

To: Board of Trustees, Croton-on-Hudson
From: Frank Fish FAICP, Harlan Sexton AICP & Rashi Puri LEED AP
Subject: Rezoning Recommendations
Date: October 29, 2009
Cc: Village Manager, Village Engineer

The Village's Comprehensive Plan recommends zoning revisions be considered in certain areas of the Village. The plan recommends that larger lot sizes be examined. The Comprehensive Plan Committee held four meetings with BFJ Planning over the summer and fall (6/17/09, 7/22/09, 8/19/09 and 10/8/09) to develop recommendations for updating the zoning designations for the subject areas. The committee then met with the Trustees and BFJ Planning on October 26, 2009 to review the options. This memo summarizes the committee's recommendations.

Study Areas

The southern study area is Croton Point Park, currently zoned R-40. The northern study areas encompass Hudson National Golf Club (HNGC), two Audubon sanctuaries, and a narrow length of land along Albany Post Road/Route 9A. All of the northern study area is currently zoned R-40.

Recommendations

Southern Study Area:

Croton Point County Park. The county park should be rezoned from R-40 to PRE-3. This zoning district is a better fit for the actual current and future use of the park. No amendments to the existing PRE-3 text are necessary, according to County government, as the list of allowed uses recognizes the full range of actual park amenities. BFJ contacted Westchester County regarding the potential rezoning. Patrick Natarelli, on behalf of Commissioner Ed Burroughs, referred the information to County Parks; Mr. Natarelli reported their preliminary approval of Croton Point Park being re-zoned from R-40 to PRE-3. (See Appendix A for PRE allowed uses).

Northern Study Areas:

Audubon Properties. In the northern study area, Audubon's Brinton Brook Sanctuary and the Graff Sanctuary should be rezoned from R-40 to PRE-1. (See Appendix A for PRE allowed uses). The Audubon sanctuaries are zoned for residential use (R-40) but it is unlikely that this would happen. PRE-1 correctly reflects both the current and expected future use of the sanctuaries, as a sanctuary land use is explicitly recognized and allowed under PRE-1. BFJ contacted Anne Swaim, the director of the Saw Mill River Audubon Society, about the rezoning of Graff Sanctuary and Brinton Brook Sanctuary from R-40 to PRE-1. While Ms. Swaim has not talked yet with her board about this, her initial response was appreciative.

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Jane Lytle Memorial Arboretum. Most of the Jane Lytle Memorial Arboretum site is already zoned PRE-1. However, its property has slightly expanded as shown in the small triangle on Figure 2. This newly acquired area is now proposed as PRE-1.

Golf Club and Albany Post Road Areas. The bulk of the northern study area comprises the Hudson National Golf Club parcels. The Comprehensive Plan Committee recommends rezoning these parcels from R-40 to R-60. The committee considered a subdivision layout at the current R-40 zoning, and compared that to potential layouts for R-60 and R-80 zoning. The committee recommends rezoning HNGC to R-60 to better preserve the natural character of the site and to minimize development impacts. While the committee seriously considered the R-80 alternative, it concluded that the R-60 alternative reduced environmental impacts to a sufficient degree and provided a density and potential development layout reasonably within context to the surrounding neighborhoods.

The remainder of the study area, the lots immediately south and north of the Albany Post Road/Route 9A should be rezoned from R-40 to R-60. The committee's recommendation here is based on limiting the impact potential of the remaining oversized lots, given the high volume of traffic along Albany Post Road and the significant environmental constraints (i.e. steep slopes).

The following pages provide summaries of the proposed zoning, its potential impacts, and a suggested area and bulk schedule for the new R-60 district.

CROTON ON HUDSON ZONING UPDATE RECOMMENDATIONS

Southern Study Area:

	Existing	Proposed
Croton Point County Park	R-40	PRE-3
Housing development potential?	yes	no

Northern Study Areas:

Brinton Brook Sanctuary	R-40	PRE-1
Housing development potential?	yes	no
Graff Sanctuary	R-40	PRE-1
Housing development potential?	yes	no
Jane Lytle Memorial Arboretum (small triangular portion addition)	R-40	PRE-1
Housing development potential?	yes	no

Hudson National Golf Club	Existing	Proposed	Proposed
	R-40	R-60	R-80
Potential dwelling units (approx.)	150	90	60
Potential Impacts			
Traffic (total per weekday)*	1,435	861	574
Schoolchildren**	130	78	52

Albany Post Road (Route 9A) Lots	Existing	Proposed
	R-40	R-60
Lots (= dwelling units)		
Existing Lots		
All lots (incl. 4-lot Velardo subdivision)	23	23 existing
Non-conforming lots	4	4 existing
New Lots that could be developed	21	14
Non-conforming lots	none	1 new
Total: Existing lots + new lots	41	37
Potential Impacts		
Traffic (total per weekday)*	392	354
Schoolchildren**	36	32

NOTES

* For one d.u., there is an average 9.57 vehicle trips per weekday. The total number of trips can be split 50/50 between entering and exiting trip ends.

** Schoolchildren calculations assume that a 4-bedroom single family home will produce 0.87 public school students per dwelling unit. This calculation does not include pre-school, private school or college students.

Source: Rutgers University, Center for Urban Policy Research - Residential Demographic Multipliers; Estimates of the Occupants of New Housing, June 2006

CROTON-ON-HUDSON ZONING UPDATE RECOMMENDATIONS

DIMENSIONAL REQUIREMENTS (AREA & BULK SCHEDULE)

	Existing	Proposed	Considered but not proposed
	R-40	R-60	R-80
Lot			
Area (min)	40,000	60,000	80,000
Width (min)	150	175	200
Depth (min)	200	225	250
Yards			
Front	50	50	50
Side	30/80	35/80	40/80
Rear	40	45	50
Floor Area			
Habitable floor area (min)	880	880	880
Floor area ratio (max)	0.15	0.15	0.15
Height (max)			
Feet	35	35	35
Stories	2.5	2.5	2.5
Building coverage (max)	20%	15%	10%
Parking	2	2	2
Required off-street space per d.u.			

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Background: Determining Yield Count for the Zoning Options in Northern Study Areas:

Hudson National Golf Club: Determining Yield Count. To determine the potential lot count on HNGC property, BFJ began with an analysis of environmental and site constraints. Once BFJ knew the buildable areas, an efficient road network for a conventional subdivision was laid out. When the road network was in place, BFJ then laid out standard-sized lots. For the R-40 option, all lots are at least 40,000 sq.ft. For the R-60 option, all lots are at minimum 60,000 sq.ft, and for the R-80 option, all lots are at minimum 80,000 sq.ft. (If the site were developed for housing, the village may prefer an open space subdivision layout. This would cluster the houses on smaller lots, leaving unbuilt land as dedicated open space. However, an open space subdivision would begin with a conventional layout to arrive at the "yield" or agreed-upon lot count.)

Environmental and Site Constraints. The subdivision layouts use three existing roads for access. No new local road connections would be needed. The first access is from Arrowcrest Drive, currently the main road into the golf course. A second access is from Fox Road, which is currently a back entrance into the golf course. The third access is from Prickly Pear Hill Road, currently the access into the golf course's maintenance area.

The village's zoning code requires a steep slope analysis. BFJ's environmental analysis identified areas with 15 – 25% grade, and grades over 25 percent. The contour data was supplied by the USGS map; village data were not available. BFJ then did a wetlands and watercourses analysis. According to as-built plans provided by the Village Engineer, there are on-site wetlands. According to the State of New York USGS map, there are ponds and streams on-site. Village zoning requires that ponds over a certain size (2,500 sq.ft in area), wetlands and streams have a 120-foot buffer. After identifying all wetlands, ponds and streams (regardless of size), the necessary buffer was mapped. The golf club is in the village's sewer district so that soil suitability for septic is not a major constraint.

A subdivision covenant between the Village and Hudson National Golf Club provides that any redevelopment of the club shall be at a density based upon the pre-construction topography of the property. BFJ examined the covenant schedule and maps (dated August 16, 2009) showing the pre-existing topography and the as-built plans (provided by the Village Engineer) showing wetlands and their associated buffers. BFJ's examination of these maps suggests that there would be a reduction in density from the maximum number of units laid out in Figures 4, 5 and 6. These revised numbers are shown in the chart on the following page. For example, the BFJ layout shown for R-40 on Figure 4 indicates that a theoretical maximum of approximately 165 units could be achieved. Examination of the pre-existing topography suggests that closer to 150 units is a more likely number to assume. Accordingly, impacts for traffic and school children are shown for 150 units (R-40), 90 units (R-60) and 60 units (R-80). All unit numbers have been rounded to the nearest "ten" in the table on the following page to indicate that these are general estimates. Exact numbers can only be determined by the Planning Board when a specific application is submitted based upon exact field surveys.

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Circulation. With the access points, steep slopes, and waterbodies and their buffers in place, BFJ then designed the internal street network. This network is internally well-connected with four-way and three-way intersections and a minimal number of cul-de-sacs. No new curb-cuts would be necessary on major roads. The basic network works well for all three zoning options.

Lot Layout. With the street network in place, BFJ then laid out a conventional subdivision. For each option a standard layout was platted, where all the acreage is in privately-held lots. The layouts have a few large unbuildable lots with ponds (and their buffers) and/or steep hillsides that would be designated as open space. Also, there are a few out-parcels which would be included in the rezoning because they are in the study area, but are not included in the layout options since they already are a standard-sized lot with a house.

For each zoning option, each lot meets the minimum required lot size and there is overall consistency in lot sizes. Some of the lots are hilly; if these were included in an actual application before the Planning Board, they may not be accepted. Therefore, for the yield count, this analysis has rounded down the actual lot count on the attached layouts.

Albany Post Road: Determining Yield Count. To determine the potential lot count of the Albany Post Road study area, BFJ did the same environmental and site analysis as with the golf course. This area is substantially more constrained than the golf course: it is long and narrow, sloping south towards the highway and the river, and already subdivided into lots of varying size. BFJ identified the steep slopes, waterbodies, and their buffers. Lots which are undersized (vis-à-vis zoning), those that are improved, and the approved Velardo subdivision were eliminated from the potential layout. With the remaining vacant land, BFJ laid out R-40 and R-60 options, minimizing the number of new curb cuts on Albany Post Road.

For each zoning option, each lot meets the minimum required lot size. Some of the lots are hilly and/or have much of their area occupied by a waterbody buffer. If these were included in an actual application before the Planning Board, they may not be accepted. Therefore for the yield count, we have rounded down the actual lot count on the attached layouts.

Non-Conforming Lots. The Albany Post Road rezoning area shown on the attached layout is currently zoned R-40. There are now four lots that do not conform to the minimum R-40 standards. If this area were rezoned to R-60, one additional non-conforming lot would be created. According to the zoning committee's discussion, the house on this lot has now maxed out its site with two variances, and is unlikely to need any more variances.

Attachments:

Appendix A- Park, Recreation and Education PRE District and Figures 1 through 10

§ 230-20 Park, Recreation and Education PRE District. (Croton-on-Hudson)

A. Purpose. The PRE District is intended to preserve natural resources, scenic beauty and other land and community resources whose retention is necessary for the continued maintenance of the quality of the environment. It is designed to provide for public parks; recreational activities including all types of athletic activities; schools and other educational facilities; nature preserves; bird and wildlife sanctuaries; and similar uses.

B. Eligibility. Lands identified for Park, Recreation and Education PRE Districts shall be designated PRE-1, PRE-2 and PRE-3 and shall include the following:

- (1) Areas owned by the Village of Croton-on-Hudson.
- (2) Areas owned by any other public corporate body and dedicated to one or more of the purposes of the PRE District.
- (3) Privately owned areas held in trust for or limited by deed restrictions to or otherwise dedicated to one or more of the purposes of the PRE District.

C. Permitted uses. On areas identified for PRE District, no building or other structure, facility or premises or any part thereof shall be constructed or used which is arranged, intended or designed to be used, in whole or in part, for any use except the following:

- (1) PRE-1: Passive open space.
 - (a) Natural open space areas and uses designed for environmental or ecological wildlife preservation.
 - (b) Bird and wildlife sanctuaries.
 - (c) Parks and passive use.
 - (d) Open space or woodland preserving important vistas, view corridors or scenic resources.
 - (e) Paths, boardwalks or bridges for the above.
- (2) PRE-2: Active open space.
 - (a) Picnic grounds, beaches and similar facilities for recreation.
 - (b) Parks and gardens.
 - (c) Playing fields and all other facilities for athletic sporting activities, including grandstands and scoreboards.
 - (d) Administration and control buildings; toilet, locker and shower facilities; band shells; gazebos and shelters; and outdoor stage platforms.
 - (e) All uses permitted under PRE-1.
- (3) PRE-3: Educational buildings.
 - (a) Public schools, public buildings and other public facilities for educational and instructional purposes.
 - (b) Zoos, aquariums and other botanical gardens.
 - (c) Theaters for the performing arts, band shells, museums, art galleries, libraries and other facilities for culturally oriented activities.
 - (d) All uses permitted under PRE-1 and PRE-2.

D. Accessory uses. Uses accessory and incidental to permitted uses shall include:

- (1) Off-street parking of passenger and commercial vehicles in the open. No part of the parking area shall be more than 45 feet from a natural area or a landscaped and treed area introduced into the parking area, as approved by the Planning Board.

(2) Maintenance, security or utility structures serving specific needs.

(3) Other accessory uses that are incidental to the principal use on the site.

E. Preexisting buildings. Any building existing on any parcel in a PRE District as of the effective date of the establishment of said district may continue as such, subject to the provisions of this chapter.

F. Special permit.

(1) The following uses may be permitted subject to issuance of a permit by the Board of Trustees. Special permits require information necessary to demonstrate that the proposed activity is not adverse to the general health, safety and economic and general welfare of the residents of the Village.

(a) Public utility installations which are needed to serve properties within the Village, subject to a determination by the Village Board of Trustees that no other reasonable location in a less restricted district can be utilized for the purposes contemplated and subject further to such conditions as the Board of Trustees may deem to be appropriate for the protection of adjoining uses and for the character of the district. All parking and service areas connected with such use shall be screened, preferably using natural screening, from the view of all adjoining and neighboring residential properties.

(2) The site plan shall be subject to approval by the Planning Board, in accordance with the provisions of Article XI.

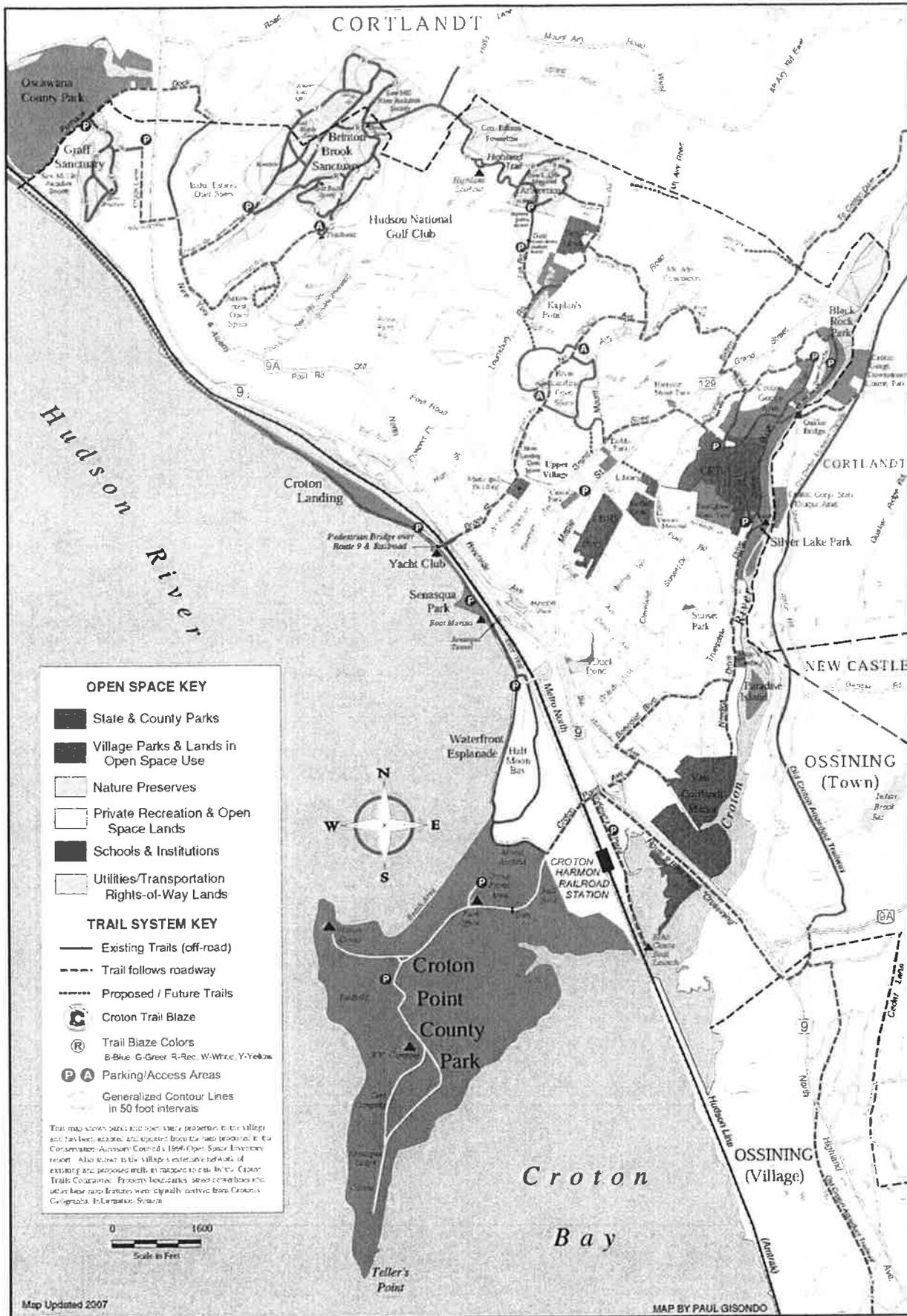


FIGURE 1: PARKS & OPEN SPACES MAP

SOURCE: CROTON CONSERVATION ADVISORY COUNCIL 2000

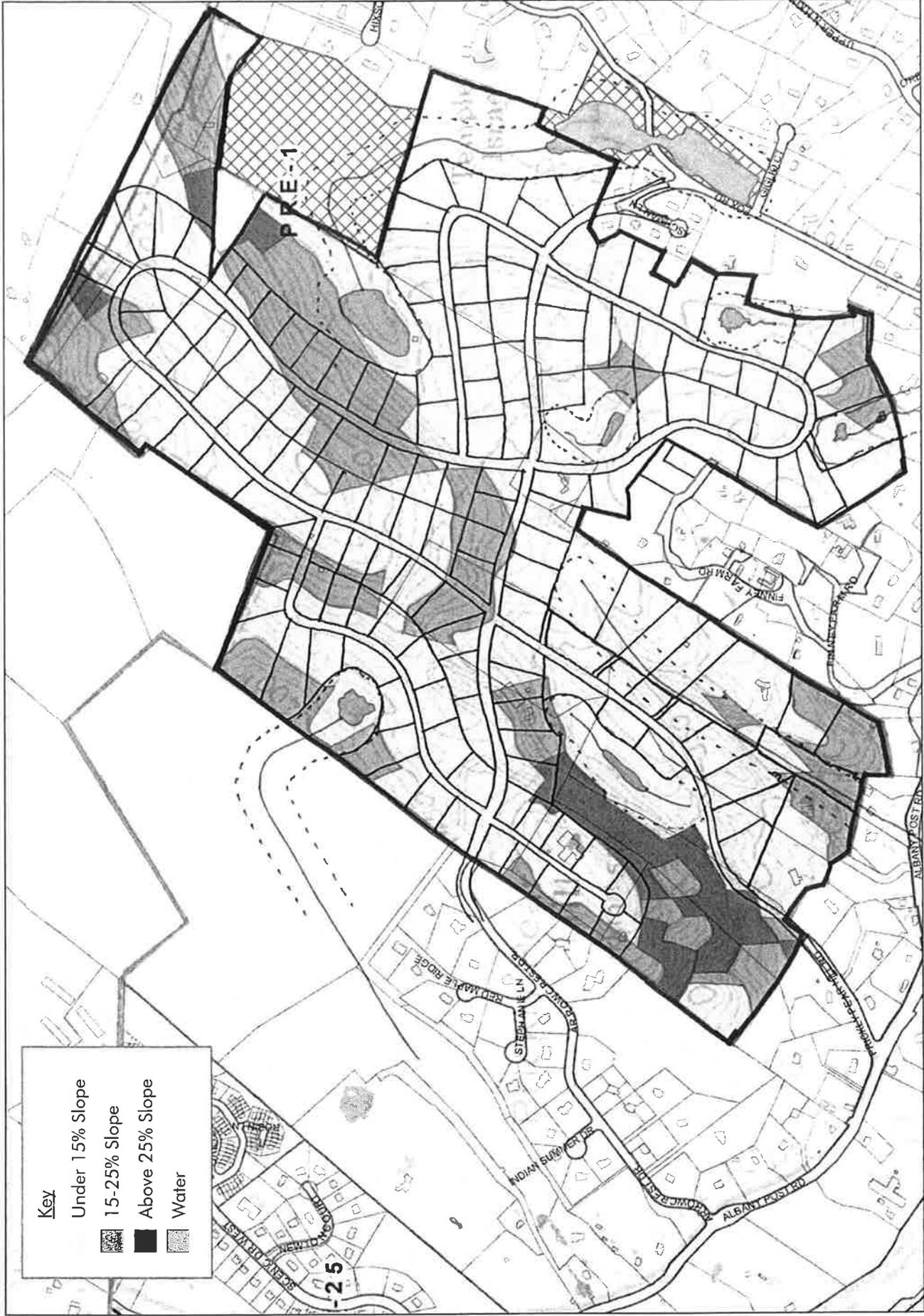


Figure 4: Golf Club Illustrative Layout - R-40 Option-165 Lots

SOURCE: WILLIAMS ASSOCIATES, LLC, JULY 2004



Figure 6: Golf Club Illustrative Layout - R-80 Option - 65 Lots

SOURCE: WILLIAMS ASSOCIATES, LLC, JULY 2004

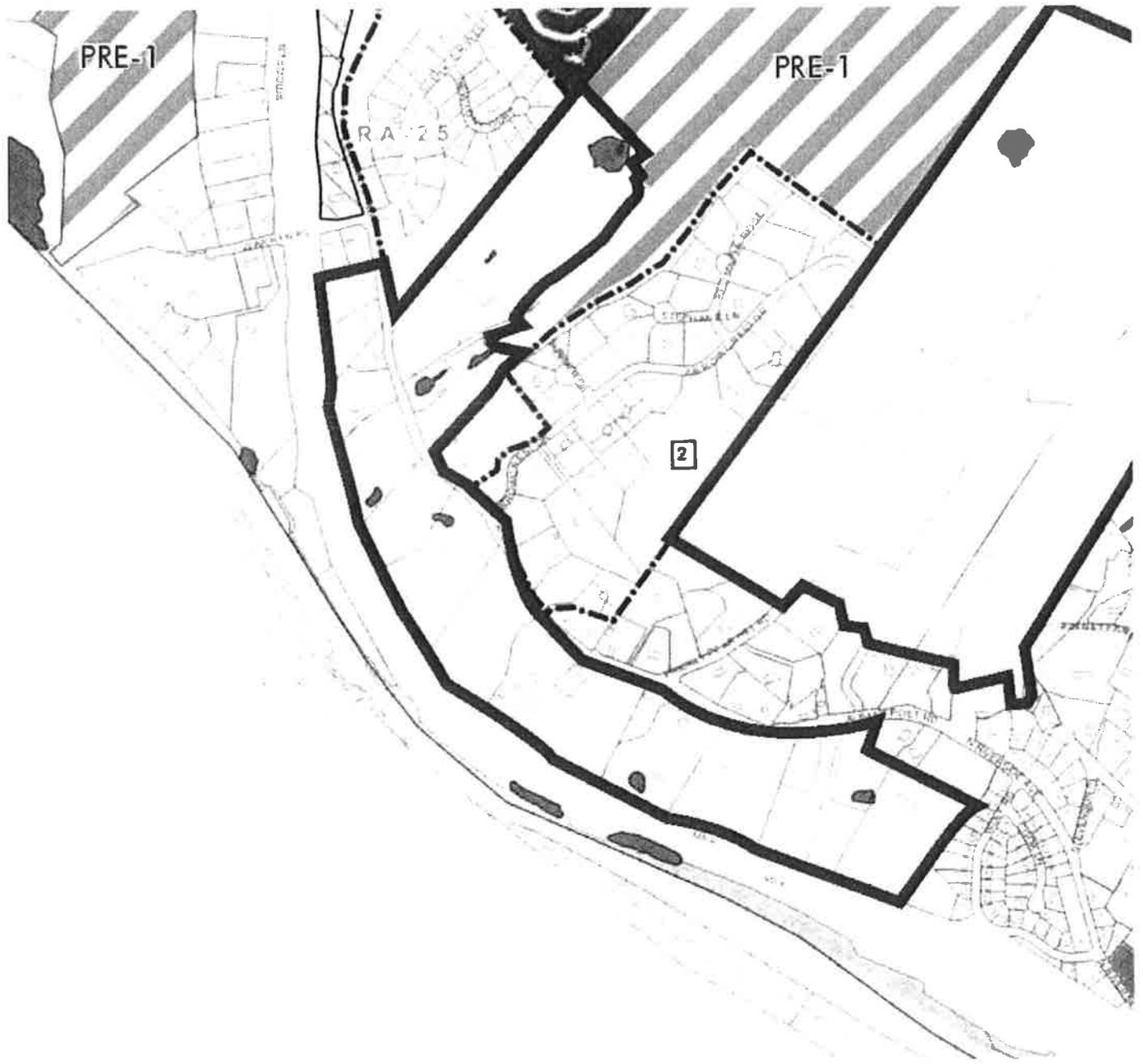


FIGURE 7: ALBANY POST ROAD - EXISTING LOTS - 23 LOTS

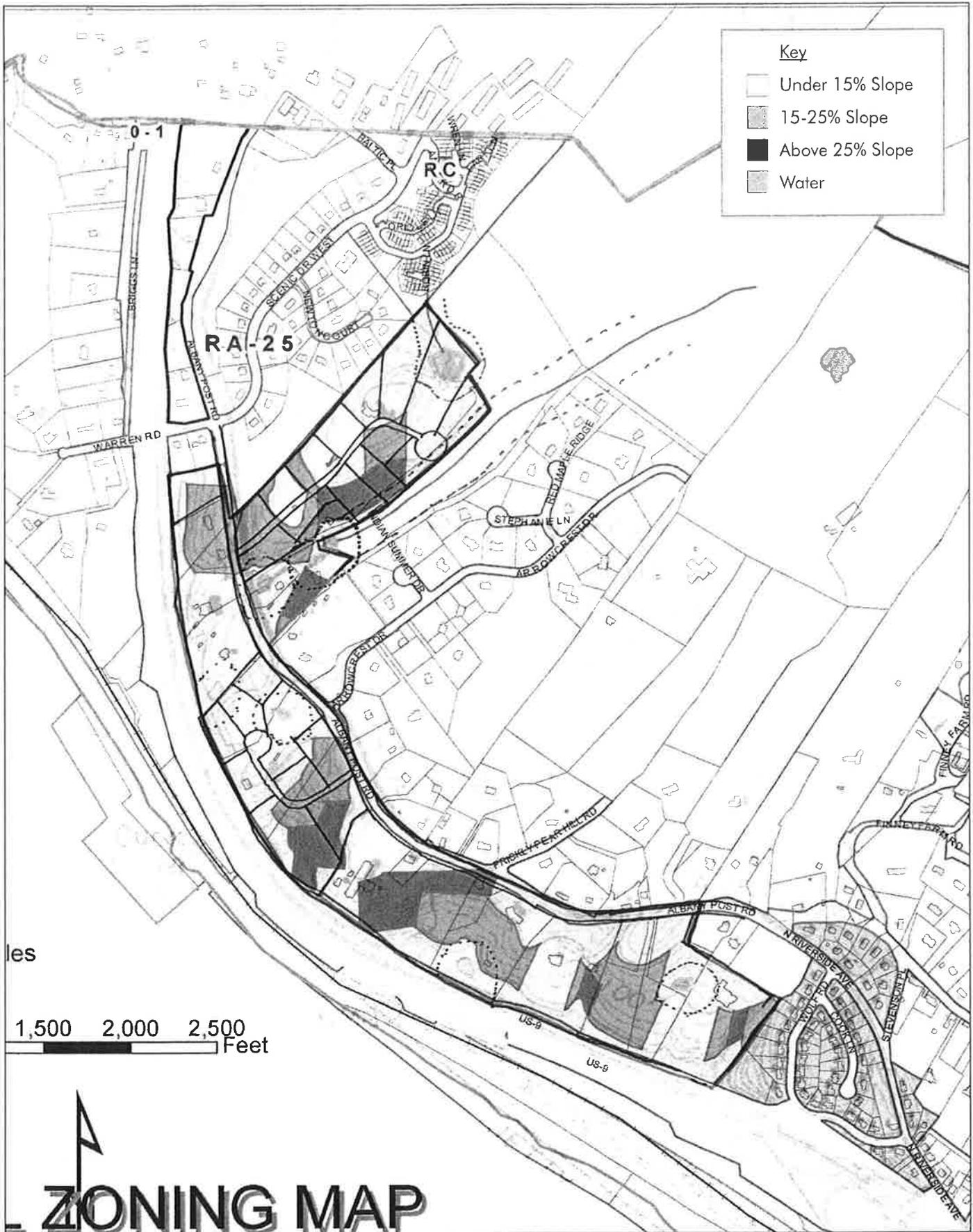


Figure 8: Albany Post Road - Lot Layout R-40 Option - 41 Lots

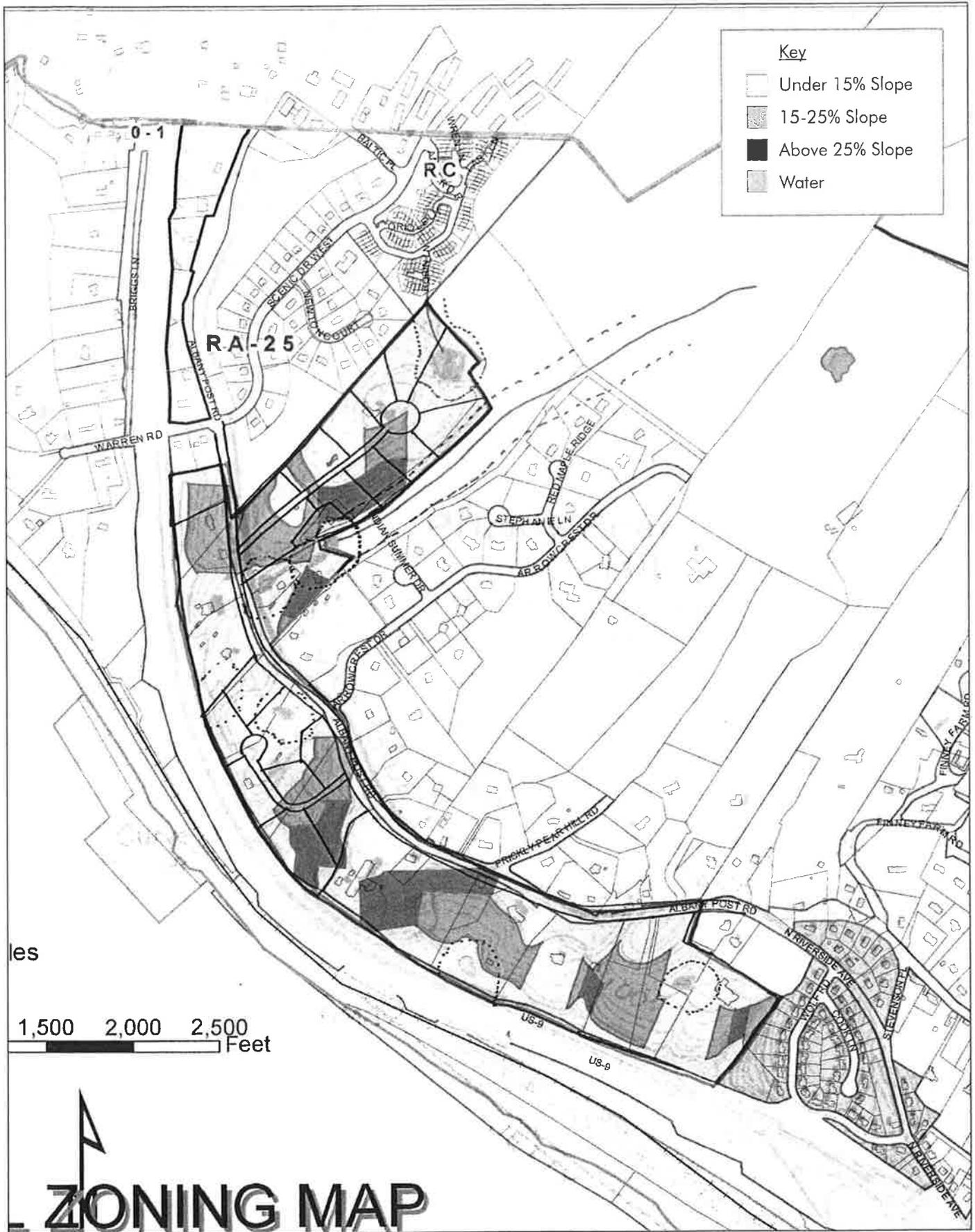
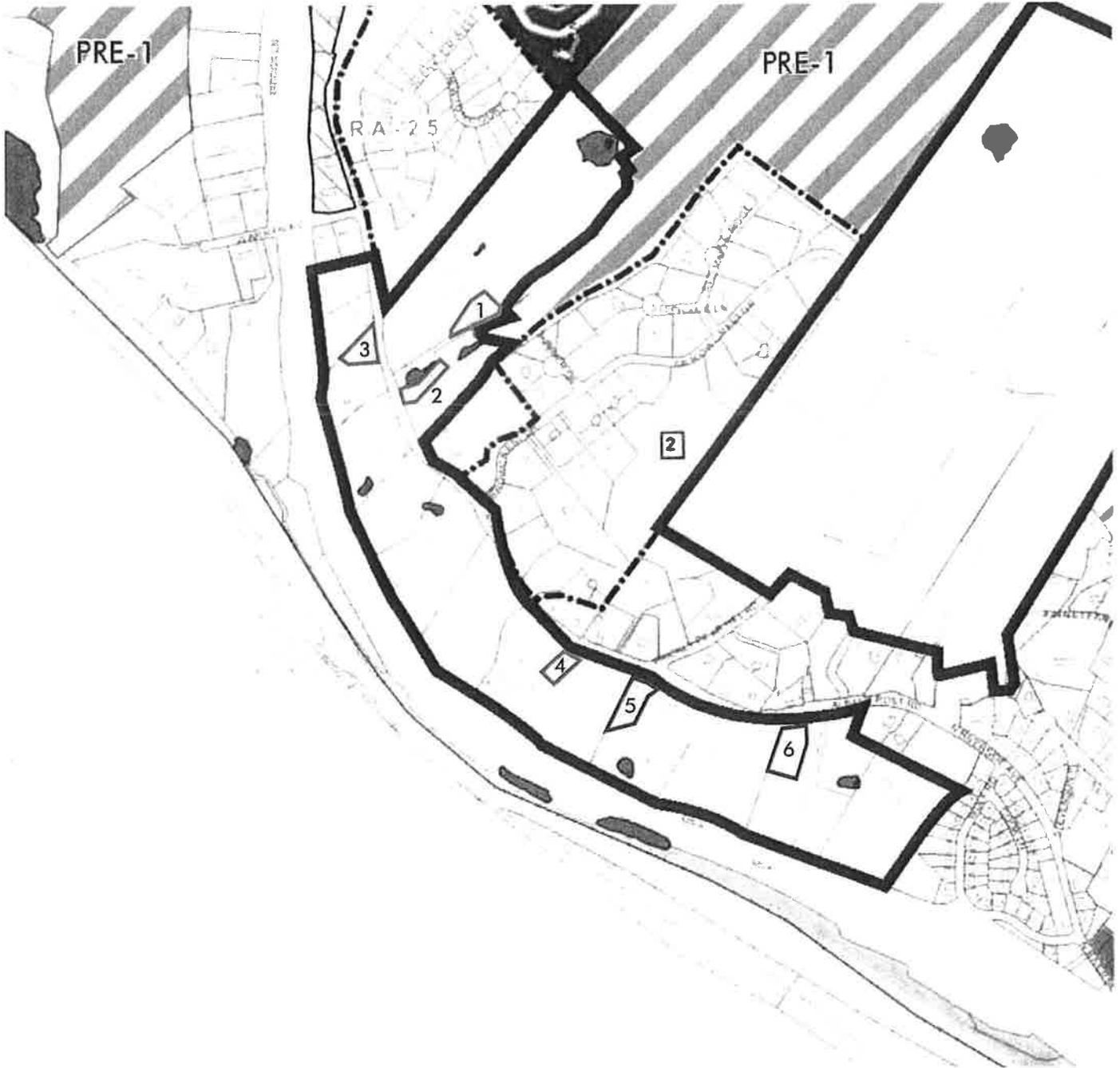


Figure 9: Albany Post Road - Lot Layout R-60 Option - 37 Lots



Lot	Area (sq.ft.)
1	30,420
2	25,825
3	29,195
4	25,530
5	41,660
6	58,430

-  Non-Conforming Lots in existing R40 zone
-  Non-Conforming Lots in proposed R60 zone

FIGURE 10: ALBANY POST ROAD- NON-CONFORMING LOTS