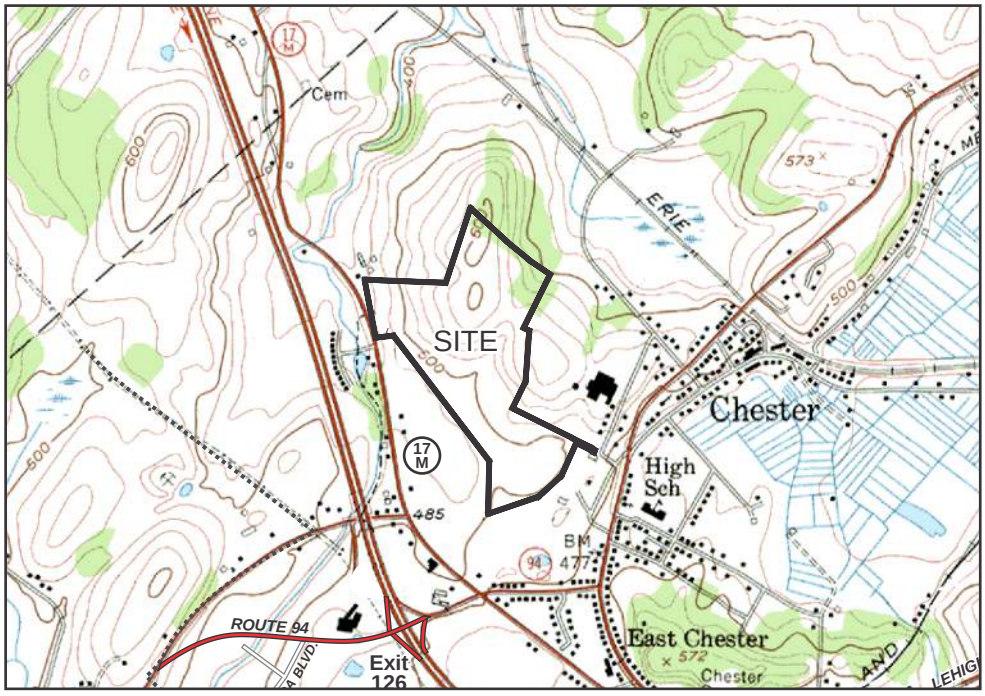
FINAL ENVIRONMENTAL IMPACT STATEMENT



BT HOLDINGS / CHESTER DEVELOPMENT

NYS Route 17M / Brookside Avenue

VILLAGE OF CHESTER
TOWN OF CHESTER
ORANGE COUNTY, NEW YORK

Prepared by:
Tim Miller Associates, Inc.

Project Sponsor:
BT Holdings, LLC.

Lead Agency:
Village of Chester Village Board

August 18, 2011

BT Holdings Chester Development
FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS)

VILLAGE AND TOWN OF CHESTER, ORANGE COUNTY, NEW YORK

Tax Map Identification:
Town of Chester: Section 2, Block 1, Lots 39
Village of Chester: Section 107, Block 3, Lot 4;
Section 108, Block 1, Lot 1; and
Section 120, Block 1, Lot 1

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Lead Agency Acceptance Date: August 18, 2011.

Public and Agency comments accepted until: September 21, 2011

August 18, 2011

BT Holdings
Final Environmental Impact Statement (FEIS)

Table of Contents

	Page
1.0 INTRODUCTION	**1-1**
2.0 DESCRIPTION OF THE PROPOSED ACTION Comments & Responses	**2-1**
3.0 ENVIRONMENTAL SETTING, POTENTIAL IMPACTS, AND MITIGATION	**3.1-1**
3.1 Soils and Topography Comments & Responses	3.1-1
3.2 Surface Water Resources Comments & Responses	3.2-1
3.3 Wildlife and Vegetation Resources Comments & Responses	3.3-1
3.4 Cultural Resources Comments & Responses	3.4-1
3.5 Traffic and Transportation Comments and Responses	3.5-1
3.6 Land Use and Zoning Comments & Responses	3.6-1
3.7 Noise Impacts Comments & Responses	3.7-1
3.8 Economic and Demographic Comments & Responses	3.8-1
3.9 Community Service Comments and Responses	3.9-1
3.10 Utility Services Comments and Responses	3.10-1
3.11 Visual Resources Comments & Responses	3.11-1
4.0 ADVERSE ENVIRONMENTAL IMPACTS THAT CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED	**4-1**
5.0 ALTERNATIVES Comments & Responses	**5-1**
6.0 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES	**6-1**
7.0 GROWTH INDUCING ASPECTS Comments & Responses	**7-1**
8.0 ENERGY USE AND CONSERVATION Comments & Responses	**8-1**
9.0 THRESHOLDS OF DEVELOPMENT	**9-1**

APPENDICES

Appendix A Public Hearing Minutes and Public Comment Letters - On Disk
Appendix B Correspondence
Appendix C Traffic Data
Appendix D Orange County Open Space Map
Appendix E Land Use Exhibits
- Draft Proposed Zone Text Amendments (still under review)
- Draft RM-N Bulk Table
- Townhouse - Lot and Bulk Comparison Table
- Senior Housing - Lot and Bulk Comparison Table
- Excerpts of Orange County Comprehensive Plan

Appendix F Revised Fiscal Analysis and Economic and Demographic Exhibits
Appendix G Revised Phase 1A Archaeological Report
Appendix H Revised Water Utility Report
Appendix I Vacant Parcel Water Analysis
Appendix J Revised Wastewater Utility Report
Appendix K Revised Preliminary Stormwater Management Plan

List of Figures

	After Section
Figure 1 Public Road Scenic Alternative Conceptual Site Plan	1.0
Figure 2 Townhouse Streetscape	1.0
Figure 3 Conceptual Site Plan	1.0
Figure 4 Public Road Scenic Alternative - Phasing Plan	1.0
Figure 5 Additional Senior Parking and Proposed Amenity Area	1.0
Figure 3.11-0 Ridgeline View Existing Conditions	3.11
Figure 3.11-1 Photo Simulation from NYS Route 17/17M - Spring Leaf Conditions	3.11
Figure 3.11-2 Photo Simulation from Christine Drive	3.11
Figure 3.11-4 Photo Simulation Units Removed from Scenic Area	3.11

1.0 Introduction

Project History

The Town of Chester's most recent Comprehensive Plan outlined a blueprint for future growth of the community. As part of the Town's rezoning, the large Town property owned by BT Holdings was zoned to SR-6 for senior/multifamily housing, one of only two parcels in the entire town to be zoned as such. The Plan states of the property, "The Chester Mall Area has land to the rear with access to the Mall and Route 17M that could be developed for senior, adult, or a combination of higher-density uses with access to shopping and transportation."

The BT Holdings property was specifically designated for this type of housing precisely because of its central location, easy access to municipal water and sewer services, proximity to the Chester Mall and Village historic downtown, Route 17M frontage and easy access to NYS Route 17. Indeed, land in other areas of the Town was downzoned precisely to discourage development outside the community center while encouraging eventual development on this centrally-located parcel.

The proposed project fits the visioning and intent of the Town's Comprehensive Plan to:

- ***"…channel future residential growth into suburban residential areas where central water and sewer services can be expanded efficiently to accommodate that growth"***
- ***"…provide for a mixture of housing types that will help promote a diverse population base"***
- ***"…provide multiple dwellings for senior and age-oriented housing in affordable rental units in limited areas close to shopping and transportation services"***

The Applicant's objective was to fulfill the 'smart growth' goals stated in the Comprehensive plan while proactively addressing concerns sometimes associated with residential development (impact on school district/existing taxpayers). The project addresses the need for quality market-rate housing options targeted to empty nesters, retirees and young professionals, in addition to meeting the community need for senior housing.

Project Revisions

A DEIS dated October 22, 2009 was submitted to the Village and deemed complete for Public review on November 9, 2009. A public hearing was held on the DEIS and the proposed project on January 7, 2010. As a result of comments made at the DEIS public hearing and submitted in writing by the Village Board, the Town Board and the general public, the BT Holdings project team has been working with the Chester Village Board and its consultants to improve the project to meet the needs of the Chester community. A series of technical review meetings with the Village has taken place over the past year in which various areas of concern were addressed through either additional study or plan revisions. In particular, several substantial changes to the plan were enacted, as detailed below:

- Development of a Public Road Alternative to enhance connectivity
- Expansion of road widths to a minimum of 26' to facilitate emergency access
- Incorporation of a direct pedestrian access to the Chester Mall
- A 6 percent reduction in size of the townhouse community, now proposed as 336 townhomes
- More than a 25 percent reduction in the number of 3BR townhomes, now representing less than 50 percent of the total project

- Removal of buildings in the scenic area along the ridge line above the Talmadge farm
- Use of earth tone and non-reflective exterior building materials to further reduce visual impacts
- Inclusion of sustainable 'green building' techniques
- Preparation of a Vacant Parcel Water Utilization Analysis for the Village of Chester
- Contribution of $250K to the Village of Chester for water infrastructure improvements

Table 1-1 below summarizes a comparison of impacts as a result of the Public Road Scenic Alternative compared to impacts from the DEIS Conceptual Site Plan. These differences occur as a result of project changes made in response to comments from the Village Board, their technical staff and the public. In all instances the impacts of Public Road Scenic Alternative are either the same or reduced compared to the DEIS Conceptual Site Plan, resulting in an overall improvement to the proposed project.

Table 1-1
Alternative Impact Comparisons

Area of Concern	DEIS Conceptual Site Plan	Public Road Scenic Alternative
Residential Units		
Residential Units	458	436
Total Townhouse Units	358	336
Total Senior Units	100	100
Maximum number of 3 BR units	282	208
Natural Resources		
Total Site Area (acres)	68.4	68.4
Total Area of Disturbance (acres)	56.9	56.8
Wetland Disturbance (acres)	0.098	0.098
Steep Slope Disturbance (>15%) (acres)	11.2	11.8
Existing Vegetation to Remain	11.8	12.0
New Vegetation to be Planted	32.0	33.1
Land Use		
Total Disturbance (acres)	56.9	56.8
Impervious Surfaces (acres)	24.65	23.34
Lawn / Stormwater (acres)	43.8	45.1
Total Project Cut (cubic yards)	330,000	386,700
Total Project Fill (cubic yards)	365,000	382,500
Net (cubic yards)	35,000 (import)	4,200 (to be used on site)
Minimum Road Width	24'	26'
Public Access Road	No	Yes
Proposed Parking -Total	1,157	1,129
Proposed Townhouse Parking - Per Unit	2.77	2.77
Minimum Distance to Talmadge Property line	50'	100'
Community Resources		
Population	1,137	1,036
School-age Children	121	99
Water Demand (gpd)	137,680	125,356
Sewage Generation (gpd)	125,160	112,280
Residential Trips (PM peak hour)	245	223
Fiscal Resources		
Village of Chester - Net Benefit	$334,298	$304,712
Town of Chester - Net Benefit	$57,932	$52,828
Chester UF School District - Net Benefit	$7,331	$155,725
Chester Fire District	$17,186	$15,838
Notes: Estimates are approximate.		
Source: Langan Engineering; Barton Partners; Tim Miller Associates, Inc., 2011.		

First and Second Technical Meeting Summary

At the behest of the Village Board, the proposed project was initially modified from the concept plan presented in the DEIS to include a public road into the site for the purpose of connecting to the Nexans property and ultimately extending as a through road to Princeton Street. In addition, the Applicant agreed to provide expanded 26' road widths throughout the project and to provide a direct pedestrian connection to the Chester Mall.

Public Road Alternative

In response to comments from the Village regarding school bus maneuvering, highway maintenance and semi-trailer truck access to/from the Nexans plant, the Applicant developed a Public Road Alternative (see Figure 1, Public Road Scenic Alternative conceptual site plan) to connect into the Nexans Property and/or as an extension to Princeton Street.

The Public Road Scenic Alternative plan incorporates the potential for a boulevarded through road that would allow for a direct connection of Route 17M to Princeton St., allowing vehicles going to/from the Village downtown area to bypass the busy 94/17M intersection and providing an alternative routing for the trucks accessing the Nexans plant. The through road will be a public road and built to Village specifications with large buffers on each side to mitigate potential noise and/or visual impacts from trucks and other vehicles which may use the road to travel through the development. A roundabout has been included to serve as a traffic calming measure to prevent excessive speeding or overuse of the through road.

Until the Nexans connection is made, the roundabout will serve as a cul-de-sac, allowing the turnaround of school buses and highway maintenance vehicles. This connection resulted in the loss of eight 3BR townhouse units. The Applicant evaluated extending the boulevard all the way from 17M to the roundabout but that would have resulted in additional wetland disturbance. Instead a single 30’ wide roadway—two 12-foot wide travel lanes plus either shoulders or bike lanes—has been provided through that area. The Applicant also proposes that the travel lanes in the boulevard become 12 feet wide with a 3-foot bike lane and 3 feet for shoulders for a total of 18 feet, so that the travel lanes are a consistent width between the boulevard and the single-width roadway. Installation of a bike lane will serve as a deterrent to on-street parking. As the boulevard approaches 17M it would widen into two lanes for right and left turns out. The turning radii onto NYS Route 17M has been enlarged from 22 feet to 30 feet to accommodate truck turning movements.

The applicant proposes to construct the public road including the roundabout. Further extension of the road, to connect with Princeton Street, may be undertaken by the Village, at its convenience. If and when the road is extended, the public road would provide a secondary access into the proposed community and, in accordance with good community planning practices, will serve to further enhance the connectivity for a central area of the community.

As part of the BT Holdings project, the applicant proposes to construct an emergency access via Oakland Avenue, which would be available at a minimum until the Princeton Street connection would be made by the Village. At such time as the Princeton Street connection is completed by the Village, the Oakland Avenue emergency access could be retained or closed off, at the discretion of the BT Holdings HOA.

Expanded Road Width

The Conceptual Site Plan in the DEIS proposed 24 feet wide circulation roads and 20 foot wide secondary roads which access the individual townhouse units. The Village expressed concerns for safe maneuverability of emergency vehicles.

The Applicant agrees with the Villages goal to provide safe access for emergency vehicles. At the same time, the Applicant also wants to maintain the clustered feel of the townhouse community while minimizing the environmental impacts of additional asphalt.

Based upon safety considerations for fire and other emergency service vehicles, the main entrance road will be a minimum of 30 feet wide. All other roads are proposed to have a minimum width of 26 feet, with a proposed minimum 15 foot intersection turning radii. Final requirements for road widths will be determined by the Planning Board as part of their detailed review of the site plan. The Village Code and the NYS Fire Code both specify 26 foot road widths.

Pedestrian Connectivity and Community Design

In accordance with the Town's goals for the property, as set forth in the Comprehensive Plan, the proposed townhomes and senior apartments would constitute the closest residential housing to the Chester Mall and the surrounding commercial area in the entire community. The project is a prime example of 'smart growth' planning whereby higher density housing is placed in the community's central location with easy access to shopping, transportation and infrastructure, leaving areas outside the community center for open space and lower density development.

As shown on the Public Road Scenic Alternative plan, the Applicant is proposing a direct pedestrian connection between the clubhouse area and the Chester mall. That connection is to be made at the closest and indeed only realistic point of access into the mall property.

The proposed pedestrian access will be accessible to all residents. The senior buildings will be located closest to the pedestrian access. The pedestrian access is convenient for those seniors who are able to walk the approximately ¼ mile to the mall. Seniors who are not able to walk this distance would likely not be inclined to walk at all. Although not proposed by the Applicant, it is possible the senior housing management company could sponsor a shuttle bus from the senior housing to the mall to facilitate access to non-drivers.

Third and Fourth Technical Meeting Summary

At recent technical meetings, the Village Board expressed concerns about several additional elements of the project, including the incorporation of sustainable building measures, the impacts to the scenic ridge line overlooking the Talmadge farm, and the number of 3BR units. The Applicant incorporated further plan changes to address these concerns, the details of which are summarized below.

Innovation in Design and Sustainability

At the suggestion of the Village Board, the Applicant agreed to incorporate innovative and sustainable design features into the project. The goal is to not only create an environmentally-conscious project—safer, more energy efficient, more durable, more affordable, more accessible and, overall, more sustainable—but also one that would eventually serve to distinguish it from the other residential options in the area. By making the project 'green', the Applicant believes that the homes will not only be more attractive and of higher quality but will also command premium values.

To assist in this effort, the Applicant has retained Steven Winter Associates (SWA), one of the nation's most respected and knowledgeable firms in research, design and consulting for high-performance buildings. SWA recently evaluated the BT Holdings project, along with the development team's architects, planners and engineers, and determined that it could qualify for LEED for Homes Silver certification. Developed by the U.S. Green Building Council, LEED (Leadership in Energy & Environmental Design) is an internationally recognized green building certification system, providing third-party verification that a building or community was designed and built using strategies intended to improve performance in metrics such as energy savings, water efficiency, CO2 emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts. Additionally, the project would also seek certification in the ENERGY STAR Homes and National Green Building Standard (NGBS) programs.

SWA will be working with the development team throughout the process—from SEQRA review all the way through to the end of construction—to help the project achieve these certifications. Additionally, per the U.S. green Building Council's New York Upstate Chapter, if LEED ratings are certified as proposed, the project would be the only large residential project in the entire county to receive LEED for Homes certification, improving the marketability of the homes and enhancing the entire Chester community.

Scenic Ridge Line

Both the Town and Village expressed concern about the placement of units on the ridge line which overlooks the Talmadge Farm. In an effort to be responsive to this concern the Applicant, removed buildings 3, 4, 5, and 6 from the proposed project, as shown in the revised concept plan, Figure 1, entitled Public Road Scenic Alternative. Other minor changes have been made to the layout of buildings and the net result is a further decrease of 14 units for a total of 336 townhomes, a 6 percent reduction from the 358 townhomes in the DEIS plan.

The vacant area where the 22 units contained in Buildings 3, 4, 5, and 6 were previously located is herein referred to as the "Scenic Area". Figure 3 is a revised Conceptual Landscape and Lighting Plan showing landscaping in the Scenic Area which specifically incorporates deciduous trees with vibrant fall foliage to enhance the natural view of this spot. At the discretion of the Village Planning Board, this area could include a walking trail and other recreational amenities such as a gazebo and a scenic overlook area.

As shown on the Public Road Scenic Alternative site plan, there is a significant distance between the Talmadge farm buildings and the BT Holdings property line. Moreover, the removal of the four buildings from the ridge line will result in a 200 foot buffer between the property line and the proposed units in this area. This is five times the 40 foot setback required by the zoning code. There is a minimum of an 80 foot buffer between the proposed units and the Talmadge Farm property line.

It should be noted that there are neither restrictions in the Village code to building housing along a ridge nor is the property in the Town's Ridge Protection Overlay District (RPOD). Construction of units along the ridgeline would not have involved clear cutting of any forested areas along the ridgeline, as stipulated in the Town's RPOD zoning code, since there are no forested areas along the ridge. Even if the property were in the RPOD, the code only calls for mitigation of impacts; it does not call for prohibition of development altogether. In other words, the Applicant had been already abiding by both the letter and spirit of the law even prior to the removal of the four buildings. The removal of the buildings was made as a gesture of good faith in response to concern expressed about the potential effect on the scenic vista.

In addition to the removal of 22 units from the Scenic Area and incorporation of deciduous trees along the ridgeline, other mitigation measures such as implementation of earth tone colors on the building facades, substantial landscaping added along the property line buffer and landscaped groves added at the north and south ends of the site would further serve to preserve and enhance the scenic vista while reducing the visibility of the buildings from off-site locations.

Public Road Scenic Alternative Overview

The DEIS project included 358 townhouse units and of the townhouse component had 282 3BR units and 76 2BR units, 100 units of senior rental apartments. As a result of the proposed project modifications as detailed above, the Public Road Scenic Alternative would now introduce a total of 336 townhomes, a 6 percent reduction in total townhomes, to go along with the 100 senior apartments.

Additionally, a reevaluation of the realistic bedroom configuration, given the size and layout limitations of certain units, reduced the number of proposed 3BR townhomes. Whereas the concept plan in the DEIS set forth a maximum of 282 3BR units, the Public Road Scenic Alternative proposes a maximum of 208 3BR units, a reduction of 74 3BR units. The 282 figure had equated to 62 percent of the project as a whole. The 208 3BR maximum now represents less than 50 percent of the project as a whole. This major reduction of more than 25 percent of the 3BR units was made in direct response to concerns expressed by the Town and Village Boards. The revised unit count and bedroom mix figures are the basis of the revised fiscal analysis contained in Appendix F.

The project now includes a minimum of 128 2BR townhouse units which represents 29 percent of the project. As discussed in further detail below, many of the 3BR units would likely be built as 2BR or 2BR plus den units, further increasing that figure. The remaining 23 percent of the project is comprised of the 1BR and 2BR Senior Apartments.

Before reviewing the revised demographics and fiscal impacts, it should be noted that the current plan is far less impactful than what could have been proposed under current Village RM zoning which would allow for more than 400 3BR townhouse units (68 acres * 6 THs/acre). However, prior to making a formal application of this project, the Applicant met with both the Town and Village to identify their concerns and as a direct result of these discussions, 100 units of senior housing, were included in the project in order to meet the needs of the community and to further limit schoolchildren. Additionally, the townhouses proposed is intended for a higher-end user and includes floor plans, like the 'master-down' unit, specifically targeted to empty nesters and retirees. This design was proposed to proactively address community concerns regarding the school age children population.

The revised breakdown of units is shown below:

100 Senior Mid-Rise Apartments (1BR and 2BR)

66 Large Format Downhill Townhouses (Traditional or 'Master Down' 2BR+Den or 3BR units)
28 Large Format Uphill Townhouses (Traditional or 'Master Down' 2BR+Den or 3BR units)

15 Small Format Downhill Townhouses - Interior units (Traditional 2BR units)
10 Small Format Downhill Townhouses - End units (Traditional 2BR, 2BR+Den or 3BR units)

31 Small Format Uphill Townhouses - Interior units (Traditional 2BR units)
22 Small Format Uphill Townhouses - End units (Traditional 2BR+Den or 3BR units)

82 Interlocking Townhouses (Traditional 2BR units)
82 Interlocking Townhouses (Traditional 2BR, 2BR+Den or 3BR units)

436 Units Total

As shown above, the various townhouse units could be built in several different configurations as a 2BR, a 2BR+Den or a 3BR and in either a Traditional or 'Master Down' style ('Master Down' units have the master bedroom on the main floor). Due to size and layout limitations, many of the townhomes could only be built as 2BR or 2BR+Den units (the "den" being a room without a bathroom or closet, such as home office, study, or sewing/hobby room). Only the homes with the largest footprints and/or specific layouts could be built as 3BR units.

In reality, even the 208 3BR figure is likely an overestimation as it assumes that every potential 3BR unit would be developed as such. Townhouses are geared to empty nesters, retirees and young professionals without school age children and the market for this type of housing unit is typically a 2BR unit with extra space for a home office or a study or sewing/hobby room. It is likely a significant number would be constructed that way. Additionally, the large footprint 3BR units could also be constructed with 'master down' bedrooms, a configuration which specifically appeals to empty nesters and seniors who are downsizing. As such, a portion of the 3BR units would likely end up being constructed as 2BR or 2BR plus den and/or 'Master-Down' units. If even 25 percent of the 3BR units were sold to empty nesters, retirees or young professionals, it would result in an expected further reduction of more than 20 school children.

From the beginning, the Applicant also included 100 age-restricted rental apartments (75 one-bedroom and 25 two-bedroom), rateables that result in very little return to the Applicant but which were intended to address a critical need in the community for affordable housing options for seniors while further limiting school impact.

In short, the Applicant specifically conceived of a residential development intended to address market needs while having a low impact on the community, specifically the school district. Rather than propose detached single-family homes which would appeal to families and generate more children, the Applicant proposed both senior housing and attached townhome and multi-family units to be built at a higher price range thereby limiting school child generation while generating higher taxes.

Revised Demographics

The Applicant has prepared a refined demographic and fiscal analysis based on the Public Road Scenic Alternative incorporating the changes detailed above, specifically the 22-unit reduction and revised proposed unit mix. To be conservative with the demographic projections, units were estimated to be built with the maximum impact possible (e.g. units that could be built as either 2BR, 2BR plus Den or 3BR were evaluated as 3BR units). These changes resulted in a 9 percent reduction for projected total population from 1,137 to 1,036, a decrease of 101 persons. Additionally, the number of projected school age children was reduced by 18 percent from 121 to 99, a decrease of 22 students.

Fiscal Impact Overview

The project was conceived and designed to provide maximum fiscal benefits to the community. One of the primary goals was to create a marketable self-sufficient community that covered its own expenses while generating substantial annual net benefits (revenues *above* costs) to the Town, Village and Chester UFSD. As detailed below, the proposed plan more than accomplishes this goal, improving upon the DEIS plan and generating substantial revenues and annual net benefits to all three districts.

Tax Revenue and Net Benefit Detail

The project site had a total 2008 assessed value of $331,600 of which $28,600 was assessed on the two Village parcels and $303,000 was assessed on the Town parcel. The assessed value of the project site is based on its present land use status as vacant land.

In order to project the property tax revenues that would be generated by the Public Road Scenic Alternative, the assessed value for the proposed development was estimated to be $44,299,688.

Table 1 shows the municipal costs and anticipated tax revenue for the Chester districts alone. The methodologies used to derive these numbers are the same as those described in detail in the DEIS. The Net Benefit figure represents the revenues remaining *after* covering costs.

Table 1
Summary of Annual Revenue and Cost Analysis for Chester
Public Road Scenic Alternative

Jurisdiction	Tax Revenue	Service Cost	Net Benefit
Town of Chester	$204,084	$151,256	$52,828
Village of Chester	$531,596	$226,884	$304,712
Chester UFSD	$1,464,492	$1,308,766	$155,725
Chester Fire District	$61,422	$45,584	$15,838
Source: TMA 2010.			

The total project-generated tax revenues are estimated to be $2,665,738 annually. By far the largest portion of the total, 55 percent, would accrue to the Chester Union Free School District (Chester UFSD), which would receive $1,464,492 annually. The Town would gain $204,084 while the Village would receive $531,596 annually and the Chester Fire District would receive $61,422 annually. Additionally, Orange County would receive approximately $262,445 annually

while the project would generate annual fees to the Village of Chester Sewer District of $141,700 ($325 per unit).

Village Fiscal Impact

As shown above, overall revenues for the Village are projected to be $531,596. Therefore, after covering the anticipated municipal cost to the Village of $226,884, a net benefit in the amount of $304,712 would be projected to the Village of Chester as a result of the proposed project. This net benefit figure alone would represent an increase to the Village of roughly 10 percent of all taxes raised by the entire Village.

Town Fiscal Impact

As of 2009, the three BT Holdings parcels generated $1,528 in total annual tax revenue to the Town general fund alone. Even though the proposed development would reside entirely in the Village due to annexation, the Town would receive significant tax revenue of $204,084 annually, an increase of $202,556 from the existing tax base of the BT Holdings parcels. After covering the anticipated municipal cost to the Town of $151,256, a net annual benefit in the amount of $52,828 would be projected to the Town as a result of the proposed project. This net benefit figure alone would represent an increase to the Town of roughly 2 percent of all taxes to be raised for the Town's general fund.

Chester UFSD Fiscal Impact

As shown in Table 1 above, the proposed development would generate annual property tax revenues of $1,464,492 directly to the Chester UFSD. Based upon a per student cost of $13,220, as described in the DEIS, the total student cost of the Public Road Scenic Alternative would be estimated to be $1,308,766. This would result in an annual net benefit to the school district of $155,725 which when compared to the $7,331 projected in the DEIS represents an increase in the annual benefit to the school district of more than $148,394.

In short, as a result of the project changes made in the Public Road Scenic Alternative, which includes upscale multifamily units and provisions for senior housing and results in a low-impact community with regard to school children, the project more than covers the costs it generates to the school district and results in a substantial projected net benefit of $155,725 each budget year. This proposed surplus comes in sharp contrast to the massive deficit that would result if the property were developed as single-family homes.

Vacant Parcel Water Analysis

Among a number of other studies undertaken over the past year, a vacant parcel water analysis was conducted by the Applicant to ascertain whether or not the Village would have sufficient water for its existing and future needs even after annexation of the proposed project into the Village.

The Village of Chester public water supply system is operated by the Village's Water Department. The water sources include a surface water supply at Walton Lake in Monroe and a groundwater source at the Black Meadow well-field. The Village's total permitted maximum daily water-taking from these two sources is 1.1 million gallons per day (mgd). As reported in the DEIS, the average demand on this water supply system, according to the Water Commissioner, Mr. Thomas Becker, is approximately 0.45 mgd. With this average demand there is an available excess capacity of approximately 0.65 mgd in the Village water supply system. Since the DEIS was prepared, the

Village Water Commissioner Tom Becker has evaluated the water utilization during dry years, as opposed to average years, and determined that 528,000 gpd, or 0.53 mgd, was a more conservative estimate of peak water usage, which would leave 0.57 mgd available in the system.

The DEIS considered those projects pending before the Village of Chester which would utilize a portion of the available water capacity and it was estimated that they could require an additional 80,570 gpd.

Based upon the project modifications discussed herein, the proposed BT Holdings project with 436 units is projected to require 125,356 gpd of water usage. Since the DEIS was prepared, a reanalysis of the project's irrigation needs indicates this need can be met in a sustainable way through utilization of water from the stormwater detention basins. Thus the total water usage requirement for the BT Holdings project at 436 units is projected to be 125,356 gpd.

At the request of Commissioner Becker, an analysis of vacant parcels located within the Village that would be entitled to water usage has been prepared. It is unlikely that each and every parcel would be developed anytime soon. However, in order to be conservative, an assessment of potential water usage has been prepared which indicates that approximately 116,750 gpd could be reserved for the future use of vacant lands.

As a result of these analyses, the total demand on the Village's water system is as follows:

528,000 gpd	-	Current usage (dry years)
80,570 gpd	-	Pending projects
116,750 gpd	-	Vacant parcel potential usage
125,356 gpd	-	BT Holdings project usage
850,676 gpd	-	TOTAL

Ultimately, even including potential development of pending projects and all vacant land parcels, which represents absolutely full build-out of the Village, and utilizing a peak (dry) year's water usage as a base, only 77 percent of the existing water supply is utilized, leaving a 23 percent margin of unutilized and unallocated water supply as a Village reserve.

Water Storage and Infrastructure

A water tank is not needed to serve the BT Holdings project. A water tank at the highest point of the BT Holdings site, located on the knoll right at the top of the hill, in close proximity to the Talmadge Farm, would significantly increase the visual impacts to both the BT Holdings residents and to the entire Chester community. For the upper portions of the BT Holdings site, a proposed booster station would provide sufficient water pressure for daily use.

In consideration of a highly unlikely catastrophic event where the Village needed to rely solely on its water tanks, the BT Holdings project would increase the water consumption rate, though only mildly so. In such a catastrophic event, the higher portions of the village, including portions of the BT Holdings project, would be the first areas to be affected. Booster stations would ameliorate this effect. Each booster station costs approximately $100K. As such, the Applicant proposed a **$**250K contribution to the Village water fund (including $50K contingency) which could be used to supply two additional booster stations or for any other water infrastructure purposes deemed necessary by the Village. These monies would be in addition to the substantial taxes and water usage fees to be paid by the BT Holdings residents.

Sewer Allocation and Infrastructure

The Town of Chester Consolidated Sewer District No.1 is a town improvement district. That portion of the BT Holdings site located in the Town of Chester is entirely within the Town of Chester Consolidated Sewer District No. 1 and is also within the service area of the Moodna Basin Commission. The BT Holdings property has paid and continues to pay sewer fees to Sewer District No. 1. General Municipal Law §716(12) provides "[i]f a village annexes territory of the town in which it is situated…any such annexation shall not affect the boundaries of any town special or improvement district in such town…" The New York State Comptroller has stated that when property within a town improvement district is annexed into a village, the property within the district, including property within the village, is still subject to the assessments levied by the town for district purposes. NY Comptroller Opinion 86-39. By virtue of the plain language of General Municipal Law §716(12), the property remains in the town sewer district and all of benefits and obligations of the district remain unaffected by annexation, thus the BT Holdings project site is entitled to its existing sewer allocation at the Harriman Sewage Treatment Plant.

The Harriman Sewage Treatment plant has available capacity of 6 millions gallons per day and, as discussed in the DEIS, is using only 4.5 million gallons per day meaning that 1.5 million gallons per day remains available. By virtue of the sewer taxes that have been paid to the district over the past 25 years, the project site is entitled to a portion of this allocation. If the currently available town sewer allocation should be used before the BT Holdings project comes online, the project sponsor would request the Village or Town request additional sewer allocation from the Harriman Sewage Treatment Plant. As a result of the site's location in the district, the property would be entitled to such service and the district would be obligated to provide it. The developer would reimburse the appropriate municipality for any fees associated with increasing the allocation to service the project.

If pending or approved projects came on line prior to the BT Holdings Project which utilized the Town's available capacity allocation or if additional allocation is otherwise necessary but not available for any reason, construction of units beyond available capacity would be prohibited until such capacity became available.

Given the recent lawsuit settlement by the Greens of Chester, the necessity and potential feasibility of the Black Meadow Creek Wastewater Treatment Plant is undergoing renewed consideration. However, the Applicant acknowledges that the contemplated Black Meadow Wastewater Treatment Facility may not become available in the foreseeable future, and has reiterated the intent to utilize the Harriman Sewage Treatment Facility to which the property has entitlement. The Applicant did state in the DEIS that it would be willing to support the construction of the potential Black Meadow Wastewater sewage treatment plant, including consideration of the funding of a portion of the construction, but *only if* the project were to become a viable reality in a timely fashion to serve the BT Holdings project.

Summary

Over the past year, the Village and its technical consultants have met several times to review project plans and documents and have raised numerous concerns. Additional studies were undertaken to provide greater detail where needed and significant changes were made to the project to address areas of concern, most notably the incorporation of a public through road, the removal of a number of buildings from the ridgeline, and a reduction in the number of 3BR townhomes. Based on these changes, the proposed Public Road Scenic Alternative Plan represents a residential project that fulfills the Town's Comprehensive Plan's smart growth goals for the Chester community and for the property itself while properly mitigating the potential environmental concerns of the community.

SITE DATA

TOTAL SITE AREA:	**+/- 68.2 ACRES**
BUILDING TYPES:	
LARGE FORMAT UPHILL TOWNHOUSES:	28 UNITS
LARGE FORMAT DOWNHILL TOWNHOUSES:	66 UNITS
SMALL FORMAT UPHILL TOWNHOUSES:	53 UNITS
SMALL FORMAT DOWNHILL TOWNHOUSES:	25 UNITS
BACK-TO-BACK TOWNHOUSES:	164 UNITS
SENIOR MID-RISE APARTMENTS:	100 UNITS
TOTAL HOMES PROPOSED:	**436 UNITS**
PARKING:	
RESIDENTIAL GARAGE AND APRON	784 SPACES
RESIDENTIAL (ON STREET PARKING):	146 SPACES
SENIOR PARKING:	125 SPACES
CLUBHOUSE:	41 SPACES
TOTAL SPACES PROPOSED:	**1,096 SPACES**

KEY

- LARGE FORMAT UPHILL UNITS
- LARGE FORMAT DOWNHILL UNITS
- SMALL FORMAT UPHILL UNITS
- SMALL FORMAT DOWNHILL UNITS
- BACK-TO-BACK UNITS
- SENIORS

0 50' 100' 200' 300'

Figure 1: Public Through Road Scenic Alternative Conceptual Site Plan
BT Holdings - Chester Development
Village of Chester, Town of Chester, Orange County, New York
Source: BartonPartners, Inc. Architects Planners, 12/02/10
Scale: As shown

Revised Senior Parking layout shown in Figure 5 and on Full size Plans

File 05009 01/20/11
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Tim Miller Associates, Inc.,10 North Street, Cold Spring, New York 10516 (845) 265-4400 Fax (845) 265-4418

Figure 2: Townhouse Streetscape
BT Holdings - Chester Development
Village of Chester, Town of Chester, Orange County, New York
Source: BartonPartners, Inc. Architects Planners, 01/07/10

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ZONING TABLE

Proposed Townhouse Community
Zone-RM-N (Residential - Multiple Dwellings)

Item	Required / Permitted	Proposed
Lot Requirements:		
Minimum Lot Area	5.0 acres	± 58.2 acres
Maximum Lot Coverage	20%	±14%
Minimum Lot Width	Not Specified	610 ft
Maximum Lot Density	6 Units/acre (1) (350 Units)	5.8 Units/acre (336 Units)
Minimum Front Yard Setback	40 ft	40 ft.
Minimum Side Yard Setback	15 ft each, 30 ft both	20 ft each, 40 ft both
Minimum Rear Yard Setback	35 ft	35 ft
Open Space Requirements:		
Minimum Usable Open Space	235,200 sf / 5.4 ac (2)	257,000 sf / 5.9 ac (5)
Minimum Outdoor Play Area	33,600 sf / .77 ac (3)	35,719 sf / 0.82 ac
Building Requirements:		
Maximum Building Height	40 ft, 3 stories	40 ft, 3 Stories
Maximum Permitted 3 Bedroom Units	62%	62%
Parking Requirements:		
Min. Spaces Per 2 or more Bedroom Unit	2.5 Spaces Per Unit (4)	2.77 Spaces Per Unit
Total Parking	840 Spaces	930 Spaces
		+ 41 Clubhouse Spaces

NOTES:
(1) For 3 or more bedroom units, up to 6 units per acre. For 1- and 2-bedroom units, up to 8 units per acre.
(2) 700 square feet of usable open space is required per unit.
(3) For units with 3 or more rooms, 100 square feet of out door play area is required.
(4) Each unit shall have one garage space, and each unit shall count one space per driveway on each lot, except on end units which have two garage spaces and two parking spaces per driveway. The additional .5 spaces per unit have been provided through parallel on-street spaces and in off-street parking areas.
(5) Areas counted toward open space include the Clubhouse recreation area, areas surrounding stormwater management ponds, and areas surrounding wetlands. Counted open spaces shall be graded and maintained by Homeowners Association to allow for pedestrian access and to meet 5% slope maximum where feasible, or provide trail switchbacks at a slope of less than 5% in those areas in which natural grade is steeper. Areas shall be located so as to be accessible from public streets where applicable.

ZONING TABLE

Proposed Senior Citizen Housing Community
Zone-RM-N

Item	Required / Permitted	Proposed
Lot Requirements:		
Minimum Lot Area	3.0 acres	±10.1 acre
Maximum Building Lot Coverage	75%	±22%
Minimum Lot Width	100 ft	±440 ft
Minimum Lot Depth	150 ft	±690 ft
Maximum Lot Density	10.0 Units/ac (1) (100 Units)	10.0 Units/ac (100 Units)
Yard Requirements:		
Minimum Front Yard Setback	75 ft (2)	75 ft
Minimum Side Yard Setback	50 ft (2)	50 ft
Minimum Rear Yard Setback	50 ft (2)	50 ft
Building Requirements:		
Maximum Building Height	40 ft, 4 Stories	40 ft, 4 Stories (3)
Maximum Units Per Building	50 Units	50 Units
Parking Requirement:		
Minimum Parking Spaces:	1.5 Spaces Per 1 BR Unit *	1.5 Spaces Per 1 BR Unit*
	2.0 Spaces Per 2 BR Unit*	2.0 Spaces Per 2 BR Unit*
	158 Spaces (100 Units)	158 Spaces (100 Units)

NOTES:
(1) More than 20 percent of the total dwelling units shall qualify as affordable housing.
(2) For sites of five (5) acres or more.
(3) Proposed Buildings shall be built into hillside so that front elevation shall have 3 stories and rear elevation shall have 4 stories of living space.

* 0.25 Space Reduction for Affordable Senior Units.

DEVELOPMENT STATISTICS:

BUILDING TYPES:

- SENIOR HOUSING	100 units
- LARGE FORMAT TOWNHOUSES	94 units
- SMALL FORMAT TOWNHOUSES	78 units
- INTERLOCKING TOWNHOUSES	164 units
TOTAL	436 units

PARKING:

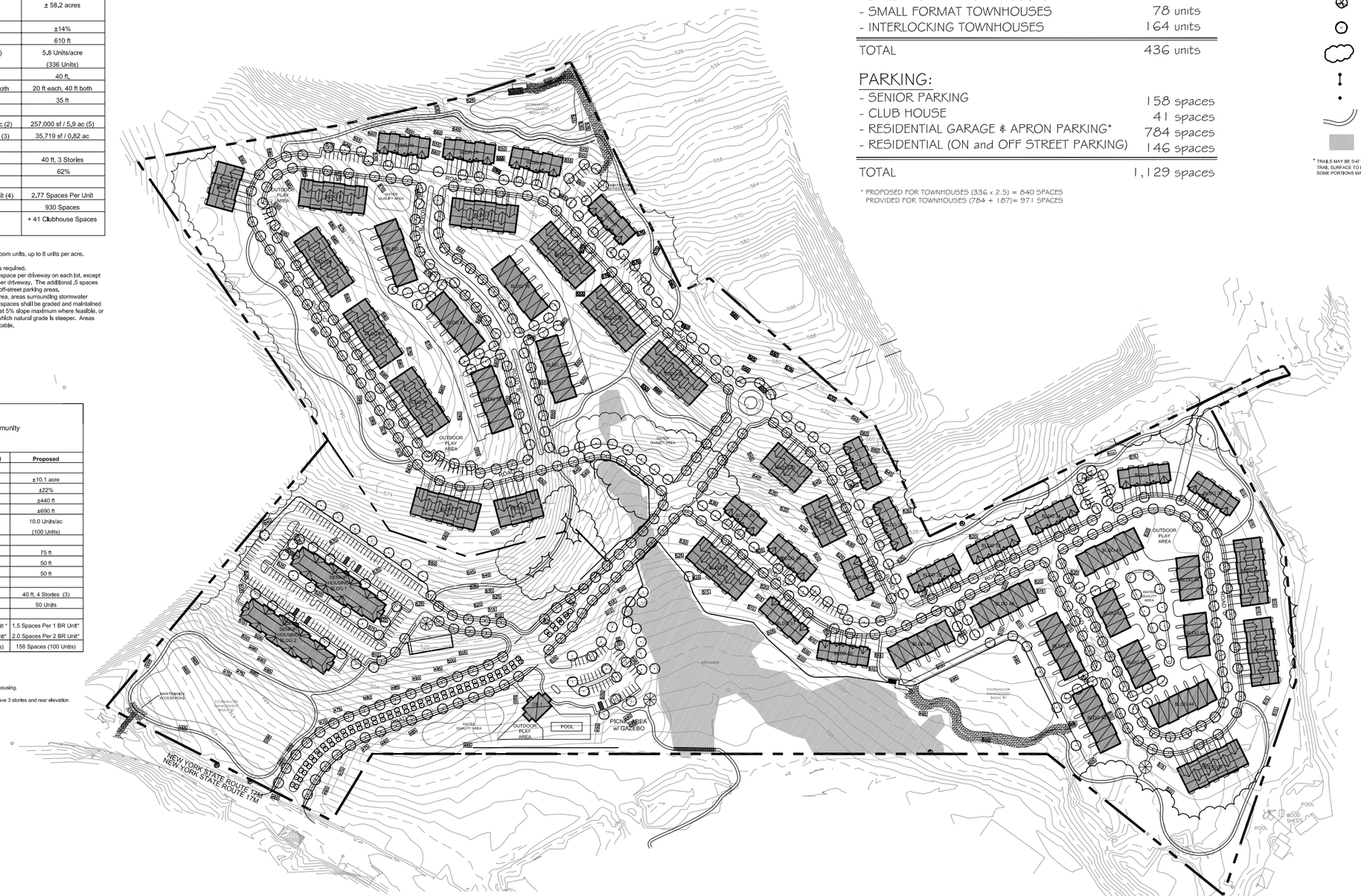
- SENIOR PARKING	158 spaces
- CLUB HOUSE	41 spaces
- RESIDENTIAL GARAGE & APRON PARKING*	784 spaces
- RESIDENTIAL (ON and OFF STREET PARKING)	146 spaces
TOTAL	1,129 spaces

* PROPOSED FOR TOWNHOUSES (336 x 2.5) = 840 SPACES
PROVIDED FOR TOWNHOUSES (784 + 187)= 971 SPACES

KEY

- PROPOSED DECIDUOUS / STREET / BUFFER / REFORESTATION TREE
- PROPOSED EVERGREEN / BUFFER / REFORESTATION TREE
- PROPOSED FLOWERING / STREET / BUFFER / REFORESTATION TREE
- PROPOSED FLOWERING / STREET TREE
- EXISTING / PROPOSED TREELINE
- PROPOSED ROADWAY LIGHT FIXTURE
- PROPOSED PEDESTRIAN LIGHT FIXTURE
- PROPOSED SIDEWALK / TRAIL SYSTEM*
- EXISTING WETLANDS

* TRAILS MAY BE 5-6' WIDE, TRAIL SURFACE TO BE EITHER: WOOD CHIPS or CRUSHED QUARRY FINES; SOME PORTIONS MAY BE PAVED.



CONCEPTUAL SITE PLAN - PUBLIC ROAD SCENIC ALTERNATIVE

0 100' 200' 400'

SCALE: 1"= 100'-0"

Figure 3: Conceptual Site Plan
BT Holdings - Chester Development
Village of Chester, Town of Chester, Orange County, New York
Source: BartonPartners, Inc. Architects Planners, 08/18/11
Scale: As shown

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