

## RESOLUTION

**WHEREAS**, the Planning Board held a public hearing for an Amended Site Plan application on May 2<sup>nd</sup>, 2023 for **AHC, LLC, aka the “Katz Property”**, hereafter known as “the Applicant.” The subject property, owned by 41-51 Maple, LLC, is located at 41-51 Maple Street in the C-2 General Commercial/Municipal Place Gateway Overlay Zoning District and designated on the Tax Map of the Village of Croton-on-Hudson as Section 78.12 Block 3 Lot 3, and

**WHEREAS**, this amended site plan application is for a modification of a previously approved site plan to now include the removal of four additional trees. Additionally, the original site plan showed two retaining walls on the northern slope of the property that will not be built on recommendation from the structural engineer; and

**WHEREAS**, this proposal is considered a Type II Action under the State Environmental Quality Review Act (SEQRA); therefore, no Negative Declaration is required;

**WHEREAS**, the public hearing was opened and closed on May 2<sup>nd</sup>, 2023; and

**WHEREAS**, under section 208-16(C) of the Village Code the Planning Board is the approving authority for the issuance of a Tree Removal Permit and in accordance with section 208-16(E) of the Village Code the approval of the Amended Site Plan includes the approval to remove trees noted on the site plan to be removed, subject to the conditions specified below.

**NOW, THEREFORE BE IT RESOLVED**, that the Amended Site Plan application as shown on Drawing C-3 entitled “Existing Conditions/Removal Plan, be approved subject to the following conditions:

1. That, the foregoing recitals are incorporated herein as if set forth at length.
2. That, approval is granted to remove four additional trees as shown on the amended tree removal plan submitted with this application. The approval to remove the additional trees is conditioned on the applicant providing the adjacent property owners at: 1, 3, 5 and 7 Wells Avenue and 59 and 64 Beekman Avenue additional fencing and/or landscaping as agreed to by the neighbor’s attorney and approved the Village Engineer in an amount up to an approximate value of \$5000 per property as stated in a letter from the applicant dated 5/1/23 which is attached to and made part of this resolution.
3. That, approval is granted to omit the two retaining walls on the slope that were originally design to support the ground around trees to be saved and the ground graded to match the proposed slope on both sides of the former retaining walls.
4. That the applicant provides as built site plan drawings including an as built landscaping plan prior to a certificate of occupancy being granted.
5. That all new trees and landscaping have a two-year warranty and a copy of the warranty shall be submitted to the Village Engineer.
6. That any new fences scheduled to be installed shall be located on 41-51 Maple Street and maintained by the owner of 41-51 Maple Street.

7. That an updated utility plan (sheet C-7 of the approved site plan) be developed to address any drainage water from the existing drainage pipes from the adjacent properties on Wells Avenue to ensure no erosion or other drainage problems. The revised utility plan shall be approved by the Village Engineer.
8. That all conditions of the original Site Plan Approval resolution dated August 10<sup>th</sup>, 2021 not modified herein shall remain in force.

The Planning Board of the Village of  
Croton on Hudson, New York

Robert Luntz, Chairperson  
John Ghegan  
Geoffrey Haynes  
Steven Krisky  
Eva Thaddeus

Motion to approve by Geoffrey Haynes, seconded by John Ghegan, and carried by a vote of 3 to 0, with Robert Luntz and Eva Thaddeus being absent.

Resolution accepted at the meeting held on Tuesday, May 2<sup>nd</sup>, 2023.