

Hon. Rosario Presti Jr., Mayor
277 Old Nyack Turnpike
Village of Chestnut Ridge, New York (10977)
Via email: Village Clerk (fmandel@chestnutridgevillage.org) and
Village Attorney (ashah@fnmlawfirm.com)

DR. Project No.: 11490-001
May 17, 2022

**Re: GEIS REVIEW MEMORANDUM
COMPREHENSIVE PLAN
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 retained our firm to review several ongoing planning actions in the Village of Chestnut Ridge (“Village”). The following memorandum provides a assessment and comment on the following relevant documents:

1.

PRELIMINARY ASSESSMENT OF THE GEIS

Consistency with the Adopted Scoping Document – The DGEIS and FGEIS do not address all of the Potential Impacts Identified in the Final Scoping Document. The following impacts are not comprehensively assessed in either document:

- Land Development for new multifamily and planned industry uses, impacting drainage, surface waters, wetlands and groundwater, vegetation and wildlife
- Impacts on the provision of utilities, such as water supply, sewage treatment and any limitations on such service provision by USEPA or others
- Community Character
- Fiscal impacts of new development
- Use of Energy

While the DGEIS and FGEIS indicate that impacts related to the Equestrian Estates Development and proposed PUD District will be assessed in a separate EIS, there are other recommendations for land use changes which are not comprehensively addressed in the GEIS.

Implications of Proposed Policies - The DGEIS and FGEIS only assesses the impacts of the proposed zoning recommendations which were included in Section 6. Conceptual Land Use Plan of the Comprehensive Plan. The DGEIS does not evaluate the impacts of the proposed goals and objectives (i.e. policies) of the Comprehensive Plan included in Section 5.0 Comprehensive Plan Vision and Goals. These goals and objectives touch on policies beyond land use including

- Environmental Protection
- Community Facilities and Services
- Economic Development
- Infrastructure
- Transportation

- Sustainability
- Historic Preservation
- Community Design

There is no assessment of how the proposed rezonings will promote or hinder these goals and objectives of the Comprehensive Plan.

Impacts of Proposed Changes to Residential Districts – The DGEIS and FGEIS does not comprehensively assess the environmental impacts of the proposed rezonings, including impacts to stormwater runoff and ground water recharge that could result from the increase in coverage permitted. Comprehensive Plan recommends rezoning 838 residential parcels, and creating three new residential districts, the proposed R-10, R-15, and R-20 Districts. The DGEIS and FGEIS include a build-out analysis which only assesses the number of new residential units which could be developed on vacant properties. For example, one neighborhood (Area 1) is proposed to be rezoned from the R-50 District to a new R-20 District. These two districts have different use groups for single-family residential development: Use group “h” for R-50 and use group “x.2” for the proposed R-20 District. The proposed rezoning from R-50 to R-20 would allow for an increase in development coverage of 7,000 SF on an average 20,000 square foot lot (from 20% to 55% coverage permitted) and an increase of 1,000 square feet of building.

COMMENTS AND QUESTIONS ON THE DEIS

SECTION 6.0 DISCUSSION OF THE IMPLICATION OF PROPOSED POLICIES

- This section addresses only the proposed zoning recommendations which were included in Section 6. Conceptual Land Use Plan of the Comprehensive Plan. The DGEIS does not evaluate the impacts of the proposed goals and objectives (i.e. policies) of the Comprehensive Plan included in Section 5.0 Comprehensive Plan Vision and Goals. These goals and objectives touch on policies beyond land use including
 - “Environmental Protection”,
 - “Community Facilities and Services”,
 - Economic Development,
 - Infrastructure,
 - Transportation,
 - Sustainability,
 - Historic Preservation and
 - Community Design.
- There is no assessment of how the proposed zoning changes will promote or hinder the goals and objectives of the comprehensive plan.
- What are the implications of the policies included in the Comprehensive Plan on the Village’s Natural Resources, and Parks, Recreation and Open Space?
 - Impacts to steep slopes
 - Impacts to agricultural lands
 - Impacts to surface waters – Hungry Hollow Brook, Pine Brook, and Pascack Brook
 - Impacts to wetlands and floodways
 - Impacts to open space

- What are the implications of the policies included in the Comprehensive Plan on the Village’s Historic and scenic resources?
 - Impacts to individual resources
 - Impacts to community character
- Impacts to community resources and facilities
 - Impacts to schools
 - Impacts to emergency services
 - Impacts to other community resources (e.g. library, Village hall)
 - Impacts to recreation facilities
- Economic Impacts
 - Fiscal impacts
 - Impacts to jobs
 - Impacts of new technologies/working habits
- Infrastructure
 - Impacts to water/sewer demand
 - Impacts to stormwater generation
 - Impacts to energy resources
 - Impacts to telecommunication infrastructure
- Transportation
 - Impacts to transportation resources beyond the Red School House Corridor Study area
- Sustainability

6.1.1 PILO District

- DGEIS indicates that all LO districts are recommended to be rezoned to LO (pg 22). However, proposed zoning map 10 in the Comp Plan still includes a single LO District, and the proposed Local Law A V.5 of 2022 only eliminates the PI District, but maintains the LO District requirements.
- Intent of this recommendation is to spur new development. There is not analysis of the impacts of this new development on the Village and its resources.
- Only discusses land use impacts. Does not address impacts of potential for the new development to impact drainage, surface waters, wetlands and groundwater, vegetation and wildlife. What are the generic impacts to traffic/transportation, community character, public services (e.g. schools, police and fire services, etc.) and utilities (e.g. water, sewer, stormwater, energy, etc.), fiscal impacts and energy impacts of this new development potential.
- Main difference is the addition of 2 new uses to LO Districts. How many acres are impacted? How many vacant sites are currently in the LO District. How many SF of new warehouse and/or industrial/flex space could be developed on those sites? How many acres of new impervious coverage will be created? How many acres of currently forested land will be eliminated? Where are the Village’s natural resources in relation to the properties in this new PILO Zone?
- Draft Master Plan also recommends adding “Assisted Living Facilities” and “Hotels” with maximum height of 48 feet and FAR of 0.65 (Pg 6-2), and “supermarkets” (pg 6-8) to the list of allowable uses in the PILO district. This recommendation is not assessed in the DGEIS.
- DGEIS does not address impacts of the proposed definition for “Flex Space, Business Park”.

6.1.2 NS District

- Proposes expanding the NS District and recommends relocating the Village Hall Offices and meeting spaces to the NS District.
- DGEIS does not identify a new proposed location for the Village Hall or assess the fiscal impacts of this recommendation.
- Only discusses land use impacts. Does not address impacts of potential for the new development to impact drainage, surface waters, wetlands and groundwater, vegetation and wildlife. What are the generic impacts to traffic/transportation, public services (e.g. schools, police and fire services, etc.) and utilities (e.g. water, sewer, stormwater, energy, etc.) community character, fiscal impacts and energy impacts of this new development potential.

6.1.3 Regional Shopping Zoning Changes

- Proposes adding uses permitted in the new PILO District to the existing RS District, and rezoning a small portion of the existing LO district to the RS District.
- DGEIS incorrectly indicates that “the area is already zoned for NS” on page 24.
- DGEIS indicates that the “use group controlling bulk and area requirements would remain the same, to that additional development coverage or FAR would not be allowed”. All uses in the existing RS District are in use class M, which requires a minimum lot area of 15 acres, permits a development coverage of 70% and an FAR of 22 (proposed to revised to 0.30, but no analysis of this change) (however, total floor area of all buildings not to exceed 150,000 square feet). Uses in the PILO District are generally in Use group J, which require a lot area of 60,000 SF (approximately 1.5 acres), and permits a lot coverage of 70% and an FAR of 0.40.
- How many acres are impacted? How many vacant sites are currently in the proposed new RS District. How many SF of new commercial, hotel, warehouse and/or industrial/flex space or other permitted use could be developed on those sites? How many acres of new impervious coverage will be created? How many acres of currently forested land will be eliminated? Where are the Village’s natural resources in relation to the properties in this new RS Zone?
- Does not address generic impacts of potential for the new development to impact drainage, surface waters, wetlands and groundwater, vegetation and wildlife. What are the generic impacts to traffic/transportation, public services (e.g. schools, police and fire services, etc.) and utilities (e.g. water, sewer, stormwater, energy, etc.), community character, fiscal impacts and energy impacts of this new development potential.

6.1.4

- References build-out analysis in Section 6.2, which only assess the potential for new residential units on vacant parcels. There is no analysis of the potential for home expansions or additions.
- No analysis of the impacts of the proposed rezonings on the intensity of development that might result. For example, one neighborhood (Area 1) is proposed to be rezoned from the R-50 District to a new R-20 District. These two districts have different use groups for single-family residential development: Use group “h” for R-50 and use group “x.2” for the proposed R-20 District. The proposed rezoning from R-50 to R-20 would allow for an increase in development coverage of 7,000 SF on an average 20,000 square foot lot (from 20% to 55% coverage permitted) and an increase of 1,000 square feet of building.

- No analysis of the impacts of the proposed changes to the bulk table for use groups x.1, x.2 or x.3, which would reduce setback requirements for the x.2 and x.3 use groups and increase the development coverage in the x.1 use group.
- Does not address generic impacts of potential for the new development to impact drainage, stormwater runoff, surface waters, wetlands and groundwater, vegetation and wildlife. What are the generic impacts to community character, public services (e.g. schools, police and fire services, etc.) and utilities (e.g. water, sewer, stormwater, energy, etc.) impacts of this new development potential.
- DGEIS does not address the impacts of the proposed changes to Section 290-84 for Nonconforming Lots.

6.1.5 Creating of a Floating PUD Zone

- Indicates that there are two possible locations for the “landing” of the proposed PUD zone: [1] the Triangle Properties site and [2] the Equestrian Estates site.
- DGEIS indicates that the environmental impacts of the PUD and more specifically the Equestrian Estates development is to be evaluated separately.
- Does not address generic impacts of potential for the new development at the Triangle Properties to impact drainage, surface waters, wetlands and groundwater, vegetation and wildlife. What are the generic impacts to traffic/transportation, community character, public services (e.g. schools, police and fire services, etc.) and utilities (e.g. water, sewer, stormwater, energy, etc.), fiscal impacts and energy impacts of this new development potential.

6.2 Housing Potential Buildout Analysis

- Sentence appears to be cut off and not continued on page 27.
- Map 7 shown on page 27 includes all vacant parcels. Has a map been created showing only vacant parcels in R Zones?
- The DGEIS does not assess the impacts of the anticipated development on community character, impacts to community services (e.g. school demand, police/fire etc.), physical infrastructure (i.e. water, wastewater, stormwater, energy utilities, etc.) and fiscal impacts.

Issues identified for Future Study

- House of Worship. The DGEIS does not address the recommendation to further review the the standards for houses of worship...

CONCLUSION

Our review of the DEIS has revealed numerous inconsistencies and omissions regarding significant environmental impacts of the proposed Equestrian Estates Development and PUD Zone. As such the conclusions within the DEIS regarding these environmental impacts are not supported and should not be relied upon. If the Board declares the DEIS complete at this evening’s hearing, we respectfully request that a Supplemental EIS be prepared to address the inconsistencies and omissions mentioned above.

We reserve the right to provide additional comments on the proposed PUD zoning ordinance and the proposed Equestrian Estates development application at a later date.

Very Truly Yours

Carolyn Worstell, PP, AICP
Senior Planner

cc: Hon. Rosario Presti Jr., Mayor; Steven N. Mogel, Esq.

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