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## FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT (FGEIS)

**Village of Chestnut Ridge, Rockland County, New York**

**Adoption of its 2022 Comprehensive Plan and Local Law A v.7 of 2022.**

**June 8, 2022**

### FGEIS PREPARER



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**Date of Acceptance by Lead Agency:**

**Accepted May 11, 2022,**

**Re-accepted with additional comments June 8, 2022**

**Date and Time of FGEIS Public Hearing:**

**May 19, 2022, 8:00 P.M.**

**Deadline for Written Comments on the draft FGEIS:     June 3, 2022**

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## TABLE OF CONTENTS:

<b>1.0</b>	<b>Introduction</b>
1.1	Purpose of the FGEIS
1.2	Organization of this Document
1.3	The Overall SEQRA process
1.4	SEQR steps already taken
<b>2.0</b>	<b>Description of the Proposed Action</b>
2.1	Summary
2.2	Comprehensive Plan Process
<b>3.0</b>	<b>Public Need, Benefits and Objectives</b>
3.1	Public Need
3.2	Goals and Objectives
3.3	Proposed Action
<b>4.0</b>	<b>Required Reviews, Permits and Approvals</b>
4.1	List of Involved and Interested Agencies
<b>5.0</b>	<b>Existing Conditions</b>
5.1	Regional and Local Setting of the Village
5.2	Demographics
5.3	Land Use
5.4	Zoning - Current
5.5	Natural Resources, Parks, Recreation and Open Space
5.6	Historic and Scenic Resources
5.7	Transportation Resources
<b>6.0</b>	<b>Discussion of the Implication of Proposed Policies</b>
6.1	Proposed Policy and Zoning Recommendations, Impacts, and Mitigation
6.2	Housing Potential Buildout Analysis
6.3	Red Schoolhouse Road Corridor Traffic Improvements
<b>7.0</b>	<b>Summary Cumulative Impacts.</b>
7.1	Unavoidable Adverse Environmental Impacts
7.2	Irreversible and Irretrievable Commitment of Resources
7.3	Growth-Inducing, Secondary and Cumulative Impacts
7.4	Energy Use and Conservation, Greenhouse Gas Emissions, and Air Quality
7.5	Construction-Related Impacts
7.6	Summary of Cumulative Impacts
<b>8.0</b>	<b>Alternatives</b>
8.1	Alternative 1: No Action. Development Under Existing Zoning
8.2	Alternative 2: Implement the Proposed Comprehensive Plan and Zoning Changes, as Proposed
8.3	Alternative 3: Increased Action. Allow a PUD Floating Zone throughout the Village
<b>9.0</b>	<b>Future Actions</b>
<b>10.0</b>	<b>Comments and Responses</b>
<b>11.0</b>	<b>References</b>
<b>12.0</b>	<b>Appendices</b>
12.1	Local Law A v.7 of 2022
12.2	DGEIS Adopted Final Scope
12.3	Matrix of Specific Goals and Recommendations of the Comprehensive Plan
12.4	Comments Received on the DGEIS

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## 1.0 Introduction

### 1.1 Purpose of the FGEIS

Pursuant to the requirements of the New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations in Part 617, Title 6 of the New York Code of Rules and Regulations (“6 NYCRR Part 617”), this Final Generic Environmental Impact Statement (“FGEIS”) has been prepared for the adoption, by the Village of Chestnut Ridge Board of Trustees (“Village Board”), for the adoption of the 2022 Comprehensive Plan (“CP”) and Local Law A v.7 of 2022 (“LL”) (hereafter also referred to as the “the Proposed Action”). The potential impacts resulting from the adoption of the Proposed Action were analyzed in the Draft Generic Environmental Impact Statement (“DGEIS”), by the Village of Chestnut Ridge Board of Trustees, the SEQRA Lead Agency. The DGEIS was also prepared in accordance with SEQRA and its implementing regulations, 6 NYCRR Part 617, and is incorporated herein.

A public hearing was held on April 28, 2022, to solicit public comments on the DGEIS. No public comments on the DGEIS were received. Additionally, the Lead Agency accepted written comments for thirty (30) days after the close of the public hearing from the following agencies, per the request of the Rockland County Department of Planning (New York State Department of Transportation, New York State Thruway Authority, Rockland County Department of Health, Rockland County Department of Public Transportation, Rockland County Drainage Agency, Rockland County Highway Department, Rockland County Sewer District No. 1, Orange & Rockland, Veolia). The notice of completion and public comment period for the DGEIS were published in the New York State Department of Environmental Conservation (“NYSDEC”) Environmental Notices Bulletin (“ENB”) in its March 23, 2022, issue, as well as in the Rockland Journal News on March 24, 2022. In addition, to ensure full participation, the Village accepted oral comments at a public hearing on May 19, 2022, on the FGEIS, and accepted written comments on the FGEIS through June 3, 2022, as well. As required by SEQRA, this document addresses all oral and written comments provided by members on the public and interested public agencies during the public comment period, which was extended beyond minimum requirements.

The FGEIS represents the next to last step in the SEQRA process and includes responses to substantive comments raised during the SEQRA process and sets forth any revisions to the Proposed Action which have evolved as a result of the evaluation. This FGEIS incorporates the DGEIS, so that the combination of these two documents constitutes the entire GEIS.

Pursuant to SEQRA Part 617.11(a), following acceptance of this FGEIS by the Lead Agency, there will be a minimum 10-day period during which the public and governmental review agencies can consider the FGEIS before the Lead Agency issues its written Findings Statement.

### 1.2 Organization of this Document

Section 2.0-9.0 of this document presents the body of the FGEIS, including revisions which may have been made to the document that addresses comments raised as part of the review process.

Section 10.0 of this document presents the substantive oral and written comments on the DGEIS and FGEIS that were received by the Lead Agency by the close of the public comment period initially set for May 8, 2022, which was extended to June 3, 2022, along with a response to each. As required by SEQRA, only those comments that are “substantive” are responded to in the FGEIS. Only those comments received

before the close of the public comment period are responded to in the FGEIS. However, the Town Board is in receipt of all comments and considered them in their deliberations. Appendix 12.4 contains all written comments received by the Lead Agency. No verbal testimony was given at the April 28, 2022, DGEIS hearing. Verbal testimony was given at the May 19, 2022 FGEIS public hearing.

The responses provide the information necessary for the Lead Agency and other involved agencies to make informed decisions on the specific impacts of the project. This document fulfills the obligation of the Lead Agency in completing an FGEIS based upon 6 NYCRR Part 617.9 (b)(8).

## 1.2 The Overall SEQRA process

The New York State Environmental Quality Review Act (SEQRA) and its implementing regulations at 6 NYCRR 617 state that the adoption of a Comprehensive Plan and Zoning Amendments is likely to require a thorough review of environmental, social, and economic impacts. Further, this can be accomplished through the preparation of a Generic Environmental Impact Statement (GEIS). A GEIS is first prepared in the form of a Draft GEIS (DGEIS).

The Village Board determined that the DGEIS was adequate for public review and held a public hearing on the DGEIS and draft Comprehensive Plan Update and Zoning Amendments to solicit public comment. All substantive comments received on the DGEIS are responded to in this Final GEIS (FGEIS).

The FGEIS is the second phase of a GEIS. It comprises responses to all substantive comments on the DGEIS and contains any necessary revisions to the DGEIS based on comments received. The FGEIS will contain the information upon which the Village Board will make its findings on whether to adopt, or to adopt with revisions, the proposed draft Comprehensive Plan and zoning amendments in Local Law A v.7.

This process is intended to aid the Village Board in making its decisions regarding the draft Comprehensive Plan Update and Zoning Amendments in a manner that considers environmental, social, and economic impacts, and balances those impacts against the public need and benefits. This document is intended to be read along with the draft Comprehensive Plan and zoning amendments in Local Law A v.7 and will be made available to the public for review along with those documents.

As per the regulations implementing the New York State Environmental Quality Review Act (SEQRA), the adoption or update of a Comprehensive Plan or Zoning Amendments is classified as a Type I action, or an action which is likely to require an environmental impact statement (EIS). However, New York State General Village Law encourages the development of a Generic Environmental Impact Statement rather than a traditional site-specific EIS, which is further supported by SEQRA at §617.10(b) and the Village Board has elected to undertake such a task. This GEIS document is intended to address broad areas of environmental relevance in accordance with 6 NYCRR §617 (SEQRA).

A public scoping session for the Draft Generic Environmental Impact Statement (DGEIS) for the proposed DRAFT Comprehensive Plan was held at 7 pm on Wednesday, October 14, 2020. During the session, no comments on the draft scope were received.

## 1.3 SEQR steps already taken

After the Village Board developed a draft Comprehensive Plan, a Part I Full Environmental Assessment Form was prepared on September 17, 2020. The Village Board declared itself Lead Agency pursuant to the 6 NYCRR 617 State Environmental Quality Review ("SEQR") for this action by Resolution No. 2020-51, dated September 17, 2020. The Village Board classified the action as a Type I action pursuant to 6 NYCRR §617.4(b)(1) and gave a declaration of positive environmental significance on September 17, 2020.

A public scoping session for the Draft Generic Environmental Impact Statement (DGEIS) for the proposed DRAFT Comprehensive Plan was held at 7 pm on Wednesday, October 14, 2020. The draft scope was adopted by the Village Board on December 17, 2020.

Throughout this time, the Village Planner and the Village Trustees have been continuing to work to improve the draft Comprehensive Plan, incorporating numerous changes in response to input from the Rockland County Department of Planning and members of the public. A public hearing on the Comprehensive Plan was opened on September 9, 2021, and continued month to month to allow for public comments and two GML reviews. The public hearing for the Comprehensive Plan was closed on February 17, 2022.

In March of 2022, the Village Trustees accepted the DGEIS for the Comprehensive Plan as complete and set a public hearing for April 28, 2022. The DGEIS was sent to Rockland County Planning Department for GML review in March of 2022 and issued its review on April 27, 2022. Rockland County Planning Departments had already reviewed the Comprehensive Plan and Local Law A v.7 of 2022 and issued GML recommended modifications in a separate letter.

On April 28, 2022, the Village Trustees held a public hearing on the DGEIS and no comments were received other than the Rockland County GML review dated April 27, 2022.

On May 11, 2022, the Village Trustees accepted the FGEIS which included the Rockland County Planning Department GML Comments which can be found in section 10 of this document.

On May 19, 2022, the Village Trustees held a hearing on the FGEIS and accepted written comments and heard testimony, which can be found in section 10 of the document. The Village Trustees extended the period for acceptance of written comments until the close of business at 5:00 p.m., on June 3, 2022.

On June 8, 2022, the Village Trustees re-accepted the FGEIS and recirculated it to all involved and interested agencies.

It should be noted that the Comprehensive Plan recommends a PUD floating zone to allow mixed use, multifamily and senior housing within a ½ mile of the Garden State Parkway interchange. There is a proposed project, Equestrian Estates, with a separate EIS that covers the impacts of the PUD zone for its site. Therefore, the impacts of the proposed PUD zone and Equestrian Estates project are not included in this FGEIS.





## 2.0 Description of the Proposed Action

### 2.1 Summary

The action is the adoption of the first Comprehensive Plan for the Village of Chestnut Ridge. The Plan proposes a comprehensive land use framework and lays out transportation recommendations for the orderly development for the Village. Long standing zoning problems are analyzed and adjustments to the current zoning map are proposed. Changes are recommended to promote the development of employment opportunities and additional housing types other than single-family homes. The Plan focuses development density on areas in the Red Schoolhouse Road corridor near the Garden State Parkway interchange, with transportation improvements funded by new development.

### 2.2 Comprehensive Plan Process

Task 1 of the Comprehensive Plan process included a land use reconnaissance and mapping of existing conditions. GIS resources were gathered from the State of New York GIS Clearinghouse to form the base mapping in the figures of the Comprehensive Plan for roads, aerial photography, and physical and environmental constraints such as steep slopes, wetlands, waterbodies, and designated floodplains. Zoning district boundaries were taken from the Village's official zoning map most recently updated in 2013. Data on existing land use was taken from 2015 tax assessment records and field checked in the Fall of 2019.

Demographic and economic data was obtained from ESRI's Business Analyst statistical package, and the federal census American Community Survey. Demographics included population, income, and household size. Economic data included consumer spending by category, and retail demand and supply by industry group. Profiles were established for the Village as well as fifteen-minute drive time from the Red Schoolhouse Road Corridor.

Task 2 of this process included a meeting with Village Board of Trustees and the Comprehensive Plan Committee (CPC) in the fall and winter of 2019-2020 to review the existing conditions analysis, to identify any missing information, and develop a strategy to involve the public, designing a Visioning Workshop and a Comprehensive Plan Survey.

Task 3 included a two-pronged approach to public involvement: a Visioning Workshop and a Comprehensive Plan Survey. The Visioning Workshop was held at the Chestnut Ridge Middle School Cafeteria on January 8, 2020. The Comprehensive Plan Survey was circulated beginning on March 19, 2020. Further in-person events were cancelled due to the COVID-19 pandemic emergency.

Task 4 included meetings with the CPC and Village Board to review the public input and develop a Vision, Goals and Objectives.

Task 5 included development of land use concepts and strategies and zoning amendments, during the summer months of 2020. In February 2021, the Red Schoolhouse Road Traffic Study was completed, and transportation recommendations were added to the document.

During Task 6, completed in the fall of 2021, a draft Comprehensive Plan was developed and circulated for public and agency input. A public hearing on the draft was opened. Development of a DGEIS began in January 2022, once the recommendations of the draft Comprehensive Plan were finalized.



## 3.0 Public Need, Benefits and Objectives

### 3.1 Public Need

In January of 2020, the Village of Chestnut Ridge involved the public in the process of creating its first Comprehensive Plan. The Comprehensive Plan Committee sought the input of local citizens through both a visioning meeting and an online survey.

There were two planned public meetings at the outset of the Comprehensive Plan process, with a follow up survey planned to provide wider outreach for the subject matter of both planned meetings. The results of the first planned public meeting are below. However, the second public workshop session, scheduled for March 19, 2020, was cancelled due to the COVID-19 Pandemic. Considering public assembly limitations instituted by Executive Order of the Governor of New York, it was decided that the survey would be expanded to serve as a substitute to the March public session.

On January 8, 2020, at 8:00 PM, the Village of Chestnut Ridge held a visioning meeting and workshop about the future of the Village at the Chestnut Ridge Middle School Cafeteria. The meeting was for the purpose of collecting background data, views and opinions from community residents and stakeholders. This was the first of two public meetings at the outset of the Comprehensive Plan Process to develop policy recommendations and zoning code changes that will guide the future development of the community.

To accomplish this, Nelson, Pope & Voorhis (NPV) – the Village Planners - coordinated with the mayor and Village Board to design a meeting that would consist of four break-out groups. Each group had an opportunity to discuss the Village's strengths, weaknesses, opportunities, and threats.

This meeting was well-attended by roughly 70 members of the public, as well as the Comprehensive Plan Committee members and five staff members from NPV. The meeting began with introductions and a welcome by Mayor Presti and Jonathan Lockman of NPV. Mr. Lockman provided a short description of why the Town was undertaking the comprehensive planning process and how the process would unfold over the following year. Mr. Lockman further explained the purpose of the public meeting, introduced the process that the consultant team had undertaken thus far, and provided a framework for the workshop procedure.

### METHOD

Prior to the meeting, blank flip chart pads were set up in four corners of the cafeteria room at the Chestnut Ridge Middle School cafeteria. Five maps of the area were on display showing aerial photography, zoning and existing land uses, environmental constraints, and an analysis of zoning non-conformities. Attendees were mostly divided into four random groups according to the quarter of the year when their birthdays occurred (January-March; April-June; July-September; and October-December), although some attendees declined to attend the group indicated by their birthday.

Jonathan Lockman, Stu Turner, Adriana Beltrani, and Maxwell Vandervliet served as facilitators for the four groups. Each group was invited to discuss Strengths, Weaknesses, Opportunities, and Threats (SWOT) facing Chestnut Ridge, with approximately 20 minutes for each of the four topics. It was clarified that a strength was an existing positive quality of the Town, while an opportunity was a positive circumstance

that was not present in the Town yet but could be pursued in the future. Likewise, a weakness was an existing negative quality of the Town, while a threat was a negative circumstance that was not present in the Town yet but could develop in the future.

After all groups had been given time to engage with facilitators on each of the four topics of the SWOT analysis, flip chart pages with notes from each group were taped up against the back windows for all participants to see. Participants were provided eight sticker dots and asked to vote on the compiled lists of responses by placing their dots next to the responses on the lists that they felt were most important. Each person had to decide how to allocate their dots among the various responses in the four categories. Attendees were allowed to use all dots in one category or on one item, or to place single or multiple dots among the various responses in different categories however they wished.

Because there was only one set of lists and only a few persons could vote at a time, a half hour of time was allocated after individual group discussion for participants to cast their votes. This also allowed opportunities for attendants to engage the consultants, the Mayor and Village Board and Comprehensive Plan committee members on a one-on-one informal basis.

Upon completion of the and discussions and voting, the consultant team announced the close of the meeting. It was announced that the results of the SWOT meeting would be posted on the Village Website. It is noted that the SWOT table below is a summary of the full results. For a more in-depth analysis of the SWOT results, see the Comprehensive Plan, Chapter 3.

## RESULTS

	Strengths	Weaknesses	Opportunities	Threats
1	Greenspace, trees, environment, and open space	Lack of zoning enforcement, poor property maintenance, parking enforcement problems, illegal rentals, and conversions	Improve zoning ordinances, make realistic/fair	Lack of zoning enforcement related to housing
2	Family oriented & child friendly	Outdated or inadequate zoning codes	Curtail/regulate urbanization to specific areas	Declining school system and decreasing youth
3	Residential character, small community, and suburban feel	Lack of Gov. transparency and communication, inadequate website, and follow-through	Increase tax revenue/ratables	Loss of trees, greenspace, and lot sizes
4	Historic sites and architecture	No village center and lack of community	Additional restaurants, businesses, and business opportunities	Increasing traffic and pedestrians in roadways

5	Proximity to resources (NYC, NJ shopping)	Pedestrian connections, bike safety & lanes	Create a Village Center	Poor and declining infrastructure & public services
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The Comprehensive Plan Survey, covering all the topics planned to be discussed at the March public meeting session, was released online on March 19<sup>th</sup>. An invitation to take the survey was mailed to all residents and individuals on the tax roll. Paper copies of the survey were made available to anyone who requested them, if they preferred not to submit online or did not have computer or smart phone capabilities. Originally, the survey responses were scheduled to be collected with a closing date of April 15, 2020. Given the conditions of the COVID-19 pandemic, the Mayor decided to extend the collection of survey responses to April 24, 2020, to ensure the maximum possible participation. In total, the survey received 704 total responses, exceeding all expectations. Similar sized communities typically receive only a few hundred responses.

Out of these 704 total responses, 555 were submitted by Chestnut Ridge residents (self-identified) and 149 non-residents (self-identified). Attached to this report in the appendix are three sets of raw result outputs, with tallies of answers to questions broken out three ways:

- 555 resident respondents;
- 143 non-resident respondents; and
- 704 total respondents (note 6 respondents did not say where they were from)

In the analysis of results on the following pages, we summarized the responses from the 555 residents. The results for the non-residents and total results are included in the appendix for context but are fundamentally similar to the results for Chestnut Ridge residents.

## SURVEY METHODOLOGY

The survey was conducted and analyzed on the platform “Survey Monkey.” A postcard was mailed to all addresses on the tax rolls inviting residents to take the survey, followed up by email blasts announcing the survey and reminding residents to participate near the end of the survey collection period. Paper surveys were distributed to those who did not have computer access or who preferred the use of paper.

Survey Monkey can only accept a submission from one browser on a specific device. The software blocked a second submittal from any one browser with a pop-up message. Households with more than one respondent were advised that each member of that household who wished to participate should use a different phone, laptop, or tablet to fill out the survey.

In its reporting, Survey Monkey does not keep track of the individual device identification number (“internal IP addresses”) of the respondents. However, it does keep track of the internet router numbers from which surveys were sent (“external IP addresses”). It appears that from a look at the list of routers utilized to submit surveys, there were no security problems:

- 451 of the 704 total responses came from internet routers with a unique number.
- There were 76 instances where two people shared a router location.
- There were 18 instances where three people shared a router location.
- There were 3 instances where four people shared a router location.
- There was 1 instance where five people shared a router location.
- There were 2 instances where seven people shared a router location.
- 16 of the total responses were paper copies that were entered on NPV’s computer by Melinda Stach, Administrative Assistant, on April 28, 2020.

We did note some instances where write-in answers were identical in wording; more so than would be predicted by coincidence. However, this probably indicates discussion between respondents rather than any misuse of the software.

A router location typically is shared within a residence. Duplicate use of a particular router could also indicate employees of the same business who logged in from work, or members at a group domicile (such as a nursing home or the Fellowship Center).

### Analysis of Results (for 555 Resident Respondents)

**Note about Scoring:** *Many of the questions asked respondents to indicate their level of support for a possible policy statement. Survey Monkey assigned the following values to each answer: 1 = strongly support, 2= support, 3 = neutral, 4= do not support, and 5 = strongly do not support. Percentages for each answer are shown. The software then calculated a weighted average score of all the responses to each question.*

*Some of the questions asked respondents to indicate their level of support with a choice between two answers, with 1 = support and 2 = do not support. For these questions, percentages for each answer are shown as well as weighted averages.*

*Please note that the results of the survey below are a summary. For full results of the survey, please see the Comprehensive Plan.*

People from all parts of the Village participated in the survey. 60% of respondents lived on or near Hungry Hollow Rd. or Chestnut Ridge Rd, and about half of the respondents lived in the Village for over 15 years. The main reasons indicated for people moving out the village included a desire for different schools, rising property and school taxes, changing demographics, lack of enforcement of existing zoning, and issues with NYS mandatory vaccination policies.

Participants in the survey had varying responses regarding the design and appearance of single-family home and minimum lot sizes the Village should require. The respondents indicated that they supported lowering the maximum floor area ratio requirements, increasing, or maintaining required side and rear setbacks, and stricter architectural review and design guidelines. The respondents were neutral about bringing nonconforming lot sizes into conformance and generally did not support relaxing Floor Area Ratio limits to allow expansion so residents can add more space.

With regard to multifamily housing choices, respondents were supportive of a policy where a variety of housing would be available at different prices, but without a mandatory system requiring affordable housing. The respondents were neutral regarding an affordable housing mandate, as well as a policy to allow the creation of accessory apartments for family members at single family homes. However, respondents were not supportive of allowing multifamily apartments or townhomes in the Red Schoolhouse Rd area, or higher density housing types in general. When shown images of multifamily dwellings, respondents generally did not support any of the photos. Regarding the Green Meadow Waldorf School/Threefold Foundation, respondents were supportive of expanding its commercial operations and housing for teachers but were not supportive of higher density in this area.

Respondents did not think that the Place of Worship amendments in the zoning code were positive and supported the Village adjusting the Place of Worship zoning code provisions. Respondents were generally supportive of potential solutions for existing traffic issues, such as the installation of a traffic signals, sidewalks, and an additional travel lane for Red Schoolhouse Road. "Green" recommendations generally were supported, including mandating that development blends with the natural environment, protecting or acquiring open space, requiring preserved open space as part of any rezoning for higher density housing, and enactment of a Tree Law (requiring a permit to cut any tree over a specified size).

Respondents supported industrial and commercial development in the Red Schoolhouse Road area. Respondents were neutral about allowing light industrial development where only offices are allowed now, as well as regarding allowing light industrial development in the laboratory-office district. When asked to choose their visual preference between types of commercial buildings, converted residences with front and side yards as well as traditional one- or two-story shopfronts with parking lots behind, were supported, and larger commercial buildings were not supported. A majority of commenters preferred smaller scale buildings and felt that many of the images were too urban and not in character with the Village.

A majority of respondents supported the following types of new businesses: Office, recreation, grocery Stores, health Services, Restaurants, Farmers Market, Hobby Shop, Clothing Store, Bakery or Specialty Foods, Gym, or Fitness Center, and did not support the following types of new businesses: Family Entertainment, Industry, Shopping Centers, Automotive Repair or Sale, Entertainment, Bar, or Movie Theater.

46% of respondents wished to discourage a mixed-use pattern anywhere in the Village. 21 % wanted to encourage a mixed-use pattern in the entire Village, and 19% wanted to encourage mixed uses in the Red Schoolhouse/GSP interchange area only.

### 3.2 Goals and Objectives

Goals and objectives serve as the framework for the policy recommendations of the Comprehensive Plan. To distinguish Goals from Objectives, a Goal is generally a broad aspiration. An objective is more narrowly defined and can be objectively measured. These goals and objectives form the basis for the policy recommendations of the Plan as adopted by the Village Board of Trustees.

#### Goal 1 – Land Use

**Encourage a land use pattern that reinforces the suburban and Village character of the various parts of the Village of Chestnut Ridge and promotes a sense of community through the strengthening of the Village Center.**

#### Objectives

- 1.1 Locate new commercial development along the Village’s major road corridors with improved requirements for landscaping and buffers.
- 1.2 Limit development of commercial uses in residential areas unsuitable for intensive building development due to environmental unsuitability or distance from existing utilities, main transportation corridors, and community facilities.
- 1.3 Preserve the remaining agricultural uses in the Village.
- 1.4 Provide a variety of housing opportunities for the Village’s workforce, young families, and seniors in a sustainable manner, and to promote a diverse community.
- 1.5 Create a Village Center at the Red Schoolhouse Road corridor, to create a central place to bring the community together and provide a stronger identity for Chestnut Ridge.

#### Goal 2 – Environmental Protection

**Conserve the backdrop of trees and greenery, parks, wetlands, and water courses, which provides Chestnut Ridge with its community character as a beautiful village.**

### **Objectives**

- 2.1 Protect environmentally sensitive stream ecosystems and floodplains, including Hungry Hollow Brook, Pine Brook, and Pascack Brook, and maintain adequate buffers between these systems and adjoining development
- 2.2 Situate developments in a manner that protects or enhances landscaping along travel corridors.
- 2.3 Prevent unneeded erosion by limiting land disturbance in steep slope areas.
- 2.4 Minimize lighting impacts and light pollution throughout the Village.

### **Goal 3 – Community Facilities and Services**

**Ensure that community facilities and services continue to serve adequately the populations they are intended to serve, and to introduce or expand facilities in areas planned for future development.**

### **Objectives**

- 3.1 Maintain and enhance the Village-provided community services and facilities and expand recreational opportunities.
- 3.2 Participate and cooperate with regional, Town of Ramapo, and Rockland County agencies for regional provision of government services where appropriate.
- 3.3 Assure the timely delivery of emergency services from fire and ambulance providers and the Town of Ramapo Police.
- 3.4 Promote the enhancement of existing parkland throughout the Village and develop new community parks that are readily accessible to existing and planned population concentrations.

### **Goal 4 – Economic Development**

**Promote economic development through a balanced approach to sustainable development that will expand the Village's taxable base and will provide existing and future residents with a range of business and employment opportunities.**

### **Objectives**

- 4.1 Create additional opportunities for light industrial, warehousing and laboratory uses, building upon the existing employment strengths of the Village, and to increase tax taxable properties.
- 4.2 Revitalize the shopping areas, and build upon the Village's historic charm, to satisfy the needs of residents and to promote shopping visits from outside of the immediate area.
- 4.3 Acknowledge and accommodate changing technology as it relates to expanded/dispersed employment opportunities in residences.
- 4.4 As the "sharing economy" grows, consider regulation of short-term rentals of residential dwelling units ensure that they are respectful of the quality of life of long-term and seasonal residents and do not impact or endanger the health, safety and general welfare of the community or its natural resources.

### **Goal 5 - Infrastructure**

**Provide essential infrastructure in areas planned for higher density residential and planned nonresidential development.**



## **Objectives**

- 5.1 Tie economic development areas into the existing and proposed utility and drainage infrastructure within the Village.
- 5.2 Ensure that adequate telecommunications infrastructure is available throughout the Village to serve residents and businesses, including broadband internet access, mobile/cellular network coverage, and corresponding network support services.
- 5.3 Create incentive zoning and strengthen site plan review requirements, so that when applications for new development are received, improvements to sidewalks, streets, traffic signals, drainage systems, and utilities needed to service the new development will be funded by the developers.

## **Goal 6 – Transportation**

**Ensure the efficient movement of people and goods and promote economic development activities in areas near major transportation corridors.**

## **Objectives**

- 6.1 Improve turning movements and lower traffic delays for vehicles entering or turning along major road corridors.
- 6.2 Provide pedestrian and bicycle facilities along existing major roads and within new residential developments, improving safety and providing an alternative to motorized transportation.
- 6.3 Integrate new development near the GSP interchange. Leverage private development contributions so developers will help pay for and provide necessary improvements to remedy existing traffic problems and to accommodate traffic growth.
- 6.4 Encourage non-residential uses only in incentive development areas, where developers will contribute to traffic improvements and other amenities to offset their environmental impacts.

## **Goal 7 – Sustainability**

**Encourage the expanded use of renewable energy sources, green building practices, and the principles of Leadership in Energy and Environmental Design Neighborhood Development (LEED-ND) and smart growth throughout the Village in order to promote energy independence and become a regional trendsetter for the implementation of green, eco-friendly, and sustainable development standards.**

## **Objectives**

- 7.1 Ensure that land use and residential density within the Village is authorized only within the capabilities of natural resources, utilities, transportation infrastructure, environmental constraints to support them, and concentrate future density and land use near existing centers and corridors.
- 7.2 Promote and support the development of alternative energy sources such as solar, geothermal.
- 7.3 Emphasize the importance of energy efficiency, sustainability, and green building design standards to reduce the adverse environmental and economic impacts associated with reliance on fossil fuels.
- 7.4 Review and revise portions of Village Codes to encourage sustainable development and the incorporation of new, innovative techniques in site planning and building design.

## **Goal 8 – Historic Preservation**

**Preserve the Village’s cultural and historic resources and special places, which reinforce the Village’s unique identity, are a source of pride for all residents.**

### **Objectives**

- 8.1 Implement appropriate regulations and controls to preserve remaining historic resources from development and demolition.
- 8.2 Work with the School District to revitalize the Red Schoolhouse Museum.
- 8.3 Develop a uniform sign program for identifying historic resources in the community.

## **Goal 9 – Community Design**

**Reinforce the character of Chestnut Ridge and improve the aesthetic appearance of the Village.**

### **Objectives**

- 9.1 Work with the Architectural Review Board to refine standards for the appearance and compatibility of new buildings.
- 9.2 Protect and enhance the visual appearance of the community at the key gateways into the Village by promoting a uniform design aesthetic, signage, and landscaping.
- 9.3 Preserve greenspaces and provide landscaping along major road corridors as they develop, maintaining their wooded appearance to the greatest possible extent.

## **3.3 Proposed Action**

The number one concern of citizens participating in the first public participation meeting which identified strengths, weakness, opportunities, and threats in the Village of Chestnut Ridge related to lack of zoning enforcement. It was also noted that variances area often required for small changes at single-family homes. A review of the records of the Zoning Board of Appeals in the Village of Chestnut Ridge showed that there were a large number of variances granted within the Village. Further analysis identified 58% of the existing residential lots in the Village are non-conforming with respect to their required minimum lot size. The zoning changes proposed by the Comprehensive plan and local law aim to remedy this issue of non-conforming lots within the Village.

It should be noted that the public survey was conducted at the beginning of the Covid-19 pandemic, and it was characterized by many negative comments. The Trustees weighed the survey results heavily during their policy considerations, but ultimately decided to pursue policies in the Comprehensive Plan to allow planned unit development with multifamily housing in the Red Schoolhouse Corridor, as they believed this to be the best direction for the Village. It should be noted that the specific impacts of the PUD floating zone proposed to be utilized for the Equestrian Estates Project off Red Schoolhouse Road are evaluated within a separate EIS for the proposed action.

The proposed action in the Comprehensive Plan is generic in nature, changing the zoning districts to create a more cohesive zoning within the Village. These zoning changes will only allow a modest increase in development within the Village, as discussed in section 6.

## 4.0 Required Reviews, Permits and Approvals

A comprehensive plan and implementing local laws will require review by Rockland County Dept of Planning under the General Municipal Review (GML law).

### 4.1 List of Involved and Interested Agencies

#### **LEAD AGENCY**

Village of Chestnut Ridge Board of Trustees

#### **Involved Agencies**

#### **Interested Agencies**

Rockland County Planning Department  
Town of Clarkstown  
Town of Orangetown  
Town of Ramapo  
Village of Airmont  
Village of Spring Valley  
New York State Department of Transportation  
New York State Thruway Authority  
Rockland County Department of Health  
Rockland County Department of Public Transportation  
Rockland County Department of Public Transportation  
Rockland County Drainage Agency  
Rockland County Highway Department  
Rockland County Sewer District No. 1  
Orange & Rockland  
Veolia/Suez North America



## 5.0 Existing Conditions

Below is the summary of existing conditions of the Village of Chestnut Ridge as required by the adopted scope. For a full set of existing conditions see the Village of Chestnut Ridge Comprehensive Plan pages 2-1 to 2-53.

### 5.1 Regional and Local Setting of the Village

The Village of Chestnut Ridge is located in Rockland County within the Town of Ramapo. The Village is bordered to the west by the Village of Airmont, to the south by the Boroughs of Upper Saddle River and Montvale in New Jersey, to the east by the Hamlet of Pearl River in the Town of Orangetown and the Hamlet of Nanuet in the Town of Clarkstown, and to the north by the Village of Spring Valley. The Village is largely developed with single family homes, large institutional uses, and with commercial and industrial development along Old Nyack Turnpike, Chestnut Ridge Road, and Red Schoolhouse Road.

### 5.2 Demographics

The Village of Chestnut Ridge's population is growing rapidly, with a 32.7% increase in 2020 from 2010. The median age has decreased from 46 to 32, with 39% of the population under the age of 18, indicating a substantial increase in the number of children. While the number of housing units decreased from 2,796 to 2,780, the number of persons per household increased from 2.8 to 3.8.

### 5.3 Land Use

- The majority of larger vacant parcels or parcels with redevelopment potential are located in the Red Schoolhouse Road and Chestnut Ridge Road corridor areas.
- The LO and Regional Shopping zones as currently written have not been successful in attracting new office or retail development, and much of the development pressure in recent years has been for light industrial and housing at higher than single-family densities.
- The Village contains large acreage of educational and institutional uses, particularly at the Green Meadow and Gould sites.
- Many lots are non-conforming to the current minimum lot area requirements for the district in which they are located.
- Single family house lots are the predominant land use.
- Some permitted uses need definitions, and consistency between listed terms in the use tables and definitions within the Zoning Code should be achieved.
- Zoning provisions adopted prior to the completion of this Plan regarding Places of Worship should be maintained, with only minor adjustments to be consistent with any new provisions of this Plan.

## 5.4 Zoning – Current

- NS – Neighborhood Shopping
- PI – Planned Industry
- PO – Planned Office
- PO-R – Planned Office R
- R-15 - Low Density Residential (15k sf)
- R-25 – Low Density Residential (25k sf)
- R-35 – Low Density Residential (35k sf)
- R-40 – Low Density Residential (40k sf)
- RR-50 – Rural Residential (50k sf)
- LO – Laboratory Office
- RS – National and Regional Retail
- RSH – Special Housing Residential

See Table 2-3 from the Comprehensive Plan on the following pages, which summarizes these existing zones with their uses and requirements.

**Table 2-3: Non-Residential and Residential Districts - Permitted Uses and Base Space and Bulk Requirements**

RESIDENTIAL DISTRICTS					
District	Uses by Right	Conditional Uses	Uses by Special Permit	Additional Requirements	Space and Bulk Requirements
NS Neighborhood Shopping	<ul style="list-style-type: none"> <li>Local Convenience Commercial</li> <li>Local Office-Business</li> <li>Libraries, Museums, Art Galleries</li> </ul>	<ul style="list-style-type: none"> <li>Gas Stations</li> <li>Food Sales and Service</li> </ul>	<ul style="list-style-type: none"> <li>Neighborhood Restaurants</li> <li>Volunteer Ambulance</li> <li>Assisted Living</li> <li>Community Place of Worship</li> </ul>	<ul style="list-style-type: none"> <li>50-foot buffer to residential district</li> <li>Enclosed in bldgs.</li> <li>No drive-in restaurants, limited restaurant seating</li> </ul>	Min lot 20K FAR 0.40
PI Planned Industry	<ul style="list-style-type: none"> <li>Office bldgs.</li> <li>Laboratories &amp; research</li> <li>Medical &amp; dental clinics</li> <li>Industrial uses</li> <li>Wholesaling or warehousing</li> </ul>	<ul style="list-style-type: none"> <li>Outdoor recreation</li> <li>Commercial recreation</li> <li>Automobile sales &amp; service</li> <li>Laundry &amp; dry-cleaning plants (no retail)</li> <li>Landscape contractors</li> <li>Emergency medical service offices</li> </ul>	<ul style="list-style-type: none"> <li>Volunteer Ambulance</li> </ul>	<ul style="list-style-type: none"> <li>Buffers to residential district</li> <li>Bldg. spacing</li> <li>Max dimension of building width</li> <li>Parking placement</li> <li>Driveway placement</li> <li>Landscape contractor equipment parked indoors</li> </ul>	Min lot 60K FAR 0.40
PO Planned Office	<ul style="list-style-type: none"> <li>Office bldgs.</li> <li>Libraries, Museums, Art Galleries</li> </ul>	<ul style="list-style-type: none"> <li>Funeral Chapels</li> <li>Banks</li> <li>Animal Hospitals</li> </ul>	<ul style="list-style-type: none"> <li>Restaurants</li> <li>Volunteer Ambulance</li> <li>Community Place of Worship</li> </ul>	<ul style="list-style-type: none"> <li>50-foot buffer to residential district</li> <li>Enclosed in bldgs.</li> </ul>	Min lot 20K FAR 0.40
PO-R Planned Office R	<ul style="list-style-type: none"> <li>Office bldgs.</li> <li>Libraries, Museums, Art Galleries</li> </ul>	<ul style="list-style-type: none"> <li>Funeral Chapels</li> <li>Banks</li> <li>Animal Hospitals</li> </ul>	<ul style="list-style-type: none"> <li>Restaurants</li> <li>Volunteer Ambulance</li> <li>Community Place of Worship</li> </ul>	<ul style="list-style-type: none"> <li>50-foot buffer to residential district</li> <li>Enclosed in bldgs.</li> </ul>	Min lot 20K FAR 0.40
LO Laboratory Office	<ul style="list-style-type: none"> <li>Office bldgs.</li> <li>Laboratories &amp; research</li> <li>Medical &amp; dental clinics</li> </ul>	<ul style="list-style-type: none"> <li>Outdoor recreation</li> <li>Hotels &amp; motels</li> <li>Commercial recreation</li> <li>Landscape contractors</li> <li>Prototype mfg. accessory to Lab/office</li> </ul>	<ul style="list-style-type: none"> <li>Boarding Kennels</li> <li>Volunteer Ambulance</li> </ul>	<ul style="list-style-type: none"> <li>Buffers to residential district</li> <li>Bldg. spacing</li> <li>Max dimension of building width</li> <li>Parking placement</li> <li>Driveway placement</li> <li>Landscape contractor equipment parked indoors</li> </ul>	Min lot 60K FAR 0.40
RS National & Regional Retail	<ul style="list-style-type: none"> <li>Office bldgs.</li> <li>Supermarkets (max 45K sf)</li> <li>Retail</li> <li>Shopping Ctrs.</li> <li>Community Ctrs.</li> </ul>	<ul style="list-style-type: none"> <li>none</li> </ul>	<ul style="list-style-type: none"> <li>Cemeteries</li> <li>Hospitals</li> <li>Stables</li> <li>Ambulance</li> <li>Roomers</li> <li>Nursing homes</li> <li>Churches</li> <li>Schools</li> <li>Community Place of Worship</li> </ul>	<ul style="list-style-type: none"> <li>Drive-thru ok</li> <li>No dry-cleaning</li> <li>No outdoor displays</li> <li>Building spacing</li> <li>No speakers/ moving letter signs</li> <li>Fiscal impact study</li> </ul>	Min lot 15 ac FAR 22.0

RESIDENTIAL DISTRICTS					
District	Uses by Right	Conditional Uses	Uses by Special Permit	Additional Requirements	Space and Bulk Requirements
R-15	<ul style="list-style-type: none"> <li>Single family, one per lot</li> <li>Community residence fac.</li> <li>Agriculture</li> </ul>	<ul style="list-style-type: none"> <li>Nursery schools, home offices</li> <li>Libraries</li> <li>Density zoning residences</li> <li>Two Family Detached Residences</li> <li>1 Family semi-attached Residences</li> <li>Residential Gathering Places</li> <li>Neighborhood Place of Worship</li> </ul>	<ul style="list-style-type: none"> <li>Cemeteries</li> <li>Hospitals</li> <li>Stables</li> <li>Ambulance</li> <li>Roomers</li> <li>Nursing homes</li> <li>Churches</li> <li>Schools</li> <li>Community Place of Worship</li> </ul>	Buffers for nonresidential	Min lot 15K FAR 0.25
R-25 Low Density Residential	<ul style="list-style-type: none"> <li>Single family, one per lot</li> <li>Community residence fac.</li> <li>Agriculture</li> </ul>	<ul style="list-style-type: none"> <li>Farm animals</li> <li>Nursery schools, home offices</li> <li>Libraries</li> <li>Density zoning residences</li> <li>Horses on 20 ac.</li> <li>Residential Gathering Places</li> <li>Neighborhood Place of Worship</li> </ul>	<ul style="list-style-type: none"> <li>Cemeteries</li> <li>Hospitals</li> <li>Stables</li> <li>Ambulance</li> <li>Roomers</li> <li>Nursing homes</li> <li>Churches</li> <li>Schools</li> <li>Community Place of Worship</li> </ul>	Buffers for nonresidential	Min lot 25K FAR 0.20
R-35 Low Density Residential	<ul style="list-style-type: none"> <li>Single family, one per lot</li> <li>Community residence fac.</li> <li>Agriculture</li> </ul>	<ul style="list-style-type: none"> <li>Farm animals</li> <li>Nursery schools, home offices</li> <li>Libraries</li> <li>Density zoning residences</li> <li>Residential Gathering Places</li> <li>Neighborhood Place of Worship</li> </ul>	<ul style="list-style-type: none"> <li>Cemeteries</li> <li>Hospitals</li> <li>Stables</li> <li>Ambulance</li> <li>Roomers</li> <li>Nursing homes</li> <li>Churches</li> <li>Schools</li> <li>Community Place of Worship</li> </ul>	Buffers for nonresidential	Min lot 35K FAR 0.20
R-40 Low Density Residential	<ul style="list-style-type: none"> <li>Single family, one per lot</li> <li>Community residence fac.</li> <li>Agriculture</li> </ul>	<ul style="list-style-type: none"> <li>Farm animals</li> <li>Nursery schools, home offices</li> <li>Libraries</li> <li>Density zoning residences</li> <li>Residential Gathering Places</li> <li>Neighborhood Place of Worship</li> </ul>	<ul style="list-style-type: none"> <li>Cemeteries</li> <li>Hospitals</li> <li>Stables</li> <li>Ambulance</li> <li>Roomers</li> <li>Nursing homes</li> <li>Churches</li> <li>Schools</li> <li>Community Place of Worship</li> </ul>	Buffers for nonresidential	Min. lot 40K FAR 0.20



RESIDENTIAL DISTRICTS					
District	Uses by Right	Conditional Uses	Uses by Special Permit	Additional Requirements	Space and Bulk Requirements
RR-50	<ul style="list-style-type: none"> <li>Single family, one per lot</li> <li>Community residence fac.</li> <li>Agriculture</li> </ul>	<ul style="list-style-type: none"> <li>Farm animals</li> <li>Nursery schools, home offices</li> <li>Libraries</li> <li>Density zoning residences</li> <li>Horses on 20 ac.</li> <li></li> <li>Residential Gathering Places</li> <li>Neighborhood Place of Worship</li> </ul>	<ul style="list-style-type: none"> <li>Community Place of Worship</li> </ul>		Min lot 50K FAR 0.20
RSH Special Housing Residential	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>Senior citizen housing</li> <li>Physically handicapped housing</li> <li>Community Place of Worship</li> </ul>	Buffers for nonresidential	Min lot 4 ac FAR 0.30

## 5.5 Natural Resources, Parks, Recreation and Open Space

- The terrain of the Village is moderately hilly, with 65% of its area with slopes of between 3 and 8 percent.
- Wethersfield soils predominate, and they are usually deep and well-drained.
- Within the New England Upland - Hudson Highlands Physiographic Province.
- All of the land in the Village is located within two watersheds: The Saddle River and the Hackensack River; within each are two sub-watersheds: The Upper Saddle River and the Pascack Brook.
- Streams include the Hungry Hollow Brook, Pine Brook, and the Pascack Brook. All these streams flow south into Bergen County, New Jersey, and have FEMA-designated floodplains.
- The latest Water Quality Assessment Reports for Pine Brook and Pascack Brook and its tributaries for the years 2014 & 2012 show the status of these waterbodies as impaired.
- The Pascack Brook is the only county-regulated stream located within the boundary of the Village of Chestnut Ridge.
- Wetlands and floodplains comprise a relatively small area compared to other Villages.
- The Village of Chestnut Ridge discharges to a municipal separate storm sewer system subject to the MS-4 law. This law establishes methods for controlling the introduction of pollutants into the MS4 to comply with requirements of the SPDES General Permit for Municipal Separate Storm Sewer Systems.
- Water demand in the utility's service area has been largely flat since 2000 despite a growing population, and that an estimated 2-3 million gallons per day of leakage exists within the system. Recent reports conclude that improvements to service as well as user conservation and green infrastructure practices would drive down water demands while achieving increased water supply independence and prevent any need for increased capacity into the near future.

- The New York State Department of Environmental Conservation’s Natural Heritage Program reported that there are no known occurrences of rare or state-listed animals, plants, or other significant habitats within the Village of Chestnut Ridge or in its immediate vicinity.
- No critical environmental areas (CEAs) have been designated by the Village.
- 4 Brownfield sites are listed by the DEC. One has been remediated and three are subject to a voluntary cleanup program.

## 5.6 Historic and Scenic Resources

- The Village of Chestnut Ridge has a number of older homes, buildings, and landscapes reminiscent of its agricultural heritage. Although there are no sites designated “historic” or scenic” within the Village, there is an awareness among residents as to this historic character as noted on the Village website.
- Little Red Schoolhouse Museum is owned and operated by the East Ramapo Central School District.
- Duryea Farm and Jessup Learning Center operated by the Rudolf Steiner Fellowship Foundation.
- Three archaeological surveys have been conducted in connection with a T-Mobile Telecommunications Tower project, the Scobo Dam Repair and Restoration, and at Hopf Subdivision.
- Rockland County is a participant in the Certified Local Government Program for historic preservation. The Village is not a CLG.
- Revolutionary War cemetery at Edwin Gould Academy.
- Haring Homestead marker at 606 S. Pascack Road.
- Joseph Eichler house (mid-20th century developer)

## 5.7 Transportation Resources

Major thoroughfares in the Village of Chestnut include NYS Route 45, Chestnut Ridge Road; County Road 41, Red Schoolhouse Road; County Road 52, Old Nyack Turnpike; the New York State Thruway; and the Garden State Parkway Extension. Both the Garden State Parkway and NYS Route 45 run through The Village of Chestnut Ridge from the NJ/NY state line in the south to the north boundary of the village. The Garden State Parkway has an estimated Annual Average Daily Traffic (AADT) of 30,449. NYS Route 45, from Old Nyack Turnpike in the north to the New Jersey State Line in the south, has an estimated an AADT of 4,899, and an average speed of 38 mph. Other roads in the Village include Hungry Hollow Road, with an AADT of 1,563, Pine Brook Road, with an AADT of 1,633, and Pascack Road, with an AADT of 1,204<sup>1</sup>. The Village of Chestnut Ridge has a Park and Ride lot on Chestnut Ridge Rd at Summit Road, which is half a block away from mass transit stop for the Rockland Coaches 45, 45A, 45X buses service to Port Authority Bus Terminal. Other public transportation options in the Village of Chestnut Ridge include Rockland County’s Transport of Rockland (TOR) local bus system. The TOR Route 92 goes through the Village of Chestnut Ridge on Red Schoolhouse Rd and Chestnut Ridge Rd and connects The Village to the rest of Rockland County and the other nine Transportation of Rockland routes<sup>2</sup>.

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<sup>1</sup> Source: Traffic Data Viewer (ny.gov)

<sup>2</sup> Source: County of Rockland, New York: Public Transportation (rocklandgov.com)



## 6.0 Discussion of the Implication of Proposed Policies

### 6.1 Proposed Policy and Zoning Recommendations, Impacts, and Mitigation

Overall, the Comprehensive Plan and Local Law propose changes to promote appropriate development of the Red Schoolhouse Road corridor to provide economic development and employment opportunities, and to establish improvements to the zoning code for the balance of the Village to provide better management of residential areas. All recommendations focus on enhancing the Village's green landscape, preserving trees, corridor views, and promoting high quality architecture. A general description of the proposed policies and recommendations follows below. For a more detailed discussion of the land use plan, see Chapter 6 of the Comprehensive Plan, and Maps 3 and 10.

#### 6.1.1 Planned Industry and Laboratory-Office Zoning Changes

Currently, the Village has five areas designated as Planned Industry, or PI, and three areas designated as Laboratory Office, or LO. In recent decades, the real estate market has been soft for the development of office space, and the trend is expected to continue, with systemic shifting to work-from-home options since the COVID-19 pandemic. However, there is a good market for warehousing as online shopping gains a greater share of the retail market. There has also been considerable market interest in light industry/business flex space use. The PI Zone at the northern section of the Red Schoolhouse Road corridor north of Williams Road has worked successfully, with Par Pharmaceuticals as its "anchor tenant." Therefore, the Comprehensive Plan and Local Law A v.7 of 2022 propose to create new PILO zones, with uses and standards for both zones combined into one. The recommendations may be broken out as follow:

#### 1. All existing Planned Industry (PI) zones are recommended to become PILO.

**Impacts:** No or minimal impact. The addition of Laboratory and Office uses to the current list of PI uses will not have greater impacts than the current PI uses allowed. The same use group J will be employed, so the same bulk and area standards will be in effect.

**Mitigation:** None needed.

#### 2. All existing Laboratory Office (LO) zones, with one exception, are recommended to become PILO.

The largest existing LO zoning district is on the east side of Red Schoolhouse Road at the Garden State Parkway Extension interchange. This LO area south of the GSP already has nonconforming, existing industrial land uses that would become conforming, were such a PILO zone to be created. We believe that development and redevelopment of higher tax-ratable projects would occur if PI uses were added to the existing LO.

It should be noted that one existing LO district is not recommended to become PILO. This existing LO district, which is to remain unchanged, is located north of the NYS Thruway and east of Chestnut Ridge Road. This particular LO district entirely surrounds an R-15 zone, which contains a residential subdivision at Coleman Court. Additional PI uses were not desired at this specific location.

**Impacts:** No or minimal impact. The addition of Planned Industry uses to the current list of LO uses will not have greater impacts than the current LO uses allowed. The same use group J will be employed, so the same bulk and area standards will be in effect.

**Mitigation:** None needed.

### 6.1.2 Neighborhood Shopping Zoning Changes – Village Center

The north end of the Red Schoolhouse Road corridor should become a Village Center, building upon the shopping, employment, and civic spaces already in place. The Village should consider moving its Village Hall offices and meeting spaces here, to add vitality and strengthen the identity of Chestnut Ridge. Commercial shops and restaurants that provide neighborhood services should be allowed to expand and provide enhancements. Further southward, the Red Schoolhouse itself should be restored to better condition and put into active use as a community facility.

3. **Neighborhood Shopping (NS) zone should be extended slightly southward up to the Red Schoolhouse.** The NS zoning should be extended past the Hubert Humphrey Drive until the historic Red Schoolhouse. Pedestrian and streetscape improvements should be required with new development approvals, and the creation of a Business Improvement District should be considered.

**Impacts:** No or minimal impact. The area is already developed with civic buildings and almost all property is publicly owned.

**Mitigation:** None needed.

4. **Neighborhood Shopping (NS) zone should be extended slightly northward to Jones Creek.** Sidewalks and signalized crossings should be provided for all corners of the Chestnut Ridge/Red Schoolhouse Road intersection. Currently the zoning line runs through the back areas of commercial businesses that are already developed, making the rear areas nonconforming. No change is recommended for the area currently zoned R-40 that is located beyond Jones Creek, north of Bulldog Coffee and Yoga Synthesis, and that extends to Jama Court. This area is constrained by the Jones Creek floodplain.

**Impacts:** No or minimal impact. The area is already developed with paving, loading, and service areas behind the existing row of retail and service businesses.

**Mitigation:** None needed.

### 6.1.3 Regional Shopping Zoning Changes

5. **Add PILO uses to the Regional Shopping (RS) zone and change the small lots between the RS zone and the NJ state line from LO to RS.** The area known as the “Triangle Properties” is located on the west side of Red Schoolhouse Road, just south of the Garden State Parkway. This area in its entirety should continue to be zoned RS, providing continuous opportunity for larger scale nonresidential development on the west side of Red Schoolhouse Road, but the RS district should be expanded to also permit uses allowed in the proposed PILO zoning district proposed for the east side of Red Schoolhouse Road. Such a district would essentially combine permitted uses together from RS, PI, and LO, which would enable adding self-storage facilities, industrial flex space, or a hotel to the current

list of allowable uses. Developers should be required to provide transportation improvements as specified by the Red Schoolhouse Road Traffic Study, which may include GSP ramp improvements, turn lanes, widening, and signalization.

**Impacts:** No or minimal impact. The area is already zoned for RS and the types of buildings and uses proposed that come from the proposed PILO uses would have similar impacts to those already permitted under the existing zoning. The use group controlling bulk and area requirements would remain the same (Use group J), so that additional development coverage or FAR would not be allowed.

**Mitigation:** None needed.

#### 6.1.4 Residential Zoning Changes to Decrease Nonconformities Village-Wide – Buildout Analysis

6. **Changes to R – Zones to reduce nonconformities.** Analysis done in the Comprehensive Plan found that 58% of existing residential lots within the Village were nonconforming under the existing zoning, prompting the need to rezone large amounts of The Village. Apparently, the existing districts were created, and lot area standards were set without measurement of the actual lot sizes existing in each area of the Village. Therefore, variances are often needed for simple projects, creating a burden for homeowners of such lots.

To address the nonconforming undersized lot size problem, the proposed Comprehensive Plan recommends changes to zoning in eight areas of Village, as shown on the Buildout Analysis Area Map in section 6.2.

While it may appear extensive upon first review of the maps, effects of these zoning changes with regards to increased housing potential will be minimal, as quantified in the buildout analyses provided in section 6.2 below. The buildout compares the potential for residential development under the current zoning and the proposed zoning. Little acreage is available for development in the areas involved, and most of the lots are already developed with single family homes. Only the undeveloped areas that were proposed to be rezoned with either a higher or lower minimum lot area were considered, and the potential number of units for each area under the proposed zoning was compared to what would be permitted under the current zoning.

**Impacts:** Small impact. See section 6.2 below for detail buildout analysis. The net effect of all these changes in the eight residential areas with zoning changes would be an increased potential for 16 additional single-family homes. This figure happens to be equal to the number of housing units lost between 2010 and 2020, according to the 2020 Census.

**Mitigation:** None needed.

#### 6.1.5 Creating of a Floating PUD Zone

7. **PUD Floating Zone.** To provide for housing choices other than a single-family home, the Comprehensive Plan proposes a floating Planned Unit Development (PUD) zone which would be allowed to be “landed” within one-half mile of the GSP interchange. The PUD would permit mixed-

use residential development at multifamily densities. The floating zone could be added to the zoning map upon request to the Village Board for an integrated multifamily residential/commercial/office project, with a minimum size of 25 acres. A minimum of 10% and a maximum of 35% of the gross floor area of all buildings proposed in the requested floating rezoning would be dedicated to commercial or office uses. The allowed use list for the nonresidential portion of such a floating zone would include a variety of commercial uses. The multifamily residential portion of the site would have a maximum density of 7 units per gross acre.

**Impacts:** The buildout analysis in section 6.2 indicates that two parcels are available for receiving the floating zone: 1) the Triangle Properties on the west side of Red Schoolhouse Road south of the GSP interchange; and 2) the Equestrian Estates site on the east side of Red Schoolhouse Road south of the GSP interchange. **A separate EIS for the Equestrian Estates subdivision, site plan, and the proposed PUD local law is being prepared by the developer of Equestrian Estates.**

- The buildout analysis shows a potential for an additional 130 housing units at the Triangle Properties site.
- The buildout analysis accounts for an additional 266 housing units at the Equestrian Estates site which is covered in the developer's separate EIS which is currently under consideration.
- 

**Mitigation:** Signalization, turning lanes, widening, a roundabout and other transportation improvements will be provided to mitigate traffic impacts, as agreed to by the developers who have signed on to the agreement to follow the Red Schoolhouse Corridor Traffic Study.

#### 6.1.6 Green Meadow School/Threefold Foundation/Duryea Farm

8. **Green Meadow Overlay.** Create a floating zone which may "land" or be utilized only in RR-50 which allows education campus/philanthropic uses/group quarters/accessory housing/agriculture to be designed in a master plan in a unified development. It is anticipated that the Threefold Foundation would petition the Village Board to adopt such a floating zone within three years of the adoption of the Comprehensive Plan. See Comprehensive Plan section 2.3.3.4 for a map of the campus, and description of the numerous educational, institutional, and group quarters uses found there, in addition to the school.

**Impacts:** No or minimal impact. The envisioned overlay is not included in this action and may occur in several years with a separate site-specific SEQRA review by the lead agency at that time. The concept is to provide a set of land use controls for the school and foundation to minimize their need for variances when future construction projects arise, and to acknowledge that the existing RR-50 zoning at this site is inadequate for the school's needs.

**Mitigation:** None needed.

#### 6.1.7 Aspirational Policies

9. **Future Study.** There are various aspirational recommendations to study future improvements in the Village. These include recommendations to consider a pedestrian traffic study with specific street by street recommendations for constructing sidewalks or marking roads with striping. Another

recommendation is to evaluate amending existing streetlighting policies network in the Village, given higher usage of streets and sidewalks by pedestrians at night. The Comprehensive Plan also recommends that the Village Board should consider traffic calming measures, such as the installation of speed humps or illuminated speed warning signs in area with documented speeding problems and should consider the future study of repurposing paper streets or other vacant lands it controls for use as parkland. Lastly, updates to water quality sampling and a new water quality assessment are an area recommended for future study.

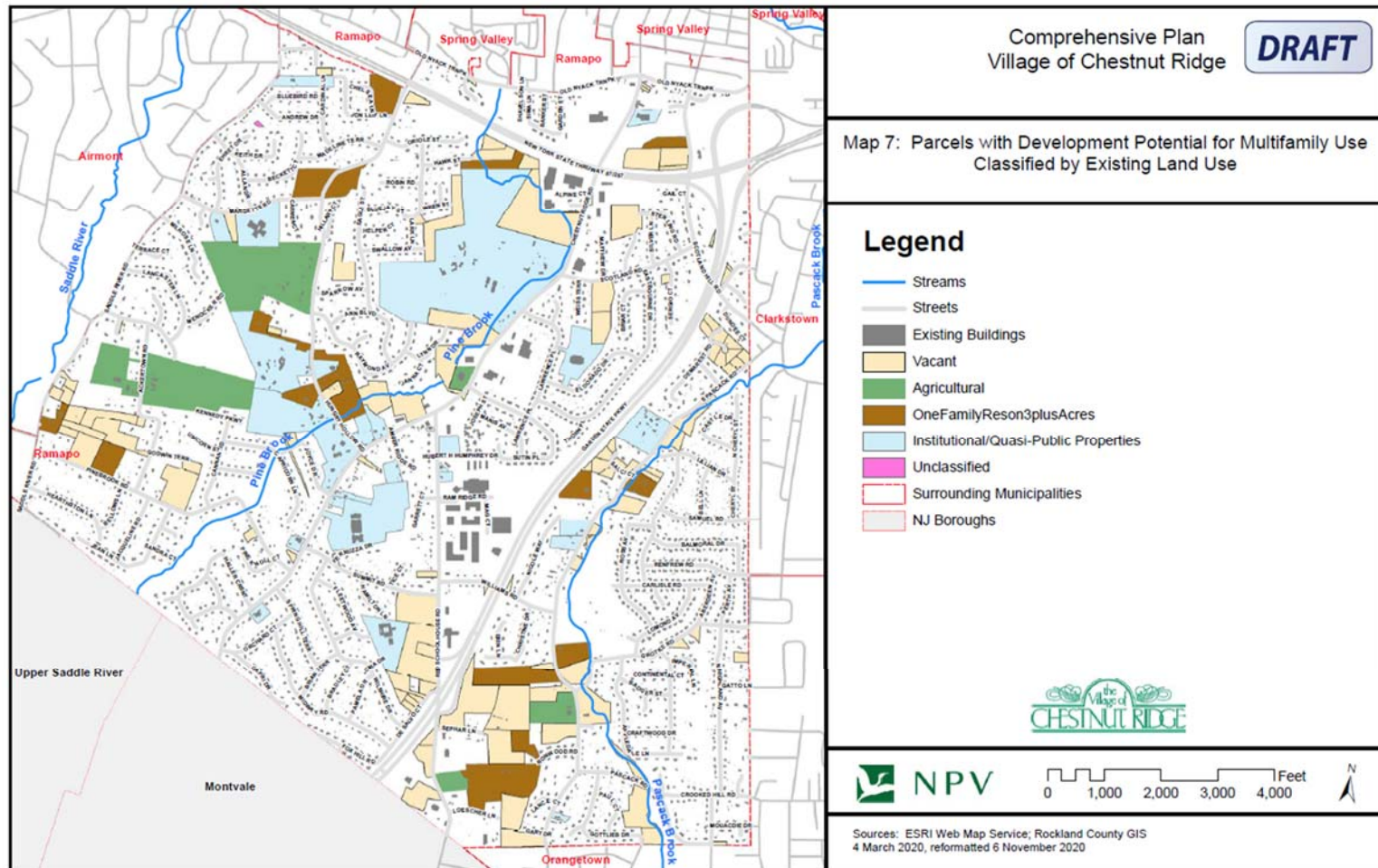
**Impacts:** No or minimal impact.

**Mitigation:** None needed.



## 6.2 Housing Potential Buildout Analysis

Map 7 from the Comprehensive Plan below shows that the vast majority of the land area of the Village is already developed with single family homes, and few parcels have potential for the development of any new housing. A buildout analysis was performed to calculate the potential for additional housing development at eligible parcels, beyond the amount allowed under the current zoning. The vacant parcels from the map below (tan-colored) were used as the basis for the buildout analysis, assuming that it was highly unlikely that numerous existing single-family homes in separate ownership could be assembled for purchase and re-subdivision.

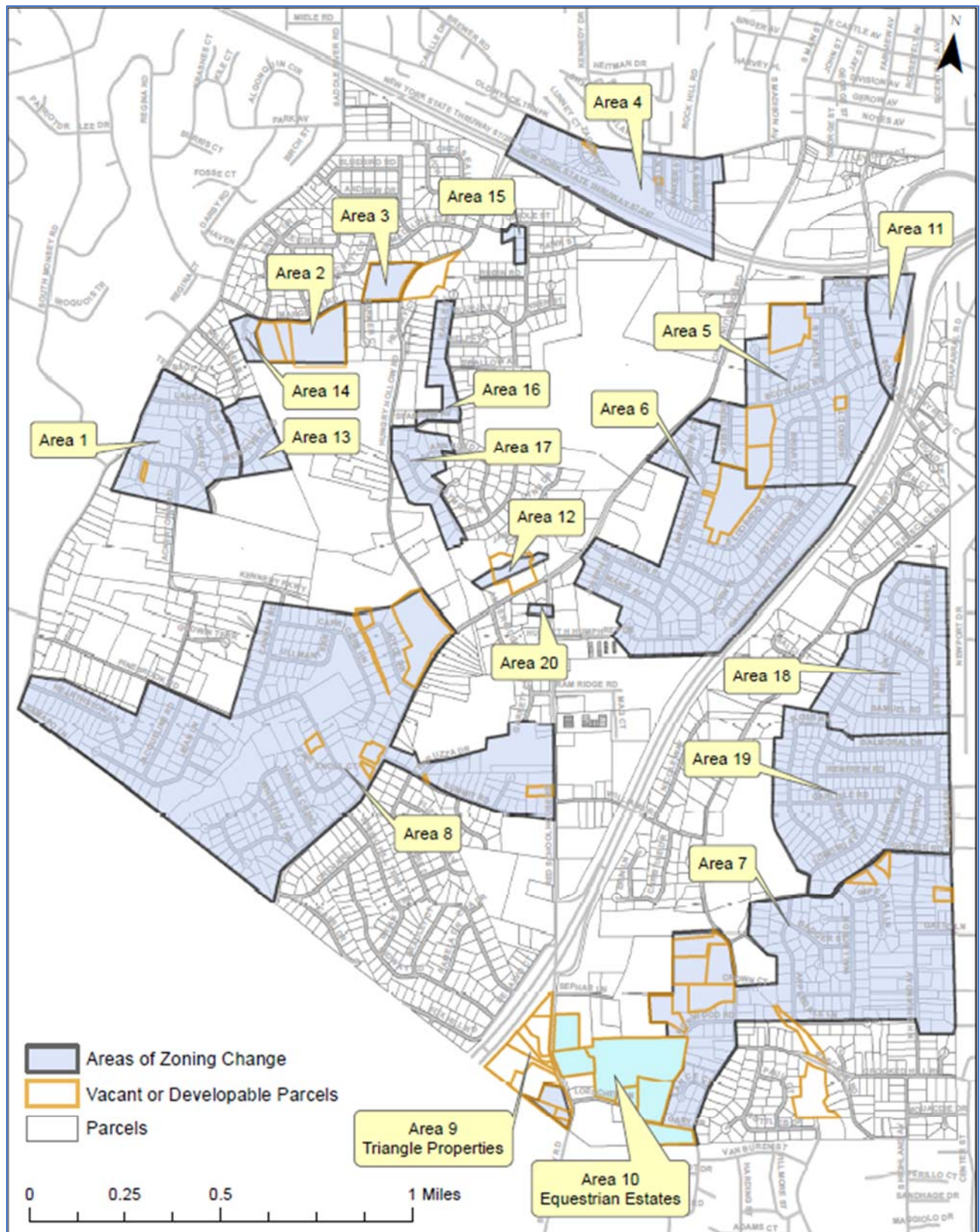


Analysis done in the Comprehensive Plan found that 58% of the existing residential lots within the Village were under-sized, nonconforming with the minimum lot area under the existing zoning. With the numerous, but minor changes to the zoning map proposed, 838 nonconforming, undersized residential lots will be brought into conformance, reducing the scope of the problem by 57%. The effects of these zoning changes with regards to housing potential are quantified in this buildout, which compares the potential for residential development at vacant parcels under the current zoning and the proposed zoning.

Under the existing zoning, there are six residential zoning districts: RR-50, R-40, R-35, R-25, R-15, and RSH, which allow for residential development with a minimum lot size of 50,000 square feet, 40,000 sf, 35,000 sf, 25,000 sf, and 15,000 sf, respectively; the RSH district allows for housing developments for senior citizens and the physically handicapped as a use by special permit.

The proposed local law No. A v.7 of 2022 would implement the recommendations of the Comprehensive Plan, add four new zoning districts: the R-10, R-15 1F, R-20, and PILO zoning districts, and rezone the Village of Chestnut Ridge with a new map. See Maps 10 & 12 of the Comprehensive Plan. The new zoning districts would allow for residential development on minimum lot sizes of 10,000 sf, 15,000 sf, 20,000 sq, respectively. The PILO district combines the uses of the previously existing PI and LO uses. The Planned Use Development (PUD) floating zone local law that is recommended by the Comprehensive Plan is not included in the proposed Local Law A v.7 of 2022, but it is being proposed as a separate local law with its own Environmental Impact Statement. However, this housing potential buildout analysis acknowledges the recommended PUD floating zone.

Within the Village of Chestnut Ridge, areas that are already developed or where zoning is not changing do not need to be considered for this housing potential buildout analysis, as redevelopment of existing single-family neighborhoods is unlikely *en masse*. For the housing potential buildout analysis, twenty (20) areas were identified where the current zoning is proposed to be changed (see figure next page). Within those areas, parcels that are vacant or have development potential (“Developable Land”) were identified, using Map 7 of the Comprehensive Plan. Within each parcel, the amount of constrained lands (wetlands, waterbodies, flood hazard zone, and slopes over 25%) were calculated. For properties on which a buildout of more than three properties could occur, a 10% reduction in area was taken as part of constrained land to account for roads and other utilities. Any lots that were smaller than the existing or proposed zoning was given a buildout potential of 1, assuming that any vacant lot could receive a variance to build at least one home. When parcels were determined to yield a potential for a number of homes that was not a whole number (for example 4.3 homes), any number that included a fractional amount was rounded down to the lower number (so 4.3 homes would become 4 homes, for example). A breakdown of the twenty identified areas examined is found in the figure on the next page. After the figure, the potential for additional housing units in each area is shown by a series of tables.



## Buildout Analysis Areas: Potential for Housing Development Existing Zoning Vs. Proposed Zoning



**AREA 1:**

In Area 1, the current zoning is RR-50, and the proposed zoning is RR-20. One parcel was identified as vacant or developable. This parcel is 0.257 acres, and under both the current and proposed zoning could only have 1 property developed.

Buildout Area	SBL Number	Total Acres	Constrained Lands (ac)	Developable Land (ac)	Number of Units Allowed: Existing Zoning	Number of Units Allowed: Proposed Zoning	Difference
1	62.15-1-7	0.26	0	0.26	1	1	0

**AREA 2:**

Area 2's current zoning is R-35, and the proposed zoning is RR-50, meaning the new zoning district is more restrictive. Therefore, the buildout shows that the properties will have less potential for development due to the proposed zoning, with a decrease in six (6) potential units in this area.

Buildout Area	SBL Number	Total Acres	Constrained Lands (ac)	Developable Land (ac)	Number of Units Allowed: Existing Zoning	Number of Units Allowed: Proposed Zoning	Difference
2	62.11-1-3	3.3	0.02	3.3	4	2	-2
2	62.11-1-4	1.8	0	1.8	2	1	-1
2	62.11-1-5	11.6	1.2	10.4	12	9	-3
<b>Total</b>					<b>18</b>	<b>12</b>	<b>-6</b>

**AREA 3:**

In Area 3, the current zoning is R-25 and the proposed zoning is R-35. This area's proposed zoning is more restrictive than the current zoning. There was one area identified as vacant or developable in this area, and with the proposed zoning there would be two (2) less additional units on this property.

Buildout Area	SBL Number	Total Acres	Constrained Lands (ac)	Developable Land (ac)	Number of Units Allowed: Existing Zoning	Number of Units Allowed: Proposed Zoning	Difference
3	62.08-1-30	6.6	0.99	5.6	9	7	-2

**AREA 4:**

In Area 4, the current zoning is R-15, and the proposed zoning is R-10. This does not increase the potential for development on the parcels, as only one home can be developed on these parcels both under the current and proposed zoning.

Buildout Area	SBL Number	Total Acres	Constrained Lands (ac)	Developable Land (ac)	Number of Units Allowed: Existing Zoning	Number of Units Allowed: Proposed Zoning	Difference
4	57.17-1-14.2	0.22	0	0.22	1	1	0
4	57.17-2-4	0.17	0	0.17	1	1	0
<b>Total</b>					<b>2</b>	<b>2</b>	<b>0</b>

**AREA 5:**

In Area 5, the current zoning is R-25, and the proposed zoning is R-20. This less restrictive zoning change would result in a total increase of six (6) possible units to be built.

Buildout Area	SBL Number	Total Acres	Constrained Lands (ac)	Developable Land (ac)	Number of Units Allowed: Existing Zoning	Number of Units Allowed: Proposed Zoning	Difference
5	63.06-1-67	6.8	6.23	3.3	5	7	2
5	63.10-1-6	0.54	0	0.54	1	1	0
5	63.09-1-15	4.41	0.13	3.9	6	8	2
5	63.09-1-16	4.01	0	4.0	6	8	2
<b>Total</b>					<b>18</b>	<b>24</b>	<b>6</b>

**AREA 6:**

In Area 6, the current zoning is R-25 and the proposed zoning is R-20, and one parcel identified as having potential for development. Under the new zoning, this parcel has the potential for an additional four (4) units.

Buildout Area	SBL Number	Total Acres	Constrained Lands (ac)	Developable Land (ac)	Number of Units Allowed: Existing Zoning	Number of Units Allowed: Proposed Zoning	Difference
6	63.09-1-20	10.2	1.02	9.2	16	20	4

**AREA 7:**

In Area 7, the current zoning is R-35 and the proposed zoning is R-25. Eight out of the nine parcels identified as vacant or developable in this area are under 2 acres and could not have increased development due to the new zoning. Only one parcel has the potential for increased use, with the potential for two (2) additional units due to the proposed change in zoning.

Buildout Area	SBL Number	Total Acres	Constrained Lands (ac)	Developable Land (ac)	Number of Units Allowed: Existing Zoning	Number of Units Allowed: Proposed Zoning	Difference
7	62.20-1-60	0.8	0	0.8	1	1	0
7	62.20-1-48	0.42	0	0.42	1	1	0
7	62.20-1-46	1.36	0	1.36	1	2	1
7	62.20-2-20	0.007	0	0.007	0	0	0
7	63.17-1-20	1.02	0	1.02	1	1	0
7	62.16-1-44	11.9	1.55	10.35	12	18	6
7	62.16-1-48	0.94	0.48	0.46	1	1	0
7	62.20-1-27	0.58	0.02	0.56	1	1	0
7	62.16-1-49	0.23	0.17	0.06	0	0	0
<b>Total</b>					<b>18</b>	<b>25</b>	<b>7</b>

**AREA 8:**

In Area 8, the current zoning is R-35, and the proposed zoning is R-25. This would allow for a total increase of seven (7) additional units under the proposed zoning.

Buildout Area	SBL Number	Total Acres	Constrained Lands (ac)	Developable Land (ac)	Number of Units Allowed: Existing Zoning	Number of Units Allowed: Proposed Zoning	Difference:
8	68.07-1-4.2	0.97	0	0.97	1	1	0
8	68.06-2-1.1	0.78	0	0.78	1	1	0
8	68.06-2-1.3	0.85	0	0.85	1	1	0
8	68.05-2-39	3.5	0.84	2.6	3	4	1
8	68.05-2-40	4.1	0.56	3.6	4	6	2
8	68.06-1-35	4.3	0.58	3.7	4	6	2
8	68.10-1-1	4.5	1.26	3.3	4	5	1
8	68.09-2-6	3.4	0.74	2.7	3	4	1
<b>Total</b>					<b>21</b>	<b>28</b>	<b>7</b>

**AREA 9 – Triangle Properties**

In Area 9, (“Triangle Properties”), there are nine (9) parcels. Six (6) of these parcels are currently zoned as RS, and three (3) of these parcels are zoned as LO. Under the proposed zoning, all nine (9) of these parcels will be zoned as RS, which under the proposed zoning changes would include PILO uses. Currently, this parcel is planned to be developed for self-storage and other retail uses. However, as this area is also eligible for landing of the proposed PUD floating zone, as it is within half mile of the Garden State Parkway Interchange. If the current development plans change, and this area is developed for residential housing using the PUD zone, we have modeled this scenario. There would be no significant environmental change between the current RS zoning district and the proposed RS zoning district which includes PILO uses, because they all have similar zoning and bulk standards (use group J). Under the current zoning, no residential housing could be built in this area, but under a potential PUD use, 130 residential units could be built.

Buildout Area	Name	Total Acres	Constrained Lands (ac)	Developable Land (ac)	Number of Units Allowed: Existing Zoning	Number of Units Allowed: PUD Zoning	Difference
9	Triangle Properties	20.8	2.1	18.7	0	130	130

## AREA 10 – Equestrian Estates

The proposed development, known as Equestrian Estates, has already created a buildout for their development in their separate EIS. Area 10, (“Equestrian Estates”), is comprised of five (5) parcels. Under the current zoning, three parcels are zoned as LO, one parcel is split between being zoned partially as LO and R-35, and the other two parcels are zoned as R-35. Under the proposed zoning, five of the parcels will be zoned as PILO, and one parcel will be zoned partially as PILO and R-25.

Buildout Area	Name	Total Acres	Constrained Lands (ac)	Developable Land (ac)	Number of Units Allowed: Existing Zoning (R35 only)	Number of Units Allowed: PUD Zoning	Difference
10	Equestrian Estates	38.4	5.4	33	2	266	264

## AREAS 11 & 12

Within Areas 11 and 12, the proposed zoning changes are those that ‘even out’ the lines of the zoning district. In Area 11, the current zoning is R-25, and the proposed zoning is R-40. Within this area, there are only two parcels identified as vacant or developable, and they are both under 0.3 acres, meaning that the proposed zoning change will not result in an increase in development.

In Area 12, the current zoning is R-40, and the proposed zoning is NS. This proposed change merely straightens out the zoning boundary along the back of the district, to lessen nonconformities at the rear of previously developed commercial properties.

## AREAS 13 -20

Areas 13 through 20 are areas in which the zoning is proposed to be changed, however they contain no parcels identified as vacant or developable. Therefore, the proposed zoning changes will not have an effect on the potential development in these areas but will only serve to bring many undersized lots in these neighborhoods into compliance with the zoning code.

**Overall:**

Buildout Area	Total Number of Residential Units Allowed: Existing Zoning	Total Number of Residential Units Allowed: Proposed Zoning	Difference:
1	1	1	0
2	18	12	-6
3	9	7	-2
4	2	2	0
5	18	24	6
6	16	20	4
7	18	25	7
8	21	28	7
Triangle Properties	0	130	130
Equestrian Estates*	2	266*	264*
<b>Total:</b>	<b>105</b>	<b>515</b>	<b>410</b>
*Subject to separate EIS for Equestrian Estates			

It should be noted that outside of the immediate Garden State Parkway interchange area in areas 1 through 8, the buildout analysis projects that the potential increase in allowable new housing units would be **only 16 dwelling units**. This modest number is equal to the number of housing units lost between 2010 and 2020, according to the US Census Bureau. Therefore, it appears that if all the potential homes in areas 1 through 8 were built according to the buildout analysis, that would bring the total housing count in the Village of Chestnut Ridge back up to 2010 levels.

The additional 130 housing units projected if the Triangle Properties site was developed for housing and mixed use, would have a minor impact and would generate similar traffic volumes to the commercial uses currently permitted. See the separate EIS for Equestrian Estates for details on its predicted impacts. The mitigations proposed to offset the traffic impacts of Equestrian Estates and other nearby projects is laid out the Red Schoolhouse Corridor proposed traffic improvements, summarized in the following section.

## IMPACT ON COMMUNITY SERVICES

The impacts on community services projected from the modeled increase in housing with the proposed Comprehensive Plan and Local Law A v.7 is summarized below. Fiscal impacts would be minimal.

Rates from ULI Handbook and Rutgers Center for Urban Policy Research	Persons per Household = 2.83 persons	School Age Children per household = 0.23 school age children	Fire Department Personnel per 1,000 Population 1.65	Police Personnel 2 officers per 1,000 population	Emergency Services 36.5 calls annually, per 1,000 population
Predicted Impact of 16 additional housing units	45 additional persons	4 additional school age children	0.03 additional Fire Department Personnel	0.03 additional Police Personnel	0.59 additional emergency calls
Predicted Impact of Triangle Property developed with 130 additional housing units	367 additional persons	30 additional school age children	0.21 additional Fire Department Personnel	0.26 additional Police Personnel	4.75 additional emergency calls



### 6.3 Red Schoolhouse Road Corridor Traffic Improvements

Along the entire length of Red Schoolhouse Road (RSHR), this plan recommends that as properties apply for development approvals, a reserve strip for accommodating the addition of turn lanes, shoulders and drainage be dedicated as part of each site plan and/or subdivision approval, to provide for room to install the traffic improvements recommended below. See Comprehensive Plan chapter 7 for detailed discussion. Several of these improvements are already included in the ongoing applications of Corporate Commerce Park and Wellington Schools that are before the Planning Board, to be installed at the expense of the developers.

#### Red School House Road Traffic Study Recommendations

- Dedication of the land opposite the GSP SB off ramp to accommodate construction of future dual left turn lanes off the GSP SB off ramp (Wellington from Summit to DiSalvo = 1,700 feet +/-).
- Dedication of the land to accommodate separate left turn lanes northbound and southbound on RSHR near Wellington Schools access.
- Construction of separate left turn lanes northbound and southbound on RSHR at main Wellington Schools access drive.
- Construction of 8-foot shared-use path along school frontage from Summit Rd. to DeSalvo Ct. on west side of RSHR (req'd by Rockland County Highway Dept.)
- Summit Road Sidewalk (750') with ADA ramps
- Widen RSHR to provide separate channelized NB right turn lane at GSP NB on ramp, starting 200' south of Sephar lane continuing through that intersection and up to the GSP NB On Ramp".
- Install Traffic signal at Sephar Lane to permit protected LT inbound and outbound movements from Commerce Corporate Park (CCP).
- Improvement of Sephar Lane along CCP frontage
- Provision of an easement from both CCP and Equestrian Estates to accommodate a future connection with the Chestnut Ridge Transportation parcel.
- Construction of a 4-way intersection with widening of RSHR to provide dedicated right and left turn lanes at Triangle Properties/Equestrian Estates as needed.
- Install new traffic signal at Triangle Properties/Equestrian Estates main access.
- Construction of a roundabout at Triangle Properties/Equestrian Estates northern access.
- Left turn lane widening on RSHR at Loescher Lane to facilitate future development of Horse farm Property.
- Modify Traffic Signal Actuation/Timing at RSHR and GSP SB off Ramp.
- Widen GSP southbound exit off ramp to provide dual left turn lanes including two lane receiver on SB RSHR.
- Dedication of Improved Sephar Lane to the Village of Chestnut Ridge.
- Replace Traffic Signal at RSHR and GSP SB off Ramp.
- Construction of separate southbound left turn lane on Red Schoolhouse Road at Williams Road.
- Construction of separate northbound left turn lane on Red Schoolhouse Road at Summit Road.
- Traffic Signal Installation at Red School House Rd./Summit Rd.
- DeSalvo Court, Create a right-turn entry/right-turn exit, prohibit left turns onto RSHR to eliminate conflicts

The types of improvements that have been identified include traffic signal upgrades and/or new traffic signal installations, intersection widenings, turning lanes, roundabouts, sidewalks, and other

improvements to accommodate both vehicular traffic and pedestrians. Due to the length of the corridor, complexities relative to geometrics in the vicinity of the GSP and potential environmental considerations, the study outlines various intersection improvements that could be completed on a phased basis. Note that the improvements have only been conceptually identified and that construction level design drawings would be required to be able to implement any of these improvements. The specific designs of the improvements may change as construction drawings are development and as the Planning Board reviews specific site plans and conducts reviews required by SEQRA.

It should be noted that the above improvements, if completed as one project, would provide a full widening of Red Schoolhouse Road from Williams Road to Loesch Lane providing a minimum of a three (3) lane cross section throughout the corridor. The majority of the above improvements could be constructed independently of each other, which is important due to the potential cost and other constraints. The projects can be accomplished in a building block fashion, as each of the identified projects is ready to proceed. The list of improvements with responsibilities for construction and estimated costs are identified in the Comprehensive Plan Table 7-2. The improvements will be paid for by Red Schoolhouse Road developers in the GSP interchange area by agreement with the Village and by conditions of approval by the Planning Board. See the Comprehensive Plan and the Red Schoolhouse Road Corridor Traffic Study for details.

These proposed improvements are conceptual in nature and may be subject to adjustments and modifications when projects are reviewed in the future for SEQRA and site plan approvals. Improvements in and around the Garden State Parkway interchange ramps will require review and approval as well as permitting from the New York State Thruway Authority. All other projects along Red Schoolhouse Road will require review and approval of the Rockland County Highway Department. These agencies may require further modifications and adjustments during their review and approval processes.

## 7.0 Summary Cumulative Impacts

### 7.1 Unavoidable Adverse Environmental Impacts

No significant unavoidable area-wide adverse impacts have been identified; the proposed action itself is generic in nature and will not directly result in any physical development within the Village. Future construction complying with amended codes implementing the proposed Comprehensive Plan and local laws will result in increased demand for utilities and services as well as additional energy consumption including energy generated from nonrenewable resources. Adverse impacts have been qualitatively discussed in Section 6 of this document.

The Proposed Action involves adoption of amendments and additions to the Village's zoning. These regulatory changes will result in changes to how future development may be constructed but it is premature to evaluate site- and project-specific impacts.

### 7.2 Irreversible and Irretrievable Commitment of Resources

This subsection is intended to identify those natural and human resources that will be consumed, converted, or made unavailable for future use as a result of the proposed action. It is anticipated that the proposed action will result in irreversible and irretrievable commitment of resources, as follows:

- Material used for construction of site-specific development, including but not limited to wood, asphalt, concrete, fiberglass, steel, aluminum, etc.
- Energy used in the construction, operation, and maintenance of site-specific development, including fossil fuels (i.e., gasoline, diesel fuel, natural gas, and generated electricity).
- Potable water to be consumed on a daily basis for the operation of site-specific development.
- Construction and demolition materials that are not recyclable will be landfilled which takes up space at such facilities.

While these impacts listed above will be experienced under the Proposed Action, they will also be experienced with development under the existing zoning.

### 7.3 Growth-Inducing, Secondary and Cumulative Impacts

Growth-inducing aspects of development are those characteristics that will cause or promote further development, either due directly to the development itself (i.e., "primary" development), or indirectly, as a result of a change in the population, markets, or potential for development in that community (i.e., "secondary" development). Cumulative impacts refer to the combined effects of a number of development proposals in an area.

The Proposed Action will provide the zoning framework to allow for denser and more compact growth and redevelopment within the PUD floating zone, near the Garden State Parkway interchange.

The development expected to result from the Proposed Action may also have secondary growth effects. For example, it is anticipated that development consistent with proposed Plan will contribute to an increase in local retail businesses activity.

Construction, demolition, and reconstruction will create temporary opportunities for employment. While development will be private in nature and occur at a pace that is not subject to Village control, it can be anticipated that it will involve considerable private financial investment in the Village over the course of many years, creating temporary construction jobs as development efforts progress. These jobs will likely be filled by the local and regional labor pool. These job opportunities will not require relocation of specialized labor forces or influx of large businesses from outside the area to provide construction support. As a result, construction job-related effects of the proposed Plan and Program implementation are expected to be beneficial, although temporary in duration.

#### **7.4 Energy Use and Conservation, Greenhouse Gas Emissions, and Air Quality**

The Comprehensive Plan and Zoning Changes encourage smart growth for the Village of Chestnut Ridge, that will promote energy efficient and conservation conscious growth within the Village. Goal 7 of the Comprehensive plan explicitly encourages the expanded use of renewable energy sources, green building practices, and the principles of Leadership in Energy and Environmental Design Neighborhood Development (LEED-ND) and smart growth throughout the Village to promote energy independence and become a regional trendsetter for the implementation of green, eco-friendly, and sustainable development standards. This will be accomplished through the proposed local law to ensure land use and residential density within the Village is within the capabilities of natural resources, utilities, and transportation infrastructure, and to concentrate future density near existing center and corridors. The Comprehensive Plan also aims to promote the development of alternative energy sources, emphasize the importance of energy efficiency, sustainability, and green building standards, as well as revising the Village Code to encourage sustainable development.

#### **7.5 Construction-Related Impacts**

Construction and demolition activities associated with future development and redevelopment is likely to discontinuous and take place over a long period of time (possibly decades) as individual lots are developed or redeveloped. All significant construction will be subjected to Planning Board review, and State Environmental Quality Review and best management practices for the reduction of construction-related impacts employed.

#### **7.6 Summary of Cumulative Impacts**

Based on the above inventories and analyses, potential growth-related environmental impacts have been mitigated to the maximum extent practicable, though some minor impacts will still occur. These individual and cumulative impacts will have little effect on the environment and considering existing conditions, proposed mitigations and the many Village goals that will be achieved from the implementation of the Proposed Action, an overall positive effect is expected.

## 8.0 Alternatives

### 8.1 Alternative 1: No Action. Development Under Existing Zoning

With no action taken, it is anticipated that there would be no opportunity for apartments or any form of mixed-use development within the Village. The problem of undersized lots would continue, meaning many families would require variances to make the slightest changes to their homes. Only single-family homes would be permitted except in the R-15 zone, and the trend from last ten years of no housing growth in the Village would continue. The Village would have no provisions to allow mixed use development. Vacant or underutilized parcels that have been identified by this Plan are often constrained by current zoning issues. If no action is taken to allow for desired development, or to rezone such parcels to reflect housing or commercial real estate conditions, it is anticipated that they will remain vacant. If the vacant or developable parcels in residential districts were to be developed under existing zoning, there could only be a total of 103 new residential units built. The LO district in the Red Schoolhouse Road corridor would continue to be underutilized, as there is no foreseeable market for office development in the region.

### 8.2 Alternative 2: Implement the Proposed Comprehensive Plan and Zoning Changes as Proposed

A development potential analysis for housing units was conducted to determine the potential for residential development on parcels identified to be vacant or developable in areas with proposed zoning changes. The methodology of this analysis is described in section 6.2 above.

Under the proposed residential zoning changes, there would be the potential for an additional 16 housing units throughout the residential zones in the Village, and up to an additional 359 housing units in the immediate area of the Garden State Parkway interchange. There were concerns brought up by the Rockland County Planning Department GML review of the Comprehensive Plan regarding the potential for development of new subdivisions due to the proposed zoning changes. However, as seen in section 6, simply changing the zoning to decrease nonconformities will not have a large impact in the amount of increased residential development. However, the implementation of a floating PUD zone does allow for more increased mixed-use development not seen anywhere in the Village currently. See the extensive discussion of the environmental impacts of the proposed PUD floating zone amendments in the EIS for the Equestrian Estates Project.

### 8.3 Alternative 3: Increased Action. Allow a PUD Floating Zone throughout the Village

The third alternative is one where The Village would allow a PUD floating zone to land anywhere with 25 acres in the Village of Chestnut Ridge, rather than limiting its use to within one-half mile of the GSP interchange. **This alternative is not supported by the Village Board of Trustees, and it is not proposed by this Comprehensive Plan. It is only shown as an alternative in fulfillment of SEQRA requirements.** This alternative illustrates the potential for increased development in areas such as the lands of the Threefold Foundation, including Duryea Farm and the Green Meadow School, as well as the Gould Academy site.

Three developable parcels in the Village of Chestnut Ridge from Map 7 of the Comprehensive Plan were identified as larger than 25 acres (see figure on next page). If under alternative 3, these parcels were to be allowed to utilize the PUD floating zone, it would enable in a potential increase of 1,170 housing units in the Village. Currently, there is not enough transportation infrastructure along Chestnut Ridge Road that could support this level of development. If this alternative were ever considered, it would be a large departure from the current existing housing patterns within the Village. An extensive transportation study would be required for the Chestnut Ridge Road corridor, at the same level of detail that was developed for the Red Schoolhouse Road Traffic Study. See the table below and figure on the next page for results.

Name	SBL	Acres	Constrained Lands	Developable Land (ac)	Current Zoning	Allowable Units - Current Zoning	Allowable Units - PUD
Threefold Foundation	62.12-1-6	45.6	2.6	42.9	RR-50	39	319
Gould Academy	63.05-1-8	115.7	10.9	104.9	R-40	126	810
Duryea Farm	62.15-1-19	33.6	0.56	33	RR-50	29	235
Total						194	1,364





**Buildout Analysis Areas: Potential for PUD in Parcels over 25 Acres**





## 9.0 FUTURE ACTIONS

The FGEIS examines the potential impacts of the adoption of the Comprehensive Plan and proposed zoning changes, and its evaluations and mitigation measures are only applicable to the Proposed Action. Once the Comprehensive Plan and the proposed zoning changes are adopted, any land use actions that occur must be considered in accordance with this plan and current or future regulations. Future development proposals that comply with the proposed Comprehensive Plan Update and the updated Zoning Chapter and Map would still be required to undergo individual project reviews as part of the site plan, special use permit, and subdivision approval process. These project reviews will be subject to the provisions of SEQRA, and any site-specific impacts and mitigation measures would be implemented at that time.



## 10.0 COMMENTS AND RESPONSES

This section addresses the written and verbal, substantive and editorial comments made on the Draft GEIS, Draft FGEIS and Comprehensive Plan prior to June 3, 2022.

### Written Comments

**Letter submitted by Rockland County Department of Planning, RE: Village of Chestnut Ridge Comprehensive Plan and Local Law A v.5 of 2022 – Draft Generic Environmental Impact Statement (GML Review), dated April 27, 2022.**

#### GML Comment 1:

Section 1.2 makes several references to the Town Board and to New York State General Town Law. The section must be amended to refer to the Village Board and New York State Village Law.

**Response:** *The editorial changes in this comment were incorporated into this FGEIS document.*

#### GML Comment 2:

The list of Interested Agencies in Section 4.1 consists of only the Rockland County Planning Department, the Towns of Clarkstown, Orangetown, and Ramapo, and the Villages of Airmont and Spring Valley. The proposed Comprehensive Plan and Local Law have the potential to create environmental impacts that affect local infrastructure such as State and County roads, water, sewer and utility capacity, and County streams. The list of Interested Agencies must be expanded to include the agencies with oversight over these resources. The DGEIS must be forwarded to the following agencies for their review and any comments must be considered by the Village:

- New York State Department of Transportation
- New York State Thruway Authority
- Rockland County Department of Health
- Rockland County Department of Public Transportation
- Rockland County Drainage Agency
- Rockland County Highway Department
- Rockland County Sewer District No. 1
- Orange & Rockland
- Veolia

**Response:** *SEQRA does not require the inclusion of such agencies and/or private utilities to be included as interested agencies. Nonetheless, The Village Board circulated the DGEIS to the listed agencies for their comments. Section 4.1 was amended as requested.*

#### GML Comment 3:

Section 6.1.1 assesses the impacts of the creation of the Planned Industry and Laboratory- Office (PILO) zoning district that combines the uses of the Planned Industry (PI) and Laboratory Office (LO) zoning districts. This section must note that Assisted Residence Facilities have been added to the PILO zoning district as a Special Permit use. In addition, Section 6.1.1.1 of the Comprehensive Plan stated that Assisted Living Facilities and Hotels in the PILO zoning district "may require up to 48' height and up to 0.65 FAR in order to be viable," which is a considerable increase in height and density over what is currently allowed in the Village. In its GML review of the Comprehensive Plan, this department expressed concern about the impact on local viewsheds or scenic resources of a proposed increase in permitted height. We are pleased to note that the bulk table in the proposed local law indicate that these uses have been assigned to the existing

Use Group J, which is the same Use Group as most of the other uses in the PILO zoning district. However, since the proposed increase in height and FAR is included in the Comprehensive Plan, the DGEIS must address its impacts or note that no changes to the bulk requirements for these uses is currently proposed, but that any future proposed changes would require additional analysis of its impacts

**Response:** *The Village deliberately added this policy with permissive rather than mandatory language. Note that the cited paragraph states that Assisted Living Facilities and Hotels in the PILO zoning district “may require up to 48' height and up to 0.65 FAR in order to be viable.” Such impacts will be addressed with a site-specific SEQRA analysis by the Planning Board as lead agency, should such projects proceed forward with an application. Therefore, the Village Board will override this GML comment.*

#### GML Comment 4:

The last sentence of the introductory text to Section 6.2 above Map 7 of the Comprehensive Plan (page 27) is not continued on the following page and therefore, is incomplete. The text must be revised so that the paragraph is completed.

**Response:** *The editorial changes in this comment were incorporated into this FGEIS document.*

#### GML Comment 5:

One of the key findings of the Comprehensive Plan is that 58% of residential lots are smaller than the minimum lot size for their zoning district. As a result, the Conceptual Land Use Plan recommends the downzoning of several areas and the creation of the R-10 zoning district. Section 6.2 identifies 20 areas where the current zoning is to be changed and provides a thorough analysis of the increase in the number of potential residential parcels on vacant or developable land. Based on Map 7 of the Comprehensive Plan, however, it does not appear that agricultural land was included in this analysis. The long-term shift from agricultural to residential land uses should be accounted for in this analysis. Any proposed down zoning of areas currently used for agriculture will increase the financial incentive and pressure to convert agricultural land to residences. Section 6.2 must also address the development potential of agricultural areas in its analysis.

**Response:** *The only agricultural use in the Village is at the Duryea Farm, operated by the Threefold Foundation. The zoning classification for this property has not changed in this proposed Comprehensive Plan and Local Law, so its development potential is not changing with the proposed action. The DGEIS therefore, is not required to analyze a buildout of this area. However, in the Alternative 3 of the DGEIS (see page 38 ff, section 8.3) a buildout for the Threefold Foundation was provided indicating it would yield 319 housing units should it be made eligible for landing of the proposed floating PUD zone. This alternative 3 was rejected. Therefore, the Village Board will override this GML comment.*

#### GML Comment 6:

Section 6.2 states that the en masse redevelopment of existing single-family neighborhoods is unlikely and were not considered in the potential buildout analysis. This department agrees that stable, established residential neighborhoods are unlikely to undergo large-scale redevelopment. However, there may be neighborhoods within the Village characterized by older housing stock or states of disrepair that may be more readily redeveloped. The DGEIS must identify any residential areas slated to be downzoned that could be subject to large scale redevelopment and assess its impacts.

**Response:** *Our analysis has not identified any such single-family neighborhoods where numerous single-family properties in varied ownership could be assembled by a developer at a scale where the slight*

*changes in residential density would make a difference in development potential. Therefore, the Village Board will override this GML comment.*

### GML Comment 7:

Most of the residential districts in the Village allow 1-family detached residences. However, the R-15 and R-10 zoning district allow 2-family detached residences and 1- family semi-attached residences, which have smaller minimum lot sizes. The build-out analysis in Section 6.2 must also account for the potential increase in the number of residential units as a result in the change of allowed uses

**Response:** *The increase in development potential in Area 4 of the buildout analysis on page 30 of the DGEIS shows no increase in development potential from the proposed change. This zoning change was designed to bring existing development in conformance, and not to provide new opportunities for duplex development.*

**Comment to Village Planner from Avraham Rosskamm, Planning Board Chairman, at Planning Board meeting May 5, 2022.**

### AR Comment 1:

If Pascack Brook is no longer on the 2022 §303(d) list of impaired waters published by NYS DEC, the Comprehensive Plan should be corrected, as the impaired status of Pascack Brook is discussed in several places.

**Response:** *The Draft 2020-2022 Clean Water Act (CWA) Section 303(d) List of Impaired/Total Maximum Daily Load (TDML) Waters was published on December 29, 2021. This draft list, soon to be adopted, recommends de-listing Pascack Brook. (See row 748 of the list.) Pascack Brook is recommended to be de-listed because of “flaws in original analysis.” The Comprehensive Plan has been changed, wherever the impairment of Pascack Brook is mentioned, to indicate that Pascack Brook has been on the DEC list of impaired waters since 2010, but as of 2022, it is a candidate to be taken off the list because of flaws found in the original analysis.*

**Letter from Carolyn Worstell, PP, AICP, Senior Planner at Dresdner Robin, on behalf of CUPON CNR, to Mayor Rosario Presti, Jr., dated May 11, 2022, RE: Village Board Workshop Agenda May 11, 2022, Resolution No. 2022-100 To Accept FGEIS for Comprehensive Plan.**

### CW 5/11 Comment 1:

“This letter is intended to raise concerns with the action under discussion on this evening’s agenda - Resolution No. 2022-100 to Accept the Final Generic Environmental Impact Statement (FGEIS) for the Village’s Comprehensive Plan and corresponding Local Law A (v.6). The agenda further indicates that the resolution would direct the Village Clerk to make the FGEIS available for public via the village website in advance of a Public Hearing on the FGEIS scheduled for May 19, 2022.

“As the Board is aware, the actions under consideration this evening are part of the State Environmental Quality Review (SEQR) process. This is a proscribed process with specific steps and mandatory public review and comment periods. These steps include:

1. Classifying the Action [completed]
2. Completing the Correct Environmental Assessment Form [completed]

3. Coordinate the Review [completed]
4. Determine Significance [completed]
5. Scope the Draft Environmental Impact Statement (EIS) [completed]
6. Preparation of the Draft EIS [completed]
7. Determine the Adequacy of the Draft EIS for Public Review (Accept or Return for Revision) Publish Notice than and EIS is Accepted for Public Review
8. Public Comment
9. Decide Whether to Hold a Public Hearing
10. Preparation of the Final EIS
11. SEQR Findings

"The New York State Department of Environmental Conservation (NYSDEC) outlines and describes these steps on its website: <https://www.dec.ny.gov/permits/6189.html>

"The Village Website posted a DGEIS dated March 9, 2022, which does not include the "date of acceptance" (Step 7) of the DGEIS, nor the date of the "public hearing" (Step 10), nor the "deadline for written public comments" (Step 9).

"The language of the public notice for the April 28, 2022, Public Hearing was "to consider the draft Generic Environmental Impact Statement (DGEIS)". There is no indication given in the notice that the March 9, 2022 version of the DGEIS has been accepted as "complete" or when the deadline for written public comments on the DGEIS is to pass.

"Based upon the language of the agenda for this evening's meeting it appears that the Board has skipped several steps in the SEQR process, including public notice that the DGEIS is "accepted" and available for public review, and a mandatory 30-day public comment period on the DGEIS.

"Furthermore, the FGEIS which is currently posted to the Village's website does not meet the basic requirements of an FGEIS which must include the draft EIS, and any necessary revisions and supplements; copies or a summary of the substantive comments received on the DGEIS and their sources; and the lead agency's response to the comments.

"On behalf of CUPON CNR, we request that the Village Board not adopt Resolution No. 2022-100 at this evening's Workshop. There has been inadequate notice to the general public that the DGEIS has been accepted as "complete" and that a public comment period commenced.

"Working with the Village Board in good faith, we request that the DGEIS be clearly accepted as complete by the Board with adequate notice of a public hearing scheduled so that the public can provide comment on the DGEIS and the deadline for written public comment clearly determined. Only then should an FGEIS be prepared and accepted by the Board."

**Response:** *The DGEIS was accepted on March 9, 2022, by the Village of Chestnut Ridge Board of Trustees, by Resolution 2022-33, which was: "to accept the Draft Generic Environmental Impact Statement ("DGEIS") for the Village's Comprehensive Plan as prepared by the Village Planners, Nelson Pope & Voorhis, direct the Village Clerk to make the DGEIS available for the public via the Village website and at Village Hall, as well as to circulate same pursuant to the New York State General Municipal Law; and to set a Public Hearing regarding the DGEIS on April 28, 2022, at 8:00 p.m." This provided the public with approximately 48 days to comment, as opposed to the requisite 30 days. Notice of the Public Hearing was also published in the NYSDEC Environmental Notice Bulletin on March 23, 2022, and in the local newspaper on March 24, 2022. The FGEIS that was posted, dated May 11, 2022, did meet the basic requirements of an FGEIS, as it did include the Draft GEIS, and substantive comments from the Rockland County Department of Planning (the only commenter at that point), and responses to each of the County's comments. Nevertheless, at its meeting held May 19, 2022, the Village of Chestnut Ridge Board of Trustees extended the comment period to the close of business at 5 p.m. on June 3, 2022, to allow for additional comments to be entered into the record.*

**Letter from Carolyn Worstell, PP, AICP, Senior Planner at Dresdner Robin, on behalf of CUPON CNR, to Mayor Rosario Presti, Jr., dated May 19, 2022, RE: DRAFT COMPREHENSIVE PLAN & GENERIC ENVIRONMENTAL IMPACT STATEMENT VILLAGE OF CHESTNUT RIDGE, ROCKLAND COUNTY, NEW YORK.**

**CW 5/19 Comment 1:**

"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"). We have previously submitted a comment letter on the *Draft Scoping Document for Preparation of a DGEIS*, dated November 12, 2020; a *Comprehensive Plan Analysis* report, dated November 18, 2021; a *Comprehensive Plan Analysis Addendum*, dated January 20, 2022 which provided several comments and suggestions which have not been fully addressed.

"This memorandum addresses comments on the Draft Generic Environmental Impact Statement (DGEIS) dated March 9, 2022 and the Final Generic Environmental Impact Statement (FGEIS), dated May 11, 2022, for the proposed Comprehensive Plan for the Village of Chestnut Ridge and Local Law No. A v.6 of 2022, dated May 11, 2022, which are posted on the Village website. While the Village Board has closed the public comment period on the DGEIS, we wish to submit these comments on both documents as the DGEIS is incorporated within the FGEIS. Separate comments on the DGEIS were not submitted during the DGEIS comment period as the last day for submission of comments was not included with the notice of the public hearing scheduled for April 28, 2022."

**Response:** *The comment period has been extended to June 3, 2022. Comments from Carolyn Worstell, AICP on behalf of CUPON CNR were subsequently submitted on May 19, 2022, and they were accepted and included in the FGEIS document.*

**CW 5/19 Comment 2:**

**"PRELIMINARY ASSESSMENT OF THE GEIS**

**Consistency with the Adopted Scoping Document** – The DGEIS and FGEIS do not address all the *Potential Impacts Identified* in the Final Scoping Document, dated December 17, 2021. 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 Zone will be assessed in a separate EIS, there are other recommendations for land use changes which are not comprehensively addressed in either the DGEIS or FGEIS."

**Response:** *The proposed Comprehensive Plan is the first such plan created for the Village of Chestnut Ridge. We understand that impacts may not have been as "comprehensively addressed" as CUPON CNR and its consultant may have wished. The budget for the effort was reasonably related to the size and capacity of the Village, and the modest changes in proposed land uses recommended by the Plan are adequately supported by the analysis of existing conditions, and the presentation of potential impacts and mitigating actions in the GEIS. CUPON CNR's more specific comments in the memorandum submitted May 19<sup>th</sup>, 2022, are addressed in responses set forth below.*

### CW 5/19 Comment 3:

**Implications of Proposed Policies** - The DGEIS and FGEIS only cursorily assess 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*.

The goals and objectives of the Comprehensive Plan 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 the goals and objectives of the Comprehensive Plan which should be the primary objective of the DGEIS and FGEIS.

**Response:** *We thoroughly considered all the goals and objectives of the Comprehensive Plan and the modest proposed changes to the zoning code presented in Local Law A v. 6 are in support of the Comprehensive Plan's goals and objectives.*

### CW 5/19 Comment 4:

**“Reliance on Site-Specific SEQR for Substantial Land Use Recommendations** – The Comprehensive Plan recommends several large-scale policies and land use actions but defers the assessment of environmental impacts of those actions to later “site-specific” environmental reviews. Deferment of the evaluation of potential impacts of these policies and land use changes to “site-specific” EISs will limit the review of the impacts to the local environs of the proposed land use change and miss the impacts of these actions on the Village as a whole. As stated in the DGEIS,

*“A Generic Environmental Impact Statement (GEIS) is a broader, more general EIS that analyzes the impacts of a concept or overall plan or enabling local law rather than those of a specific project plan.”*

“The draft Comprehensive Plan sets out broad policies and recommends specific land use actions that are intended to guide future development of the Village. It is the function of the DGEIS to assess the overall environmental impacts of the policies and land use actions proposed as part of the Comprehensive Plan to determine what potential negative or positive impacts they may have and what mitigation measures might be appropriate. Following that assessment, it is the responsibility of the Village Board as Lead Agency to determine if the proposed future actions are in the best interest of the Village as a whole.

“The DGEIS and FGEIS do not comprehensively assess the potential long term development impacts of the proposed land use changes including: recommendations to rezone over 800 residential properties; rezoning and new uses in the LO, PI and RS districts; creation of a PUD Zone which could apply to both the Equestrian Estates and Triangle Properties development sites; creation of a “floating zone” which would apply to the Green Meadow School/Fold Foundation/Duryea Farm properties. Further, there is no assessment of how the proposed land use changes will promote or hinder the goals and objectives of the Comprehensive Plan.”

**Response:** *Section 6.2 of this document analyzes the impacts of the recommendations to rezone residential properties to reduce nonconformities. The impacts from the creation of the PUD zone are included in that analysis, and a separate EIS is underway for the Equestrian Estates project. The proposed floating zone for the Green Meadow School is not included in this Comprehensive Plan but*



*is indicated as a potential future project, which will undergo a site specific SEQRA proceeding at the time it may be undertaken in the coming years.*

#### CW 5/19 Comment 5:

**“Impacts of Proposed Changes to Residential Districts** – The DGEIS and FGEIS do not comprehensively assess the environmental impacts resulting from the changes to the bulk requirements which accompany the rezonings, including impacts to community character, natural resources, stormwater runoff and flooding. The DGEIS and FGEIS include a build-out analysis which only assesses the number of new residential units that could be developed on vacant properties. However, the long-term impacts of the proposed changes to the bulk requirements for already existing homes could have a collectively greater impact than the limited development on vacant parcels.

“The DGEIS and FGEIS should consider the incentive to redevelop properties with increased coverage and FAR in concert with the recommendation that the Village contemplate permitting accessory units “as-of-right”. A segregated review of these two land-use changes, could allow for a profound increase in the intensity and density of the development of the Village as a whole, with no comprehensive environmental assessment by the Lead Agency.”

**Response:** *We disagree that the changes to the bulk requirements will have any significant impacts other than those discussed in section 6 of this document. We do not understand the comment regarding “accessory units as of right” as section 2.3.6 of the Comprehensive Plan explicitly states that this plan does NOT recommend such a change to allow accessory uses as of right.*

#### CW 5/19 Comment 6:

**“Impacts of Proposed Changes to Non-Residential Districts and new PUD Districts** – The DGEIS and FGEIS do not comprehensively assess the environmental impacts of the development potential with the proposed changes to the PI, LO and RS zones. Proposed changes to these zones are intended to encourage development; however, generic impacts of the potential new development are not assessed. This includes impacts to natural resources, traffic/transportation, community character, public services (e.g. schools, police and fire services, etc.), utilities (e.g. water, sewer, stormwater, energy, etc.), fiscal impacts and energy impacts.

“The DGEIS and FGEIS do not address generic impacts of potential for the new development under the proposed PUD zone deferring it to a separate “site-specific” EIS. However, the Draft Environmental Impact Statement for Equestrian Estates Mixed Use PUD Application; dated September 2, 2021, did not include any evaluation of the impacts of the potential application of the PUD Zone to the Triangle Properties.

“Additionally, the Comprehensive Plan references the potential for a new floating zone to be applied to the Green Meadow School/Threefold Foundation/Duryea Farm properties which is not evaluated as a concept in the DGEIS or the FGEIS.”

**Response:** *No significant changes to the bulk standards are proposed in the PI, LO and RS zones. New uses added to these zones have the same bulk standards and characteristics as existing permitted uses. Adding LO uses to PI, or PI uses to LO has no net effect on the level of land use impacts. Section 6.2 of this document does analyze the impact on the potential application of the PUD zone to the Triangle Properties (see Area 9). The proposed floating zone for the Green Meadow School is not included in this Plan but is indicated as a potential future project, which will undergo a site specific SEQRA proceeding at the time it may be undertaken in the coming years.*

## CW 5/19 Comment 7:

### COMMENTS AND QUESTIONS ON THE DGEIS and FGEIS SECTION 6.0 DISCUSSION OF THE IMPLICATION OF PROPOSED POLICIES

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*. Section 5 addresses only the proposed zoning recommendations, which were included in *Section 6. Conceptual Land Use Plan* of the Comprehensive Plan. There is no assessment of how the proposed zoning changes will promote or hinder the goals and objectives of the Comprehensive Plan.

- 'Goal 1: Land Use – How do the proposed zoning changes promote or hinder the goals and objectives of the Comprehensive Plan?
  - 'Objective 1.3 is to preserve the remaining agricultural uses in the Village. The DGEIS and FGEIS reference a proposed PUD zone for one of the few remaining agricultural use in the Village at the Duryea Farm. What are the impacts of the potential for non-agricultural use at this property on the objectives of the Comprehensive Plan?"

**Response:** *Potential impacts on the development of Duryea Farm with non-agricultural uses is discussed in section 8.3 of this document.*

## CW 5/19 Comment 8:

- "Goal 2: Environmental Protection – What are the implications and impacts of the policies included in the Comprehensive Plan on the Village's natural resources, parks, and open space?
  - "Objective 2.1 is to protect environmentally sensitive stream ecosystems and floodplains, including Hungry Hollow Brook, Pine Brook and Pascack Brook and maintain adequate buffers between these systems and adjoining development. What are the generic impacts of the proposed rezonings, particularly in the non-residential and potential PUD landing areas, on stream ecosystems and floodplains? Where would stream corridors and floodplains be impacted?
  - "Objective 2.3 is to prevent unneeded erosion by limiting land disturbance in steep slopes areas. What are the generic impacts of the proposed rezonings, particularly in the non-residential and potential PUD landing areas, on steep slopes? Where would steep slopes be potentially disturbed?"

**Response:** *Potential impacts to Pascack Brook and Hungry Hollow Brook and disturbance to steep slopes will be covered by the site-specific EIS for Equestrian Estates. The impacts of other future developments on these resources will be addressed in site-specific SEQRA analyses for such projects.*

## CW 5/19 Comment 9:

- "Goal 3: Community Facilities and Services – What are the implications and impacts of the policies included in the Comprehensive Plan on the Village's community facilities and services?
  - "Objective 3.1 is to maintain and enhance the Village-provided community services and facilities. The Comprehensive Plan recommends moving the Village Hall but does not identify an appropriate site or assess the fiscal impacts of the move. What are the impacts of the recommendation to move Village Hall?
  - "Objective 3.4 is to promote enhancement of existing parkland and develop new community parks. Where would these new parks be located?"

**Response:** *We do not believe that a fiscal analysis is needed in this Comprehensive Plan to address the potential relocation of Village Hall. A specific site is not selected but the general area of the*

*northern end of Red Schoolhouse Road near Kobre Park and the historic Red Schoolhouse is recommended. If such an action is taken in the future, such considerations will be studied as part of the Village's ongoing capital and operating budgetary process. Analysis of existing conditions did not indicate a need for additional parkland in the Village at this time.*

#### **CW 5/19 Comment 10:**

- “Goal 4: Economic Development – What are the fiscal impacts of the proposed policies? What are the impacts to the Village's budget? How many jobs will be created? What are the impacts of new technologies and working habits?”

**Response:** *We believe such fiscal impacts will be positive with respect to the Village's budget, and we will not use this document to speculate on levels of job creation or the impacts of new technologies and their impacts on labor habits. Such predictions are difficult as impacts of the ongoing-COVID-19 pandemic are uncertain.*

#### **CW 5/19 Comment 11:**

- “Goal 5: Infrastructure – The Comprehensive Plan, DGEIS and FGEIS contain no analysis of the condition of the current infrastructure and no concept of how many capital dollars will be required to maintain or improve current or future infrastructure. What are the impacts of the proposed policies on the Village's infrastructure? Is there adequate water, sewer and stormwater capacity for the proposed development envisioned?”

**Response:** *The Village does not operate or construct water, sewer and stormwater infrastructure, but works closely with outside agencies as new development unfolds. In almost all cases, upgrades are paid for and installed by new development. The GEIS in section 6.2 of this document indicates only a very modest increase in housing units and non-residential development in comparison to levels allowed under existing zoning. Impacts to water, sewer and stormwater infrastructure will be handled in the future during site-specific SEQRA processes for new development.*

#### **CW 5/19 Comment 12:**

- “Goal 6: Transportation – What are the impacts of the Comprehensive Plan policies on transportation in the Village beyond the Red Schoolhouse Road corridor? Especially considering the potential for increased commercial activity in non-residential districts and the potential for increased residential density from permitting accessory units.”

**Response:** *Section 6.2 of this document indicates little significant impacts on transportation in the Village outside of the Red Schoolhouse Road corridor. We have not recommended increased commercial activity in non-residential districts, but rather an altered mix of uses in such zones, with no net increase in land disturbance or intensity of traffic. Increased density from accessory units is not considered, as such types of units are not recommended in this Comprehensive Plan.*

### CW 5/19 Comment 13:

- “Goal 7: Sustainability – Is the proposed land use and residential density within the capabilities of the Village’s natural resources, utilities, transportation infrastructure, and other environmental constraints?”

**Response:** *Analysis of existing conditions and projections of future impacts of this Plan indicate that such changes can fit within the capacity of the Village to handle the growth, particularly with the recommended traffic improvements in section 6.3.*

### CW 5/19 Comment 14:

- “Goal 8: Historic Preservation – What are the impacts to the Village’s Historic and scenic resources?”

**Response:** *Recommendations to reuse the Red Schoolhouse which now stands vacant, will enhance the historic character and Village center.*

### CW 5/19 Comment 15:

- “Goal 9: Community Design – How do the proposed land use recommendations reinforce the character of Chestnut Ridge and improve the aesthetic appearance of the Village?”

**Response:** *Standards for buffers, landscaping and open space proposed for the PUD zone will ensure that new mixed-use development will be attractive and add vitality to the Village.*

### CW 5/19 Comment 16:

#### **“6.1.1 Planned Industry and Laboratory-Office (PILO) Zoning Changes**

The intent of these recommendations are to spur new development in the underperforming Laboratory-Office (LO) District; however, there is no analysis of the impacts of new development on the Village and its’ resources.

- The DGEIS and FGEIS do not address generic impacts of the potential for new development. How many acres are impacted? What are the generic impacts of this new development potential on drainage, surface waters, wetlands and groundwater, vegetation and wildlife, traffic/transportation, community character, public services (e.g. schools, police and fire services, etc.), utilities (e.g. water, sewer, stormwater, energy, etc.), fiscal impacts and energy impacts?

**Response:** *No significant changes to the bulk standards area proposed in the PI, LO and RS zones. New uses added to these zones have the same bulk standards and characteristics as existing permitted uses. Adding LO uses to PI, or PI uses to LO has no net effect on the level of land use impacts. Future projects will undergo a site specific SEQRA proceeding at the time they are undertaken in the coming years.*

### CW 5/19 Comment 17:

- The proposed zoning changes would allow two new uses in the LO Districts. How many under-developed or vacant sites are currently in the LO District? How many square feet 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?

**Response:** The proposed new uses in the LO District will not have bulk standards with significant differences from existing permitted uses. Adding these new LO uses has no net effect on the level of land use impacts. Future projects will undergo a site specific SEQRA proceeding at the time they are undertaken in the coming years. The boundaries of the PILO zones are concurrent with existing LO and PI zoning districts, so the extent of these nonresidential zoning polygons is unchanged – merely an enhanced mix of uses will exist in each PILO location.

#### CW 5/19 Comment 18:

- The Draft Comprehensive 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 Zone. This recommendation is not assessed in the DGEIS.
  - The proposed changes to the bulk table do not accommodate the proposed height or FAR increase for the Assisted Living or Hotel uses. This would potentially lead to increased variance requests.
  - Section 10 of the FGEIS indicates that the maximum height and FAR for “assisted living facilities” and “hotels” are “permissive” and defers any review of impacts to the Planning Board for a site-specific application. This would allow an increase in the intensity of development in the Village without a comprehensive environmental assessment of the impacts on the Village as a whole.

**Response:** New uses added to these zones have the same bulk standards and characteristics as existing permitted uses. Local Law A v. 6 and the proposed PUD law do not recommend any changes to height or FAR standards, and the Plan indicates only that such adjustments may be considered in the future. Therefore, these height and FAR impacts will not be studied at this time in this GEIS. Such future projects, if additional height or FAR is proposed, will need to seek variances or petition for a new zoning change, which then will be required to undergo a site specific SEQRA proceeding at that time.

#### CW 5/19 Comment 19:

- The DGEIS and FGEIS do not address impacts of the proposed definition for “Flex Space, Business Park”.

**Response:** This term and its new definition merely replace the vague, undefined term “Corporate park” in the existing code. No substantive impact will result.

#### CW 5/19 Comment 20:

- The DGEIS and FGEIS indicate that all existing Laboratory-Office (LO) Districts are recommended to be rezoned to PILO (pg 22). However, proposed zoning map 10 in the Comprehensive 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.

**Response:** The new proposed zoning map in Local law A v. 6 has retained the LO District designation in the one area where an isolated area of R-15 is entirely surrounded by the LO zone. This was done deliberately to avoid undue adverse impacts to this particular neighborhood at Coleman Court. **The FGEIS language in this document on page 20 has been amended to clarify this situation, in response to this comment.**

#### CW 5/19 Comment 21:

#### **"6.1.2 Neighborhood Shopping Zoning Changes – Village Center**

The intent of these recommendations is to create a new "village center" at the north end of the Red Schoolhouse Road corridor; however, there is no analysis of the impacts of new development on the Village and its resources.

- "The draft Comprehensive Plan proposes expanding the NS District and recommends relocating the Village Hall Offices and meeting spaces to the NS District.
- "The DGEIS and FGEIS do not identify a new proposed location for the Village Hall or assess the generic impacts of potential for the new development. What are the generic impacts of this new development potential on drainage, surface waters, wetlands and groundwater, vegetation and wildlife, traffic/transportation, community character, public services (e.g. schools, police and fire services, etc.), utilities (e.g. water, sewer, stormwater, energy, etc.), fiscal impacts and energy impacts?"

**Response:** *We do not believe that additional analysis is needed in this Comprehensive Plan to address the potential future relocation of Village Hall. A specific site is not selected, but the general area of the northern end of Red Schoolhouse Road near Kobre Park and the historic Red Schoolhouse is recommended as a possible future site, because this area already is home to a relatively new fire house and ambulance center, and it sits at the geographic center of the Village. The current Village Hall location at the northern boundary of the Village is adjacent to Spring Valley and it is not centrally located. A site specific SEQRA analysis will be undertaken if such a relocation is sought in the future.*

#### **CW 5/19 Comment 22:**

#### **"6.1.3 Regional Shopping Zoning Changes**

The intent of this recommendation is to expand the RS District and allow new uses permitted in the PILO District, including industrial uses, warehousing businesses and flex space; however, there is no analysis of the impacts of new development on the Village and its resources.

- "The draft Comprehensive Plan 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.
- "The DGEIS and FGEIS incorrectly indicates that "the area is already zoned for NS" on page 24.
- "The DGEIS and FGEIS indicate that the "use group controlling bulk and area requirements would remain the same, so that additional development coverage or FAR would not be allowed". [emphasis added] 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 be revised to 0.30). 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. This would allow an increase in the intensity of development in the Village without a comprehensive environmental assessment of the impacts on the Village as a whole.
- "Given the lower lot area threshold, the proposed rezonings may incentivize development of the RS District with these new PILO District uses. How many square feet 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? Where are the Village's natural resources in relation to the properties in this new RS Zone?
- "The DGEIS and FGEIS do not assess the generic impacts of potential for the new development. What are the generic impacts of this new development potential on drainage, surface waters, wetlands and groundwater, vegetation and wildlife, traffic/transportation, community character, public services (e.g. schools, police and fire services, etc.), utilities (e.g. water, sewer, stormwater, energy, etc.), fiscal impacts and energy impacts?
- "The DGEIS and FGEIS reference a planned development for the Triangle Properties (pg. 32), for self-storage and other "retail uses". How is this proposed development consistent with the proposed changes to the RS District and the goals and objectives of the Comprehensive Plan?"

**Response:** *The typographical error indicated in bullet point #2 above has been corrected in this FGEIS document in section 6.1.3 on page 22, in response to this comment. The text has been changed to read "RS": instead of "NS." However, we disagree with bullet points 3 through 6, as all proposed new conditional uses in Column C of the RS district table in Local Law A v. 6 are proposed as use group J,*



*and not as use group M, as alleged in this comment. Therefore the impacts of the additional PILO uses proposed for the RS district will have no significantly different impacts than the existing allowed uses, as the new use groups will still be the same group J.*

#### CW 5/19 Comment 23:

##### **"6.1.4 Residential Zoning Changes to Decrease Nonconformities Village-Wide – Buildout Analysis**

The Comprehensive Plan recommends rezoning 838 residential parcels and creating 3 new residential districts. The stated intent of these recommendations is to reduce nonconformities on residential lots that are undersized; however, the proposed zoning changes not only reduces non-conformities with regard to lot area, but also increases the development potential of many residential 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 square feet on an average 20,000-square-foot lot (from 20% to 55% coverage permitted) and an increase of 1,000 square feet of building area (from 0.2 FAR to 0.25 FAR).

- "The DGEIS and FGEIS do not comprehensively assess the environmental impacts resulting from the changes to the bulk requirements which accompany the rezonings, including impacts to community character, natural resources, stormwater runoff and flooding. The DGEIS and FGEIS include a build-out analysis which only assesses the number of new residential units that could be developed on vacant properties.
- "However, the long-term impacts of the proposed changes to the bulk requirements for already existing homes could have a collectively greater impact than the limited development on vacant parcels.
- "The DGEIS and FGEIS should consider the incentive to redevelop properties with increased coverage and FAR in concert with the recommendation that the Village contemplate permitting accessory units "as-of-right". A segregated review of these two land-use changes, could allow for a profound increase in the intensity and density of the development of the Village as a whole, with no comprehensive environmental assessment by the Lead Agency.
- "There is 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. This would allow an increase in the intensity of development in the Village without a comprehensive environmental assessment of the impacts on the Village as a whole.
- "The DGEIS and FGEIS do not address the impacts of the proposed changes to *Section 290-84 for Nonconforming Lots*.
- "The DGEIS and FGEIS do not assess the generic impacts of potential development under the proposed bulk changes. What are the generic impacts of this new development potential on natural resources, traffic/transportation, community character, public services (e.g. schools, police and fire services, etc.), utilities (e.g. water, sewer, stormwater, energy, etc.), and fiscal impacts?"

**Response:** We disagree with the statements that the impacts of changes to Area 1 in the buildout were not properly considered. While it is true that this area is proposed to be changed from R-50 to R-20, it is already entirely developed at R-20 densities, and already divided into dozens of smaller lots in separate ownership. See figure at right. Only one small, undersized strip is vacant as this time (see orange highlight). Furthermore, we do not agree with the comment in bullet point



#3 above regarding "accessory units as of right," as section 2.3.6 of the Comprehensive Plan explicitly states that this Plan does not recommend such a change to allow such uses. We make the same arguments in response to the last three bullet points in the comment above, as all of these changes

*merely bring existing fully developed areas of the Village into compliance with the zoning code, by proposing zoning consistent with existing land use patterns, as justified by the analyses in section 6.2.*

#### CW 5/19 Comment 24:

##### **"6.1.5 Creating a Floating PUD Zone**

- "The DGEIS and FGEIS indicate 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, and that the environmental impacts of the PUD and more specifically the Equestrian Estates development is to be evaluated separately.
- "The Draft Environmental Impact Statement for Equestrian Estates Mixed Use PUD Application; dated September 2, 2021, did not include any evaluation of the impacts of the potential application of the PUD Zone to the Triangle Properties.
- "The DGEIS and FGEIS do not address generic impacts of potential for the new development at the Triangle Properties. What are the generic impacts to natural resources (surface water), 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?"

**Response:** *Section 6.2 of this document DOES analyze the impact on the potential application of the PUD zone to the Triangle Properties (see Area 9).*

#### CW 5/19 Comment 25:

##### **"6.16 Green Meadow School/Threefold Foundation/Duryea Farm**

"The Comprehensive Plan references the potential for a new floating zone to be applied to the Green Meadow School/Threefold Foundation/Duryea Farm properties to allow development of an education campus/philanthropic uses/ group quarters/ accessory housing/agriculture to be designed in a masterplan.

- "The DGEIS and FGEIS do not address generic impacts of potential for the new floating zone on the properties. What are the generic impacts to natural resources (surface water), 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?"

**Response:** *The proposed floating zone for the Green Meadow School is not included in this plan as a current recommendation, but it is indicated as a potential future project which will undergo a site-specific SEQRA proceeding at the time it may be undertaken in the future.*

#### CW 5/19 Comment 26:

##### **"6.1.7 Aspirational Policies**

"This section is intended to address the impacts of the *Issues Identified for Future Study in Section 6.1.5* of the Comprehensive Plan. There are several issues that are not addressed at all within the DGEIS and FGEIS which could have significant environmental impacts:

- "House of Worship and Residential Gathering Places - The DGEIS and FGEIS do not address the recommendation to further review the standards for houses of worship to ensure they continue to satisfy the needs of the community into the future.
- "Bulk Requirements for Schools - The DGEIS and FGEIS do not address the recommendations to consider revisions to the bulk standards for schools to allow for the establishment of smaller, neighborhood schools.
- "Accessory Dwelling Units and Two-Car Garages - The DGEIS and FGEIS do not address the recommendation that the Village consider permitting accessory dwellings "as-of right" in single family districts. As noted above this potential land use change could have profound environmental impacts when considered in concert with the increase in coverage and FAR permitted by the proposed rezonings, which are not examined in the DGEIS and FGEIS.
- "Chestnut Ridge Road Thoroughfare Plan – Additional Retail/Non-Residential Opportunities - The DGEIS and FGEIS do not address the recommendation that the Village conduct a corridor study for Chestnut Ridge Road."



**Response:** *The entire purpose of this section was to list areas for future study that are not intended to be analyzed at this time. If any of these items are studied by the Village Board in the future, an analysis of impacts will be conducted at that time. Any new legislation would require a site-specific SEQRA analysis.*

**CW 5/19 Comment 27:**

**“6.2 Housing Potential Buildout Analysis**

- “As noted above, this section only addresses the impacts of the proposed rezoning with regard to the number of units that could be developed. There is no analysis of other impacts of the proposed land use changes.
- “The DGEIS does not comprehensively assess the impacts of the anticipated development. What are the impacts 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?”

**Response:** *A specific EIS for the Equestrian Estates development is underway. Other housing impacts identified in section 6.2 of this document are minor in nature. However, in response to this comment, some simple projections of school, emergency services and fiscal impacts have been added to this FGEIS document, at the end of section 6.2 on page 32.*

**CW 5/19 Comment 28:**

**“7.0 Traffic Improvements and Red School House Road Traffic Study**

“The Red Schoolhouse Road Traffic Study, which was prepared by Colliers Engineering in February 2021, does not fully assess the range of possible alternatives that could result from the proposed land use changes recommended in the Comprehensive Plan.

“The traffic study only assesses the traffic impacts of the Triangle Properties as a retail shopping center. the DGEIS and FGEIS identifies the Triangle Properties development site as a potential landing place of the PUD Zone, which could be developed with 130 dwelling units per the build out analysis in Section 6.2. What traffic impacts would this alternative have?”

**Response:** *In general, we believe that if the Triangle Properties were developed residentially instead of commercially, its traffic impacts will be less. All developments in the Red Schoolhouse Road corridor will require site plan review and/or subdivision review which will trigger the Planning Board, through a site-specific SEQRA process, to consider whether the proposed project fits within the framework of the Red Schoolhouse Road Traffic Study, and whether the study’s required traffic improvements will provide adequate mitigation for the traffic impacts of the project.*

**CW 5/19 Comment 29:**

**“CONCLUSION**

The adoption of a Comprehensive Plan is a valuable opportunity for the Village to set the vision for its future growth within the capabilities of the Village’s natural resources, utilities, transportation infrastructure, and other environmental constraints. Our review of the DGEIS and FGEIS has revealed numerous inconsistencies and omissions regarding significant environmental impacts of the proposed Comprehensive Plan and Local Law A v.6 of 2022. As such, the conclusions within the DGEIS and FGEIS regarding the absence of significant negative environmental impact of the proposed Comprehensive Plan and Local Law A v.6 of 2022 are not supported and should not be relied upon.”

**Response:** *In light of the various reasons set forth herein, we believe that this GEIS has been prepared with due diligence and may be relied upon to determine the generic environmental impacts of the proposed Comprehensive Plan and Local Law A v. 6.*

**Letter from Steven N. Mogel, Esq., on behalf of CUPON CNR, to Mayor Rosario Presti, Jr., dated May 19, 2022, RE: Public Hearing upon FGEIS on the Village's Comprehensive Plan and corresponding local law.**

### SM Comment 1:

"I represent Citizens United to Protect Our Neighborhoods of Chestnut Ridge ("CUPON CNR") with regard to the above-referenced matter. I am in receipt of copies of correspondence by Carolyn Worstell, PP, AICP of the planning firm of Dresdner Robin provided to the Board of Trustees dated May 11, 2022 and May 19, 2022. I write to the Board today to urge you not to accept the FGEIS this evening, to unambiguously reopen and publish notice of the period of public comment upon the DGEIS, and to accept and respond to the comments thereupon already provided to you by Planner Worstell.

"As Planner Worstell states in her May 11, 2022 correspondence

"The Village Website posted a DGEIS dated March 9, 2022, which does not include the 'date of acceptance' (Step 7) of the DGEIS, nor the date of the 'public hearing' (Step 10), nor the 'deadline for written public comments' (Step 9).

The language of the public notice for the April 28, 2022 Public Hearing was 'to consider the draft Generic Environmental Impact Statement (DGEIS)'. There is no indication given in the notice that the March 9th version of the DGEIS has been accepted as 'complete' or when the deadline for written public comments on the DGEIS is to pass."

"It is our position that the aforesaid notices were legally infirm and will not withstand the scrutiny of the Court. More importantly, however, these deficiencies denied members of the public a full and fair opportunity to be heard upon the intended Comprehensive Plan and its provisions. It is not hyperbolic to state that the preparation and adoption of a comprehensive plan may be the single most impactful decision upon its residents that local government may make. As Planner Worstell notes in her May 19, 2022 correspondence, "[t]he Comprehensive Plan recommends rezoning 838 residential parcels, and creating 3 new residential districts." Resident input on such large-scale zoning changes should not be given short shrift.

"As stated above, it is our position that the determination of adequacy of the DGEIS, its acceptance, and the setting of the period of public comment does not comply with the requirements of SEQR. Nonetheless, it is entirely within the purview of this Board to rectify these errors with a bare minimum of effort and delay by unambiguously accepting the DGEIS as either complete or to be returned for revision, unambiguously reopening the period of public comment upon the DGEIS, and proceeding with the remainder of the SEQR review process.

"I thank the Board for its consideration."

**Response:** *The comment period was extended to June 3, 2022, as a courtesy in response to this comment, and to ensure the public was afforded ample, and more than the prescribed time to submit their comments. All CUPON's comments submitted on May 11 and May 19, 2022, were addressed in this GEIS.*

Email from Trustee Chaim Rose, May 19, 2022, at 1:10 P.M. to Alak Shah, Bernadette Kilduff, Jonathan Lockman, RE: Chestnut Ridge Comp Plan.

#### CR Comment 1:

"Page 16, community demo has the old demographics info."

**Response:** *Page 16 of the Comprehensive Plan has been changed in response to this comment. The page in question lists the results of an analysis from the ESRI Business Analyst software package, run in 2017 during initial studies of the Red Schoolhouse Road corridor. As this analysis was done prior to the 2020 Census, the table references a 2017 estimate. Notes have been added to clarify this situation. We do not believe it necessary to rerun the analysis.*

Email from Matthew Semenza, May 24, 2022, at 6:51 P.M. to Florence Mandel, RE: Comp Plan – public comments

#### MS Comment 1:

"My name is Matthew Semenza and I am writing to "voice" my concerns about the proposed equestrian estates development. The proposed development would directly border my property so it is very concerning to me. In taking a look at the recent survey done by the village it is evident to me that approving this project would go DIRECTLY AGAINST the village residents public opinion. Here are a few examples taken directly from the survey:

**"Multifamily Housing Choices – Potential Sites for Development, Questions 11 through 18**

- Respondents mildly did not support allowing for higher density housing types such as duplexes, townhomes, or apartments. (Score 3.95)
- Respondents mildly did not support allowing multifamily apartments or townhomes in the Red Schoolhouse Road/GSP interchange area. (Score 3.62)

**Green Space and Parks and How to Pay for It, Questions 44 through 47**

- The protection or acquisition of open space was strongly supported with a score of 1.47.

**Mixed Use Buildings, Question 49**

- 46% of respondents wished to discourage a mixed-use pattern anywhere in the Village.
- 21 % wanted to encourage a mixed-use pattern in the entire Village, and 19% wanted to encourage mixed uses in the Red Schoolhouse/GSP interchange area only

"To me - these things clearly indicate that residents would NOT approve the proposed equestrian estates development."

**Response:** *Survey responses indicate that the respondents were split on whether additional opportunities for multifamily housing and mixed-use development should be considered. The final policy decisions as set forth in the Comprehensive Plan and its implementing Local Law A v. 6 of 2022, are determined by the Village of Chestnut Ridge Board of Trustees. The Village Board utilizes survey results to investigate and gauge public opinion, but the Board is not bound by such surveys which are only advisory in nature.*

#### MS Comment 2:

"Further, this would create major traffic issues in the area, and destroy a large area of wildlife habitat. When I look in my backyard every morning, I see deer, red foxes, and all different types of birds. I moved to this area to enjoy peace, quiet, and greenery. The leaves changing color in the fall is also something special. Destroying all of these woods to

build high density housing would be such a shame and would really change the character of the whole area (chestnut ridge, montvale, and orangetown included)."

**Response:** *Impacts to the environment have been studied in the Draft Environmental Impact Statement (DEIS) for Equestrian Estates, on file at the Village Hall.*

### MS Comment 3:

"Lastly, residents in the area do not even know this proposal is being considered. I would propose that all residents surrounding the property in chestnut ridge, orangetown, and montvale be notified ASAP."

**Response:** *Public Notice has been provided as required by NYS laws and regulations for the Comprehensive Plan process, and at the beginning of the Comp Plan process a first-class postcard was mailed to all property owners. The Comprehensive Plan and the Red Schoolhouse Road Corridor Traffic Study have been the subject of multiple Public Hearings by the Village Board of Trustees. The DEIS for Equestrian Estates and this DGEIS have also been noticed as required by NYS laws and regulations. The Comp Plan and FGEIS have been circulated to all the surrounding municipalities and interested agencies pursuant to the General Municipal Law.*

**Letter from Richard H. Sarajian, Esq., on behalf of Complete Auto Repair, Inc., to Florence Mandel, Village Clerk, dated June 3, 2022, RE: Comments on FGEIS for Village's Comprehensive Plan.**

### RS Comment 1:

"During the Comprehensive Plan process, we submitted written comments to the Village for consideration by the Village and its Planning Committee.

"We were very disappointed to learn that the Committee never even reviewed or considered these comments even though some of them were based on problems identified during site plan review of the Complete Auto Repair project by the Planning Board.

"We enclose another copy of those comments for your consideration as part of the FGEIS and Master Plan review."

**Response:** *The Village has no record of ever receiving the attached comment letter dated April 23, 2020. We regret that we did not receive it and could not address your comments earlier.*

### RS Comment 2

"Our office represents Complete Auto Repair, Inc., the owner of the property located at 255 Old Nyack Turnpike, Spring Valley, New York (Tax Lot 57.17-2-27). This property is an automotive repair facility located in the PO zone. It is a non-conforming use.

"The current Comprehensive Plan Committee questionnaire specifically asks if there should be permitted more growth for automobile repair (Question 48). During the Planning Board process for the recent expansion and reconstruction of my client's site, it became obvious that the expansion and changes for this use are necessary.

"Article III Section 4 Subparagraph Q of the Zoning Code defines "Auto, truck or bus body repair" as a prohibited use in the Village. It should be repealed, and auto body repair should be a special permit use within all non-residential zones. The improvements of the technology in this industry and the additional monitoring of things like paint booths, etc. eliminates all prior reasons for prohibiting auto body repair uses in a non-residential zone.

The real concern, which can be addressed by special permit conditions, involves storage of cars waiting to be repaired.

"Based on comments made by Max Stach, your planning consultant, during our appearances before the Planning Board, I believe he agrees that auto body repair work should no longer be prohibited in the Village.

"Auto body repair is a permitted use in non-residential zones in many of the villages and towns in Rockland County. While we believe these uses should be permitted in all non-residential districts, at the very least they should be permitted in any zoning district which permits automobile sales and service or gasoline service stations and as a floating zone in all other non-residential districts.

"In addition, it is clear that the zoning code must deal with businesses that are not gasoline service stations (as defined in Article III Section 5 of your code) or automobile sales and service (as defined in Section XII Section 8 of your code).

"Your code needs a separate definition for automotive repair and maintenance businesses that do not sell gasoline or vehicles. That is today's reality. Chain auto repair businesses such as Goodyear, Firestone, Midas, etc. should be welcomed to service our residents. Private repair shops like Complete Auto Repair, which has served the Chestnut Ridge area since before the Village was formed, should not be non-conforming uses

"Unfortunately, until recent changes in the gasoline tax in New Jersey, gasoline stations south of Route 59 could not be competitive. In a study I did many years ago I found that a substantial majority of gasoline stations located in Rockland County south of Route 59, including all of those in Chestnut Ridge had closed. It is unlikely that any will return. Car dealerships along Chestnut Ridge Road have closed. While there are a few repair shop licenses in Chestnut Ridge, only my client and AJ Repairs do general automotive repairs. Thus, it serves no purpose to only have "gasoline stations with repair services" and "automotive sales and service" as defined uses.

"Over 30 years ago the courts recognized that convenience stores should be considered an additional use for gasoline stations because so many gasoline stations were converting their repair bays to convenience stores. See Matter of Exxon Corp. v. Board of Standards & Appeals, 128 A.D.2d 289 (1st Dep't 1987) lv. denied 70 N.Y.2d 614 (1988) and Matter of Exxon Corp. v. Board of Standards & Appeals, 151 A.D.2d 438 (1st Dep't 1989) lv. denied 75 N.Y.2d 703 (1990).

"The Village should allow for free-standing automobile repair shops as a special permitted use in all non-residential portions of the Village. They can also be allowed as part of a neighborhood center.

"Finally, just as the Comprehensive Plan Committee is considering what to do with lots which are non-conforming as to bulk, you should consider legalizing non-conforming uses such as this one that pre-dated the formation of the Village."

***Response:*** *These proposed changes to the Zoning Code to address the problems of non-conforming automobile repair uses should be addressed by the Village Board, and indeed are supported by the Village's planning consultants. However, given that the Village Board has received these comments for the first time at the end of an extended comment period on this FGEIS, we cannot add this proposed set of amendments to Local Law A v.6 implementing the Comprehensive Plan. The Village Board as Lead Agency of this SEQRA process recommends that Mr. Sarajian prepare a zoning petition to the Village Board of Trustees to amend the Zoning Code to address these issues. The Village Board will consider such a petition at its earliest convenience.*

## Public Hearing Testimony

### Speaker 1:

**Testimony of Steve Mogel, Esq., Monticello, NY, representing CUPON CNR, at May 19, 2022 Public Hearing**

"Yes, I will readily admit that the thunder has been taken out of my correspondence which was directed in seeing what that the resolution and as comments from counsel that comments from the public will still be addressed that the record be kept open that the planners will be directed to respond to those comments, so my comments therefore are relatively moot. I am going to leave the substantive comments to the professional who will address that, and I thank the Board for its time."

**Response:** *The comment period was extended to June 3, 2022 in response to this comment. All of CUPON's comments were addressed in this GEIS.*

### Speaker 2:

**Testimony of Carolyn Worstell, PP, AICP, Urban Planner, from Dresdner Robin, Jersey City, NJ, representing CUPON CNR, at May 19, 2022 Public Hearing**

"I submitted my (written) comments in full. I am going to very briefly summarize some of the main points. Generally, this has been an ongoing review of the comprehensive plan. We had submitted original comments on the draft comprehensive plan back in November of 2021 and have continued to follow this process and began reviewing DGIS and FGEIS and really in that review we noticed that not all of the potential impacts that have been identified in the final scoping document adopted by the Board in 2020 really have been fully addressed comprehensively talking about the impacts of land development on drainage, surface water, flatland and water, vegetation and wildlife, impact on utilities, the impact of community character, fiscal impact, useful energy.

"These are all potential issues that were identified by the Board that could be concerns of and were not fully comprehensively assessed in either of the GEIS's. Additionally, the GEIS is focused specifically on the land use recommendations and did not really address potential impacts on the other proposed goals and policies of the comprehensive plan focused on environmental protection, community facilities and services, economic development, infrastructure, transportation, sustainability, historic preservation and community design and really there also is no real discussion about how the proposed zoning changes will promote or hinder the goals of the comprehensive plan as a whole.

"Furthermore, there is really a reliance on site specific SEQRA to address and look at some of these issues more fully and the plan really specifically states no site specific environmental reviews will focus on particularly just on the question it states but that sort of limits the view and it does not really allow for the wider view of how the overall plan will impact the Village as a whole and that is the intent of a generic environmental impact statement. Most concerningly, there are a number of changes proposed to residential districts and these impact a very large swap of the Village who are going to be re-zoning over 800 individual residential properties and that change does not only reduce the lot area, it actually is also going to change the bulk standards for those 800 properties and there is no assessment how that will impact the future development of the Village. There is an assessment on the number of units being developed on vacant properties but there is no evaluation of long term impacts for already existing homes which could collectively have a greater impact very specifically, the combination of what the potential for these increased coverage in FAR that could be resulted from these re-zonings in conjunction with recommendation in the plan that the Village contemplate permitting accessory units as a right really could have very pronounced and profound impacts on the Village without increasing the intensity and density of development in the Village as a whole and if it is not evaluated collectively, if its 2 parts, it really could miss the collective and comprehensive impacts of those changes.

"Additionally, there are a number of changes proposed to non-residential districts in the PI, LO and RS zones. Again, these zones were intended to encourage development but there is really no generic assessment of what are the impacts of encouraging development in these areas. What would the impact on natural resources, traffic and transportation, community character, public services, utilities, fiscal impact and energy impacts?

"As I said, I submitted to you a detailed memorandum with my comments and questions, and I am very happy to hear that you will be considering those and reviewing them. The adoption of the comprehensive plan is really a valuable opportunity for the Village to set its own vision for its future growth but as stated in the goal for sustainability it is within the capabilities of the Village's natural resources, utilities transportation infrastructure, and other environmental constraints and this is the opportunity to make sure that you are making that the vision can actually be done within its capabilities."

**Response:** *This testimony is a summary of Ms. Worstell's written comments dated May 19, 2022, which have been address paragraph by paragraph, above in this document.*

### Speaker 3:

**Testimony of Sarah Zlotnick, 15 Eastbourne Drive, Chestnut Ridge at May 19, 2022 public hearing**

"I've been a resident here for almost 10 years and it seems that the direction of the Village seems to be shifting drastically from when we came. Along with these comprehensive plans I am not very much in the know but I have been made aware that there are multiple proposals for multi-family developments in areas that were previously zoned differently. My understanding is that the Village was initially incorporated and made to maintain a certain standard different from Spring Valley which I was initially appalled of and it is very concerning to me that we would even consider these type of multi-family dwellings in Chestnut Ridge and I would like to know what the benefit would be to the current taxpayers, the current people you represent, what it would be to us and what would be our interest in having such developments take place, obviously to develop land underdeveloped could be revenue for everyone but why would we shift from single family homes commercial properties to areas of multi-family dwellings when we have moved to this area to specially not be in an area that is over developed.

"I grew up in Monsey and watched the streets little by little. It starts with taking away the garages and it's a slippery slope from there and I watched literally my backyard turn from little houses on nice pieces of property to huge multi-family houses with no grass left. Yes, it happens over a course of time, it's not something that happens overnight but I've watched it probably over 20 years and it is very concerning. To me and I believe to many people that live in this town, I would like to know if this is true that there are proposals for these, that this in the works how is that benefiting someone like me?"

**Response:** *The Comprehensive Plan balances the needs of all landowners and citizens. The addition of limited areas of multi-family housing has been found by the Village Board of Trustees as a necessary step to provide a diversity of housing choices at various price levels to current and future residents, and to maintain a stable tax base for the Village.*



## Oral Comments Received by Village Attorney by Telephone

### Telephone Comment 1:

**Phone call from Chaim Rose, Trustee., to Alak Shah, Esq., Village Attorney, June 3, 2022**

“On pages 25 and 90, the text of the Comp Plan does not reflect the passing of Local Law 6 of 2022 on May 19, 2022, which repealed the requirement for a two-car garage at every single-family residence.”

***Response:*** *The text of the Comprehensive Plan on pages 25 and 90 has been changed, in response to this comment.*



## 11.0 REFERENCES

*11.1 – The Village of Chestnut Ridge Draft Scope for Preparation of a Draft Generic Environmental Impact Statement for the Draft Comprehensive Plan dated October 14, 2020*

*11.2 - The Village of Chestnut Ridge Draft Comprehensive Plan dated June 8, 2020*



## **12.0 Appendices**

### **12.1 Local Law A v.7 of 2022**

### **12.2 DGEIS Adopted Final Scope**

### **12.3 Matrix of Specific Goals and Recommendations of the Comprehensive Plan**

### **12.4 Written Comments Received on the DGEIS/Comprehensive Plan**

- Rockland County Department of Planning GML Review, April 27, 2022
- Carolyn Worstell, AICP, Dresdner Robin, on behalf of CUPON CNR, May 11, 2022
- Carolyn Worstell, AICP, Dresdner Robin, on behalf of CUPON CNR, May 19, 2022
- Steve Mogel, Esq., on behalf of CUPON CNR, May 19, 2022
- Chaim Rose, Trustee (email), May 19, 2022, 1:10 P.M.
- Matthew Semenza (email), May 24, 2022, at 6:51 P.M.
- Richard H. Sarajian, Esq., on behalf of Complete Auto Repair, Inc., June 3, 2022



## Appendix 12.1

### Local Law A v.7 of 2022



VILLAGE OF CHESTNUT RIDGE  
LOCAL LAW NO. A v.7 OF 2022  
A LOCAL LAW AMENDING CHAPTER 195, ZONING,  
TO IMPLEMENT RECOMMENDATIONS OF THE COMPREHENSIVE PLAN  
TO ADD NEW R-10, R-15 1F, R-20, AND PILO ZONING DISTRICTS  
WITH NEW STANDARDS, AND  
REPEAL AND REPLACE THE OFFICIAL ZONING MAP

Be it enacted by the Village Board of Trustees of the Village of Chestnut Ridge by authority of Article 7 of the Village Law and Article 2, Section 10 of the Municipal Home Rule Law, as follows:

*(Note: Proposed insertions of language into the Code are indicated by underlining. Proposed deletions of language from the Code are indicated by strikeout symbols. All other language shown is to remain unchanged. (Note: The symbol “\* \* \* \* \*” indicates portions of the Code to remain unchanged, which are not shown here for brevity.)*

**Section 1: Legislative findings and intent. The Village Board of the Village of Chestnut Ridge hereby finds and declares:**

The Village has undergone a multiyear comprehensive planning process, and pursuant to its proposed new Comprehensive Plan, wishes to adopt changes to the Zoning Code to implement its revised goals and objectives.

**Section 2: Amend Chapter 290, Zoning, §290-116 Definitions, by adding the following new definition in alphabetical order:**

§ 290-116 Definitions.

As used in the chapter, the following terms shall have the meanings indicated:

\* \* \* \* \*

**FLEX SPACE, BUSINESS PARK**

A building or buildings designed for the commercial use of one or more tenants, generally for an undefined mix of office, light assembly, showroom, distribution/warehousing or storage of equipment and/or material inside a building. A business park flex space development shall not include restaurants, personal care, or retail establishments. Tenant spaces shall have a minimum of 2,000 square feet and a maximum of 10,000 square feet of gross floor area and may include individual loading berths.

\* \* \* \* \*

**Section 3: Amend Chapter 290, Zoning, 290 Attachment 1, entitled “Table of General Use Requirements, Part 1: Residential Districts,” as follows:**

CHESTNUT RIDGE CODE

290 Attachment 1

Village of Chestnut Ridge

Table of General Use Requirements  
Part I: Residential Districts  
RR-50 District

A	B	B-1	C	C-1	D	D-1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (subject to Articles XI and XIII)	Use Group	Uses by Special Permit of the Village Board (subject to Article XVI and Article XI, § 290-58)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces (subject to Article VII)		Additional Use Requirements
RR-50	<div>1. Underground public utilities including gas, electric, water and telephone transmission systems and appurtenances thereto, but not including surface or overhead utilities, towers, telephone lines, antennae, call boxes, buildings or structures.</div> <div>2. The following agriculture operations, provided that there shall be no structures or storage of odor or dust producing substance within a distance of 500 feet from any lot line: (a) Nurseries, greenhouses and other enclosed structures for growth and production of plants. (b) Open field agriculture, including orchards, truck gardening, vineyards and other field crops.</div> <div>None of the foregoing shall be construed to permit the commercial raising of pigs or agricultural industries, such as cage-type poultry operations or processing of animal products nor raised on premises.</div> <div>3. 1-family detached residences, with not more than 1 principal residential building on a lot.</div> <div>4. Community residence facilities, subject to Village Board approval as to site selection, pursuant to § 41.34 of the Mental Hygiene law.</div>	<div>a</div> <div>b</div> <div>h</div> <div>h</div>	<div>1. Reservoirs and standpipes on lots of three acres or more.</div> <div>2. Accessory to an agricultural use, buildings or stands for the display and sale of agricultural products; the majority of which are grown on the same premises.</div> <div>3.<div>a. Keeping, breeding and raising of horses on lots of 20 acres or more, but not within 100 feet of any lot line.</div><div>b. The keeping of cows on lots of 20 acres or more, but not within 200 feet of any lot line. Not more than one cow shall be permitted for every three acres. All cows shall be kept in a secured fenced-in area. No cow shall be fitted with bells or other noise-producing devices.</div></div> <div>4. Nursery schools</div> <div>5. Residences subject to Section 7-738 of the Village Law pursuant to the Density Zoning Resolution adopted by the Village Board subject to Article IV, § 290-15.</div> <div>6. Accessory home professional offices</div> <div>7. Libraries, museums and art galleries</div> <div>8. Family and group care facility (non-Padavan)</div> <div>9. Residential gathering place</div> <div>10. Neighborhood place of worship</div>	<div>a</div> <div>n/a</div> <div><u>n/a</u></div> <div><u>n/a</u></div> <div>g</div> <div>n/a</div> <div>h</div> <div>d</div> <div>h</div> <div>h</div> <div>h</div>	<div>1. Cemeteries on lots not exceeding 10 acres adjacent to an established cemetery or place of worship.</div> <div>2. Public and private hospitals and sanatoriums for general medical care. Accessory to such uses the Board of Appeals may permit such outpatient clinics and office facilities, provided that in sum such facilities do not exceed 30% of the total floor area of the facility.</div> <div>3. Nursing homes and convalescent facilities licensed by the State of New York.</div> <div>4. Stables and riding academies subject to Article XII, § 290-<del>6667</del>.</div> <div>5. Volunteer ambulance service facilities</div> <div>6. Keeping of not more than 2 nontransient roomers or boarders.</div> <div>7. Schools of general or religious instruction, provided that there shall be no residential uses upon the lot other than a guard or caretaker's dwelling or a dormitory subject to Article XII, § 290-<del>6465</del>.</div> <div>8. (Reserved)</div>	<div>b</div> <div>f</div> <div>c</div> <div>b</div> <div>d</div> <div><u>n/a</u></div> <div>f</div> <div><u>n/a</u></div>	<div>1. Accessory to a 1-family residence or agricultural use, nor more than a total of three structures of any or a combination of the following private structures: greenhouses, hams, silos, sheds, garages tennis courts, swimming pools or other similar structures.</div> <div>2. Accessory to a 1-family residence, storage of not more than 1 unoccupied trailer, recreational vehicle, boat trailer or boat not exceeding 35 feet in length, subject to Article VII, § 290-<del>3233</del>.</div> <div>3. Keeping domestic animals as follows: not more than a total of 3 cats or dogs over the age of 6 months, not more than 2 horses over the age of 6 months, not more than 10 fowl, not more than 2 of any other species of any domestic animals, excluding however, all pigs and cattle. Domestic animals except for dogs and cats, shall be maintained in an enclosure or fenced in area not less than 75 feet from any lot line. Enclosures for dogs and cats shall not be closer to any lot line than the minimum required setback.</div> <div>4. Accessory parking subject to Column F and Article VII.</div> <div>5. Accessory loading subject to Article VII, § 290-<del>3334</del>.</div> <div>6. Accessory to agriculture operations, storage of goods, equipment, raw materials or products, screened from all property lines.</div> <div>7. For any residence one sign as prescribed in Article VIII, § 290-<del>40A41A</del>.</div> <div>8. For any property for sale or for rent one sign as prescribed in Article VIII, § 290-40A.</div> <div>7. For any residence, home occupation or home professional office, if any on the premises, one announcement sign not over 4 square feet in an area and set back at least 10 feet from the designated street line. Where illuminated, such signs shall be indirectly illuminated by a constant light integral to the sign.</div>	<div>For:</div> <div>1. Schools of general instruction</div> <div>2. Buildings or open space stands for display and sale of agricultural products</div> <div>3. Churches and similar places of worship</div> <div>4. Stables and riding academies</div> <div>5. Hospitals</div> <div>6. Sanatoriums, nursing homes and convalescent facilities</div> <div>7. Golf courses or other outdoor recreational facilities</div> <div>8. Public utilities</div> <div>9. Cemeteries</div> <div>10. Home professional office</div> <div>11. Nursery schools</div> <div>12. Family and group care facilities</div>	<div>At Least 1 Parking Space for Each Unit of Measurement Listed or as Otherwise Noted Below</div> <div>300 square feet of floor area or 12 student seats, whichever requirement is greater, plus 1 space per 2 enrolled students over the age of 16</div> <div>5 feet of frontage or 100 square feet of floor/sales area, whichever requirement is less</div> <div>200 square feet of floor area or per 5 worshippers at maximum seating capacity, whichever is greater (school areas same as No. 1)</div> <div>5 persons capacity or as determined by the Planning Board for the highest design hours whichever is greater</div> <div>1 bed plus 1 space per 250 square feet of outpatient clinic floor area, plus 1 per 150 square feet of separate physician office space</div> <div>2 beds</div> <div>1/3 hole or 4 persons' capacity</div> <div>Employee in the maximum working shift</div> <div>Minimum capacity for 40 vehicles clear of any public street</div> <div>A maximum of 6 spaces, not more than 3 of which shall be visible to the public way, plus 2 spaces for residents</div> <div>1 per 100 square feet of floor area in such use or 1 per 4 seats capacity, whichever requirement is greater</div> <div>1/3 dwelling but not more than 5 spaces of which nor more than 2 are visible to the public way</div>	<div>1. A buffer with a minimum dimension of the respective required setback may be required as condition of approval for any conditional or special permit use where such uses may adversely affect the residential character of the neighborhood. The buffer, if required, shall be provided between the proposed conditional or special permit use and any lot in a residential district. Such buffer area may be reduced where local conditions warrant and substitute measures are prescribed for the protection of neighboring properties or where adjacent use is similar to that proposed for special permit approval. The buffer shall not be required for houses of worship which are subject to Use Group c and schools which are subject to Use Group f unless the Planning Board determines that such buffer is necessary to reduce impacts on adjacent properties or on the neighborhood.</div> <div>2. A minimum buffer of 100 feet shall be required for dormitories</div>



## ZONING

A	B	B-1	C	C-1	D	D-1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (subject to Articles XI and XIII)	Use Group	Uses by Special Permit of the Village Board (subject to Article XVI and Article XI, § 290-58)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces (subject to Article VII)		Additional Use Requirements
					9. Surface and overhead public utilities, such as gas, electric, water and telephone transmission systems, including buildings and structures necessary for the furnishing of adequate service by public utilities except that special permit shall not be required if such building not structure has been approved by the Planning Board as part of Subdivision or Site Plan review. This provision shall not include office, warehouse and/or storage areas for general or corporate business purposes, towers, antennae or Personal Wireless Service.	<u>d</u>	8. For any structure for sale or rent, 1 temporary non-illuminated “for sale” or “for rent” sign not over 15 square feet in area, located at least 5 feet from the designated street line  9. Accessory to any permitted non-residential establishment, identification signs subject to the site development plan rules and regulations  10. Accessory home occupations	13. 1-family residences	1/2 dwelling In addition, 1 parking space for each roomer or boarder. For any home occupation at least 2 parking spaces.  As determined in the special permit therefor, but not less than the highest design hour as determined by the Planning Board  150 square feet in such use plus 1 for each employee	
					10. Community place of worship	<u>c</u>		14. Volunteer ambulance service facilities	Not less than the actual resident capacity unless legal restrictions are imposed on occupancy of such facilities.	
								15. Libraries, museums and art galleries	5 per occupants at maximum occupancy as determined by Article XII standards	
								16. Dormitories		
								17. Residential gathering places		

CHESTNUT RIDGE CODE

Village of Chestnut Ridge

Table of General Use Requirements  
Part I: Residential Districts  
R-40 District

A	B	B-1	C	C-1	D	D-1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (subject to Article XI and XIII)	Use Group	Uses by Special Permit of the Village Board (subject to Article XVI and Article XI, § 290-58)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces (subject to Article VII)		Additional Use Requirements
R-40	<div>1. Same as RR-50, No. 1 (utilities)</div> <div>2. The following agricultural operations, provided that there shall be no structures or storage of odor or dust-producing substances within a distance of 500 feet of a lot line:<div>(a) Nurseries, greenhouses and other enclosed structures for growth and production of plants.</div><div>(b) Open field agriculture, including orchards, truck gardening vineyards and other field crops.</div></div> <div>None of the foregoing shall be construed to permit the raising of any livestock or agricultural industries such as cage-type poultry operations or processing of animal products.</div> <div>3. Same as RR-50, No. <del>43</del> (residence)</div> <div>4. Same as RR-50, No. <del>5-4</del> (community residence facilities)</div>	<div>a</div> <div>b</div> <div>m</div> <div>m</div>	<div>1. Same as RR 50, 1 (reservoirs), 2 (accessory sale stands), 3 (farm animals), 4 (nursery schools), 5 (density zoning), 6 (home professional office), and 7 (libraries, etc.)</div> <div>2. Residential gathering place</div> <div>3. Neighborhood place of worship</div>	<div>m</div> <div>m</div> <div>q</div>	<div>1. Same as RR-50, No. 1 (cemeteries), 2 (hospitals), 4 (stables), 5 (ambulance corps), and 6 (roomers)</div> <div>2. Same as RR-50, No. 3 (nursing homes) and 8 (churches)</div> <div>3. Same as RR-50 (public utility buildings and structures)</div> <div>3. Schools of general or religious instruction provided that there shall be no residential uses upon the lot other than a guard or caretaker's dwelling or a dormitory subject to Article XII, § 290-<del>64</del><del>65</del>.</div> <div>4. (Reserved)</div> <div>5. Community place of worship</div>	<div>b</div> <div>c</div> <div>d</div> <div>f</div> <div><del>n/a</del></div> <div>c</div>	<div>1. Same as RR-50, Nos. 1 through 10</div>	<div>For <u>all uses</u>: <del>1. —</del> Same as RR-50.</div>	<div>At Least 1 Parking Space for Each Unit of Measurement Listed or as Otherwise Noted Below Nos. 1 through 17</div>	<div>1. Same as RR-50, Nos. 1 and 2</div>

ZONING

Village of Chestnut Ridge

Table of General Use Requirements  
Part I: Residential Districts  
R-35, ~~and R-25~~, and R-20 Districts

A	B	B-1	C	C-1	D	D-1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (subject to Article XI and XIII)	Use Group	Uses by Special Permit of the Village Board (subject to Article XVI and Article XI, § 290-58)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces (subject to Article VII)		Additional Use Requirements
R-35	1. Same as RR-50. No. 1 (utilities) 2. Same as R-40, No. 2 (agriculture) 3. Same as RR-50, No. <del>4-3</del> (residences) 4. Same as RR-50, No. <del>5-4</del> (community, residence facilities)	a b q q	1. Same as RR-50, Nos. 1 (reservoirs), 2 (accessory sale stands), 3 (farm animals), 4 (nursery schools), 5 (density zoning), 6 (home professional office), and 7 (libraries, etc.) 2. Residential gathering place 3. Neighborhood place of worship	q  q q	1. Same as RR-50, No. 1 (cemeteries), 2 (hospitals), 4 (stables), 5 (ambulance corps); and 6 (roomers). 2. Same as RR-50, No. 3 (nursing homes) and 8 (churches). 3. Schools of general or religious instruction provided that there shall be no residential uses upon the lot other than a guard or caretaker's dwelling or a dormitory subject to Article XII, § 290- <del>6465</del> . 4. Same as RR-50 (public utility buildings and structures) 5. Community place of worship	b  c f  <del>d</del> c	Same as RR-50. Nos. 1 through 10	For <del>all uses</del> : Same as RR-50.	At least 1 Parking Space for Each Unit of Measurement Listed or as Otherwise Noted Below Nos. 1 through 17	1. Same as RR-50, Nos. 1 and 2
R-25	1. Same as RR-50, No. 1 (utilities) 2. Same as R-40, No. 2 (agriculture) 3. Same as RR-50, No. <del>4-3</del> (residences) 4. Same as RR-50, No. <del>5-4</del> (community residence facilities)	a b t t	1. Same as RR-50, Nos. 1 (reservoirs), 2 (accessory sale stands), 3 (nursery schools), 5 (density zoning), 6 (home professional office) and 7 (libraries, etc.) 2. Keeping, breeding and raising of horses on lots of 20 acres or more, but not within 100 feet of any lot line. 3. Residential gathering place 4. Neighborhood place of worship	h  t t t	1. Same as RR-50, No. 1 (cemeteries), 2 (hospitals), 4 (stables), 5 (ambulance corps), and 6 (roomers) 2. Same as RR-50, No. 3 (nursing homes) and 8 (churches) 3. Schools of general or religious instruction provided that there shall be no residential uses upon the lot other than a guard or caretaker's dwelling or a dormitory subject to Article XII, § 290- <del>6465</del> . 4. (Reserved) 5. Community place of worship	d  c f  <del>n/a</del> c	1. Same as RR-50. Nos. 1 (private structures), 2 (storage of boats), 4 (roomers), 5 (packing), 6 (loading), 7 (storage), 8 (announcement signs), 9 ("for sale" signs) 2. Keeping domestic animals as follows not more than 3 cats or dogs over the age of 6 months. Enclosures for dogs and cats shall not be closer to any lot line than the minimum required setback. 3. Accessory to 1-family residence, home occupations	For <del>all uses</del> : Same as RR-50.	At least 1 Parking Space for Each Unit of Measurement Listed or as Otherwise Noted Below Nos. 1 through 17	1. Same as RR-50, No. 1 2. A minimum buffer of 50 feet shall be required for dormitories.

CHESTNUT RIDGE CODE

A	B	B-1	C	C-1	D	D-1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (subject to Article XI and XIII)	Use Group	Uses by Special Permit of the Village Board (subject to Article XVI and Article XI, § 290-58)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces (subject to Article VII)		Additional Use Requirements
R-20	<u>1. Same as RR-50, No. 1 (utilities)</u> <u>2. Same as R-40, No. 2 (agriculture)</u> <u>3. Same as RR-50, No. 3 (residences)</u> <u>4. Same as RR-50, No. 4 (community residence facilities)</u>	<u>a</u> <u>b</u> <u>x.2</u> <u>x.2</u>	<u>1. Same as RR-50, Nos. 1 (reservoirs), 2 (accessory sale sands), 3 (nursery schools), 5 (density zoning), 6 (home professional office) and 7 (libraries, etc.)</u> <u>2. Keeping, breeding and raising of horses on lots of 20 acres or more, but not within 100 feet of any lot line.</u> <u>3. Residential gathering place</u> <u>4. Neighborhood place of worship</u>	<u>h</u>  <u>t</u>  <u>x.2</u>  <u>x.2</u>	<u>1. Same as RR-50, No. 1 (cemeteries), 2 (hospitals), 4 (stables), 5 (ambulance corps), and 6 (roomers)</u> <u>2. Same as RR-50, No. 3 (nursing homes) and 8 (churches)</u> <u>3. Schools of general or religious instruction provided that there shall be no residential uses upon the lot other than a guard or caretaker's dwelling or a dormitory subject to Article XII, § 290-65.</u> <u>4. Community place of worship</u>	<u>d</u>  <u>c</u>  <u>f</u>  <u>c</u>	<u>1. Same as RR-50, Nos. 1 (private structures), 2 (storage of boats), 4 (roomers), 5 (packing), 6 (loading), 7 (storage), 8 (announcement signs), 9 ("for sale" signs)</u>  <u>2. Keeping domestic animals as follows not more than 3 cats or dogs over the age of 6 months. Enclosures for dogs and cats shall not be closer to any lot line than the minimum required setback.</u>  <u>3. Accessory to 1-family residence, home occupations</u>	<u>For all uses:</u> <u>Same as RR-50.</u>	<u>At least 1 Parking Space for Each Unit of Measurement Listed or as Otherwise Noted Below Nos. 1 through 17</u>	<u>1. Same as RR-50, No. 1</u>  <u>2. A minimum buffer of 50 feet shall be required for dormitories.</u>

ZONING

Village of Chestnut Ridge

Table of General Use Requirements  
Part I: Residential Districts  
R-15, ~~R-15 1F~~, ~~R-10~~ and RSH Districts

A	B	B-1	C	C1	D	D1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (subject to Article XI and XIII)	Use Group	Uses by Special Permit of the Village Board (subject to Article XVI and Article XI, § 290-58)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces (subject to Article VII)		Additional Use Requirements
R-15	1. Same as RR-50, No. 1 (utilities)  2. Same as R-40, No. 2 (agriculture)  3. Same as RR-50, No. <del>4</del> <u>3</u> (residences)  4. Same as RR-50, No. <del>5</del> <u>4</u> (community residence facilities)	a  b  x.1  x.1	1. Same as RR-50, No. 1 (reservoirs), 2 (accessory sale sounds), 3 (farm animal), 4 (nursery schools): 5 (density zoning), 6 (home professional office), and 7 (libraries, etc.)  2. 2-family detached residences, with not more than 1 principal residential building on a lot with at least 1 of the residences owner-occupied.  3. 1-family semi-attached residences, with not more than 1 principal residential building on a lot with at least one of the residences owner-occupied.  4. Residential gathering place  5. Neighborhood place of worship	x.1    x.2    x.3    x.1  x.1	1. Same as RR-50, No. 1 (cemeteries), 2 (hospitals), 3 (stables), 4 (ambulance corps), 5 (roomers)  2. Same as RR-50, Nos. 3 (nursing homes) and 8 (churches)  3. Schools of general or religious instruction provided that there shall be no residential uses upon the lot other than a guard or caretaker's dwelling or a dormitory subject to Article XII, § 290- <del>64</del> <u>65</u> .  4. Community place of worship	b  c  f    c	1. Same as RR-SU, Nos. 1 (private structures), 2 (storage of boats), 4 (roomers), 5 (parking), 6 (loading), 7 (storage), 8 (announcement signs), and 9 ("for sale" signs)  2. Same as R-25, No. 2 (domestic animals)  3. Accessory to a 1- or 2-family residence, home occupations	For <u>all uses</u> :  <del>1-</del> Same as RR-50, Nos. 1 through 17	At least 1 Parking Space for Each Unit of Measurement listed or as Otherwise Noted Below	1. Same as RR-50, No. 1  2. Same as R-25, No. 2
<del>R-15 1F</del>	<del>1. Same as RR-50, No. 1 (utilities)</del> <del>2. Same as R-40, No. 2 (agriculture)</del> <del>3. Same as RR-50, No. 3 (residences)</del> <del>4. Same as RR-50, No. 4 (community residence facilities)</del>	<del>a</del> <del>b</del> <del>x.1</del> <del>x.1</del>	<del>1. Same as RR-50, No. 1 (reservoirs), 2 (accessory sale sounds), 3 (farm animal), 4 (nursery schools): 5 (density zoning), 6 (home professional office), and 7 (libraries, etc.)</del> <del>2. Residential gathering place</del> <del>3. Neighborhood place of worship</del>	<del>x.1</del>    <del>x.1</del>  <del>x.1</del>	<del>1. Same as RR-50, No. 1 (cemeteries), 2 (hospitals), 3 (stables), 4 (ambulance corps), 5 (roomers)</del> <del>2. Same as RR-50, Nos. 3 (nursing homes) and 8 (churches)</del> <del>3. Schools of general or religious instruction provided that there shall be no residential uses upon the lot other than a guard or caretaker's dwelling or a dormitory subject to Article XII, § 290-65.</del> <del>4. Community place of worship</del>	<del>b</del> <del>c</del> <del>f</del>    <del>c</del>	<del>1. Same as RR-SU, Nos. 1 (private structures), 2 (storage of boats), 4 (roomers), 5 (parking), 6 (loading), 7 (storage), 8 (announcement signs), and 9 ("for sale" signs)</del> <del>2. Same as R-25, No. 2 (domestic animals)</del> <del>3. Accessory to a 1- or 2-family residence, home occupations</del>	<del>For all uses:</del>  <del>Same as RR-50, Nos. 1 through 17</del>	<del>At least 1 Parking Space for Each Unit of Measurement listed or as Otherwise Noted Below</del>	<del>1. Same as RR-50, No. 1</del>  <del>2. Same as R-25, No. 2</del>

CHESTNUT RIDGE CODE

A	B	B-1	C	C1	D	D1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (subject to Article XI and XIII)	Use Group	Uses by Special Permit of the Village Board (subject to Article XVI and Article XI, § 290-58)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces (subject to Article VII)		Additional Use Requirements
R-10	<u>1. Same as RR-50, No. 1 (utilities)</u> <u>2. Same as R-40, No. 2 (agriculture)</u> <u>3. Same as RR-50, No. 3 (residences)</u> <u>4. Same as RR-50, No. 4 (community residence facilities)</u>	<u>a</u> <u>b</u> <u>x.3</u> <u>x.3</u>	<u>1. Same as RR-50, No. 1 (reservoirs), 2 (accessory sale sounds), 3 (farm animal), 4 (nursery schools); 5 (density zoning), 6 (home professional office), and 7 (libraries, etc.)</u> <u>2. 2-family detached residences, with not more than 1 principal residential building on a lot with at least 1 of the residences owner-occupied.</u> <u>3. 1-family semi-attached residences, with not more than 1 principal residential building on a lot with at least one of the residences owner-occupied.</u> <u>4. Residential gathering place</u> <u>5. Neighborhood place of worship</u>	<u>x.1</u>  <u>x.2</u>  <u>x.3</u>  <u>x.3</u>  <u>x.3</u>	<u>1. Same as RR-50, No. 1 (cemeteries), 2 (hospitals), 3 (stables), 4 (ambulance corps), 5 (roomers)</u> <u>2. Same as RR-50, Nos. 3 (nursing homes) and 8 (churches)</u> <u>3. Schools of general or religious instruction provided that there shall be no residential uses upon the lot other than a guard or caretaker's dwelling or a dormitory subject to Article XII, § 290-65.</u> <u>4. Community place of worship</u>	<u>b</u>  <u>c</u>  <u>f</u>  <u>c</u>	<u>1. Same as RR-SU, Nos. 1 (private structures), 2 (storage of boats), 4 (roomers), 5 (parking), 6 (loading), 7 (storage), 8 (announcement signs), and 9 ("for sale" signs)</u> <u>2. Same as R-25, No. 2 (domestic animals)</u> <u>3. Accessory to a 1- or 2-family residence, home occupations</u>	<u>For all uses:</u> <u>Same as RR-50, Nos. 1 through 17</u>	<u>At least 1 Parking Space for Each Unit of Measurement listed or as Otherwise Noted Below</u>	<u>1. Same as RR-50, No. 1</u> <u>2. Same as R-25, No. 2</u>
RSH	None		None		1. Senior citizen housing development subject to Article XII, § 290- <del>69</del> <u>70</u> . 2. Housing development for the physically handicapped subject to Article XII, § 290- <del>74</del> <u>72</u> . 3. Community place of worship	aa  bb  c	1. As approved by the Village Board subject to Article XII, §§ 290- <del>69</del> <u>70</u> and 290- <del>74</del> <u>72</u> .	1. Senior Citizen Housing 2. Housing for the physically handicapped 3. Places of worship	2 dwelling units  3/4 dwelling unit  200 square feet of floor area or per 5 worshippers at maximum seating capacity, whichever is greater	1. Same as RR-50, No. 1

ZONING

Section 4: Amend Chapter 290, Zoning, 290 Attachment 2, entitled “Table of General Use Requirements, Part II: Nonresidential Districts,” as follows:

290 Attachment 2

Village of Chestnut Ridge

Table of General Use Requirements  
Part II: Nonresidential Districts  
NS District

A	B	B-1	C	C1	D	D1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (subject to Article XI and XIII)	Use Group	Uses by Special Permit of the Village Board (subject to Article XVI and Article XI, Section 2)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces (subject to Article VII)		Additional Use Requirements
NS	1. Same as RR-50, No. 1 (utilities)  2. Local convenience commercial uses  3. Local office-business uses  4. Libraries, museums and art galleries	A  B  B  B	1. Gasoline service stations, provided that there shall be no other gasoline service station within the same contiguous zoning district and that there shall be no gasoline service station (in any other district) within 1,000 feet if measured along a state road frontage from a proposed site or 2,500 feet if measured along a county or town road frontage, subject to Article XII, § 290- <del>6768</del> .  2. Temporary structures, including trailers for permitted uses on a nonrenewable permit not to exceed 2 years from the date of issue of the permit.  3. Food Sales and Service Establishments	D          B       B	1. Neighborhood restaurants  2. Same as RR-50, No. 8 (public utility buildings and structures)  3. Volunteer ambulance service facilities  4. Assisted Living Residences (ALR)  5. Community place of worship	E  A  A  <del>N</del> <del>Cc</del>	1. Accessory parking subject to Article VII.  2. Accessory loading berths subject to Article VII, § 290- <del>3334</del> .  3. Temporary structures for the storage of equipment and supplies used in connection with the construction of structures for permitted uses for a period of 2 years or until a certificate of use has been issued, whichever is sooner.  4. Accessory storage of retail goods to be delivered or sold to customers on the premises, provided that such storage will be within fully enclosed buildings.  5. Accessory processing and servicing of goods within the principal structure, provided that such processing and servicing is clearly incidental to permitted principal use on the site.  6. For any structure for sale or rent, temporary signs as prescribed in Article VIII, § 290- <del>40H(4)</del> <del>41B(1)</del> .  7. For any permitted use, business identification, directory signs and shopping center identification signs as prescribed in Article VIII.	For  1. Libraries, museums and an galleries  2. Public utility building  3. Local convenience commercial  4. Local office-business  5. Gasoline service station  6. Neighborhood restaurants  7. Food Sales and Service Establishments  8. Assisted Living Residence (ALR)  9. Places of worship	At Least 1 Parking Space for Each Unit of Measurement Listed or as Otherwise Noted Below  150 square feet in such use, plus 1 for each employee  2 employees in the maximum working shift  150 square feet of floor area  250 square feet of floor area  4 dispensing nozzles, plus 1 per 1/4 service bay, plus 2 additional, but not less than 5  4 persons, plus 5 additional spaces, plus 1 parking space for every 5 linear feet of customer-use has in excess of 8 linear feet  4 seats, or 4 counter stools, in addition to local convenience commercial requirement.  1/2 per unit  200 square feet of floor area or per 5 worshippers at maximum seating capacity, whichever is greater	1. A buffer of not less than 50 feet shall be provided between any use first permitted in this district, and any lot in a residence district. A buffer of not less than 50 feet will be provided between any conditional or special permit use and any lot in a residence district. A buffer of not less than 50 feet shall be provided between any Conditional or Special Permit use and any lot in a residential district.  2. All retail sales and service establishments and accessory storage and servicing of goods shall be within completely enclosed buildings. All processing and servicing of goods shall be limited to 30% of the floor area and in no event more than 1,000 square feet  3. The operation of any use, excluding public utilities and At Rs. shall be limited to the hours between 6:30 a.m. and 2:00 a.m. daily  4. Any illuminated sign shall not be visible from a local road (as shown on the Official Map) in a residence district  5. Food sales and service establishments may have one table and four chairs or four counter stools and 12 feet of counter for customer use for each 500 square feet of area, provided that trash receptacles are provided within the establishment and near the entry door(s) outside the establishment. There shall be no drive-in or window service.

CHESTNUT RIDGE CODE

Village of Chestnut Ridge

Table of General Use Requirements  
Part II: Nonresidential Districts  
PO District

A	B	B-1	C	C1	D	D1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (subject to Article XI and XIII)	Use Group	Uses by Special Permit of the Village Board (subject to Article XVI and Article XI, Section 2)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces (subject to Article VII)		Additional Use Requirements
PO	1. Same as RR-50, No. 1 (utilities)	A	1. Funeral chapels	B	1. Restaurants	<del>B</del>	1. Same as NS, Nos. 1 (parking), 2 (loading), 3 (temporary structures), and 6 and 7 (signs)	For	At Least 1 Parking Space for Each Unit of Measurement Listed or as Otherwise Noted Below	1. A buffer of not less than 50 feet shall be provided between any use first permitted in this district and any lot in a residence district
	2. Same as NS, No. 5 (libraries, museums and art galleries)	B	2. Banks	B	2. Surface and overhead public utilities, such as gas, electric, water and telephone transmission systems, including buildings and structures necessary for the furnishing of adequate service by public utilities, but not including towers, antennae, warehouse and/or storage areas, or Personal Wireless Service facilities.	A				
	3. Offices, professional and business	B	3. Animal hospitals provided that there shall be no outdoor exercise areas.	E	3. Volunteer ambulance service facilities	A				
					4. Community place of worship	<del>C</del>				
								1. Same as NS, Nos. 1, 2, and 4		2. All uses shall be conducted within entirely enclosed buildings except where otherwise indicated or where customarily such uses are conducted out of doors. The conduct of such uses shall not be allowed within any required front setback. Outdoor servicing is prohibited
								2. Funeral chapels	5 seats capacity	
								3. Banks	200 square feet of floor area	
								4. Offices	250 square feet, plus 3 per same	
								5. Animal hospitals	1/3 examining room	
								6. Restaurants	4 seats, plus 5 spaces additional	3. Same as NS, No. 4
								7. Places of worship	20 square feet of floor area of per 5 worshippers at maximum seating capacity, whichever is greater	



ZONING

Village of Chestnut Ridge

Table of General Use Requirements  
Part II: Nonresidential Districts  
PO-R District

A	B	B-1	C	C1	D	D1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (subject to Article XI and XIII)	Use Group	Uses by Special Permit of the Village Board (subject to Article XVI and Article XI, Section 2)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces (subject to Article VII)		Additional Use Requirements
PO-R	1. Same as RR-50, No. 1 (utilities)  2. Same as NS, No. 5 (libraries, museums and art galleries)  3. Offices, professional and business	a  k  <del>K</del>	1. Funeral chapels  2. Banks  3. Animal hospitals provided that there shall be no outdoor exercise areas and that the facility shall not be within 200' of a residentially zoned area.	B  B  E	1. Same as PO No. 2 (public utilities and structures)  2. Volunteer ambulance service facilities  3. Community place of worship	A  A  <del>C</del>	1. Same as NS, Nos. 1 (parking), 3 (temporary structures), and 6 and 7	For  1. Same as NS, Nos. 1, 2, and 4  2. Funeral chapels  3. Banks  4. Offices  5. Animal hospitals  6. Places of worship	At least 1 Parking Space for Each Unit of Measurement Listed or as Otherwise Noted Below   5 seats capacity  200 square feet of floor area  250 square feet, plus 3 per suite  1/3 examining room  200 square feet of floor area or per 5 worshippers at maximum seating capacity, whichever is greater	1. A buffer of not less than 50 feet shall be provided between any use first permitted in this district and any lot in a residence district  2. All uses shall be conducted within entirely enclosed buildings. Outdoor servicing is prohibited.  3. Same as NS, No. 4  4. Buildings shall be designed to be visually consistent with residences with respect to bulk, massing, roof treatment, materials and colors.

CHESTNUT RIDGE CODE

Village of Chestnut Ridge

Table of General Use Requirements  
Part II: Nonresidential Districts  
LO District

A	B	B-1	C	C1	D	D1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (subject to Article XI and XIII)	Use Group	Uses by Special Permit of the Village Board (subject to Article XVI and Article XI, Section 2)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces (subject to Article VII)		Additional Use Requirements
LO	1. Same as NS, No. 1 utilities	<del>A</del>	1. Same as RR-50, No. 2 (reservoirs)	b	1. Surface and overhead public utilities such as gas, electric, water and telephone transmission systems, including buildings, structures, towers, antennae and Personal Wireless Service facilities necessary for the furnishing of adequate service by public utilities.	J	1. Same as NS, Nos. 1 (parking), 2 (loading), 3 (temporary structures) and 6 and 7 (signs)	For	At least 1 Parking Space for Each Unit of Measurement Listed or as Otherwise Noted Below	1. Buffer areas equal to the respective required setback shall be provided between the proposed use and any residential district boundary, except that the Planning Board may reduce the buffer at the time of site development plan review to not less than 50 feet where owing to topographic or other conditions, or characteristics of proposed use, there will be no foreseeable interference with the use and enjoyment of residentially zoned properties.  2. The minimum distance between detached buildings shall be the height of the highest wall, plus 15 feet. Fire access shall be provided to any proposed structure as required by the Building Inspector.  3. The maximum dimension of any building on a side abutting a public or private street shall not exceed 66% of the lot dimension abutting such street.  4. There shall be no parking or storage in any space between buildings except as specifically approved and shown on the site development plan as safe and clear of fire apparatus travel lanes.  5. No entrances or exits for any parking or loading area shall be located within 300 feet of any residential district, not be allowed egress on any road classified as a local road on the Official Map, other than an industrial service street approved by the Planning Board in a planned building development.  6. For landscape Contractors, all equipment shall be parked indoors. Indoors shall be defined as a fully enclosed building having a roof, a constructed floor and four walls.
	2. Office buildings for business and professional use, including administrative, scientific, research and development, training, statistical, financial and similar purposes in connection with such use.	J	2. Outdoor recreation facilities, including golf courses, tennis courts, ice skating rinks, swimming pools, parks, playfields and ski areas, accessory to outdoor recreation facilities, uses such as restrooms, locker rooms, shelters and clubhouses for membership clubs, subject to Article XII, § 290- <del>68</del> 69, but excluding miniature golf courses, batting ranges, and tennis batting ranges.	J	2. Dog and Cat Boarding Facilities, subject to the provisions of Article XII, § 290- <del>75</del> 76, provided that any building in connection with said use shall not be located within 150 feet of a residence district and no such use shall be located within 2,000 feet of another similar use within the Village.	I	2. Maintenance and utility shops for the upkeep and repair of buildings and structures on the site, central-heating and air-conditioning plants, power substations, water supply and sewage disposal facilities, training schools for employees, communication facilities, company clinics, employee dining and recreation facilities, all of which are for the exclusive use of employees and visitors to the buildings, but not for the general public.	1. Same as NS, Nos. 2 and 8	250 square feet of floor area, plus 3 per suite	
	3. Laboratories, research facilities and <del>corporate</del> <u>parks flex space, business parks</u>	J	3. Same as NS, No. 2 (temporary structures)	J	3. Volunteer ambulance service facilities.	A		3. Laboratories/research facilities	2 employees, but not less than 10	
	4. Medical and dental clinics, health service <del>complexes</del> <u>complexes</u>	J	4. Hotels and motels subject to Article XII, § 290- <del>65</del> 66, providedthat such uses shall not be located within 1,200 feet of a residence district or within 2,000 feet of another hotel or motel.	I				4. Hotels and motels	1 accommodation unit, plus 1 per 3 employees in the maximum working shift, plus additional spaces for auxiliary uses in accordance with the schedule for each use	
			5. Commercial recreation facilities	J				5. Office buildings	200 square feet	
			6. Manufacturing of prototype products as an adjacent to an office or laboratory use may be permitted, provided that all activities are within fully enclosed structures.	J				6. Commercial recreation	Not less than the highest design hour as determined by the Planning Board	
			7. Landscape Contractors	L				7. Dog and Cat Boarding Facilities	1 space for every 10 animals accommodated at the Facility plus 1 space for each employee in the maximum work shift.	
								8. Landscape Contractors	1 for each 2 employees plus 2 space per 200 square feet of office area	

## ZONING

## Village of Chestnut Ridge

## Table of General Use Requirements

## Part II: Nonresidential Districts

**PILO District**

A	B	B-1	C	C1	D	D1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (subject to Article XI and XIII)	Use Group	Uses by Special Permit of the Village Board (subject to Article XVI and Article XI, Section 2)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces (subject to Article VII)		Additional Use Requirements
PI	<del>1.—Same as LO, Nos. 1 through 4</del>  <del>2.—Industrial uses subject to the provisions of Article III, § 290-11, which may include the manufacturing, fabrication, processing, converting, altering, assembling, testing or other handling of products</del>  <del>3.1. Wholesaling or warehousing business.</del>	<del>J</del>  <del>J</del>  <del>J</del>  <del>J</del>	<del>1.—Same as RR-50, No. 2 (reservoirs)</del>  <del>2.—Same as LO, No. 2 (outdoor recreation facilities and accessory recreation structures)</del>  <del>3.—Commercial recreation facilities</del>  <del>4.—Same as NS, No. 2 (temporary structures)</del>  <del>5.—Automobile sales and service agencies subject to Article XII, § 290-70</del>  <del>6.—Laundry and dry cleaning plants, but excluding self-service or pickup and delivery at retail</del>  <del>7.—Landscape Contractors</del>  <del>8.1. Emergency medical service offices and facility with accessory servicing and repair of emergency vehicles with a fully enclosed building</del>	<del>b</del>  <del>J</del>  <del>J</del>  <del>J</del>  <del>J</del>  <del>J</del>  <del>L</del>  <del>J</del>	<del>1.—As an accessory use to any use permitted in this District, a showroom and/or retail sales, provided that the showroom and retail sales combined do not exceed 15% of the total square footage of all buildings on the lot and that in no event shall the total square footage of the showroom and retail sales combined exceed 8,000 square feet.</del>  <del>2.—Same as LO, No. 1 (public utility buildings and structures)</del>  <del>3.1. Volunteer ambulance service facilities.</del>	<del>J</del>  <del>J</del>  <del>A</del>	<del>1.—Same as NS, Nos. 1 (parking), 2 (loading), 3 (temporary structures), and 6 and 7 (signs)</del>  <del>2.1. Same as LO, No. 2 (maintenance and ancillary facilities)</del>	<del>For</del>  <del>1.—Same as NS, No. 2</del>  <del>2.—Automotive sales</del>  <del>3.—Same as LO, Nos. 2, 3, 4, 5, 6, and 8</del>  <del>4.—Industrial uses</del>  <del>5.—Warehousing</del>  <del>6.—Showroom and retail</del>  <del>7.—Landscape Contractors</del>  <del>8.1. Emergency Medical Facility</del>	<del>At least 1 Parking Space for Each Unit of Measurement Listed or as Otherwise Noted Below</del>  <del>1/2 salesman position</del>  <del>2 employees in the maximum working shift, plus 1 space per 1,000 square feet of office area</del>  <del>150 square feet of office area, plus 1 for each 2 employees</del>  <del>250 square feet of floor area in addition to requirement for principle use</del>  <del>1 for each 2 employees plus 1 space per 200 square feet of office area</del>  <del>150 square feet of building area used for the medical service facility (not including vehicle service or repair area)</del>	<del>1.—Same as LO, Nos. 1 through 5</del>  <del>2.1. For landscape Contractors, all equipment shall be parked indoors. Indoors shall be defined as a fully enclosed building having a roof, a constructed floor and four walls.</del>

CHESTNUT RIDGE CODE

A	B	B-1	C	C1	D	D1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (subject to Article XI and XIII)	Use Group	Uses by Special Permit of the Village Board (subject to Article XVI and Article XI, Section 2)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces (subject to Article VII)		Additional Use Requirements
PILO	1. Same as LO, Nos. 1 through 4	J	1. Same as RR-50, No. 2 (reservoirs)	b	1. As an accessory use to any use permitted in this District, a showroom and/or retail sales, provided that the showroom and retail sales combined do not exceed 15% of the total square footage of all buildings on the lot and that in no event shall the total square footage of the showroom and retail sales combined exceed 8,000 square feet.	J	1. Same as NS, Nos. 1 (parking), 2 (loading), 3 (temporary structures), and 6 and 7 (signs)	For	At least 1 Parking Space for Each Unit of Measurement Listed or as Otherwise Noted Below	1. Same as LO, Nos. 1 through 6
	2. Industrial uses subject to the provisions of Article III, § 290-11, which may include the manufacturing, fabrication, processing, converting, altering, assembling, testing or other handling of products.	J	2. Same as LO, No. 2 (outdoor recreation facilities and accessory recreation structures)	J			2. Same as LO, No. 2 (maintenance and ancillary facilities)	1. Same as NS, No. 2	1/2 salesman position	
			3. Commercial recreation facilities	J				2. Automotive sales		
			4. Same as NS, No. 2 (temporary structures)	J				3. Same as LO, Nos. 2, 3, 4, 5, 6, and 8		
			5. Automobile sales and service agencies subject to Article XII, § 290-70	J	2. Same as LO, No. 1 (public utility buildings and structures)	J		4. Industrial uses	2 employees in the maximum working shift, plus 1 space per 1,000 square feet of office area	
	3. Wholesaling or warehousing business, including mini-storage.	J	6. Laundry and dry cleaning plants, but excluding self-service or pickup and delivery at retail.	J	3. Volunteer ambulance service facilities.	A		5. Warehousing, Flex Space Business Parks	150 square feet of office area, plus 1 for each 2 employees	
	4. Same as NS, No. 1 utilities		7. Landscape Contractors	L	4. Surface and overhead public utilities such as gas, electric, water and telephone transmission systems, including buildings, structures, towers, antennae and Personal Wireless Service facilities necessary for the furnishing of adequate service by public utilities.	J		6. Showroom and retail	250 square feet of floor area in addition to requirement for principal use	
	5. Office buildings for business and professional use, including administrative, scientific, research and development, training, statistical, financial and similar purposes in connection with such use.	J	8. Emergency medical service offices and facility with accessory servicing and repair of emergency vehicles with a fully enclosed building.	J	5. Dog and Cat Boarding Facilities, subject to the provisions of Article XII, § 290-76, provided that any building in connection with said use shall not be located within 150 feet of a residence district and no such use shall be located within 2,000 feet of another similar use within the Village.	J		7. Landscape Contractors	1 for each 2 employees plus 1 space per 200 square feet of office area	
	6. Laboratories, research facilities, flex space, business parks	J	9. Outdoor recreation facilities, including golf courses, tennis courts, ice skating rinks, swimming pools, parks, playfields and ski areas, accessory to outdoor recreation facilities, uses such as restrooms, locker rooms, shelters and clubhouses for membership clubs, subject to Article XII, § 290-69, but excluding miniature golf courses, batting ranges, and tennis batting ranges.	J	6. Assisted Living Residences (ALR)	J		8. Emergency Medical Facility	150 square feet of building area used for the medical service facility (not including vehicle service or repair area)	
	7. Medical and dental clinics, health service complexes	J						9. Assisted Living Residences	1/2 per unit	
	8. Supermarkets, food sales and service establishments, only when located in that portion of the PILO District north of I-287 and on the west side of Chestnut Ridge Road.	aa	10. Hotels and motels subject to Article XII, § 290-66, provided that such uses shall not be located within 1,200 feet of a residence district or within 2,000 feet of another hotel or motel.	J				10. Supermarkets, food sales and service establishments	1 per 175 square feet	
			11. Manufacturing of prototype products as an adjacent to an office or laboratory use may be permitted, provided that all activities are within fully enclosed structures.	J						

**Village of Chestnut Ridge  
Table of General Use Requirements  
Part II: Nonresidential Districts  
RS District**

Local Law # A-v.7 of 2022  
Final June 8, 2022

CHESTNUT RIDGE CODE

A	B	B-1	C	C1	D	D1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (subject to Article XI and XIII)	Use Group	Uses by Special Permit of the Village Board (subject to Article XVI and Article XI, Section 2)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces (subject to Article VII)		Additional Use Requirements
	service establishments such as auto supply stores (provided there are no sales of heavy equipment or tires), home appliance stores, jewelry and art shops, home furnishings and furniture stores  8. Health clubs and spas  <u>9. Same as PILO, Nos. 1 through 7</u>	M  <u>J</u>								environmental studies, an applicant for an RS District project shall provide an analysis of the impacts of the project on public transportation, sidewalks, whether off-site traffic improvements are needed and a traffic study.

# ZONING

## 290 Attachment 3

### Village of Chestnut Ridge Table of Bulk Requirements Part I

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Use Group	Minimum Lot Area	Lot Width (feet)	Front Setback (feet)	Front Yard (feet)	Side Setback (feet)	Total Side Setback (feet)	Side Yard (feet)	Rear Setback (feet)	Rear Yard (feet)	Street Frontage (feet)	Maximum Height (feet)	Development Coverage (percent)	Floor Area Ratio (FAR)
a	None	n/a	30	0	30	60	0	50	0	15	15	5	n/a
b	10 ac.	400	100	100	100	200	0	100	0	15	35	3	0.20
c	5 ac.	400	100	50	100	200	75	100	75	300	35	25	0.20
d	2 ac.	200	100	100	100	200	25	100	25	50	35	10	0.20
f	10 ac.	400	100	100	100	200	100	100	100	300	45	30	0.20
g	2 ac.	200	100	100	100	200	25	100	25	50	35	20	0.20
h	50,000 sf	175	50	50	30	75	10	50	10	100	35	20	0.20
k	2 ac.	200	100	50	50	100	15	75	15	200	35	40	0.20
m	40,000 sf	160	50	50	25	70	10	50	10	100	35	40	0.20
q	35,000 sf	150	50	50	25	60	10	50	10	100	35	40	0.20
t	25,000 sf	125	35	35	20	50	10	35	10	90	35	50	0.20
x.1	15,000 sf	100	35	35	15	40	5	35	5	85	35	<del>50</del> 55	0.25
x.2	20,000 sf	<del>125</del> 100	35	35	<del>20</del> 15	<del>50</del> 40	<del>10</del> 5	35	<del>10</del> 5	<del>125</del> 90	35	55	0.25
x.3	10,000 sf	62.5	35	35	<del>20</del> 15	<del>20</del> 40	<del>10</del> 5	35	<del>10</del> 5	62.5	35	55	0.25

#### NOTE:

See Article IV, § 290-14, for Special Bulk Requirements, which may also apply.

# ZONING

## 290 Attachment 4

### Village of Chestnut Ridge Table of Bulk Requirements Part II

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Use Group	Minimum Lot Area	Lot Width (feet)	Front Setback (feet)	Front Yard (feet)	Side Setback (feet)	Total Side Setback (feet)	Side Yard (feet)	Rear Setback (feet)	Rear Yard (feet)	Street Frontage (feet)	Maximum Height (feet)	Development Coverage (percent)	Floor Area Ratio (FAR)
aa	4 ac.	350	50	50	50	100	50	50	50	50	35	65	0.30
bb	2 ac.	200	50	25	50	100	25	50	25	100	15	40	0.30
A	40,000 sf	150	75	20	40	80	35	35	35	50	35	50	0.40
B	20,000 sf	100	30	20	0/10 <sup>1</sup>	0	0	25	10	100	30	70	0.40
D	60,000 sf	250	30	20	40	80	20	50	20	150	25	70	0.40
E	30,000 sf	150	30	20	40	80	10	25	10	100	35	70	0.40
I	2 ac.	300	60	20	50	100	20	60	30	150	35	70	0.40
J	60,000 sf	200	75	25	75	150	30	75	30	100	35	70	0.40
K	20,000 sf	100	30	30	20	40	10	25	10	140	25	50	0.40
L	3 ac.	200	100	50	75	150	35	100	50	200	25	50	0.30
M <sup>3</sup>	15 ac.	500	40 for pads. 50 for main building	30	50	100	30 <sup>2</sup>	40	30	500	35	70	<del>22</del> 0.30
N <sup>4</sup>	60,000 sf	250	30	15	30	60	10	25 <sup>4,5</sup>	15	150	25	20	0.40

#### NOTES:

See Article IV, § 290-14 for Special Bulk Requirements, which may also apply.

- No side setback is required, but if provided must be at least 10 feet.
- 50 foot buffer shall be added to side yard and rear yard when adjacent to multi-family district; 75 feet plus 75 foot buffer shall replace the side yard and rear yard when adjacent to single family district. Notwithstanding any other provision of the zoning law, no other increases in side or rear yards shall be required. The Planning Board shall require screening within the buffers where appropriate.
- Landscaping shall be a minimum of 10% of site area.  
Total floor area of all buildings shall not exceed 150,000 square feet.  
Minimum size of stores not occupied by supermarket or outlying pads; a maximum of 20% of floor area not occupied by supermarket and outlying pads shall be occupied by stores of not less than 1,500 square feet; in addition, a maximum of 20% of floor area not occupied by supermarket and outlying pads shall be occupied by stores of not less than 2,000 square feet; a minimum of 60% of floor area not occupied by supermarket and outlying pads shall be occupied by stores of not less than 3,000 square feet.

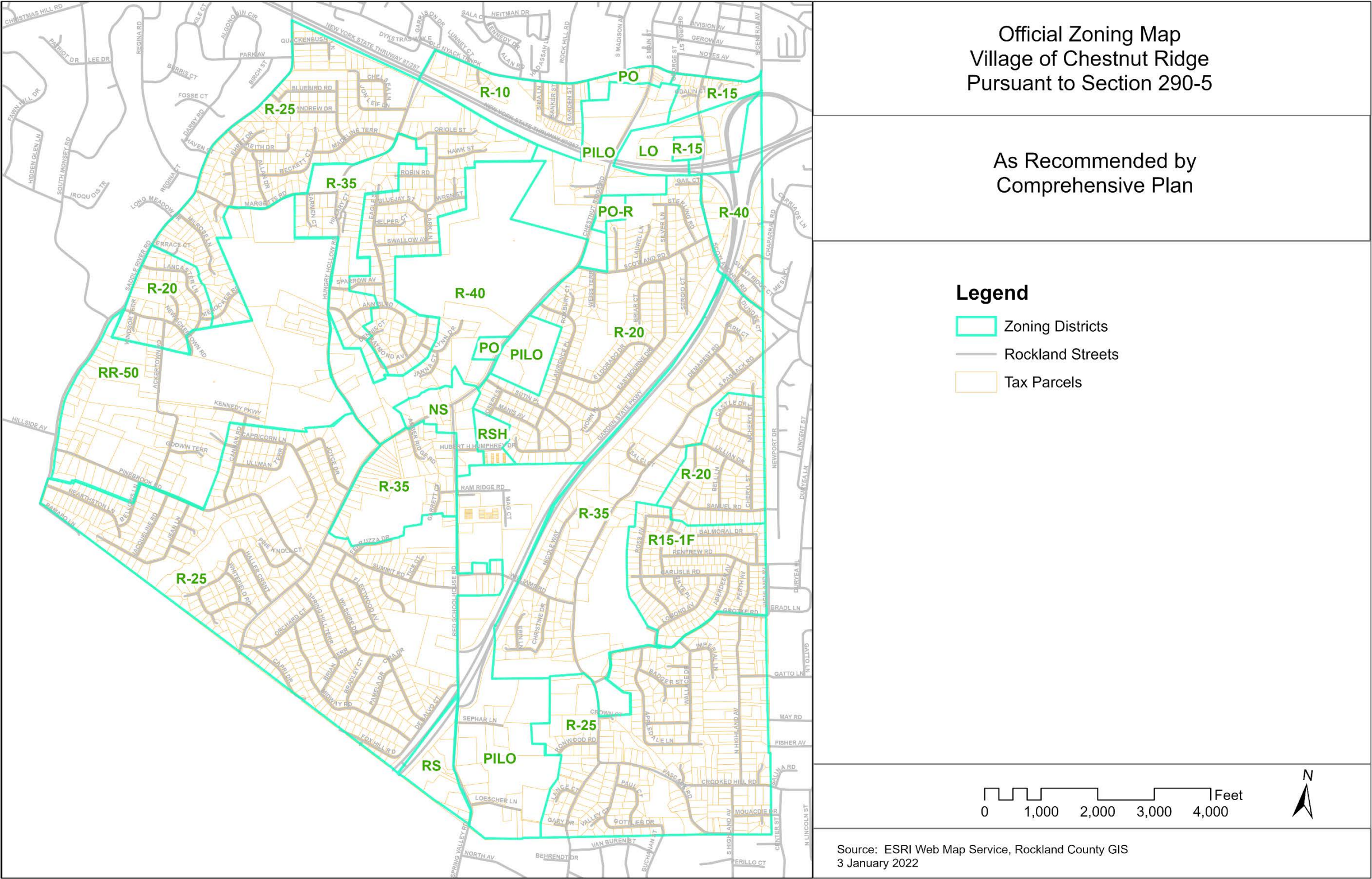
Maximum Store size: 45,000 square feet.

4. Dimensional requirements apply to NS portion of properties in more than one zoning district.

5. May be reduced to 15 feet where restrictive covenant provided.



Section 5: Amend Chapter 290, Zoning, by adding a new Attachment 6, entitled “Official Zoning Map,” as follows:





\* \* \* \* \*

**Section 6: Amend Chapter 290, Zoning, §290-84, Nonconforming buildings, structures, parking or lots, as follows:**

§290-84, Nonconforming buildings, structures, parking or lots

\* \* \* \* \*

E. Noncomplying lots.

- (1) ~~A residential lot~~ A lot located in the RR-50 or any R (Residential) District, separated from any other land in the same ownership and noncomplying as to bulk, whether or not located in and part of a subdivision plat approved by the Planning Board and filed in the office of the County Clerk, and which has a minimum lot width of ~~100-85~~ feet, may be used for a one-family detached residence, provided that such use shall comply with the bulk and parking requirements as specified in the highest residential district having the same or less lot width. For all residential lots having less than ~~100-85~~ feet of lot width, the following minimum requirements shall apply:
  - (a) The minimum width of one required side setback shall be 20 feet for lots in the RR-50, R-40 and R-35 Districts; 15 feet for lots in the R-25 and R-20 Districts; and 10 feet for lots in the R-15-~~1F~~, R-15, and R-10 Districts.
  - (b) The total width of both required side setbacks may be reduced nine inches for each foot that the lot width is less than that specified in the Bulk Table.
  - (c) The minimum front and rear setbacks shall be 30 feet.
  - (d) The minimum lot width and ~~lot-street~~ frontage shall be 62.5 feet in R-10 and 75 feet in all other districts.
  - (e) The maximum building height shall be ~~25-35~~ feet.
- (2) For all nonresidential lots having less than 100 feet of lot width, the following minimum requirements shall apply:
  - (a) The minimum width of each required side setback shall be 20 feet in the LO and PILO Districts and 10 feet in the PO and NS Districts, except that where any setback abuts a residential district, the normal requirements for setbacks, yards and buffers shall apply.
  - (b) The total width of both required side setbacks may be reduced nine inches for each foot that the lot width is less than that specified for the Table of Bulk Requirements.
  - (c) The minimum front and rear setbacks shall be 30 feet for lots in the PO and NS Districts and 50 feet for lots in LO and PILO Districts.
  - (d) The minimum lot width and lot frontage shall be 75 feet.

(e) The maximum building height shall be 35 feet.

\* \* \* \* \*

**Section 7: In the following sections, wherever it appears, replace the terms “PI” or “Planned Industry,” with the terms “PILO” or “Planned Industry Laboratory Office,” respectively:**

§290-4  
§290-14.C  
§290-17.A  
§290-18.E  
§290-25.A  
§290-34.A  
§290-41.B.(2).(a) and C.(2).(a) and C.(2).(f)  
§290-64.F  
§290-74 (in caption)  
§290-78  
§290-84.E.(2).(a) and E.(2).(c)  
§290-85.F  
§290-116, (in definition of “Road, Industrial Service”)

**Section 8: Separability.**

If any section, subsection, clause, or provision of this Local Law shall be deemed by any court of competent jurisdiction to be unconstitutional, ineffective, or otherwise legally invalid or unenforceable, in whole or in part, to the extent that it is not unconstitutional, ineffective, or otherwise legally invalid or unenforceable, it shall be valid and effective and no other section, subsection, clause or provision shall, on account thereof, be deemed invalid or ineffective.

**Section 9: This local law shall take effect immediately upon filing with the Secretary of State.**

## Appendix 12.2

### DGEIS Adopted Final Scope



**Village of Chestnut Ridge**  
**Final Scope**  
**For Preparation of a**  
**Draft Generic Environmental Impact Statement (DGEIS)**  
**for the**  
**Draft Comprehensive Plan**

Village of Chestnut Ridge, Rockland County, NY

Date of Draft Scope:

October 14, 2020,

Date of Final Scope

Revised November 24, 2020,

Adopted December 17, 2020

Classification of Action:

Type 1

Lead Agency:

Chestnut Ridge Village Board  
277 Old Nyack Turnpike  
Chestnut Ridge, NY 10977





## **A. DESCRIPTION OF PROPOSED ACTION**

The action is the adoption of the first Comprehensive Plan for the Village of Chestnut Ridge. The Plan proposes a comprehensive land use framework and lays out transportation recommendations for the orderly development for the Village. Long standing zoning problems are analyzed and adjustments to the current zoning map are proposed. Changes are recommended to promote the development of employment opportunities and additional housing types other than single-family homes. The Plan focuses development density on areas in the Red Schoolhouse Road corridor near the Garden State Parkway interchange, with transportation improvements funded by new development.

## **B. SITE DESCRIPTION**

The Village of Chestnut Ridge is located in Rockland County within the Town of Ramapo. The Village is bordered to the west by the Village of Airmont, to the south by the Boroughs of Upper Saddle River and Montvale in New Jersey, to the east by the Hamlet of Pearl River in the Town of Orangetown and the Hamlet of Nanuet in the Town of Clarkstown, and to the north by the Village of Spring Valley. The Village is largely developed with single family homes, large institutional uses, and with commercial and industrial development along Old Nyack Turnpike, Chestnut Ridge Road, and Red Schoolhouse Road.

## **C. FRAMEWORK FOR ENVIRONMENTAL REVIEW**

Article 8 of the New York State Environmental Conservation Law, the State Environmental Quality Review Act (SEQRA) requires a lead agency to analyze the environmental impacts of proposed actions and, to the maximum extent practicable, avoid or mitigate potentially significant adverse impacts on the environment, consistent with social, economic, and other essential considerations. An Environmental Impact Statement (EIS) is a comprehensive document used to systematically consider environmental effects, evaluate a reasonable range of alternatives, and identify and propose mitigation, to the maximum extent practicable, of any potentially significant adverse environmental impacts. The EIS provides a means for the lead and involved agencies to consider environmental factors and choose among alternatives in their decision-making processes related to a proposed action.

### *Generic Environmental Impact Statement*

A Generic Environmental Impact Statement (GEIS) is a broader, more general EIS that analyzes the impacts of a concept or overall plan rather than those of a specific project plan. The GEIS is useful when the details of a specific impact cannot be accurately identified, as no site-specific project has been proposed, but a broad set of further, future projects is likely to result from the agency's action. 6 NYCRR 617.10 provides the following guidance for preparation of Generic Environmental Impact Statements:

*Generic EISs may be broader, and more general than site or project specific EISs and **should discuss the logic and rationale for the choices advanced.** They may also **include an assessment of specific impacts if such details are available.** They may be based on conceptual information in some cases. They may **identify the important elements of the natural resource base as well as the existing and projected cultural features, patterns, and character.** They may **discuss in general terms the constraints and consequences of any narrowing of future options.** They may **present and analyze in general terms a few hypothetical scenarios** that could and are likely to occur.*

A GEIS will be prepared in accordance with SEQRA and its implementing regulations found at 6 N.Y.C.R.R. Part 617.

### *Environmental Review Process*

The Chestnut Ridge Village Board is the lead agency and project sponsor for the preparation of the GEIS. The preparation of the Comprehensive Plan involved extensive public outreach process comprised of a public visioning workshop, an extensive public survey with over 700 responses, and a series of Comprehensive Plan committee meetings. The Village Board determined that the proposed project may potentially result in significant adverse environmental impacts and directed that a Generic Environmental Impact Statement be prepared.

Scoping initiates the GEIS preparation process and is intended to provide an early opportunity for the public and other agencies to participate. Generic EISs by their nature must be broader and more inclusive of wide considerations. The purpose of scoping is to "focus the EIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or not significant."<sup>1</sup> This Final Scope outlines the analyses and methodologies that will be used to prepare the GEIS. During the scoping review period, interested parties were given an opportunity to review the Draft Scope and provide comments to the lead agency.

A public scoping session for the Draft Generic Environmental Impact Statement (DGEIS) for the proposed DRAFT Comprehensive Plan was held at 7 pm on Wednesday, October 14, 2020. During the session, no comments on the draft scope were received. However, Mr. Robert Asselbergs asked the following procedural questions which were not actual comments on the DGEIS scope:

1. Is the purpose of this meeting for DGEIS scope comments only?  
Answer: Yes. Written comments may also be submitted until November 14<sup>th</sup>, 2020 (30 days).
2. When will hearings be held on the PUD law for Equestrian Estates and the Comp Plan?  
Answer: Probably in January 2021, but they will be held when revised drafts are ready and the DGEIS is done.
3. Is there a deadline to finish the Comp Plan process by January?  
Answer: No, but it has been a goal of the Village Board.
4. Does the Equestrian Estates DEIS include the PUD law or is it just for the project?

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<sup>1</sup> 6 NYCRR 619.8 (a)

Answer: It includes both. However, Equestrian Estates (EE) is not the subject of this scoping session. The EE scoping session was held on September 9, 2020 and the deadline for comments on that scope was 30 days and ended on October 9, 2020.

The Village Board invited written comments on the scope after the public scoping meeting. The Village Board received the following written materials before the end of the 30-day comment period after the public scoping session:

1. Letter from Joseph LaFiandra, Engineer II, Rockland County Sewer District No. 1, to Ms. Florence Mandel, Village Clerk, dated October 1, 2020.

Summary:

- Proposed changes to zoning such as PILO with would result in additional sewer units by right would result in higher impact fees.
- Any new development enabled by the Plan will require impact fees. As an EPA grantee, the Sewer District will not extend service into Environmental Sensitive Areas (ESAs) unless a waiver is obtained from NYSDEC and USEPA.
- For commercial projects, a wastewater questionnaire will need to be submitted prior to connection.

2. Letter from Charles Heydt, PP AICP and Carolyn Worstell, PP AICP, Dresdner Robin, on behalf of Citizens United to Protect Our Neighborhoods of Chestnut Ridge (CUPON CNR), to Florence Mandel, Village Clerk, dated November 12, 2020.

Summary:

- The SEQR process should not start until the draft of the Comprehensive Plan is complete. Particularly with results of the Red Schoolhouse Road Traffic Study.
- Overall, the scope is vague, and the initial project impacts should include more detail on
  - zoning changes to eliminate nonconformities and promote new housing types;
  - land development for new multifamily and planning industry uses impacting drainage and wildlife;
  - traffic, transportation, and parking; and
  - community character.
- “LWRP” is mentioned as a typographical error.
- Public Need, Benefits and Objectives should discuss response to the SWOT analysis and survey.

3. Memorandum from Ann Cutignola, AICP, Tim Miller Associates, Inc., to Mayor Rosario Presti Jr. and members of the Village Board, RE: Proposed Comprehensive Plan – Anticipated Zoning Recommendations, dated October 14, 2020.

Summary:

- Comments were on substance of Comprehensive Plan draft recommendations, rather than on DGEIS scope;

- Advocates that property currently zoned RS represented by Joel Weber is not recommended for PILO rezoning as other properties around it, and should be zoned PILO;
- Zone should include Warehouse Showrooms, Data Centers, Corporate Campuses;
- Hotel uses are not viable;
- Self-storage should be included; and
- Bulk standards for PILO should be FAR of 0.4 and development coverage of 70%.

The draft scope dated which was the subject of the public scoping session on October 14, 2020, has been amended to create a Final Scope in response to these comments, as follows (See Section F below.):

1. In response to the comments of CUPON:
  - a. The section “Initial Potential Impacts Identified” on page 4 has been expanded to include
    - i. potential subdivision activity;
    - ii. impacts on surface waters, wetlands and groundwater;
    - iii. reference to recommendations of the Red Schoolhouse Road Traffic Study; and
    - iv. fiscal impacts.
  - b. Section 2.0 text has been amended stating: “The DGEIS preparation will not be completed until the Red Schoolhouse Road Traffic Study is reviewed and accepted, and its generalized recommendations included in the Comprehensive Plan.”
  - c. Section 3.0 text has been amended to include: “Summarize SWOT Analysis and Survey results and how such results were incorporated into Goals and Objectives.”
  - d. Reference to an “LWRP” has been deleted.
  - e. The words “or buildout” have been added after “theoretical development scenario” in Section 6.4.
2. In response to the comments of Rockland County Sewer District No. 1, reference to service limitations of sewage treat provision has been added to Section C, “Initial Potential Impacts Identified.”

When the Village Board determines that the draft GEIS is adequate for public review and government agency review in accordance with the adopted Final Scope, the document will be made available for review and comment. Publication of the draft GEIS and issuance of the Notice of Completion for the draft GEIS mark the beginning of the public review period, during which time the public and other interested parties may review and comment on the draft GEIS. A public hearing will be held on the draft GEIS to receive oral comments on the document. The written comment period will remain open for a minimum of ten (10) days following the public hearing. At the close of the public review period, a final GEIS will be prepared that incorporates, as appropriate, changes made in response to comments on the draft GEIS. The final GEIS will include a new chapter that summarizes and responds to comments made on the draft GEIS.

When the lead agency determines that the final GEIS is complete, it will publish the final GEIS and issue a Notice of Completion for the document. The lead agency will use the final GEIS to evaluate project impacts and proposed mitigations in its decision-making process and will issue a Statement of Findings no sooner than ten (10) days following the Notice of Completion.

The GEIS is intended to analyze generically, the order of magnitude of impacts that are likely to occur if the recommendations made in the Comprehensive Plan were to be carried out, and if the proposed zoning were to be utilized by a development proposal.

#### *Initial Potential Impacts Identified*

Based on the review of the FEAF Parts 1 and 2, the following potential areas of environmental impact have been initially identified:

- Zoning changes to eliminate nonconformities, and promote new housing types
- Potential for additional subdivision activity
- 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
- Traffic, and transportation and parking, including recommendations of the Red Schoolhouse Road Traffic Study
- Community character
- Fiscal impacts of new development
- Use of energy

This initial identification of impacts will be followed by detailed analysis of impacts in proposed Section 6.0.

#### **E. GENERAL DGEIS FORMAT**

Unless otherwise directed by this Scope, the provisions of 6 N.Y.C.R.R. §§ 617.9 and 617.10 apply to the content of the Draft Generic Environmental Impact Statement (“DGEIS”) and are incorporated herein by reference.

The DGEIS shall cover all items in this scope. Information should be presented in a manner that can be readily understood by the public. Efforts should be made to avoid the use of technical jargon.

#### **F. FORMAT AND SCOPE OF THE DGEIS**

Cover Sheet: The DGEIS must begin with a cover sheet that identifies the following:

1. Identification as the Draft Generic Environmental Impact Statement;
2. The date the document was submitted to the Village Board;
3. The name and location of the Proposed Action;
4. The Village Board as the Lead Agency for the Project, and the name, address, telephone number of the contact person for the Lead Agency, and the SEQRA status (Type I action);

5. The name and address of the Project Sponsor, and the name and telephone number of the contact person representing the applicant
6. The name, address, and email address of the primary preparers of the DGEIS, and a contact person representing the preparer;
7. The date the DGEIS was accepted by the Lead Agency as complete (to be inserted at a later date);
8. The date of the public hearing and subsequent adjournments (to be inserted at a later date);
9. The date which public written comments on the DGEIS are due (to be inserted at a later date); and
10. All revision dates of the DGEIS.

List of Consultants Involved with the Project: The names, addresses and project responsibilities of all consultants involved with the project shall be listed.

Table of Contents: All headings that appear in the text should be presented in the Table of Contents along with the appropriate page numbers. In addition, the Table of Contents should include a list of figures, a list of tables, a list of appendix items, and a list of additional DGEIS volumes, if any.

Executive Summary: The major facts, analyses and conclusions contained in the main text will be summarized in the Executive Summary

Main Text:

- 1.0 Introduction (Provide brief explanations of the purpose of the DGEIS, of the overall SEQRA process, and of SEQRA steps already taken.)
- 2.0 Description of the Proposed Action (Provide a summary description of the Proposed Actions – namely adoption of the Comprehensive Plan and Implementing Code amendments. More detailed descriptions and discussions may be reserved for Section 6.0. Provide discussion of the process undertaken to prepare the Comprehensive Plan. The DGEIS preparation will not be completed until the Red Schoolhouse Road Traffic Study is reviewed and accepted, and its generalized recommendations included in the Comprehensive Plan.).
- 3.0 Public Need, Benefits and Objectives (Summarize SWOT Analysis and Survey results and how such results were incorporated into Goals and Objectives. Relate the Proposed Action to Village goals; discuss the community's need for the Proposed Action and the benefits to the community from the Proposed Action. The discussion shall relate to need and benefits to Village, Town, and region more generally).
- 4.0 Required Reviews, Permits and Approvals (All required reviews and approvals will be described. Describe future SEQRA-related actions/reviews necessary after adoption of Proposed Action.)
- 5.0 Existing Conditions - Important elements of the natural resource base, existing and projected cultural features, patterns, and character will be discussed. This section shall incorporate the existing conditions reports prepared for the Comprehensive Plan directly or by reference. If by reference a summary of the major features of each of the following subject areas will be provided:

- 5.1 Regional and Local Setting of the Village
- 5.2 Demographics
- 5.3 Land Use
- 5.4 Zoning
- 5.5 Natural Resources, Parks, Recreation and Open Space
- 5.6 Historic and Scenic Resources
- 5.7 Transportation Resources
- 6.0 Discussion of the Implication of Proposed Policies
  - 6.1 This section will list each proposed significant policy recommendation contained within the Comprehensive Plan. The major features of any anticipated future code amendments will be described at a level of detail consistent with the time horizon for anticipated implementation.
  - 6.2 For each proposed policy recommendation, the logic and rationale behind the policy shall be described. A description of any consequences from narrowing future options will be described
  - 6.3 For each proposed policy recommendation, any impacts anticipated as a result of the action shall be described. Where useful in anticipating impacts, one or two possible scenarios that are likely to occur will be described. Generally, the consideration of impacts will include those areas of impact identified on the Full EAF Part 2 as well as those identified 6 NYCRR 617.7(c)(1) as well as any others anticipated by the lead agency.
  - 6.4 A theoretical development scenario or “buildout” will be developed anticipating the maximum development that could occur considering proposed changes. It is likely that some of the policies will not be fully detailed in terms of future implementation, so that one or two possible scenarios that are likely to occur will be described based on a series of reasonable assumptions to be developed in the EIS.
- 7.0 Summary Cumulative Impacts. (Based on the discussion in Section 6.0, any of the following areas of impact will be summarized and considered cumulatively).
  - 7.1 Unavoidable Adverse Environmental Impacts
  - 7.2 Irreversible and Irretrievable Commitment of Resources
  - 7.3 Growth-Inducing, Secondary and Cumulative Impacts (Growth-inducing aspects of the proposed action include its direct and indirect effects that promote additional development in the area. The nature of such anticipated growth as related to the Proposed Action will be described, and the impacts of that growth will be assessed. The cumulative impacts of the Proposed Action will be analyzed in consideration of the policies and development activities in adjoining communities.)
  - 7.4 Energy Use and Conservation, Greenhouse Gas Emissions, and Air Quality
  - 7.5 Construction-Related Impacts (Describe anticipated construction-related vehicle routes into, within and out of the Study Area; any demolition- and/or remediation-related activities; construction scheduling; and general construction-related impacts.)
- 9.0 Alternatives
  - 9.1 Alternative 1: No Action. Development Under Existing Zoning (Provide a comparative analysis of a reasonable build out under existing code conditions without adoption of the Comprehensive Plan.)
- 10.0 FUTURE ACTIONS

Pursuant to SEQRA, Generic EISs and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance. Outline necessary thresholds and requirements for supplementary impact analyses and mitigation measures for future development of the representative site under the proposed action and include applicable thresholds and standards identified by the previous GEIS. Future site-specific actions (e.g., petitions for CCR and site plans) will undergo a preliminary SEQRA consistency review and the preparation of an EAF to determine the appropriate level of review in conformance with 6 NYCRR Part 617.10(d). Such thresholds will include time limits or a process for establishing whether studies involving traffic, endangered species and new regulations of the State and/or Federal government have made the GEIS dated and insufficient in addressing the impacts for site-specific development of the representative site.

11.0 REFERENCES (Provide listing of the various documents and information sources utilized in the preparation of the Draft GEIS.)



## Appendix 12.3

### Matrix of Specific Recommendations of the Comprehensive Plan



## Matrix of Recommendations of the Chestnut Ridge Comprehensive Plan

Topic Area	Location	Page	Description	Implementation Timeframe	Category
Red School House Road Corridor	Red School House Road Corridor	"1-1"	Promote appropriate development of the Red Schoolhouse Road corridor to provide economic development and employment opportunities	1-5 years	Land Use, Transportation, Infrastructure
Zoning	Overall	"1-1"	To establish improvements to the zoning code to provide better management of residential areas.	Immediate	Land Use
Red School House Road Corridor	Red Schoolhouse Road Corridor, Triangle Properties	"6-1", "6-2"	The RS district should be expanded to also permit uses allowed in the proposed PILO zoning district proposed for the east side of Red Schoolhouse Road. Developers should be required to provide transportation improvements as specified by the Red Schoolhouse Road Traffic Study.	Immediate	Land Use, Infrastructure
New PILO Zoning	Red Schoolhouse Road Corridor East Side, Currently Zoned LO, R-35	"6-2", "6-3"	The creation of a "PILO" District as the underlying zone on the east side of RSHR. Adding Assisted Living Facilities and Hotels to the list of allowable uses should be considered. These uses may require up to 48' height and up to 0.65 FAR in order to be viable.	Immediate	Land Use
PUD Floating Zone	1/2 mile from Garden State Parkway Extension Interchange	"6-2", "6-3"	Within one-half mile of the GSP interchange, a PUD floating zone would be allowed to be "landed" in addition to the underlying PILO zoning district, to permit residential development at multifamily densities, to provide diversity of housing in the Village.	Immediate	Land Use

## Matrix of Recommendations of the Chestnut Ridge Comprehensive Plan

Topic Area	Location	Page	Description	Implementation Timeframe	Category
Village Center	Area 3. North End of Red Schoolhouse Road Corridor, from Summit/Williams Roads to Chestnut Ridge Road.	"6-4"	The north end of the corridor should become a Village Center, and the Village should consider moving its Village Hall offices and meeting spaces here. Commercial shops and restaurants that provide neighborhood services should be allowed to expand and provide enhancements. Further southward, the Red Schoolhouse itself should be restored to better condition and put into active use as a community facility. Pedestrian facilities should be improved in this area, and high-quality building and landscape designs should be required. Landscaped buffers and street trees should be maintained or installed to keep the area's rural character, in harmony with the historic Red Schoolhouse at the heart of this section.	1-5 years	Land Use, Infrastructure
Red School House Road Corridor	West Side, Across from Pl, Currently Zoned R-35	"6-5"	In the southern end of area, it is recommended that the zoning be changed from R-35 to R-25, to match the R-25 zoning from across the street, to bring the existing nonconforming housing in this area towards conformance.	Immediate	Land Use
Residential Zones Outside of Red Schoolhouse Road Corridor	See Building Analysis areas 1 to 8	"6-7"	Add four new zoning districts: the R-10, R-15 1F, R-20, and adjust other R-district boundaries to lessen the number of undersized lots in the Village.	Immediate	Land Use

## Matrix of Recommendations of the Chestnut Ridge Comprehensive Plan

Topic Area	Location	Page	Description	Implementation Timeframe	Category
Change Pi to PILO	Area 4: Planned Industry, Currently Zoned PI north of Williams Road	"6-5" "6-6"	New PILO zoning is recommended for this area, adding laboratory/office uses to the current list of planned industry uses	Immediate	Land Use
Village Center	Near Chestnut Ridge & Red Schoolhouse Roads Intersection, Currently Zoned NS, PI, R-35 and R-40	"6-7"	The NS zoning should be extended past the Hubert Humphrey Drive until the historic Red Schoolhouse. The creation of a Business Improvement District should be considered. Sidewalks and signalized crossings should be provided for all corners of the Chestnut Ridge/Red Schoolhouse Road intersection.	Immediate	Land Use, Infrastructure
Green Meadow School/ Threefold Foundation/ Duryea Farm	Green Meadow School/Threefold Foundation/Duryea Farm	"6-7"	Create a floating zone which may "land" or be utilized only in RR-50 which allows education campus/philanthropic uses/group quarters/accessory housing/agriculture to be designed in a master plan in a unified development. It is anticipated that the Threefold Foundation would petition the Village Board to adopt such a floating zone within three years of the adoption of the Comprehensive Plan.	1-5 years	Land Use
Aspirational	Sidewalks	"6-8"	The Village Board should consider a pedestrian traffic study with specific street by street recommendations for constructing sidewalks or marking roads with striping, to enhance pedestrian safety	5-10 years	Future Study
Aspirational	Streetlights	"6-9"	The Village Board should consider amending its policies to facilitate the	5-10 years	Infrastructure

## Matrix of Recommendations of the Chestnut Ridge Comprehensive Plan

Topic Area	Location	Page	Description	Implementation Timeframe	Category
			increase of the existing street light network in the Village		
Aspirational	Traffic Calming Measures	"6-9"	The Village Board should consider traffic calming measures, such as the installation of speed humps or illuminated speed warning signs in area with documented speeding problems	5-10 years	Infrastructure
Aspirational	Surface Water Quality Assessment	"6-9"	Updates to water quality sampling and a new water quality assessment is an arear recommended for future study	5-10 years	Future Study
Aspirational	Paper Streets	"6-9"	The Village should consider the future study of repurposing paper streets or other vacant lands it controls for use as parkland	5-10 years	Land Use

# Matrix of Recommendations of the Chestnut Ridge Comprehensive Plan

Red Schoolhouse Road Traffic Improvement Recommendations	
	Dedication of the land opposite the GSP SB off ramp to accommodate construction of future dual left turn lanes off the GSP SB off ramp (Wellington from Summit to DiSalvo = 1,700 feet +/-.
	Dedication of the land to accommodate separate left turn lanes northbound and southbound on RSHR near Wellington Schools access.
	Construction of separate left turn lanes northbound and southbound on RSHR at main Wellington Schools access drive.
	Construction of 8-foot shared-use path along school frontage from Summit Rd. to DeSalvo Ct. on west side of RSHR (req'd by Rockland County Highway Dept.)
	Summit Road Sidewalk (750') with ADA ramps
	Widen RSHR to provide separate channelized NB right turn lane at GSP NB on ramp, starting 200' south of Sephar lane continuing through that intersection and up to the GSP NB On Ramp".
	Install Traffic signal at Sephar Lane to permit protected LT inbound and outbound movements from Commerce Corporate Park (CCP).
	Improvement of Sephar Lane along CCP frontage
	Provision of an easement from both CCP and Equestrian Estates to accommodate a future connection with the Chestnut Ridge Transportation parcel.
	Construction of a 4-way intersection with widening of RSHR to provide dedicated right and left turn lanes at Triangle Properties/Equestrian Estates as needed.
	Install new traffic signal at Triangle Properties/Equestrian Estates main access.
	Construction of a roundabout at Triangle Properties/Equestrian Estates northern access.
	Left turn lane widening on RSHR at Loescher Lane to facilitate future development of Horsefarm Property.
	Modify Traffic Signal Actuation/Timing at RSHR and GSP SB off Ramp.
	Widen GSP southbound exit off ramp to provide dual left turn lanes including two lane receiver on SB RSHR.
	Dedication of Improved Sephar Lane to the Village of Chestnut Ridge.
	Replace Traffic Signal at RSHR and GSP SB off Ramp.
	Construction of separate southbound left turn lane on Red Schoolhouse Road at Williams Road.

Red Schoolhouse Road Traffic Improvement Recommendations	
	Construction of separate northbound left turn lane on Red Schoolhouse Road at Summit Road.
	Traffic Signal Installation at Red School House Rd./Summit Rd.
	DeSalvo Court, Create a right-turn entry/right-turn exit, prohibit left turns onto RSHR to eliminate conflicts
	Construction of a separate southbound left turn lane on Red Schoolhouse Road at Williams Road.
	At the GSP SB Exit Ramp upgrade the existing traffic signal with new actuation and traffic signal timings. Further improvements should include the widening of the GSP southbound off-ramp to provide a double dual left turn along with a two-lane received on Red Schoolhouse Road Southbound. This widening will also require the replacement of the existing traffic signal.
	Modifying the intersection of DeSalvo Court and Red Schoolhouse Road for right turn entry/right turn exit-only.
	Construction of a northbound channelized right turn lane on Red Schoolhouse Road and associated ramp widening at GSP On-Ramp to provide a free right turn movement onto the ramp.
	Construction of a “roundabout to allow U-turn maneuvers to access the GSP northbound on-ramp in lieu of a separate left turn lane due to the complications created by the GSP overpass bridge piers. This could also help alleviate left turn conflicts for the proposed Corporate Commerce Park Development.
	Construction of intersection improvements including construction of auxiliary left and right turn lanes on Red Schoolhouse Road and installation of a new traffic signal to serve the Triangle Properties Development and Equestrian Estate Development.
	Possible construction of a separate southbound left turn lane on Red Schoolhouse Road at Loescher Lane as part of the Future Horse Farm Development.



## Appendix 12.4

### **Written Comments Received on the DGEIS/Comprehensive Plan**

- Rockland County Department of Planning GML Review, April 27, 2022
- Carolyn Worstell, AICP, Dresdner Robin, on behalf of CUPON CNR, May 11, 2022
- Carolyn Worstell, AICP, Dresdner Robin, on behalf of CUPON CNR, May 19, 2022
- Steve Mogel, Esq., on behalf of CUPON CNR, May 19, 2022
- Chaim Rose, Trustee (email), May 19, 2022, 1:10 P.M.
- Matthew Semenza (email), May 24, 2022, at 6:51 P.M.
- Richard Sarajian, Esq., on behalf of Complete Auto Repair, Inc., June 3, 2022





# Rockland County

Ed Day, Rockland County Executive

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## DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center

50 Sanatorium Road, Building T

Pomona, New York 10970

Phone: (845) 364-3434 Fax: (845) 364-3435

**Douglas J. Schuetz**  
*Acting Commissioner*

**Helen Kenny-Burrows**  
*Deputy Commissioner*

April 27, 2022

Mayor Rosario Presti, Jr.  
Village of Chestnut Ridge  
277 Old Nyack Turnpike  
Chestnut Ridge, NY 10977

RE: Village of Chestnut Ridge Comprehensive Plan and Local Law A v.5 of 2022 - Draft  
Generic Environmental Impact Statement

To Mayor Presti and Village and Town Board Members:

As an ongoing interested party for the State Environmental Quality Review Act (SEQRA) process, the Rockland County Department of Planning has reviewed the Draft Generic Environmental Impact Statement (DGEIS) for the Village of Chestnut Ridge Comprehensive Plan Update and Local Law A v.5 of 2022, dated March 9, 2022. Below are our comments of the Draft Generic Environmental Impact Statement:

1. Section 1.2 makes several references to the Town Board and to New York State General Town Law. The section must be amended to refer to the Village Board and New York State Village Law.
2. The list of Interested Agencies in Section 4.1 consists of only the Rockland County Planning Department, the Towns of Clarkstown, Orangetown, and Ramapo, and the Villages of Airmont and Spring Valley. The proposed Comprehensive Plan and Local Law have the potential to create environmental impacts that affect local infrastructure such as State and County roads, water, sewer and utility capacity, and County streams. The list of Interested Agencies must be expanded to include the agencies with oversight over these resources. The DGEIS must be forwarded to the following agencies for their review and any comments must be considered by the Village:

- New York State Department of Transportation

**Rocklandgov.com**

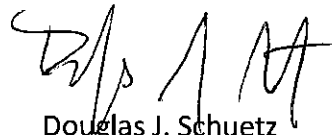
- New York State Thruway Authority
  - Rockland County Department of Health
  - Rockland County Department of Public Transportation
  - Rockland County Drainage Agency
  - Rockland County Highway Department
  - Rockland County Sewer District No. 1
  - Orange & Rockland
  - Veolia
3. Section 6.1.1 assesses the impacts of the creation of the Planned Industry and Laboratory-Office (PILO) zoning district that combines the uses of the Planned Industry (PI) and Laboratory Office (LO) zoning districts. This section must note that Assisted Residence Facilities have been added to the PILO zoning district as a Special Permit use. In addition, Section 6.1.1.1 of the Comprehensive Plan stated that Assisted Living Facilities and Hotels in the PILO zoning district “may require up to 48’ height and up to 0.65 FAR in order to be viable,” which is a considerable increase in height and density over what is currently allowed in the Village. In its GML review of the Comprehensive Plan, this department expressed concern about the impact on local viewsheds or scenic resources of a proposed increase in permitted height. We are pleased to note that the bulk table in the proposed local law indicate that these uses have been assigned to the existing Use Group J, which is the same Use Group as most of the other uses in the PILO zoning district. However, since the proposed increase in height and FAR is included in the Comprehensive Plan, the DGEIS must address its impacts or note that no changes to the bulk requirements for these uses is currently proposed, but that any future proposed changes would require additional analysis of its impacts.
4. The last sentence of the introductory text to Section 6.2 above Map 7 of the Comprehensive Plan (page 27) is not continued on the following page and therefore, is incomplete. The text must be revised so that the paragraph is completed.
5. One of the key findings of the Comprehensive Plan is that 58% of residential lots are smaller than the minimum lot size for their zoning district. As a result, the Conceptual Land Use Plan recommends the down-zoning of several areas and the creation of the R-10 zoning district. Section 6.2 identifies 20 areas where the current zoning is to be changed and provides a thorough analysis of the increase in the number of potential residential parcels on vacant or developable land. Based on Map 7 of the Comprehensive Plan, however, it does not appear that agricultural land was included in this analysis. The long-term shift from agricultural to residential land uses should be accounted for in this analysis. Any proposed down-zoning of areas currently used for agriculture will increase the financial incentive and pressure to convert agricultural land to residences. Section 6.2 must also address the development potential of agricultural areas in its analysis.
6. Section 6.2 states that the en masse redevelopment of existing single-family neighborhoods is unlikely and were not considered in the potential buildout analysis. This

department agrees that stable, established residential neighborhoods are unlikely to undergo large-scale redevelopment. However, there may be neighborhoods within the Village characterized by older housing stock or states of disrepair that may be more readily redeveloped. The DGEIS must identify any residential areas slated to be down-zoned that could be subject to large scale redevelopment and assess its impacts.

7. Most of the residential districts in the Village allow 1-family detached residences. However, the R-15 and R-10 zoning district allow 2-family detached residences and 1—family semi-attached residences, which have smaller minimum lot sizes. The build-out analysis in Section 6.2 must also account for the potential increase in the number of residential units as a result in the change of allowed uses.

Thank you for giving us the opportunity to review the Draft Final Generic Environmental Impact Statement for the Village of Chestnut Ridge Comprehensive Plan and Local Law.

Very truly yours,



Douglas J. Schuetz  
Acting Commissioner of Planning

- C: New York State Department of Transportation  
New York State Thruway Authority  
Orange & Rockland  
Rockland County Department of Health  
Rockland County Department of Highways  
Rockland County Department of Public Transportation  
Rockland County Drainage Agency  
Rockland County Sewer District No. 1  
Veolia  
Towns of Clarkstown, Orangetown & Ramapo  
Villages of Airmont & Spring Valley



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Hon. Rosario Presti Jr., Mayor  
277 Old Nyack Turnpike  
Village of Chestnut Ridge, New York (10977)  
Via email: Village Clerk at [fmandel@chestnutridgevillage.org](mailto:fmandel@chestnutridgevillage.org)

DR. Project No.: 11490-001  
May 11, 2022

**Re: VILLAGE BOARD WORKSHOP AGENDA MAY 11, 2022  
RESOLUTION NO. 2022-100 TO ACCEPT FGEIS FOR COMPREHENSIVE PLAN  
VILLAGE OF CHESTNUT RIDGE, ROCKLAND COUNTY, NEW YORK**

We are submitting this letter on behalf of Citizens United to Protect Our Neighborhoods of Chestnut Ridge ("CUPON CNR"), who has retained our firm to review several ongoing planning actions in the Village of Chestnut Ridge ("Village").

This letter is intended to raise concerns with the action under discussion on this evening's agenda - Resolution No. 2022-100 to Accept the Final Generic Environmental Impact Statement (FGEIS) for the Village's Comprehensive Plan and corresponding Local Law A (v. 6). The agenda further indicates that the resolution would direct the Village Clerk to make the FGEIS available for public via the village website in advance of a Public Hearing on the FGEIS scheduled for May 19, 2022.

As the Board is aware, the actions under consideration this evening are part of the State Environmental Quality Review (SEQR) process. This is a proscribed process with specific steps and mandatory public review and comment periods. These steps include:

1. Classifying the Action **[completed]**
2. Completing the Correct Environmental Assessment Form **[completed]**
3. Coordinate the Review **[completed]**
4. Determine Significance **[completed]**
5. Scope the Draft Environmental Impact Statement (EIS) **[completed]**
6. Preparation of the Draft EIS **[completed]**
7. Determine the Adequacy of the Draft EIS for Public Review (Accept or Return for Revision)
8. Publish Notice that an EIS is Accepted for Public Review
9. Public Comment
10. Decide Whether to Hold a Public Hearing
11. Preparation of the Final EIS
12. SEQR Findings

The New York State Department of Environmental Conservation (NYSDEC) outlines and describes these steps on its website: <https://www.dec.ny.gov/permits/6189.html>

The Village Website posted a DGEIS dated March 9, 2022, which does not include the "date of acceptance" (Step 7) of the DGEIS, nor the date of the "public hearing" (Step 10), nor the "deadline for written public comments" (Step 9).

The language of the public notice for the April 28, 2022 Public Hearing was "to consider the draft Generic Environmental Impact Statement (DGEIS)". There is no indication given in the notice that the March 9<sup>th</sup> version of

the DGEIS has been accepted as “complete” or when the deadline for written public comments on the DGEIS is to pass.

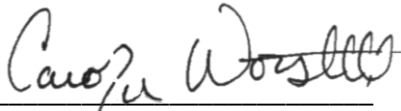
**Based upon the language of the agenda for this evening’s meeting it appears that the Board has skipped several steps in the SEQR process, including public notice that the DGEIS is “accepted” and available for public review, and a mandatory 30-day public comment period on the DGEIS.**

Furthermore, the FGEIS which is currently posted to the Village’s website does not meet the basic requirements of an FGEIS which must include the draft EIS, and any necessary revisions and supplements; copies or a summary of the substantive comments received on the DGEIS and their sources; and the lead agency’s response to the comments.

**On behalf of CUPON CNR, we request that the Village Board not adopt Resolution No. 2022-100 at this evening’s Workshop. There has been inadequate notice to the general public that the DGEIS has been accepted as “complete” and that a public comment period commenced.**

**Working with the Village Board in good faith, we request that the DGEIS be clearly accepted as complete by the Board with adequate notice of a public hearing scheduled so that the public can provide comment on the DGEIS and the deadline for written public comment clearly determined. Only then should an FGEIS be prepared and accepted by the Board.**

Very Truly Yours



Carolyn Worstel, PP, AICP  
Senior Planner

cc: Steven N. Mogel, Esq.

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

DR. Project No.: 11490-001  
May 19, 2022

**Re: REVIEW MEMORANDUM  
DRAFT COMPREHENSIVE PLAN & GENERIC ENVIRONMENTAL IMPACT STATEMENT  
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"). We have previously submitted a comment letter on the *Draft Scoping Document for Preparation of a DGEIS*, dated November 12, 2020; a *Comprehensive Plan Analysis* report, dated November 18, 2021; a *Comprehensive Plan Analysis Addendum*, dated January 20, 2022 which provided several comments and suggestions which have not been fully addressed.

This memorandum addresses comments on the Draft Generic Environmental Impact Statement (DGEIS) dated March 9, 2022 and the Final Generic Environmental Impact Statement (FGEIS), dated May 11, 2022, for the proposed Comprehensive Plan for the Village of Chestnut Ridge and Local Law No. A v.6 of 2022, dated May 11, 2022, which are posted on the Village website. While the Village Board has closed the public comment period on the DGEIS, we wish to submit these comments on both documents as the DGEIS is incorporated within the FGEIS. Separate comments on the DGEIS were not submitted during the DGEIS comment period as the last day for submission of comments was not included with the notice of the public hearing scheduled for April 28, 2022.

## **PRELIMINARY ASSESSMENT OF THE GEIS**

**Consistency with the Adopted Scoping Document** – The DGEIS and FGEIS do not address all the *Potential Impacts Identified* in the Final Scoping Document, dated December 17, 2021. 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 Zone will be assessed in a separate EIS, there are other recommendations for land use changes which are not comprehensively addressed in either the DGEIS or FGEIS.

**Implications of Proposed Policies** - The DGEIS and FGEIS only cursorily assess 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*.

The goals and objectives of the Comprehensive Plan 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 the goals and objectives of the Comprehensive Plan which should be the primary objective of the DGEIS and FGEIS.

**Reliance on Site-Specific SEQR for Substantial Land Use Recommendations** – The Comprehensive Plan recommends several large-scale policies and land use actions but defers the assessment of environmental impacts of those actions to later “site-specific” environmental reviews. Deferment of the evaluation of potential impacts of these policies and land use changes to “site-specific” EISs will limit the review of the impacts to the local environs of the proposed land use change and miss the impacts of these actions on the Village as a whole. As stated in the DGEIS,

*“A Generic Environmental Impact Statement (GEIS) is a broader, more general EIS that analyzes the impacts of a concept or overall plan or enabling local law rather than those of a specific project plan.”*

The draft Comprehensive Plan sets out broad policies and recommends specific land use actions that are intended to guide future development of the Village. It is the function of the DGEIS to assess the overall environmental impacts of the policies and land use actions proposed as part of the Comprehensive Plan to determine what potential negative or positive impacts they may have and what mitigation measures might be appropriate. Following that assessment, it is the responsibility of the Village Board as Lead Agency to determine if the proposed future actions are in the best interest of the Village as a whole.

The DGEIS and FGEIS do not comprehensively assess the potential long term development impacts of the proposed land use changes including: recommendations to rezone over 800 residential properties; rezoning and new uses in the LO, PI and RS districts; creation of a PUD Zone which could apply to both the Equestrian Estates and Triangle Properties development sites; creation of a “floating zone” which would apply to the Green Meadow School/Fold Foundation/Duryea Farm properties. Further, there is no assessment of how the proposed land use changes will promote or hinder the goals and objectives of the Comprehensive Plan.

**Impacts of Proposed Changes to Residential Districts** – The DGEIS and FGEIS do not comprehensively assess the environmental impacts resulting from the changes to the bulk requirements which accompany the rezonings, including impacts to community character, natural resources, stormwater runoff and flooding. The DGEIS and FGEIS

include a build-out analysis which only assesses the number of new residential units that could be developed on vacant properties. However, the long-term impacts of the proposed changes to the bulk requirements for already existing homes could have a collectively greater impact than the limited development on vacant parcels.

The DGEIS and FGEIS should consider the incentive to redevelop properties with increased coverage and FAR in concert with the recommendation that the Village contemplate permitting accessory units “as-of-right”. A segregated review of these two land-use changes, could allow for a profound increase in the intensity and density of the development of the Village as a whole, with no comprehensive environmental assessment by the Lead Agency.

**Impacts of Proposed Changes to Non-Residential Districts and new PUD Districts** – The DGEIS and FGEIS do not comprehensively assess the environmental impacts of the development potential with the proposed changes to the PI, LO and RS zones. Proposed changes to these zones are intended to encourage development; however, generic impacts of the potential new development are not assessed. This includes impacts to natural resources, traffic/transportation, community character, public services (e.g. schools, police and fire services, etc.), utilities (e.g. water, sewer, stormwater, energy, etc.), fiscal impacts and energy impacts.

The DGEIS and FGEIS do not address generic impacts of potential for the new development under the proposed PUD zone deferring it to a separate “site-specific” EIS. However, the Draft Environmental Impact Statement for Equestrian Estates Mixed Use PUD Application; dated September 2, 2021, did not include any evaluation of the impacts of the potential application of the PUD Zone to the Triangle Properties.

Additionally, the Comprehensive Plan references the potential for a new floating zone to be applied to the Green Meadow School/Threefold Foundation/Duryea Farm properties which is not evaluated as a concept in the DGEIS or the FGEIS.

## **COMMENTS AND QUESTIONS ON THE DGEIS and FGEIS**

### **SECTION 6.0 DISCUSSION OF THE IMPLICATION OF PROPOSED POLICIES**

**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*.** *Section 5* addresses only the proposed zoning recommendations, which were included in *Section 6. Conceptual Land Use Plan* of the Comprehensive Plan. There is no assessment of how the proposed zoning changes will promote or hinder the goals and objectives of the Comprehensive Plan.

- Goal 1: Land Use – How do the proposed zoning changes promote or hinder the goals and objectives of the Comprehensive Plan?
  - Objective 1.3 is to preserve the remaining agricultural uses in the Village. The DGEIS and FGEIS reference a proposed PUD zone for one of the few remaining agricultural use in the Village at the Duryea Farm. What are the impacts of the potential for non-agricultural use at this property on the objectives of the Comprehensive Plan?

- Goal 2: Environmental Protection – What are the implications and impacts of the policies included in the Comprehensive Plan on the Village’s natural resources, parks, and open space?
  - Objective 2.1 is to protect environmentally sensitive stream ecosystems and floodplains, including Hungry Hollow Brook, Pine Brook and Pascack Brook and maintain adequate buffers between these systems and adjoining development. What are the generic impacts of the proposed rezonings, particularly in the non-residential and potential PUD landing areas, on stream ecosystems and floodplains? Where would stream corridors and floodplains be impacted?
  - Objective 2.3 is to prevent unneeded erosion by limiting land disturbance in steep slopes areas. What are the generic impacts of the proposed rezonings, particularly in the non-residential and potential PUD landing areas, on steep slopes? Where would steep slopes be potentially disturbed?
- Goal 3: Community Facilities and Services – What are the implications and impacts of the policies included in the Comprehensive Plan on the Village’s community facilities and services?
  - Objective 3.1 is to maintain and enhance the Village-provided community services and facilities. The Comprehensive Plan recommends moving the Village Hall but does not identify an appropriate site or assess the fiscal impacts of the move. What are the impacts of the recommendation to move Village Hall?
  - Objective 3.4 is to promote enhancement of existing parkland and develop new community parks. Where would these new parks be located?
- Goal 4: Economic Development – What are the fiscal impacts of the proposed policies? What are the impacts to the Village’s budget? How many jobs will be created? What are the impacts of new technologies and working habits?
- Goal 5: Infrastructure – The Comprehensive Plan, DGEIS and FGEIS contain no analysis of the condition of the current infrastructure and no concept of how many capital dollars will be required to maintain or improve current or future infrastructure. What are the impacts of the proposed policies on the Village’s infrastructure? Is there adequate water, sewer and stormwater capacity for the proposed development envisioned?
- Goal 6: Transportation – What are the impacts of the Comprehensive Plan policies on transportation in the Village beyond the Red Schoolhouse Road corridor? Especially considering the potential for increased commercial activity in non-residential districts and the potential for increased residential density from permitting accessory units.
- Goal 7: Sustainability – Is the proposed land use and residential density within the capabilities of the Village’s natural resources, utilities, transportation infrastructure, and other environmental constraints?
- Goal 8: Historic Preservation – What are the impacts to the Village’s Historic and scenic resources?
- Goal 9: Community Design – How do the proposed land use recommendations reinforce the character of Chestnut Ridge and improve the aesthetic appearance of the Village?

### 6.1.1 Planned Industry and Laboratory-Office (PILO) Zoning Changes

The intent of these recommendations are to spur new development in the underperforming Laboratory-Office (LO) District; however, there is no analysis of the impacts of new development on the Village and its' resources.

- The DGEIS and FGEIS do not address generic impacts of the potential for new development. How many acres are impacted? What are the generic impacts of this new development potential on drainage, surface waters, wetlands and groundwater, vegetation and wildlife, traffic/transportation, community character, public services (e.g. schools, police and fire services, etc.), utilities (e.g. water, sewer, stormwater, energy, etc.), fiscal impacts and energy impacts?
- The proposed zoning changes would allow two new uses in the LO Districts. How many under-developed or vacant sites are currently in the LO District? How many square feet 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?
- The Draft Comprehensive 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 Zone. This recommendation is not assessed in the DGEIS.
  - The proposed changes to the bulk table do not accommodate the proposed height or FAR increase for the Assisted Living or Hotel uses. This would potentially lead to increased variance requests.
  - Section 10 of the FGEIS indicates that the maximum height and FAR for "assisted living facilities" and "hotels" are "permissive" and defers any review of impacts to the Planning Board for a site-specific application. This would allow an increase in the intensity of development in the Village without a comprehensive environmental assessment of the impacts on the Village as a whole.
- The DGEIS and FGEIS do not address impacts of the proposed definition for "Flex Space, Business Park".
- The DGEIS and FGEIS indicate that all existing Laboratory-Office (LO) Districts are recommended to be rezoned to PILO (pg 22). However, proposed zoning map 10 in the Comprehensive 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.

### 6.1.2 Neighborhood Shopping Zoning Changes – Village Center

The intent of these recommendations is to create a new "village center" at the north end of the Red Schoolhouse Road corridor; however, there is no analysis of the impacts of new development on the Village and its resources.

- The draft Comprehensive Plan proposes expanding the NS District and recommends relocating the Village Hall Offices and meeting spaces to the NS District.
- The DGEIS and FGEIS do not identify a new proposed location for the Village Hall or assess the generic impacts of potential for the new development. What are the generic impacts of this new development potential on drainage, surface waters, wetlands and groundwater, vegetation and wildlife, traffic/transportation, community character, public services (e.g. schools, police and fire services, etc.), utilities (e.g. water, sewer, stormwater, energy, etc.), fiscal impacts and energy impacts?

### 6.1.3 Regional Shopping Zoning Changes

The intent of this recommendation is to expand the RS District and allow new uses permitted in the PILO District, including industrial uses, warehousing businesses and flex space; however, there is no analysis of the impacts of new development on the Village and its resources.

- The draft Comprehensive Plan 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.
- The DGEIS and FGEIS incorrectly indicates that “the area is already zoned for NS” on page 24.
- The DGEIS and FGEIS indicate that the “*use group controlling bulk and area requirements would remain the same, so that additional development coverage or FAR would not be allowed*”. [emphasis added] 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 be revised to 0.30). 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. This would allow an increase in the intensity of development in the Village without a comprehensive environmental assessment of the impacts on the Village as a whole.
- Given the lower lot area threshold, the proposed rezonings may incentivize development of the RS District with these new PILO District uses. How many square feet 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? Where are the Village’s natural resources in relation to the properties in this new RS Zone?
- The DGEIS and FGEIS do not assess the generic impacts of potential for the new development. What are the generic impacts of this new development potential on drainage, surface waters, wetlands and groundwater, vegetation and wildlife, traffic/transportation, community character, public services (e.g. schools, police and fire services, etc.), utilities (e.g. water, sewer, stormwater, energy, etc.), fiscal impacts and energy impacts?
- The DGEIS and FGEIS reference a planned development for the Triangle Properties (pg. 32), for self-storage and other “retail uses”. How is this proposed development consistent with the proposed changes to the RS District and the goals and objectives of the Comprehensive Plan?

### 6.1.4 Residential Zoning Changes to Decrease Nonconformities Village-Wide – Buildout Analysis

The Comprehensive Plan recommends rezoning 838 residential parcels and creating 3 new residential districts. The stated intent of these recommendations is to reduce nonconformities on residential lots that are undersized; however, the proposed zoning changes not only reduces non-conformities with regard to lot area, but also increases the development potential of many residential 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 square feet on an average 20,000-square-foot lot (from 20% to 55% coverage permitted) and an increase of 1,000 square feet of building area (from 0.2 FAR to 0.25 FAR).



- The DGEIS and FGEIS do not comprehensively assess the environmental impacts resulting from the changes to the bulk requirements which accompany the rezonings, including impacts to community character, natural resources, stormwater runoff and flooding. The DGEIS and FGEIS include a build-out analysis which only assesses the number of new residential units that could be developed on vacant properties.
- However, the long-term impacts of the proposed changes to the bulk requirements for already existing homes could have a collectively greater impact than the limited development on vacant parcels.
- The DGEIS and FGEIS should consider the incentive to redevelop properties with increased coverage and FAR in concert with the recommendation that the Village contemplate permitting accessory units “as-of-right”. A segregated review of these two land-use changes, could allow for a profound increase in the intensity and density of the development of the Village as a whole, with no comprehensive environmental assessment by the Lead Agency.
- There is 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. This would allow an increase in the intensity of development in the Village without a comprehensive environmental assessment of the impacts on the Village as a whole.
- The DGEIS and FGEIS do not address the impacts of the proposed changes to *Section 290-84 for Nonconforming Lots*.
- The DGEIS and FGEIS do not assess the generic impacts of potential development under the proposed bulk changes. What are the generic impacts of this new development potential on natural resources, traffic/transportation, community character, public services (e.g. schools, police and fire services, etc.), utilities (e.g. water, sewer, stormwater, energy, etc.), and fiscal impacts?

#### **6.1.5 Creating a Floating PUD Zone**

- The DGEIS and FGEIS indicate 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, and that the environmental impacts of the PUD and more specifically the Equestrian Estates development is to be evaluated separately.
- The Draft Environmental Impact Statement for Equestrian Estates Mixed Use PUD Application; dated September 2, 2021, did not include any evaluation of the impacts of the potential application of the PUD Zone to the Triangle Properties.
- The DGEIS and FGEIS do not address generic impacts of potential for the new development at the Triangle Properties. What are the generic impacts to natural resources (surface water), 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?

#### **6.16 Green Meadow School/Threefold Foundation/Duryea Farm**

The Comprehensive Plan references the potential for a new floating zone to be applied to the Green Meadow School/Threefold Foundation/Duryea Farm properties to allow development of an education campus/philanthropic uses/ group quarters/ accessory housing/agriculture to be designed in a master plan.

- The DGEIS and FGEIS do not address generic impacts of potential for the new floating zone on the properties. What are the generic impacts to natural resources (surface water), 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?

#### **6.1.7 Aspirational Policies**

This section is intended to address the impacts of the *Issues Identified for Future Study in Section 6.1.5* of the Comprehensive Plan. There are several issues that are not addressed at all within the DGEIS and FGEIS which could have significant environmental impacts:

- House of Worship and Residential Gathering Places - The DGEIS and FGEIS do not address the recommendation to further review the standards for houses of worship to ensure they continue to satisfy the needs of the community into the future.
- Bulk Requirements for Schools - The DGEIS and FGEIS do not address the recommendations to consider revisions to the bulk standards for schools to allow for the establishment of smaller, neighborhood schools.
- Accessory Dwelling Units and Two-Car Garages - The DGEIS and FGEIS do not address the recommendation that the Village consider permitting accessory dwellings “as-of right” in single family districts. As noted above this potential land use change could have profound environmental impacts when considered in concert with the increase in coverage and FAR permitted by the proposed rezonings, which are not examined in the DGEIS and FGEIS.
- Chestnut Ridge Road Thoroughfare Plan – Additional Retail/Non-Residential Opportunities - The DGEIS and FGEIS do not address the recommendation that the Village conduct a corridor study for Chestnut Ridge Road.

#### **6.2 Housing Potential Buildout Analysis**

- As noted above, this section only addresses the impacts of the proposed rezoning with regard to the number of units that could be developed. There is no analysis of other impacts of the proposed land use changes.
- The DGEIS does not comprehensively assess the impacts of the anticipated development. What are the impacts 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?

#### **7.0 Traffic Improvements and Red School House Road Traffic Study**

The Red Schoolhouse Road Traffic Study, which was prepared by Colliers Engineering in February 2021, does not fully assess the range of possible alternatives that could result from the proposed land use changes recommended in the Comprehensive Plan.

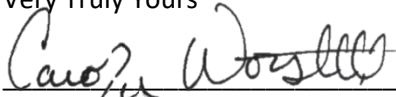
The traffic study only assesses the traffic impacts of the Triangle Properties as a retail shopping center. the DGEIS and FGEIS identifies the Triangle Properties development site as a potential landing place of the PUD Zone, which could be developed with 130 dwelling units per the build out analysis in Section 6.2. What traffic impacts would this alternative have?



## CONCLUSION

The adoption of a Comprehensive Plan is a valuable opportunity for the Village to set the vision for its future growth within the capabilities of the Village's natural resources, utilities, transportation infrastructure, and other environmental constraints. Our review of the DGEIS and FGEIS has revealed numerous inconsistencies and omissions regarding significant environmental impacts of the proposed Comprehensive Plan and Local Law A v.6 of 2022. As such, the conclusions within the DGEIS and FGEIS regarding the absence of significant negative environmental impact of the proposed Comprehensive Plan and Local Law A v.6 of 2022 are not supported and should not be relied upon.

Very Truly Yours



Carolyn Worstel, PP, AICP  
Senior Planner

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

Q:\PRJ\11490-001 CUPONofCR\PL\Working Files\DGEIS Review\2022-05-19 Comp Plan GEIS Review.docx



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FAX: (845) 796-3223  
(SERVICE BY FACSIMILE NOT ACCEPTED)

**BY ELECTRONIC MAIL ONLY: [FMandel@chestnutridgevillage.org](mailto:FMandel@chestnutridgevillage.org)**

May 19, 2022

Board of Trustees  
Village of Chestnut Ridge  
277 Old Nyack Turnpike  
Chestnut Ridge, NY 10977  
**Attn: Rosario Presti, Jr., Mayor**

**Re: Public Hearing upon FGEIS on the Village's Comprehensive Plan and  
corresponding local law**

Dear Board of Trustees:

I represent Citizens United to Protect Our Neighborhoods of Chestnut Ridge ("CUPON CNR") with regard to the above-referenced matter. I am in receipt of copies of correspondence by Carolyn Worstell, PP, AICP of the planning firm of Dresdner Robin provided to the Board of Trustees dated May 11, 2022 and May 19, 2022. I write to the Board today to urge you not to accept the FGEIS this evening, to unambiguously reopen and publish notice of the period of public comment upon the DGEIS, and to accept and respond to the comments thereupon already provided to you by Planner Worstell.

As Planner Worstell states in her May 11, 2022 correspondence:

"The Village Website posted a DGEIS dated March 9, 2022, which does not include the 'date of acceptance' (Step 7) of the DGEIS, nor the date of the 'public hearing' (Step 10), nor the 'deadline for written public comments' (Step 9).

The language of the public notice for the April 28, 2022 Public Hearing was 'to consider the draft Generic Environmental Impact Statement (DGEIS)'. There is no indication given in the notice that the March 9<sup>th</sup> version of the DGEIS has been accepted as 'complete' or when the deadline for written public comments on the DGEIS is to pass."

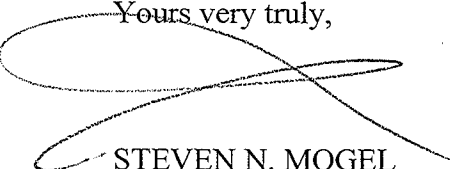
• LITIGATION AND APPEALS • CORPORATE AND BUSINESS LAW  
• PROBATE AND ADMINISTRATION PROCEEDINGS  
• COMMERCIAL AND RESIDENTIAL REAL ESTATE  
• ESTATE PLANNING, TRUSTS, AND WILLS • LAND USE AND DEVELOPMENT  
• ZONING AND PLANNING • MATRIMONIAL LAW • CRIMINAL

It is our position that the aforesaid notices were legally infirm and will not withstand the scrutiny of the Court. More importantly, however, these deficiencies denied members of the public a full and fair opportunity to be heard upon the intended Comprehensive Plan and its provisions. It is not hyperbolic to state that the preparation and adoption of a comprehensive plan may be the single most impactful decision upon its residents that local government may make. As Planner Worstell notes in her May 19, 2022 correspondence, “[t]he Comprehensive Plan recommends rezoning 838 residential parcels, and creating 3 new residential districts.” Resident input on such large-scale zoning changes should not be given short shrift.

As stated above, it is our position that the determination of adequacy of the DGEIS, its acceptance, and the setting of the period of public comment does not comply with the requirements of SEQR. Nonetheless, it is entirely within the purview of this Board to rectify these errors with a bare minimum of effort and delay by unambiguously accepting the DGEIS as either complete or to be returned for revision, unambiguously reopening the period of public comment upon the DGEIS, and proceeding with the remainder of the SEQR review process.

I thank the Board for its consideration.

Yours very truly,



STEVEN N. MOGEL  
SNM/snm

**From:** [Chaim Rose](#)  
**To:** [Alak Shah](#); [Bernadette Kilduff](#); [Jonathan Lockman](#)  
**Subject:** Re: Chestnut Ridge Comp Plan  
**Date:** Thursday, May 19, 2022 1:10:04 PM  
**Attachments:** [image001.png](#)

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Page 16, community demo has the old demograpics info.

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**Chaim Rose, Trustee**  
**Village of Chestnut Ridge**  
**277 Old Nyack Turnpike**  
**Chestnut Ridge, NY 10977**  
**[CRose@ChestnutRidgeVillage.org](mailto:CRose@ChestnutRidgeVillage.org)**

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**From:** Chaim Rose <[crose@chestnutridgevillage.org](mailto:crose@chestnutridgevillage.org)>  
**Sent:** Friday, May 13, 2022 12:14 PM  
**To:** Alak Shah <[ashah@fnmlawfirm.com](mailto:ashah@fnmlawfirm.com)>; Bernadette Kilduff <[bernadettek@fnmlawfirm.com](mailto:bernadettek@fnmlawfirm.com)>; Jonathan Lockman <[jlockman@nelsonpope.com](mailto:jlockman@nelsonpope.com)>  
**Subject:** Re: Chestnut Ridge Comp Plan

Will look soon

--

**Chaim Rose, Trustee**  
**Village of Chestnut Ridge**  
**277 Old Nyack Turnpike**  
**Chestnut Ridge, NY 10977**  
**[CRose@ChestnutRidgeVillage.org](mailto:CRose@ChestnutRidgeVillage.org)**

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**From:** Alak Shah <[ashah@fnmlawfirm.com](mailto:ashah@fnmlawfirm.com)>  
**Sent:** Friday, May 13, 2022 12:14:11 PM  
**To:** Chaim Rose <[crose@chestnutridgevillage.org](mailto:crose@chestnutridgevillage.org)>; Bernadette Kilduff <[bernadettek@fnmlawfirm.com](mailto:bernadettek@fnmlawfirm.com)>; Jonathan Lockman <[jlockman@nelsonpope.com](mailto:jlockman@nelsonpope.com)>  
**Subject:** Fwd: Chestnut Ridge Comp Plan

Hi Tr. Rose,

I tried searching the Comp Plan for the 2010 Census reference and JT also checked (See email below), but we couldn't find the 2010 Census information that you mentioned to me on the phone. Could you tell us where in the Plan you were referring to?

Thank you,

Alak

*Alak Shah*

FEERICK NUGENT MacCARTNEY, PLLC

96 South Broadway  
South Nyack, NY 10960  
845.353.2000  
845.353.2789(fax)  
[ashah@fnmlawfirm.com](mailto:ashah@fnmlawfirm.com)

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----- Forwarded message -----

**From:** Jonathan Lockman <[jlockman@nelsonpope.com](mailto:jlockman@nelsonpope.com)>  
**Date:** Fri, May 13, 2022 at 12:11 PM  
**Subject:** RE: Chestnut Ridge Comp Plan  
**To:** Alak Shah <[ashah@fnmlawfirm.com](mailto:ashah@fnmlawfirm.com)>, Bernadette Kilduff <[bernadettek@fnmlawfirm.com](mailto:bernadettek@fnmlawfirm.com)>

I need some help here.

The Plan mentions many times both the 2010 and the 2020 population numbers from the Census, as well as the growth between 2010 and 2020.

What is the issue?



**Jonathan T. Lockman, AICP**  
**Principal Environmental Planner**  
o: 845.368.1472 x104  
c: 201.590.5324

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**From:** Alak Shah <[ashah@fnmlawfirm.com](mailto:ashah@fnmlawfirm.com)>  
**Sent:** Friday, May 13, 2022 12:04 PM  
**To:** Jonathan Lockman <[jlockman@nelsonpope.com](mailto:jlockman@nelsonpope.com)>; Bernadette Kilduff <[bernadettek@fnmlawfirm.com](mailto:bernadettek@fnmlawfirm.com)>  
**Subject:** Chestnut Ridge Comp Plan

Hi JT,

I just spoke with Tr. Rose. He says that there are two references to the Census and population in the Comp Plan and the first one refers to the 2020 census, but the second refers to the 2010 Census. Can you check and correct if need be?

Thanks,

Alak

*Alak Shah*

FEERICK NUGENT MacCARTNEY, PLLC

96 South Broadway  
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845.353.2000  
845.353.2789(fax)  
[ashah@fnmlawfirm.com](mailto:ashah@fnmlawfirm.com)

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**[EXTERNAL]** This email originated outside VCR. Be cautious when opening links/attachments.

**From:** [Florence Mandel](#)  
**To:** [Rosario Presti Jr](#); [Paul VanAlstyne](#); [Shmuli Fromovitz](#); [Chaim Rose](#); [Grant Valentine](#)  
**Cc:** [Jonathan Lockman](#); [Max Stach](#); ["Alak Shah"](#); [Village of Chestnut Ridge Treasurer](#); [Bernadette Kilduff](#)  
**Subject:** FW: Comp plan- public comments  
**Date:** Thursday, May 26, 2022 11:14:53 AM

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**From:** Matthew Semenza <matthew.semenza1@gmail.com>  
**Sent:** Tuesday, May 24, 2022 6:51 PM  
**To:** Florence Mandel <FMandel@chestnutridgevillage.org>  
**Subject:** Comp plan- public comments

Hello,

My name is Matthew Semenza and I am writing to "voice" my concerns about the proposed equestrian estates development. The proposed development would directly border my property so it is very concerning to me.

In taking a look at the recent survey done by the village it is evident to me that approving this project would go DIRECTLY AGAINST the village residents public opinion. Here are a few examples taken directly from the survey:

**Multifamily Housing Choices – Potential Sites for Development, Questions 11 through 18**

Respondents mildly did not support allowing for higher density housing types such as duplexes,

townhomes, or apartments. (Score 3.95)

Respondents mildly did not support allowing multifamily apartments or townhomes in the Red

Schoolhouse Road/GSP interchange area. (Score 3.62)

**Green Space and Parks and How to Pay for It, Questions 44 through 47**

The protection or acquisition of open space was strongly supported with a score of 1.47.

**Mixed Use Buildings, Question 49**

46% of respondents wished to discourage a mixed-use pattern anywhere in the Village. 21 %

wanted to encourage a mixed-use pattern in the entire Village, and 19% wanted to encourage

mixed uses in the Red Schoolhouse/GSP interchange area only

To me - these things clearly indicate that residents would NOT approve the proposed equestrian estates development.



Further, this would create major traffic issues in the area, and destroy a large area of wildlife habitat. When I look in my backyard every morning, I see deer, red foxes, and all different types of birds. I moved to this area to enjoy peace, quiet, and greenery. The leaves changing color in the fall is also something special. Destroying all of these woods to build high density housing would be such a shame and would really change the character of the whole area (chestnut ridge, montvale, and orangetown included).

Lastly, residents in the area do not even know this proposal is being considered. I would propose that all residents surrounding the property in chestnut ridge, orangetown, and montvale be notified ASAP.

Thank you for your time.

**[EXTERNAL]** This email originated outside VCR. Be cautious when opening links/attachments.

Richard H. Sarajian  
Direct Line: (845) 205- 4553  
Email: rsarajian@sbnewyorklaw.com



Paul S. Baum  
Direct Line: (845) 205-4556  
Email: pbaum@sbnewyorklaw.com

**SARAJIAN & BAUM**  
**PLLC**

67 North Main Street, 3<sup>rd</sup> Floor  
New City, New York 10956  
Phone: (845) 634-7010

June 3, 2022

**Via Email: fmandel@chestnutridgevillage.org**

Florence Mandel, Village Clerk  
Village Board  
Village of Chestnut Ridge  
277 Old Nyack Turnpike  
Chestnut Ridge, New York 10977

**Re: Comments on FGEIS for Village's Comprehensive Plan**

Dear Ms. Mandel and Members of the Board:

During the Comprehensive Plan process, we submitted written comments to the Village for consideration by the Village and its Planning Committee.

We were very disappointed to learn that the Committee never even reviewed or considered these comments even though some of them were based on problems identified during site plan review of the Complete Auto Repair project by the Planning Board.

We enclose another copy of those comments for your consideration as part of the FGEIS and Master Plan review.

Very truly yours,

SARAJIAN & BAUM, PLLC

A handwritten signature in blue ink, appearing to read 'RHS', is written over the printed name of Richard H. Sarajian.

RICHARD H. SARAJIAN

RHS/aas  
Enc.

Richard H. Sarajian\*  
Alan G. Rosenblatt  
Brian J. Quinn  
John E. Finnegan  
David Warren\*  
Lino J. Sciarretta\*

**Montalbano, Condon & Frank, P.C.**

Paul S. Baum  
\*Kurt E. Johnson  
Rudolph O. Zodda, III

ATTORNEYS AND COUNSELORS AT LAW

67 North Main Street • New City, New York 10956-8070

PHONE (845) 634-7010 FAX (845) 634-8993

OF COUNSEL:  
Anthony Montalbano  
Thomas A. Condon  
William Frank

\*ADMITTED IN NY & NJ  
\*\*ADMITTED IN NY & MA

April 23, 2020

**Via U.S. Mail and Email: [info@chestnutridge.org](mailto:info@chestnutridge.org)**

**Village of Chestnut Ridge**

**Attn: Comprehensive Plan Committee**

**277 Old Nyack Turnpike**

**Chestnut Ridge, NY 10977**

**Re: Complete Auto Repair, Inc.  
Property Address: 255 Old Nyack Turnpike  
Tax Lot: 57-17-2-27**

**Dear Members of the Comprehensive Plan Committee:**

Our office represents Complete Auto Repair, Inc., the owner of the property located at 255 Old Nyack Turnpike, Spring Valley, New York (Tax Lot 57.17-2-27). This property is an automotive repair facility located in the PO zone. It is a non-conforming use.

The current Comprehensive Plan Committee questionnaire specifically asks if there should be permitted more growth for automobile repair (Question 48). During the Planning Board process for the recent expansion and reconstruction of my client's site, it became obvious that the expansion and changes for this use are necessary.

Article III Section 4 Subparagraph Q of the Zoning Code defines "Auto, truck or bus body repair" as a prohibited use in the Village. It should be repealed and auto body repair should be a special permit use within all non-residential zones. The improvements of the technology in this industry and the additional monitoring of things like paint booths, etc. eliminates all prior reasons for prohibiting auto body repair uses in a non-residential zone. The real concern, which can be addressed by special permit conditions, involves storage of cars waiting to be repaired.

Based on comments made by Max Stach, your planning consultant, during our appearances before the Planning Board, I believe he agrees that auto body repair work should no longer be prohibited in the Village.

Auto body repair is a permitted use in non-residential zones in many of the villages and towns in Rockland County. While we believe these uses should be permitted in all non-residential districts, at the very least they should be permitted in any zoning district which permits automobile sales and service or gasoline service stations and as a floating zone in all other non-residential districts.

In addition, it is clear that the zoning code must deal with businesses that are not gasoline service stations (as defined in Article III Section 5 of your code) or automobile sales and service (as defined in Section XII Section 8 of your code).

Your code needs a separate definition for automotive repair and maintenance businesses that do not sell gasoline or vehicles. That is today's reality. Chain auto repair businesses such as Goodyear, Firestone, Midas, etc. should be welcomed to service our residents. Private repair shops like Complete Auto Repair, which has served the Chestnut Ridge area since before the Village was formed, should not be non-conforming uses.

Unfortunately, until recent changes in the gasoline tax in New Jersey, gasoline stations south of Route 59 could not be competitive. In a study I did many years ago I found that a substantial majority of gasoline stations located in Rockland County south of Route 59, including all of those in Chestnut Ridge had closed. It is unlikely that any will return. Car dealerships along Chestnut Ridge Road have closed. While there are a few repair shop licenses in Chestnut Ridge, only my client and AJ Repairs do general automotive repairs. Thus, it serves no purpose to only have "gasoline stations with repair services" and "automotive sales and service" as defined uses.

Over 30 years ago the courts recognized that convenience stores should be considered an additional use for gasoline stations because so many gasoline stations were converting their repair bays to convenience stores. See Matter of Exxon Corp v Board of Standards & Appeals, 128 A.D.2d 289 (1st Dep't 1987) lv. denied 70 N.Y.2d 614 (1988) and Matter of Exxon Corp v Board of Standards & Appeals, 151 A.D.2d 438 (1st Dep't 1989) lv. denied 75 N.Y.2d 703 (1990).

The Village should allow for free-standing automobile repair shops as a special permitted use in all non-residential portions of the Village. They can also be allowed as part of a neighborhood center.

Finally, just as the Comprehensive Plan Committee is considering what to do with lots which are non-conforming as to bulk, you should consider legalizing non-conforming uses such as this one that pre-dated the formation of the Village.

I hope you will consider these suggestions. I thank you for your consideration of these issues and am willing to appear before your committee and/or meet with your planning

Village of Chestnut Ridge

April 23, 2020

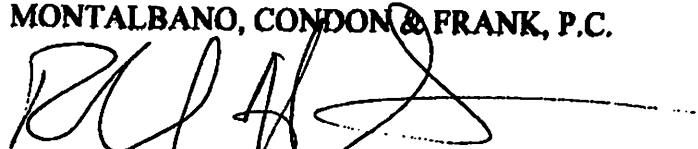
Page 3

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consultants and counsel to discuss these concepts. Please let me know if you would like any other information to help you review this issue.

Very truly yours,

MONTALBANO, CONDON & FRANK, P.C.

A handwritten signature in black ink, appearing to read 'RHS', with a long horizontal flourish extending to the right.

RICHARD H. SARAJIAN

RHS/scb