

George Latimer  
County Executive

November 22, 2021

Paula DiSanto, Village Clerk  
Village of Croton-on-Hudson  
One Van Wyck Street  
Croton-on-Hudson, New York 10520-2501

**County Planning Board Referral File CRO 21-006 – 1380 Albany Post Road  
Zoning Text Amendment, Site Plan, and Special Use Permit Approval**

Dear Ms. DiSanto:

The Westchester County Planning Board has received a petition to amend the text of the Croton-on-Hudson Zoning Ordinance regarding the North End Gateway District (NEGD) overlay zone, one of three gateway districts in the Village. The NEGD zone is overlaid upon eight contiguous parcels, all of which are located along the west side of Albany Post Road (NYS Route 9A) at the north end of the Village within the O-1 – Limited Office zone. This area abuts another commercially zoned area in unincorporated Town of Cortlandt that contains the Chimney Corners neighborhood retail center.

The applicant is petitioning the Village to include new regulations to permit mixed-use buildings within the NEGD overlay under special use permit approval by the Board of Trustees. Building heights would be limited to three stories, with an FAR of 0.8. Setback and parking regulations would fall under the requirements of the underlying zone, though the Board of Trustees would have discretion to reduce or increase these requirements during the special use permit approval process. Parking for the residential uses would be set at one space per bedroom. A requirement to provide at least one affordable affirmatively furthering fair housing (AFFH) unit within any new multifamily building, even if the building is to contain less than 10 residential units, would also be included.

If the zoning petition is approved, the applicant intends to seek site plan and special use permit approvals to construct a new three-story mixed-use building on a 1.6-acre site located at 1380 Albany Post Road comprised of two parcels (SBLs 67.10-2-14 & 15). The building would contain 4,680 square feet of retail space separated into three units, and 3,448 square feet of office space separated into two units within the first floor, along with the residential lobby. The second and third floors would contain a total of 20 apartments (8 one-bedroom and 12 two-bedroom) with two units set aside as affordable AFFH units. 73 surface parking spaces would be provided with driveway access from an existing curb cut. An underground stormwater detention system is proposed as well as an onsite wastewater treatment system.

We have no objection to the Croton-on-Hudson Board of Trustees assuming Lead Agency status for this review.

We have reviewed this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and we offer the following comments:

### **1. Consistency with County Planning Board policies.**

The proposed development is generally consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the Board on May 6, 2008, amended January 5, 2010, and its recommended *strategies* set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995 because it will add to the range of housing types available within the Village that are also near shopping, transit and services. We are supportive of the addition of mixed-use residential within the NEGD zone.

### **2. Affordable affirmatively furthering fair housing (AFFH).**

While the proposed development proposal would include two affordable AFFH units as required by zoning, we are supportive of the proposed NEGD zone requirement that would require at least one affordable AFFH unit, even if the building does not contain 10 or more units. We support this provision and we recommend the Village include this provision across all zones since the Zoning Ordinance does not require any affordable AFFH units for developments smaller than 10 units.

### **3. Potential for reduced parking.**

The site plan provides 73 surface parking spaces for only 20 residential units and the five business units. Given the visual and environmental impacts of extensive surface parking areas, we recommend the Village and the applicant consider working together to reduce the on-site parking through the use of parking management practices, such as shared parking for the retail and office uses, or landbanking. Land that does not need to be used for parking spaces could potentially be used for aboveground stormwater management practices and additional open space for the residents of the site to enjoy. We recommend parking management and reduction strategies be considered as part of the new zoning regulations.

### **4. Stormwater management.**

While the proposed site plan shows subsurface stormwater quality and retention infrastructure, we point out that subsurface methods of stormwater management can be of diminishing effectiveness over time if not properly cleaned and maintained. To ensure the continued operability of this stormwater management system in to the future, the applicant should provide an enforceable maintenance program that will prevent the system from being clogged with sediment, and in turn force a higher amount of stormwater runoff into the local storm drain system. The applicant should also be encouraged to explore aboveground stormwater management solutions that treat runoff on-site wherever possible, such as using pervious paving for parking areas, or the use of vegetative rain gardens. We point out that as the landscaping plan for this site is developed, there should be sufficient room on the site to incorporate at least some rain garden areas or other above-ground stormwater practices.

**5. Pedestrian connectivity.**

We commend the applicant for locating the building near the street, and for including a sidewalk along the northern section of the property aside Albany Post Road. However, due to the location of the NEGD zone adjacent to the Chimney Corners business district, and the fact that this corridor is served by Bee-Line buses, properties within the NEGD zone need to be developed with sidewalks along their entire frontage with Albany Post Road so that a complete pedestrian system will be available as the zone gets built out. We recommend that the provision of sidewalks along a site's entire frontage with Albany Post Road be added to the requirements of the NEGD regulations.

**6. Recycling.**

We recommend that the Village require the applicant to verify that sufficient storage measures are provided to accommodate the County's recycling program. County regulations for recycling may be found at: <http://environment.westchestergov.com>.

**7. Green building technology, bicycle and electric vehicle parking.**

We encourage the applicant to include as much green, or sustainable building technology as possible into the proposed development, including the consideration of green roofing or the use of solar panels on the roof. We also recommend the applicant provide indoor bicycle parking for building residents, including a power supply for the charging of e-bicycles, and bike racks near the commercial entrances for employees and customers. In addition, the Village and the applicant should give consideration towards the provision of electric vehicle parking capabilities within the proposed development.

**8. NYS DOT review.**

Albany Post Road (NYS Route 9A) is a State highway. The Village should forward a copy of the application to NYS DOT to identify any required permits for the proposed application and to evaluate potential traffic impacts to Albany Post Road.

Please inform us of the Village's decision so that we can make it a part of the record.

Thank you for calling this matter to our attention.

Respectfully,  
WESTCHESTER COUNTY PLANNING BOARD

By: 

Norma V. Drummond  
Commissioner

NVD/MV

cc: Lance MacMillan, Regional Director, NYS Department of Transportation, Region 8  
Anne Darelus, NYS Department of Transportation, Region 8  
Christopher Lee, NYS Department of Transportation, Region 8