet of gross floor area.

(c) Business, professional and government offices greater than 8,000 square feet of gross floor area.

(d) Banks greater than 8,000 square feet of gross floor area.

(e) Theaters and cinemas, excluding the drive-up type, greater than 8,000 square feet of gross floor area.

(f) Telephone exchanges greater than 8,000 square feet of gross floor area.

(g) Service stores, such as small appliance and electronic stores, greater than 8,000 square feet of gross floor area.

(h) Nursery schools and day-care center, subject to the provisions of Article V of this chapter.

(i) Assembly halls and cabarets.

(j) Houses of worship and religious schools

(k) Funeral homes,.

(3) Existing uses. Uses over 8,000 square feet of gross floor area in existence in the CB-1 and CB-2 districts as of November 2, 1998, shall be considered nonconforming uses permitted pursuant to § 110-34 of the Mount Kisco Code.

C. [Amended 4-16-1990 by L.L. No. 4-1990] Development regulations. Each site in the CB-1 District shall be subject to the following development regulations:

- (1) Maximum building coverage: 90%.
- (2) Maximum development coverage: 1 00%.
- (3) Minimum building setback:

	Lot Abutting Nonresidential District	Lot Abutting Residential District
Front	None required	None required
Rear	None required, but 6 feet if provided	20 feet
Side	None required, but 6 feet if provided	20 feet

(4) Maximum height of principal structure: three stories or 40 feet, whichever is less.

[Amended 5-24-1993 by L.L. No. 5-1993; 6-15-1998 by L.L. No. 3-1998]

§342-30. General Commercial Districts.

A. Permitted principal uses.

(1) The following are the only principal uses permitted in the C-1 General Commercial Districts:

(a) Business, professional and government offices and banks.

(b) Retail stores and personal service stores, except those specifically mentioned hereinafter, provided that the area used for sales or personal service purposes does not exceed 3,000 square feet.

(c) Retail stores and personal service stores, except those specifically mentioned hereinafter, in which the area used for sales or personal service purposes exceeds 3,000 square feet. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)

(d) Outlets and pickup stations for laundries and cleaning establishments dealing directly with the public, subject to §342-44. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)

(e) Restaurants, subject to §342-45. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)

(f) Funeral establishments. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)

(g) Motor vehicle filling/service stations or public garages, subject to §342-46.1 of this chapter and all applicable federal, state, county and local laws, rules and regulations. [Amended 3-8-1999 by L.L. No. 5-1999, effective 3-17-1999]

(h) Motor vehicle sales and rental agencies, with sale of used motor vehicles limited to those traded in on new motor vehicles sold on the premises. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)

(i) Printing plants using not more than a total of 20 horsepower and electric motive power only. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)

Special Permits

(j) Clubs, subject to §342-42, dancing studios and dancing schools. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)

(k) Any municipal uses of the Village of Mamaroneck.

(l) Places of worship and religious instruction, including parish houses.

(m) Farms, truck gardens, greenhouses, plant nurseries and aboretums, provided that retail sale on the premises shall be limited to produce grown thereon and shall be permitted only on lots having an area of five acres or more, all subject to §342-41.

(n) Transformer stations and customary accessory uses, subject to §342-43. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)

(o) Motels (hotels), as defined in §342-3. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)

(p) Residence uses as permitted by §342-50. [Added 10-16-1985 by L.L. No. 25-1985, effective 10-28-1985]

(2) None of the above uses shall be interpreted as including motor vehicle storage or repair; wholesaling, warehousing or storage; manufacturing, assembling, converting, altering, finishing or any other industrial operation; check-cashing establishments (not including a full-service bank where check cashing is an accessory use); video arcades, betting parlors, billiard or pool parlors or tattoo parlors; unattended businesses (a business with no owner or employee on the premises); or establishments conducting business or the practice of trade as mediums, clairvoyants, soothsayers, fortune tellers, palmists, reader-advisors or the like. [Amended 9-28-1998 by L.L. No. 8-1998, effective 10-7-1998]

B. Permitted accessory uses. The following accessory uses are permitted in C-1 General

Commercial Districts only in conjunction with a permitted principal use:

(1) Off-street parking and loading and signs as permitted by the Village Sign Ordinance.

(2) [Added 6-18-1973, effective 6-27-1973; amended 5-31-1979 by L.L. No. 10-1979, effective 6-8-1979] Fences, walls or retaining walls not exceeding five feet in height, except:

(a) On a corner parcel, placed beyond the front or side building lines, they shall not exceed four feet in height.

(b) Where required pursuant to Article XI.

(c) Where approved in conjunction with a special permit granted under Article X.

C. All above C-1 District uses, whether principal or accessory, including storage, but excluding parking of permitted used cars, and outdoor restaurant services, as specifically permitted by §342-45, shall be carried on in fully enclosed buildings.

§116-5. Business districts.

A. General. Within any business district, a building, structure, lot or land shall be used only for such uses as are indicated in Subsection D below for the specific district in which it is located on the Zoning Map and in accordance with the particular classification of that use in that district. Further, any such building, structure, lot or land shall only be utilized in conformance with the provisions of Subsection E below. In addition, such uses shall also comply with all other applicable provisions of this chapter. [Amended 3-11-77 by L.L. No. 1-1977]

B. [Added 3-11-77 by L.L. No. 1-1977] The maximum number of uses permitted in a building or buildings or upon a lot or land within any business district shall be limited as follows:

threshold amendment
 (1) VB District: no use shall have less than eight hundred (800) square feet of floor area, nor a width of less than fifteen (15) feet. [Amended 10-8-82 by L.L. No. 61982]

(2) HB district: one (1) use for every ten thousand (10,000) square feet of lot area, except that the minimum number of square feet of lot area required per dwelling unit for a dwelling use which lawfully existed at the effective date of this amendment shall be twenty thousand (20,000) square feet.

(3) OD District: one (1) use for every three thousand (3,000) square feet of lot area, except that the minimum number of square feet of lot area required per dwelling unit for a dwelling use shall be as specified in Subsection E below for the OD District, and such minimum shall apply to a dwelling use which lawfully existed at the effective date of this amendment.

(4) MTL District: one (1) use for every forty thousand (40,000) square feet of lot area.

C. In applying the provisions of Subsection B above, each enterprise using a lot, land, building or buildings shall be considered a separate use. For example, each tenant using a lot, land, building or buildings shall be considered a separate use, and each tenant occupying an office building shall be considered a separate use. [Added 3-11-77 by L.L. No. 1-1977]

D. This subsection containing the Table of Use Regulations for Business Districts may be found in the Appendix.

E. This subsection containing the Table of Dimensional Regulations for Business Districts may be found in the Appendix.

**Appendix E: Common Species that can potentially be found in
Urban/disturbed Settings**

COMMON SPECIES THAT CAN POTENTIALLY BE FOUND IN URBAN/DISTURBED SETTINGS

Common Name	Scientific Name
<i>AMPHIBIANS AND REPTILES</i>	
Common Snapping Turtle	<i>Chelydra serpentina</i>
Box Turtle	<i>Terrapene carolina</i>
Eastern Painted Turtle	<i>Chrysemys picta</i>
Eastern American toad	<i>Bufo americanus</i>
Bullfrog	<i>Rana catesbeiana</i>
Redback Salamander	<i>Plethodon cinerus</i>
Northern Redbelly Snake	<i>Storeria occipitomaculata</i>
Eastern Hognose Snake	<i>Heterodon platyrhinos</i>
Northern Ringneck Snake	<i>Diadophis punctatus</i>
Eastern Garter Snake	<i>Thamnophis sirtalis</i>
Eastern Milk Snake	<i>Lampropeltis triangulum</i>
Northern Black Racer	<i>Coluber constrictor</i>
Northern Copperhead	<i>Agkistrodon contortrix</i>
Black Rat Snake	<i>Elaphe obsoleta</i>
Jefferson Salamander	<i>Ambystoma jeffersonianum</i>
Spotted Salamander	<i>Ambystoma maculatum</i>
Red-spotted Newt	<i>Notophthalmus viridescens</i>
Gray Treefrog	<i>Hyla versicolor</i>
Wood Frog	<i>Rana sylvatica</i>
Pickerel Frog	<i>Rana palustris</i>
<i>MAMMALS</i>	
Woodchuck	<i>Marmota monax</i>
Gray Squirrel	<i>Sciurus carolinensis</i>
Red Squirrel	<i>Tamiasciurus hudsonicus</i>
Southern Flying Squirrel	<i>Glaucomys volans</i>
Virginia Opossum	<i>Thamnophis sirtalis</i>
House Mouse	<i>Mus musculus</i>
Deer Mouse	<i>Peromyscus maniculatus</i>
Raccoon	<i>Procyon lotor</i>
Striped Skunk	<i>Mephitis mephitis</i>
Masked Shrew	<i>Sorex palustris</i>
Short-tailed Shrew	<i>Blarina brevicauda</i>
Eastern Mole	<i>Scalopus aquaticus</i>
Star-nosed Mole	<i>Condylura cristata</i>

Little Brown Bat	<i>Myotis keenii</i>
Big Brown Bat	<i>Eptesicus fuscus</i>
Red Bat	<i>Lasiurus cinereus</i>
Eastern Cottontail	<i>Sylvilagus floridanus</i>
Eastern Chipmunk	<i>Tamias striatus</i>
Meadow Vole	<i>Microtus pennsylvanicus</i>
Pine Vole	<i>Microtus pinetorum</i>
Norway Rat	<i>Rattus norvegicus</i>
Coyote	<i>Canis latrans</i>
Red Fox	<i>Vulpes vulpes</i>
Gray Fox	<i>Urocyon cinereoargenteus</i>
Long-tailed Weasel	<i>Mustela erminea</i>
White-tailed Deer	<i>Odocoileus virginianus</i>
Birds	
Sharp-shinned Hawk	
American Kestrel	
Peregrine Falcon	
Golden Eagle	
Ring-billed Gull	
Herring Gull	
Mourning Dove	
Common Barn Owl	
Long-eared Owl	
Northern Saw-whet Owl	
Ruby-throated Hummingbird	
Red-headed Woodpecker	
Yellow-bellied Sapsucker	
Olive-sided Flycatcher	
Blue Jay	
American Crow	
Black-capped Chickadee	
Boreal Chickadee	
Tufted Titmouse	
Red-breasted Nuthatch	
Yellow Warbler	
Magnolia Warbler	
Cape May Warbler	
Black-throated Blue Warbler	
Yellow-rumped Warbler	
Blackburnian Warbler	
Pine Warbler	
Palm Warbler	
Bay-breasted Warbler	
Blackpoll Warbler	
Cerulean Warbler	

Northern Waterthrush	
Louisiana Waterthrush	
Connecticut Warbler	
Mourning Warbler	
Wilson's Warbler	
White-throated Sparrow	
Dark-eyed Junco	
Red-winged Blackbird	
American Robin	
Northern Mockingbird	
Northern Shrike	
European Starling	
Golden-crowned Kinglet	
Ruby-crowned Kinglet	
Eastern Bluebird	
Gray-cheeked Thrush	
Swainson's Thrush	
Philadelphia Vireo	
Blue-winged Warbler	
Golden-winged Warbler	
Tennessee Warbler	
Orange-crowned Warbler	
Nashville Warbler	
Northern Parula	
Common Grackle	
Brown-headed Cowbird	
House Finch	
Rusty Blackbird	
Orchard Oriole	
Pine Grosbeak	
Purple Finch	
Red Crossbill	
White-winged Crossbill	
Common Redpoll	
Pine Siskin	
American Goldfinch	
Evening Grosbeak	

Source: Westchester County Department of Planning, Wildlife Resources of Westchester County

