

Hon. Rosario Presti Jr., Mayor  
277 Old Nyack Turnpike  
Village of Chestnut Ridge, New York (10977)  
Via: Hand Delivery and Village Website  
Via email: rpresti@chestnutridgevillage.org

DR. Project No.: 11490-001  
October 20, 2020

**Re: PRELIMINARY ASSESSMENT MEMORANDUM  
EQUESTRIAN ESTATES PUD FLOATING ZONE PETITION  
DRAFT SEQRA SCOPING DOCUMENT FOR EQUESTRIAN ESTATES  
VILLAGE OF CHESTNUT RIDGE, ROCKLAND COUNTY, NEW YORK**

We are submitting this memorandum on behalf of Citizens United to Protect Our Neighborhoods of Chestnut Ridge (“CUPON CNR”), who recently retained our firm to review several ongoing planning actions in the Village of Chestnut Ridge (“Village”). The following memorandum provides a preliminary assessment and comment on the following relevant documents:

1. Positive Declaration and Notice of Intent to Prepare a Draft EIS for the Equestrian Estates PUD Floating Zone Petition, dated August 20, 2020;
2. Draft Scoping Document for Equestrian Estates, dated August 12, 2020;
3. Zoning Petition for the Planned Unit Development (PUD) Zone Text and Map Amendment dated June 18, 2020; inclusive of
  - a. Equestrian Estates Overall Site Layout Plan, prepared by Langan Engineering dated June 6, 2019;
  - b. Proposed PUD Zoning Text and Bulk Requirements, dated February 6, 2020.

These documents are related the Village’s intention to adopt a zone text and map amendment to create a Floating Zone for a Planned Unit Development (“PUD” zoning ordinance) and the proposed Equestrian Estates Overall Site Layout Plan (“Equestrian Estates development”).

## **PRELIMINARY ASSESSMENT & COMMENTS**

### **1. The Village’s efforts to adopt a Comprehensive Plan should be the priority.**

The Village is currently pursuing two major planning projects: [1] the adoption of the PUD Zone and concurrent approval of the Equestrian Estates development’s concept plan; and [2] the adoption of the Village’s first Comprehensive Plan. Given the current sequencing of these actions, the Village is attempting to make specific zoning changes without a comprehensive plan for development in place. Best planning practices would mandate the Village to first act on the Comprehensive Plan, which is intended to provide a broad plan for the Village’s future growth and serve as the foundation to any subsequent zoning modifications. Any zoning text and map amendment, which may have site specific applications, should come thereafter.

### **2. Consideration of the PUD Zone should be separate from the proposed Equestrian Estates development.**

Adoption of the proposed PUD zoning ordinance is a broader action than a site-specific development concept. In other words, the PUD zoning ordinance could potentially be applicable to more than one development site. The environmental review as laid out in the Draft Scoping Document focuses on the consistency of the Equestrian Estates development with the PUD Zone, as if adoption of the PUD Zone was a foregone conclusion.

Separating these two “actions” would allow the Village to fully vet the appropriateness of the proposed PUD Zone and the associated impacts on the Village. Furthermore, as stated in Comment #1, the best planning process would consist of first adopting a Comprehensive Plan that identifies the Village’s goals and objectives along with land use recommendations for achieving those goals and objectives, followed by zoning text and map amendments to implement the Comprehensive Plan’s recommendations. A proposed development application utilizing the zoning text and map amendment should be the final step in the process.

**3. The Equestrian Estates development application is not “complete”.**

The application for the proposed Equestrian Estates development is missing information required for PUD Concept Plans as indicated in Section C.2. of the PUD Zone requirements and necessary supporting materials to satisfy the PUD requirements found in Section C.3. As such, the Equestrian Estates development application is not “complete” and the Village Board should separate the two “actions” and only consider the proposed PUD Zone text amendment. If the proposed PUD Zone is adopted by the Village Board, the proposed Equestrian Estates application could then be resubmitted for consideration once deemed “complete”.

**4. The bulk requirements provided in the Equestrian Estates development concept are inconsistent with the PUD Zone bulk requirements that are under consideration.**

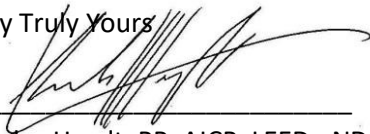
The Equestrian Estates development concept plan references zoning dimensional requirements based upon the “proposed Village of Chestnut Ridge PUD zoning dated 9/26/2018”. There are several inconsistencies with the bulk requirements currently be considered by the Village in the PUD Zone Text Amendments dated February 6, 2020. These inconsistencies show the issues with joining the “actions” of amending zoning text and pushing through an application utilizing the new zoning text before it is adopted.

**5. Environmental Impacts Considered in Draft Scoping Document**

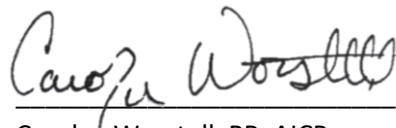
The Draft Scoping Document does not acknowledge key environmental features of the project site, particularly the tributary to the Pascack Brook which runs through the property and is proposed to be buried under the portion of the site with the most intense development. Impacts to these features should be vetted thoroughly in the DEIS to fully understand the impact of the Equestrian Estates development on the surrounding area. The Draft Scoping Document also does not identify any development alternatives, such as a lower density alternative that may be better suited for the property based on the findings of SEQRA review. These planning issues should be included in the Draft Scoping Document.

We reserve the right to provide additional comments on the Draft Generic Environmental Impact Statement, proposed PUD zoning ordinance and the proposed Equestrian Estates development application at a later date.

Very Truly Yours



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cc: Steven N. Mogel, Esq.