



Waterfront Advisory Committee
Stanley H. Kellerhouse Municipal Building
One Van Wyck Street
Croton-on-Hudson, NY 10520-2501

Chairman
CHARLIE KANE

Members
ANN GALLELLI
STUART GREENBAUM
BRUCE KAUDERER
IAN MURTAUGH

Attorney
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Village Engineer
DANIEL O'CONNOR, P.E.

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RONNIE ROSE

WATERFRONT ADVISORY COMMITTEE

To: Mayor Wiegman and the Board of Trustees

From: Charlie Kane, Waterfront Advisory Committee Chair CK

Subject: Referral from the Village Board Regarding Gift Proposal of Gouveia parcels located at 1300 Albany Post Road—Preliminary Consistency Review

Date: October 18, 2013

On October 16, 2013, the Waterfront Advisory Committee (WAC) reviewed the referral from the Village Board regarding a gift proposal from Mrs. Laurel Gouveia to the Village of Croton-on-Hudson of her approximate 16 acre parcel of real property located at 1300 Albany Post Road in the Village of Croton-on-Hudson. The Waterfront Advisory Committee reviewed the proposal for consistency with the Village's Local Waterfront Revitalization Program (LWRP). Based on the Committee's review of the Short Environmental Assessment Form (EAF) dated October 7, 2013, the Coastal Assessment Form (CAF) dated August 2013, aerial image map, photographs of the site, and the term sheet from Mrs. Gouveia's attorney, the Waterfront Advisory Committee made a preliminary recommendation of consistency with the LWRP. The vote was 5-0 in favor.

The WAC members reviewed the Short EAF and concluded there were no changes needed.

The WAC reviewed the CAF and noted that C. 4 b (1) which asks "*if the project site is publicly owned...will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?*" the response should be "NO" and not "YES." The project maintains and protects the view of the river but there are no water-related recreation resources and facilities at this site.

The WAC evaluated the application for consistency in accordance with the LWRP policy standards and conditions set forth in section 225-6(J) of the Village Code, which are further explained and described in Section III of the LWRP. The WAC reviewed each policy in the LWRP and believes that the policies not specifically listed below are not applicable to the proposed gift.

The policies the WAC believes are relevant are as follows:

Policy 5C: Limit proposed development within those portions of the coastal zone boundary area, where traffic impacts such as site distance and carrying capacity of the roadways are restricted, particularly along Route 9A, Albany Post Road and Route 129.

This policy applies to the proposed project because the property is located on Albany Post Road and the proposed project is consistent with this policy because the Gouveia property will be used for

passive recreation only. It is noted on the SEAF, Part 2, question #5 that there would be only a small impact in the existing level of traffic.

Policy 9B: Encourage passive recreational enjoyment of the wildlife in the designated significant fish and wildlife habitats, on the Audubon Society sanctuaries, on other public or private lands within the village, where wildlife habitats are located. Encourage the recreational use of areas where such resources are found, as well as the protection of such resources.

The property (see aerial image map below) is currently developed for a single-family home. The house is located along the western edge and approximately in the middle of the property. The house sits at the top of a cliff overlooking the Hudson River. The northern portion of the property has been improved so that it includes a large lawn area with landscaping and a small pond (see image below). The southern portion of the property is a steeply sloped woodland area with two intermittent streams. This section of the property has not been developed.

The open lawn area and potential new trail systems would provide passive recreational opportunities, such as viewing wildlife in the woodland area, pond, open lawn area and the area along the cliff overlooking the Hudson River.

The Term Sheet contains details and conditions of the proposed gift is clear about restricting uses of the property to park, recreation and educational (PRE) type uses; these terms and Village ownership would provide permanent protection of these environmental and recreational resources.



Image: Looking Aerial map of property (not to scale).



Image: Looking west from Albany Post Road (lawn, pond, house and Hudson River).

Policy 19A: Encourage the linkage of the open space along the Hudson and Croton Rivers in the form of a trail or walkway system. Such systems should be provided along undeveloped and underutilized land as well as along previously developed land.

The Village has an over-the-road trail segment from Brinton Brook Sanctuary and the Jane Lytle Arboretum that comes down Arrowcrest Drive and is used as one of the trail links to the Graff Sanctuary which is located farther north on the west side of Route 9 (see section of Village Trail Map below). This existing over-the-road trail segment runs along Albany Post Road in front of 1300 Albany Post Road. Should the Gouveia parcel be acquired a new trail segment could be developed on the property initially providing recreational access to the wooded southerly section and ultimately to the entire property. A trail on the southerly section of the property would provide an additional destination for walkers, one that culminated in forested views of the Hudson River to the west. When permitted, additional trail segments would be installed on the northerly portion of the property and would provide panoramic views of the Hudson River and scenic views of the landscaped pond and open lawn area (see section of Village Trail Map and images below).

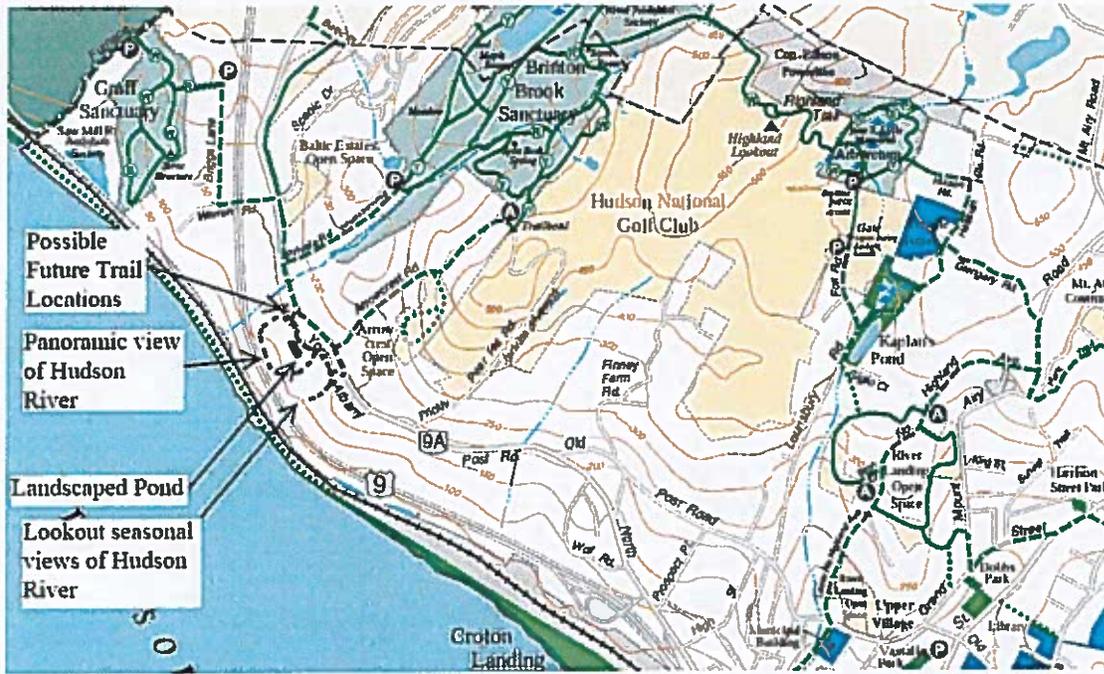


Image: Section of Village Trail Map.

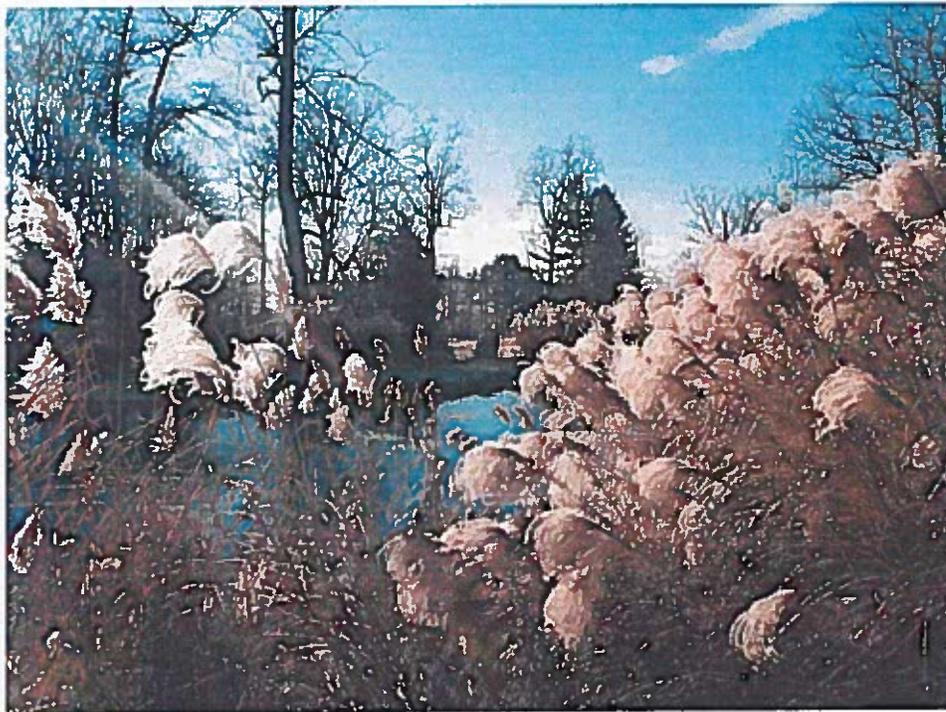


Image: Looking west at landscaped pond from potential trail location .



Image: Looking south at Hudson River from lawn area.



Image: Looking south at Hudson River from yard behind house.

Policy 19B: Increases physical access to areas that have specific value for their physical and visual access to the Hudson River or Croton River and Bay.

If the Village proceeds, eventually the Village would gain access, either with Mrs. Gouveia's permission while she is in residence or after she would leave the residence, to the gently sloping lawn area in the northerly portion of the site and the house along the west cliff overlooking the Hudson River. As can be seen in the images above and below, visual access to scenic Hudson River views are provided by the lawn area, futures trails and existing house.

Policy 25: Protect, restore or enhance natural and man-made resources which are not identified as being statewide significance, but which contribute to the overall scenic quality of the coastal area.

The site has approximately 140 feet of elevation change within its boundaries. The lowest elevation of 31 feet above sea level, is at the bottom of an east to west running gorge; the highest elevation of approximately 174 feet above sea level is along the southern border with the Skyview Rehabilitation & Health Care facility. If the Village proceeds, eventually the Village would gain access, either with Mrs. Gouveia's permission while she is residence or after she would leave the residence, to the gently sloping lawn area with Hudson River views. Mrs. Gouveia's home has an "all glass" main living floor which would provide visual access to sweeping views up and down the Hudson River.

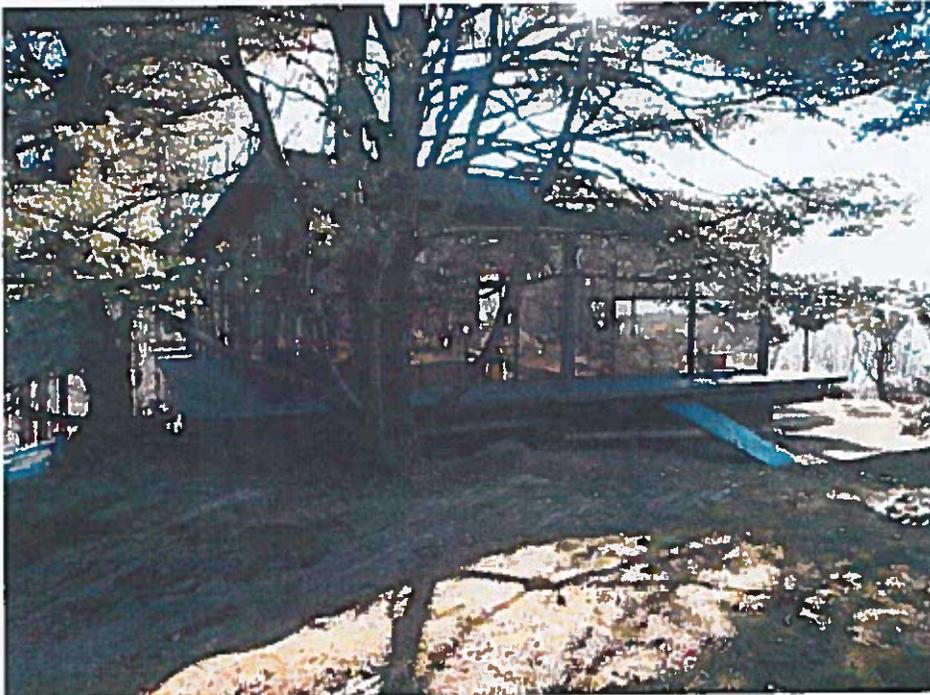


Image: Looking south at house, Hudson River is in the background.

Policy 44A "Wetlands, water bodies and watercourses shall be protected by preventing damage from erosion or siltation, minimizing disturbance, preserving natural habitats and protecting against flood and pollution."

Village ownership of the property would preserve the woodland area on the southern portion of the property where the intermittent streams are located. The term sheet forbids use of the site for development of housing, commercial or other non-PRE uses. Best management practices would need to be implemented to protect the watercourses and waterbodies if any future development for PRE type uses is proposed.

The WAC believes that the proposed land acquisition will not have any potentially significant adverse impacts on coastal resources and is consistent with the LWRP policy standards and conditions. The WAC members agree with the statement on the CAF, p. 5 (attachments) that an "increase in passive recreational activities is considered a positive effect and not an adverse effect and is consistent with LWRP policies" as referenced above. Because there are no expected adverse impacts on coastal resources, there is no reason to consider alternative actions or mitigation measures.

It is for the reasons contained in this memorandum that the WAC issues its preliminary recommendation of consistency.

cc: Abraham Zambrano, Village Manager
Waterfront Advisory Committee
Daniel O'Connor, Village Engineer