

George Latimer
County Executive

September 3, 2024

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 24-009 – Light Industrial TOD Uses
Zoning Text Amendment**

Dear Ms. DiSanto:

The Westchester County Planning Board has received a local law to amend the text of the Croton-on-Hudson Zoning Ordinance to revise regulations regarding Transit-Oriented Development (TOD) uses within the LI – Light Industrial zone. Special permit regulations were established in 2022 to permit TOD developments, specifically the allowance of residential uses, within the LI zone so long as they were to be located within 1,500 feet of the Croton-Harmon Metro-North train station, on the west side of Route 9, and with frontage on Croton Point Avenue. Furthermore, heights were limited to five stories, and three-bedroom units were prohibited. The County Planning Board provided referral comments in a letter dated September 16, 2022.

The applicant is petitioning that certain requirements be eliminated or adjusted. They petition that TOD developments be permitted within one mile of the train station, and the frontage limitation along Croton Point Avenue be removed. They request that six stories be permitted so long as the sixth floor does not exceed 5% of the total habitable floor area and the story is contiguous and oriented east-west. Also, they request that three-bedroom apartments be permitted.

Should the zoning amendment be adopted, the applicant proposes to construct a six-story multifamily building located at 1 Half Moon Bay Drive (SBL 78.12-4-1) This building would host 280 units with 10% set as affordable housing under Village regulations. Indoor and outdoor amenity areas would be provided, and access easements would be established for the adjacent MTA properties. The 5.66-acre property currently hosts a 120,000 square-foot storage warehouse, which would be demolished.

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

We have reviewed this application 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 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, call for directing new development to existing centers where infrastructure can support growth, where public transportation can be provided efficiently, and where redevelopment can enhance economic vitality. We appreciate that the proposed zoning amendment would enlarge the radius around the train station where TOD developments would be permitted, and establish further locations where underutilized industrial properties can be redeveloped. We agree that allowing three-bedroom apartments will offer a greater diversity of housing opportunities within the Village, as there is a preponderance of single-family dwellings.

We do recommend that the Village analyze whether the proposed allowance of a sixth story is suitable within the LI zone, especially as most of the area where such heights would be permitted lies near the Hudson River waterfront. While the required east-west orientation and 5% limitation would mitigate extreme viewshed impairments, and the current application has conducted an in-depth visual impact analysis for the proposed building, we caution that future development proposals may have a cumulative negative impact to the character of the neighborhood. We recommend that the Village carefully consider the 6th floor proposal to ensure that all possible mitigation opportunities are included. We also recommend that density bonus requirements be included in the requirements for the addition of a sixth story, such as additional affordable housing units above the required 10%, or improvements to neighborhood infrastructure or recreation areas.

2. Transit-Oriented Development.

We note that the development proposal is reliant on its consideration as a Transit-Oriented Development, however the location of the building outside the traditional half-mile radius from the train station stretches the commonly-accepted definition of a TOD. While we do agree that the existing 1,500-foot radius is small, an extension to a full mile may be inappropriate.

We note that the proposed building would be located between the Metro-North train tracks and Route 9. As such, while the site may be within walking distance to the Municipal Place commercial center and the parks along the waterfront, significant barriers exist between these locations. These barriers, coupled with the longer distance from the train station, are impediments to the concept of true TOD design, and must be mitigated as the site is developed. We note that the applicant is proposing to refurbish the existing pedestrian tunnel under the tracks that would connect the building to the Riverwalk, and that a shuttle is proposed as part of the development program. We also note that the existing sidewalk network connects the site to the Municipal Place commercial center under the Route 9 overpass, and on to the train station. The Village should work with the applicant to ensure that pedestrian and bicycle accommodations are fully established and enhanced, in order to promote their usage and to avoid an increase in single-occupancy vehicle usage from new residents of the site.

While we appreciate that a shuttle is proposed, assurances should also be provided that the shuttle would be available in perpetuity, as very often these types of shuttles are discontinued a few years after a development's completion. We recommend that the applicant and the Village work to include additional service locations for such a shuttle, such as the existing Half Moon Bay residencies or the developments located within the Municipal Place commercial center, providing more opportunities for usage and increased demand in order to insure the shuttle's continuation.

3. Westchester County GIS services.

We note that current County GIS records have incorrect zoning data. We kindly request that the Village provide Westchester County GIS with the most up-to-date Zoning District Map as File Geodatabase, Shapefile, or in PDF format to guarantee the accuracy of our shared services concerning Village information.

Please inform us of the Village's decision so that we can make it a part of the record. We look forward to continuing our review of the proposed site plan, should the zoning amendment be approved.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

A handwritten signature in cursive script, appearing to read "Richard Hyman".

Richard Hyman
Chair, Westchester County Planning Board

RH/mv

cc: Blanca Lopez, Commissioner, Westchester County Department of Planning
Courtney Wieber, GIS Specialist, Westchester County Department of Information Technology
Paul Januszewski, Vice President - Project Executive, MTA Construction and Development (TOD)