

3.6 Land Use, Agricultural and Zoning

3.6.1 Existing Conditions

3.6.1.1 Land Use

The BT Holdings project site comprises 68.4 acres located along the east side of NYS Route 17M in the Village and Town of Chester, Orange County, New York. As discussed herein in Section 2.0, BT Holdings LLC proposes to annex a 60.6 acre parcel of land presently in the Town of Chester to the Village of Chester, and rezone that annexed property to a new Village zoning district, RM-N (Residential-Multiple Dwellings-Neighborhood), which is based upon a combination of the Village's existing RM (Residential-Multiple Dwellings) zoning and the Town of Chester's SR-6 Suburban High-Density Residential zone.

The project site is predominantly zoned, SR-6 in the Town of Chester, with a small portion zoned (LB) Local Business along the NYS Route 17M frontage. Additionally, two smaller existing Village parcels totaling 4.0 acres would be remapped from the Village's RS (Residential-Single-Family) zoning to the new RM-N zoning district. An approximately 3.9-acre portion of an adjacent M-2 (Manufacturing) zoned property in the Village is proposed to be subdivided and added to the BT Holdings site and remapped to the new zoning as well. Figure 2-1 illustrates the site's boundaries, the lot to be annexed to the Village of Chester and other parcels in the Village that are part of the BT Holdings site.

With the annexation and zone change, the Applicant proposes a 458-unit residential project that would include 100 Senior apartments in two 3-story buildings and 358 market-rate townhouses in buildings of various sizes, placed along an interior road network. The Applicant has proposed 100 units of Senior Citizen Housing. To remain consistent with the applicable zoning regulations, this assumes that a minimum of 20% of these units would be provided as affordable units. If during the Site Plan Approval phase, the Applicant were to propose fewer than 20% affordable units then the total number of units proposed would be reduced to 90 to remain consistent with the applicable zoning. Under any and all circumstances, the proposal for senior housing will be in compliance with the regulations stipulated in the applicable senior housing overlay district zoning. The application is being proposed pursuant to the proposed RM-N district and the related requirements of the Village of Chester Zoning Law. In addition to the requested map changes, certain zoning text amendments specifically related to the proposed 458-unit residential development, or variances, if necessary, will be evaluated as the project moves forward through the municipal and public review process.

Surrounding Land Uses

Although 60.6 acres of the BT Holdings project site are located in the Town of Chester, portions of the site are in the Village of Chester and three sides of the site (western, southern and eastern) border developed areas of the Village. In general, the adjacent and nearby areas west and southwest of the site consist of intensive highway-type commercial development along NYS Routes 17 and 94, including office and industrial development with some high-density residential neighborhoods. The areas south, southeast and east of the site are a mixture of continued highway development, mixed used (commercial and residential) hamlet areas and outlying mixed-density residential neighborhoods.

The areas to the north and northeast of the site, located in the Town of Chester, consist of primarily low- to medium-density residential and agricultural uses.

The land use study area is shown on Figure 3.6-1, which is within approximately one-half mile (2,700 feet) of the project site on a USGS topographic map. The pattern of existing land uses in the project and vicinity are shown on an aerial photo on Figure 3.6-2.

From the site's frontage on NYS Route 17M running south along both sides of Rte 17M, adjacent and nearby land uses consist of intensive highway-type commercial development down to and south of NYS Route 94 and the intersection of Main Street with Rte 17M. The Castle, an indoor and outdoor recreation business is on the west side of 17M, opposite the site and just south of its frontage on 17M. South of the Castle, also on the west side of 17M, are miscellaneous office and service businesses to the intersection of 17M with NYS Route 94, including a large pharmacy (Rite Aid), a motel and a gas station and convenience store (Mobil).

On the east side of 17M just south of the site's frontage, and adjacent to the site, there is Monro Muffler shop with the Chester Mall just to the south. The Mall is a large-scale shopping center including a supermarket (Shop Rite), a large tractor supply store, a multiplex movie theater, bowling lanes, restaurants, a bank and numerous retail occupancies. Continuing south along the east side of Rte 17M, there are additional retail stores with a large pharmacy (CVS) and a gas station and convenience store (Sunoco) at the intersection of 17M with Rte 94. South of 17M's intersection with Rte 94 down to the intersection with Main Street are additional highway-type businesses, including a McDonald's restaurant, a lumber store, car wash and another gas station.

The area further west from the BT Holdings site, along West Avenue and west of NYS Route 17/US Route 6, includes offices (medical and newspaper) and some single-family homes. To the north of West Avenue and west of NYS Rte 17, there is an extensive high-density residential neighborhood, including the Knoll Crest apartments and the Whispering Hills development (multi-unit townhouses). West Avenue continues west through a less-dense area with single-family homes and ends on Summerville Way (Rte 94). A large retail store (Lowe's) is visible in this area.

Near the intersection of west end of West Avenue and Rte 94 and continuing east along Rte 94 back towards NYS Route 17, is the Chester Industrial Park development (AmScan and other uses), which extends to an area south of Rte 94 and West of Rte 17. Lowe's, a large-scale home improvement and lumber retail operation, is located directly north of Rte 94 in this area, also to the west of Rte 17. This concentration of industrial and large-scale retail uses are located to the south and southwest of the BT Holdings site.

The areas to the south, southeast and east of the site are a mixture of highway development, mixed used hamlet areas and outlying mixed-density residential neighborhoods. South of 17M's intersection with Rte 94 down to the intersection with Main Street are additional highway-type businesses, as described above. The East Chester hamlet area, which is within the Village of Chester at its southern end, coincides with the intersection of Main Street and Academy Road (Rte 94). There are a number of local businesses and services with apartments on the second floors of business buildings, many single-family homes and apartments with a cemetery at the end of Main Street.

The central business area in the Village of Chester extends from Bank Street and the Chester-Erie Depot (historic building) at the heritage trail (the abandoned Erie railbed now used as a recreation trail) at the north end and follows Main Street south into the hamlet of East Chester. The central business area, which lies to the east of the BT Holdings site, includes a broad array of goods and services available to residents and visitors as follows:

- Mixed retail (deli, outdoor supplies and clothing, gifts, antiques and gallery);
- Services (barber shop, salon, laundry);
- Food service and entertainment (ice cream, dining/saloon, nightclub);
- Offices (Village Hall, insurance, law and health related);
- Residential (apartments over stores, homes converted to apartments and single-family homes);
- Fire and police stations;
- Churches; and
- A number of vacant business spaces.

In the southeastern part of the Chester downtown, off of Vadala Road, are municipal and private garage uses and a local park with ballfields. Near the park and winding back along Walnut Street to Maple Street are medium-density single-family neighborhoods and the Orange-Ulster BOCES Chester Learning Center (educational facility). In this part of Chester, Main Street continues south and joins onto Rte 94, at the firehouse, where there are a number of churches and homes interspersed with several small businesses (delis, salons, clothing and antique stores and a barber shop). Main Street/Rte 94 continues to the intersection with Academy Avenue in the East Chester Hamlet area where Academy Avenue/Rte 94 continues west to intersect with Rte 17M.

The intensive commercial and industrial development to the west, south and southeast of the BT Holdings site is complemented by a concentration of medium to high-density development to the east-northeast of the site and north of the Chester downtown area. Rte 94 runs to the north of the downtown through a single-family area and passes over the abandoned Erie Railroad (heritage-recreation trail). The Chester Apartments are located on the east side of Rte 94 just north of the trail with the Green Meadows Apartments on the west side of 94.

Further to the north of Chester proper and on the west side of Rte 94 is a large single-family neighborhood with access from Surrey Road, including Park Drive and Trotting Drive as primary roads. This extensive medium-density neighborhood is located in the Town of Chester, to the northeast of the BT Holdings site, and includes a newer development known as Valley View at Chester. An elementary school is located in this neighborhood.

Directly east of and closer to the project site is a mixed residential neighborhood with single-family homes, some apartments and churches defined by Hambletonian Avenue as it leaves Rte 94. A mix of older and new homes lines Oakland Avenue and Woodland Terrace in this medium-density residential area. An industrial use (Nexans) is located at the corner of Oakland Avenue and Woodland Terrace, which is adjacent to the BT Holdings site's eastern boundary. Nexans is a wire and cable manufacturing use housed in a number of structures and outdoor storage areas on a 19-acre site.

Hambletonian Avenue continues north into a lower-density residential area with some open or vacant lands. The heritage trail (abandoned railbed now used as a recreation trail) parallels Hambletonian Avenue briefly and there is an access to the trail at the Chester Academy (the high school for Chester Union Free School District). The large single-family neighborhood area described above (with access from Surrey Road) is visible from this location on Hambletonian Avenue. Further north and on the west side of the avenue is the Imperial Drive single-family neighborhood, which is a medium-density residential area just to the northeast of the BT Holdings site.

The northern end of Hambletonian Avenue travels through low-density residential, agricultural lands and open, possibly vacant areas where it meets Ward Road, which heads west back toward Rte 17M. This rural residential and primarily agricultural area is just to the north-northwest of the BT Holdings development site and includes the properties known as the Brookview Farm (which is owned by Mr. Talmadge, thus occasionally referred to herein as the Talmadge Farm). Heading south on Rte 17M back toward the site, the area is low-density residential, with individual homes and a bungalow colony on the west side between 17M and NYS Route 17. An animal hospital is also located along this stretch of 17M. This area is also defined by the presence of Rte 17, a major 4-lane interstate highway. Route 17M continues south into the intensively commercial area described above.

In addition to the land uses described above the following projects are currently under construction within the Village of Chester;

- Lowe's - currently operating under a temporary Certificate of Occupancy
- 49-51 Main Street - Work continues on interior renovation
- Orange County Trust - Site work in progress
- Nexans - General site work in progress including new truck bay and silos.

Compatibility with Surrounding Land Uses

The proposed BT Holdings development has been designed to be compatible with the adjacent and nearby areas west and southwest of the site, which consist of intensive highway-type commercial development along NYS Routes 17 and 94, including office and industrial development with some high-density residential neighborhoods, since it places high-density residential development near shopping, services, transportation routes and potential places of employment. The project has been designed to be compatible with uses in the areas south, southeast and east of the site, which are a mixture of continued highway development, mixed used (commercial and residential) hamlet areas and outlying mixed-density residential neighborhoods. The project provides a transition between the intensive commercial development on the west (near Rte 17M) and the hamlet and neighborhood areas on the east side of the site.

Although the project is a higher density development than the areas to the north and northeast of the site, which consist of primarily low- to medium-density residential and agricultural uses, it is the applicant's opinion that the proposed residential use is more compatible with agricultural uses than the nearby commercial uses. There is a progression from the intensive commercial area to the west-southwest of the site to more rural areas to the north of the site. The retention of existing trees and the proposed buffer plantings along the development's northern perimeter will soften the limited view of the development from the adjacent farm to the north as described in DEIS section 3.11.

3.6.1.2 Agricultural Resources

The present condition of the BT Holdings property is undeveloped farm fields with its use being described as rural and vacant according to Orange County Real Property tax information for the 60.6-acre parcel.

The Orange County Agricultural District Number 1 includes the Brookview (Talmadge) Farm to the north of the BT Holdings development site and the low flat areas to the northeast and east

of the Chester and East Chester hamlet areas. The BT Holdings northern boundary is directly adjacent to the boundary of the agricultural district according to the maps available on the Orange County Department of Planning website (www.co.orange.ny.us).

Brookview Farm is located along the northern and northwestern boundary of the BT Holdings Property, with its main house and barns located along Route 17M (Chester Road), a significant distance from the BT Holdings Property boundaries. The farm property includes cultivated fields and a dairy operation. Orange County property tax data lists two farm parcels (Town S.B.L. 2-1-7.1 and 2-1-9.22 [vacant farmland]) totaling approximately 100 acres of which 73 acres are listed as tillable; 8 acres are pasture; 5 acres are woodland and 14 acres of wasteland.

Views of the BT Holdings site from locations on the Brookview Farm are limited in many locations by the steep topography of the Brookview Farm fields. DEIS Section 3.11 regarding visual resources and Figure 3.11-4 shows the view from the hillside on the southeast portion of the Brookview Farm property, near the subject property boundary.

3.6.1.3 Zoning

As described above, BT Holdings LLC proposes to annex a 60.6 acre parcel of land presently in the Town of Chester to the Village of Chester, and rezone that annexed property to a new Village zoning district, RM-N (Residential-Multiple Dwellings-Neighborhood), which has been based upon a combination of the Village's existing RM (Residential-Multiple Dwellings) zoning and the Town's SR-6 zoning regulations. Additionally, two smaller existing Village parcels, totaling approximately 4.0 acres, would be remapped to the new RM-N zoning district. An approximately 3.9-acre portion of the adjacent Nexans parcel in the Village is proposed to be subdivided and added to the BT Holdings site and remapped to the new zoning as well. Figure 2-1, following DEIS section 2.0, illustrates the site's boundaries, the lot to be annexed to the Village of Chester and other parcels in the Village that are part of the BT Holdings site.

The subject property consists of four tax parcels, which make up the 68.4-acre site as summarized below.

Table 3.6-1			
Project Site Parcels and Existing Zoning Districts			
Municipality	Section, Block and Lot	Existing Zoning District	Lot Area (Acres)
Town of Chester	2-1-39	SR-6 and LB	60.6
Village of Chester	107-3-4	RS	3.4
Village of Chester	108-1-1	RS	0.6
Village of Chester	120-1-1	M-2	3.9
Total			68.4

Figures 3.6-3 and 3.6-4 show the site's location on the zoning maps for the Town of Chester and Village of Chester, respectively. The bulk of the site (60.6 of 68.4 acres) is in the Town's SR-6 district with small areas in the other districts. The narrative below provides information on the zoning districts that comprise the project site.

SR-6 Suburban Residential Zoning District (Town of Chester)

The Town of Chester SR-6 Suburban Residential zoning district covers the northern, northeastern, central and southeastern portions of the project site and does not extend off of the project site. In accordance with the Code of the Town of Chester, Chapter 98, Zoning, in the Schedule of Use and Area Requirements, the following principal permitted uses are allowed within the SR-6 zoning district:

- Single family and two-family dwellings
- Clustering of single family, two-family and multiple dwellings
- Multiple residential and townhouses
- Planned adult communities, senior housing and senior assisted care facilities
- Municipal buildings and schools
- Churches and places of worship
- Schools, colleges and daycare centers
- Bed and breakfast establishments
- Public utility structures
- Excavations and removal of soil

However, agricultural and farming are not listed in the SR-6 district.

All of the above uses require site plan approval except single family and two-family dwellings and municipal buildings. Site plans are approved by the Town of Chester Planning Board, with some clustered developments coming under the jurisdiction of the Town Board under existing zoning. However, a local law is being considered to authorize the Planning Board to approve clustering.

The development of multiple residential and townhouses, at a permitted density of six dwelling units per acre, is governed by supplemental requirements in the zoning law section 98-29, U. The bulk requirements applicable to the SR-6 zone for the development of multiple residential and townhouses, as provided in the SR-6 Schedule of Use and Area Requirements and in the supplemental requirements, are listed in Table 3.6-2.

Table 3.6-2 Lot and Bulk Requirements: SR-6 District	
Minimum lot area*	10 acres
Minimum lot width*	300 feet
Minimum townhouse lot size**	2,000 square feet
Minimum lot width**	20 feet
Minimum front setback	15 feet
Minimum side setback, if provided**	15 feet
Minimum rear setback**	30 feet
Usable open space	700 square feet per dwelling unit
Outdoor play area (as part of usable open space)	100 square feet per dwelling unit
Maximum building lot coverage	not specified
Source: Town of Chester Zoning Law, June 2004.	
*Requirement that applies to overall development site.	
**Requirement that applies to individual townhouse lot.	

Additionally, the following supplemental requirements from the zoning law section 98-29, subsection U., pertain to bulk and area requirements for the development of multiple residential and townhouses:

- If the rear of any principal building shall be opposite any other principal building, it shall be distant therefrom not less than twice the average height of the opposite bounding walls.
- The side of a principal building, if opposite the side of another principal building, shall be separated therefrom by a distance not less than the average height of the opposite bounding walls.

The development of senior housing, at a permitted density of eight dwelling units per acre, is governed by supplemental requirements in the zoning law section 98-29, N. Affordable senior housing, at a permitted density of ten to twelve dwelling units per acre, is governed by supplemental requirements in the zoning law section 98-29, T.

LB Local Business Zoning District (Town of Chester)

The Town of Chester LB Local Business zoning district covers a small area on the northwestern portion of the project site on the frontage with Rte 17M and extends off of the project site to the north and west along Rte 17M. In accordance with the Town of Chester, Zoning, in the Schedule of Use and Area Requirements, the following principal permitted uses are allowed within the LB zoning district:

- Single family dwellings (already in existence before May 2003)
- Municipal buildings and public schools
- Churches and places of worship
- Retail and personal service stores and banks
- Offices, restaurants and other services
- Car wash, gas stations, automobile repair shops, convenient stores, and passenger transportation stations
- Funeral home
- Nursery schools and daycare centers
- Indoor and outdoor recreation and fitness centers
- Public utility structures
- Regulated adult uses

However, no other residential uses are listed in the LB district.

All of the above uses require site plan approval except single family dwellings and municipal buildings. Site plans are approved by the Planning Board. The specific bulk requirements are provided in the Schedule of Use and Area Requirements for the LB district. Most uses are permitted on 1 to 2 acres with coverage requirements ranging from 20 percent to 50 percent.

RS Residential - Single-Family Zoning District (Village of Chester)

The Village of Chester RS Residential - Single-Family zoning district covers the small parcels at the southern and southeastern corners of the project site and extends off of the project site into significant areas in the hamlets of Chester and East Chester. In accordance with the Town of Chester, Zoning, in the Schedule of Use and Area Requirements, the following principal permitted uses are allowed within the RS zoning district:

- Single family and modular dwellings

The following are special permitted uses in the RS zoning district:

- Mobile dwellings and senior citizen housing
- Municipal buildings and firehouses
- Boarding or rooming houses or tourist homes
- Professional offices (conversion of existing residential structures)
- Libraries, museum and clubhouses
- Studios for art, music and dance
- Public and private schools
- Churches and places of worship
- Hospitals and sanitoriums
- Public utility buildings

All of the above uses require site plan approval except single family and modular dwellings. Special permitted uses also require site plans. Many of the non-residential uses (municipal, office, boarding, libraries and studios, etc.) must be located on lots of at least 12,500 square feet. Churches must be on 1-acre lots. Mobile dwellings, schools and hospitals are required to be on lots of a minimum of 5 acres. Maximum lot coverage for uses in the RS zone vary from 30 percent to 50 percent.

Multi-family and townhouses are not permitted in the RS district, therefore, there are no pertinent bulk requirements.

M-2 Manufacturing Zoning District (Village of Chester)

The Village of Chester M-2 Manufacturing zoning district covers a 3.87 acre portion of the eastern side of the project site and extends off of the project site to Oakland Avenue and nearly to Hambletonian encompassing the adjacent Nexans property. In accordance with the Village of Chester, Zoning, in the Schedule of Use and Area Requirements, the following principal permitted uses are allowed within the M-2 zoning district:

- Wholesale storage and warehouse facilities
- Gasoline and fuel storage tanks (underground)
- Lumber, feed and similar storage yards (not salvage or junk)
- Manufacturing, processing, producing and fabricating operations (no noise, fumes, etc.)
- Trucking terminals with repair and servicing (conducted within fully enclosed structures)

The following are special permitted uses in the M-2 zoning district:

- Outdoor storage of building supplies, raw materials, fuels, finished products, machinery and equipment
- Adult entertainment uses

All of the above uses require site plan approval. Special permitted uses also require site plans. All of the permitted and special permitted uses in the M-2 zoning district are required to be on lots of a minimum of 1 acre. Maximum lot coverage for uses in the M-2 zone is 60 percent.

Multi-family and townhouses are not permitted in the M-2 district, therefore, there are no pertinent bulk requirements.

Surrounding Zoning Districts

The description of the zoning surrounding the BT Holdings site will follow the same path as provided for surrounding land uses, above, from the more intensive commercial, industrial and residential areas on the west side of the site; moving essentially counterclockwise through the mixed use hamlet areas to the south and southeast; and then east and north to residential neighborhood and agricultural areas.

From the site's frontage on NYS Route 17M running south along both sides of Rte 17M, the adjacent and nearby Village of Chester zoning is the B-2 (General Business) district, which permits a broad array of commercial uses including retail and wholesale; restaurants and hotels, theatres, automotive sales, indoor and outdoor commercial recreation facilities and other business uses.

The area further west from the BT Holdings site, along West Avenue, Rte 94 and west of NYS Route 17/US Route 6, is a large Village of Chester M-1 (Light Manufacturing-Research) zoning district. In addition to manufacturing uses (no noise, fumes, etc., produced), research, wholesale storage and warehouse and outdoor storage facilities are permitted along with business and industrial offices.

The areas to the south, southeast and east of the site are a mixture of Village of Chester M-2, RS and B-2 zones, as described above, along Routes 17 and 17M. This area also includes the Village's B-1 (Neighborhood Business) zoning, which is less intensive than the B-2 zone focussing on smaller scale businesses typical of a local hamlet area. The area to the southeast and east of the site, encompassing the central and eastern Chester hamlet, includes significant Village RS (Residential - Single-family) zoning consistent with the neighborhoods surrounding the business aspects of the hamlets.

Further to the north of Chester proper and on the west side of Rte 94 are Town of Chester SR-1 and SR-2 (Suburban Residential) zoning districts. These districts are somewhat similar to the SR-6 zoning district permitting single-family development and some compatible non-residential uses (schools, clubs, churches), however, neither district permits multi-family dwellings. The SR-2 district does permit two-family dwellings, senior housing and senior assisted-care facilities.

Directly east of and closer to the project site is a Village M-2 zone described above.

Directly north of the site along the north end of Hambletonian Avenue is a Town AR-.3 (Agricultural Residential) zoning district, which permits agricultural and single-family residential uses with compatible non-residential uses (veterinary offices, schools, clubs, churches, etc.).

The nearby districts to the northwest of the site include the LB (Local Business) and SR-2 (Suburban Residential) zones described above.

Town of Chester Ridge Preservation Overlay District

The Town of Chester Code Section 98-26 describes a Ridgeline Protection Overlay District (RPOD) that regulates development in ridgelines within its boundaries. The BT Holdings site is not located within the RPOD, yet is located just south of the RPOD boundary. While none of the BT Holdings development is proposed within the RPOD, the Brookview Farm, which abuts the site on the north, lies within the RPOD. Views of the proposed project from Brookview Farm are described and illustrated in DEIS Section 3.11 regarding visual resources and briefly below.

Annexation

Pursuant to Article 17 of the General Municipal Law of the State of New York, BT Holdings LLC submitted a petition in January 2008 to annex a single 60.6-acre parcel, identified as Town of Chester tax map number 2-1-39, to the adjoining municipality, the Village of Chester. The annexation involves the proposal to change the boundary of two municipalities by moving a vacant parcel of land from the Town of Chester to the Village of Chester. Following annexation, the property would be part of the Village of Chester and would thus have access to the Village Water Supply system, sewer service and other municipal services. Any subsequent development proposal on the property and related approvals and permits would then be under the local jurisdiction of the Village Board of Trustees, the Village Planning Board, Village Water Department and other local agencies.

Proposed RM-N Zoning

The project sponsor proposes an amendment to the Code of the Village of Chester, Chapter 98, Zoning (hereinafter the "Zoning Law") that will involve:

1. Creation of a new zoning designation, the RM-N (Residential-Multiple Dwellings-Neighborhood) focused on mixed residential uses, and which is consistent with existing Village residential zoning uses and densities, and in compliance with the existing Town SR-6 zoning on the site; and
2. Amendment of existing related supplemental requirements to enhance flexibility of design for uses in existing zoning requirements.

The proposed RM-N zoning district is detailed in the proposed zoning district table (see Appendix C). Principal permitted uses would include:

- Single-family dwellings on lots with a minimum area of one-quarter of an acre (10,890 square feet), or 4 dwelling units per acre;
- Two-family dwellings at a density of 4 dwelling units per acre;
- Senior citizen housing at a density consistent with existing Village zoning (9 dwelling units per acre with a density bonus to 10 dwelling units per acre with 20 percent or more affordable dwellings); and
- Multiple dwellings, apartments, condominiums and townhouses in compliance with the density defined in the existing Village zoning (for one-bedroom or two-bedroom

dwellings, up to 8 units per acre; and for dwellings with three bedrooms or more, up to 6 units per acre).

Special permitted uses in the proposed RM-N zoning district are more limited than in comparable zoning such as the Village's RM district, and would include:

- Firehouses and municipal or government buildings;
- Public utility buildings;
- Public libraries and museums; and
- Clubhouses.

Relative to the existing RM district, a number of bulk requirements, as listed below, in the proposed RM-N district have been adjusted to improve flexibility of design on multi-family and senior citizen housing sites, and to make the development, as proposed, possible..

The proposed amendments to the related text in the existing Zoning Law (Appendix C) accomplish the following objectives:

- Add clarification to, or reorganize existing supplemental requirements;
- Define what constitutes types of multiple-family dwellings (apartment and townhouse) and a "den" versus a "bedroom"; and
- Adjustment to the parking requirements to reduce impervious coverage and address actual parking needs.

Table 3.6-3 shows the comparison of how the proposed project, including the zone change amendment, relates to the existing Village RM and Town of Chester SR-6 Zoning regulations.

Table 3.6-3 Townhouses				
Lot and Bulk Comparison of SR-6, RM and proposed RM-N Requirements for Townhouses				
Zoning District	Town SR-6***	Village RM	Proposed RM-N	BT Holding Proposal
Zoning Bulk Standard	Required per 98-29U	Required	Required	Proposed
Minimum total lot area*	10 acres	80,000 square feet	5 acres	58.4 acres
Minimum total lot width*	300 feet	150 feet	200 feet	610 feet (consistent with frontage)
Minimum Townhouse lot size**	2,000 square feet	2,000 square feet	Not specified	Lots not proposed (2,000 sq. ft. on-site available per unit)
Minimum Townhouse lot width**	20 feet	Not specified	200 feet	610 feet (lots not proposed)
Minimum front setback**	15 feet	40 feet (may be reduced to 20 on minor streets for townhouses by PB)	20 feet	Townhouse lots not proposed (>20 feet)
Minimum side setback, if provided**	15 feet	25 feet (no side yards required for interior lots)	15 feet (no side yards required for interior lots)	Townhouse lots not proposed (>25 feet)
Minimum rear setback**	30 feet	35 feet	35 feet	Townhouse lots not proposed (>35 feet)
Combined yard setback	As required in 98-20	50 feet	30 feet (no side yards required for interior lots)	Townhouse lots not proposed (>30 feet)
Usable open space	700 square foot per dwelling unit	700 square foot per dwelling unit	700 square foot per dwelling unit	700+ square foot per dwelling unit
Outdoor play area (as part of usable open space)	100 square foot per 3+ room dwelling unit	100 square foot per 3+ room dwelling unit	100 square foot per 3+ room dwelling unit	100+ square foot per dwelling unit
Maximum Density	6 units per acre	For 1BR & 2BR units, 8 units per acre. For 3+BR, 6 units per acre	For 1BR & 2BR units, 8 units per acre. For 3+BR, 6 units per acre	For 1BR & 2BR units, 8 units per acre. For 3+BR, 6 units per acre
Maximum units per building	8 units per building	Not specified	Not Specified	12 units per building
Bedroom Mix	Maximum 20% 3BR units	Not specified	Not Specified	21% 2BR 79% 3BR
Minimum habitable dwelling area	Not specified	Efficiency - 400 sf 1BR - 600 sf 2BR - 800 sf 3+BR - 1,000sf	Efficiency - 400 sf 1BR - 600 sf 2BR - 800 sf 3+BR - 1,000sf	2BR > 800 sf 3BR > 1,000 sf
Minimum Building Separation	Not less than the average height of the opposite bounding wall	Not less than the average height of the opposite bounding wall	Not less than 25 feet	> 25 feet
Maximum building lot coverage	As required in 98-20	20%	35%	15.70%
Maximum building height	As required in 98-20	35 feet & 3 stories	40 feet & 3 stories	35 feet & 3 stories
Parking	Refer to Table 3.6-4 below			

Source: Town of Chester Zoning Law; Village of Chester Zoning Law

* Requirement that applies to overall development site

** Requirement that applies to individual townhouse lot

*** Condominium ownership is prohibited in the SR-6 District, ownership of single-family attached and detached dwelling units must be in fee simple.

Table 3.6-3 Seniors Lot and Bulk Comparison of SR-6, RM and proposed RM-N Requirements for Senior Housing				
Zoning District <i>Zoning Bulk Standard</i>	Town SR-6 <i>Required per 98-29W</i>	Village RM** <i>Required</i>	Proposed RM-N <i>Required</i>	BT Holding Proposal <i>Proposed</i>
Minimum lot area	10 acres**	3 acres	2 acres	10 acres
Minimum lot width	Not specified	100 feet	100 feet	610 feet (consistent with frontage)
Minimum lot depth	Not specified	150 feet	150 feet	838 Provided
Minimum front setback	75	For sites of 5+ acres, 75 feet	For sites of 5+ acres, 75 feet	>75 feet
Minimum side setback, if provided	75	For sites of 5+ acres, 50 feet	For sites of 5+ acres, 50 feet	>50 feet
Minimum rear setback	75	For sites of 5+ acres, 50 feet	For sites of 5+ acres, 50 feet	>50 feet
Usable open space	Not specified	As required by Planning Board	As required by Planning Board	As required by Planning Board
Outdoor play area (as part of usable open space)	Not applicable	Not applicable	Not applicable	Not applicable
Maximum Density (Market-Rate)	10 units/acre minimum 10% affordable units	9 units/acre 10 units/acre with a minimum 20% affordable units	9 units/acre 10 units/acre with a minimum 20% affordable units	10 units/acre
Maximum Density (Affordable)	18 Studio units/acre 12 1BR units/acre 10 2BR units/acre			
Maximum units per building	Not specified	24 units/building	50 units/building	50 units/building
Bedroom Mix	Not specified	Not specified	Not specified	75% 1BR 25% 2BR
Habitable dwelling area****	Studio - 450 sq. ft. MAX 1BR - 700 sq. ft. MAX 2BR - 900 sq. ft. MAX	Studio - 400 sq. ft. MIN 1BR - 500 sq. ft. MIN 2BR - 650 sq. ft. MIN	Studio - 400 sq. ft. MIN 1BR - 500 sq. ft. MIN 2BR - 650 sq. ft. MIN	Studio - 400 sq. ft. MIN 1BR - 500 sq. ft. MIN 2BR - 650 sq. ft. MIN
Maximum building lot coverage	25%**	75% (incl. all impervious surface)	35%	22%
Maximum building height	40 feet	35 feet & 3 stories	40 feet & 4 stories	35 feet & 4 stories
Parking	Refer to Table 3.6-4 below			

Source: Town of Chester zoning law; Village of Chester zoning law

* Senior Housing as per §98-29(T) (Affordable Senior Housing) of the Town Zoning law

** Senior Housing as per §98-29(W) (Market-Rate Senior Housing) of the Town Zoning law

*** Senior Housing as per §98-23.1 of the Village Zoning law re Senior Citizen Housing Special Use Permit

**** Specified for Affordable Senior Citizen Dwelling units Section 98-29T?

Consistency with Town of Chester SR-6, and Village of Chester RM Zoning Regulations

Although a Village of Chester zoning amendment is proposed, the site development is consistent with the density, uses, and bulk regulations defined in the in the existing Village RM and Town SR-6 zoning for the project site. Table 3.6-3 illustrates the conceptual site plan's consistency with existing Town SR-6 uses, lot area and bulk requirements, and compares this to the similar Village RM zoning district. A combination of these zones, in addition to certain related supplemental requirements from zoning subsection 98-29, U., were used as guideposts in developing the proposed conceptual design.

The overall density of the proposed site is 6.0 dwelling units per acre for the Townhouse portion of the site and 10 dwelling units to the acre for the senior parcel. The pertinent SR-6 lot area and bulk requirements and related supplemental requirements are met or exceeded by the BT Holdings development. However, the proposed development does not include individual lots for the townhouse development. There is sufficient land area to provide lots that would be likely to conform with the lot requirements in the related supplemental requirements of the SR-6 zone. However, the creation of lots would not enhance the design of the proposed development as the provision of lots reduces the flexibility necessary to follow site contours and the related layout of roads, parking, recreation and open areas and other amenities. If developed under existing SR-6 zoning, the applicant would have to apply for a variance from the requirement for lots associated with townhouse dwellings.

The zoning table provided on the Conceptual Site Plan (Figure 2-4) illustrates proposed on-site parking. The proposed RM-N zone specifies reduced parking requirements in an effort to reduce impervious surface. This reduced parking requirement continues to meet parking requirements in the SR-6 zone, and is consistent with the ITE surveys of parking utilization for this type of land use. Table 3.6-4 below shows Town and Village parking requirements for the various types of units proposed on the site:

Table 3.6-4 Parking Summary					
Land Uses	Proposed Parking Spaces	Parking Rate (Spaces per Dwelling Unit)	Zoning Requirement (Spaces per Dwelling Unit)		Parking Generation¹ (includes guests)
			TOWN	VILLAGE	
SENIORS					
75 1-Bedroom Affordable/ Market-rate units	125	1.25	1.25/1.50	2.25*	0.50 per dwelling unit ² (1.20 spaces per unit average peak demand for low/mid rise suburban apartments)
25 2-Bedroom Affordable/ Market-rate units			1.50/1.75		
TOWNHOUSE					
76 2-Bedroom Townhouse units	812	2.77***	2.00**	3.25*	1.68 per dwelling unit (95th percentile rate)
282 3-Bedroom Townhouse units			2.25**	3.75*	
Guest Parking	179		included above	included above	included above
CLUBHOUSE					
Clubhouse	41	0.09****	none	none	included above
TOTAL					
Total³	1157	2.53**	2.059	3.338	1.576
* Includes 0.75 spaces per unit for guests.					
** Includes 0.25 spaces per unit for guests.					
*** Total spaces for all dwelling units including guest parking (991 spaces / 358 townhouses).					
**** 41 spaces over 458 units.					
¹ Parking Generation, Institute of Transportation Engineers, 3rd edition, 2004.					
² Peak rate based on only two samples includes guests.					
³ Based on proposed units.					

According to the table, the proposed parking per unit exceeds the Town's parking requirements for townhouse units, however, it does not meet the requirements for senior housing. The proposed parking does not meet the Village's RM Zoning regulations with regard to parking requirements for townhouse units or senior units. It should be noted that the parking as proposed meets the ITE threshold for parking for this type of land use, which is based upon surveys of actual parking utilization for similar projects.

Two parking areas providing 125 parking spaces are located adjacent to the senior apartment buildings. Each of the townhouse and condominium units has a one- or two-car garage and a single- or double-width driveway depending on the type of dwelling. Therefore, each unit has potentially 2 or 4 parking spaces. Guest parking lots are distributed along the internal roads within proximity to each multi-unit building. Overall, 812 spaces are provided in garages and driveways and 179 spaces are provided in guest parking lots. A separate 41-space parking area is located at the clubhouse. A total of 1,032 parking spaces are provided for the townhouse/condominium development and a total of 1,157 provided on the entire site.

Vacant Land in the Village of Chester

An examination of aerial photographs, real property tax parcel maps, Orange County GIS data base and related information for the Village of Chester was conducted to address the issue of potentially vacant parcels as per the scoping outline.

It is assumed that the purpose of this item was to consider whether developable land exists within the Village. While a number of apparently vacant parcels may be identified, the following are limitations to development comparable to the proposed action in the available parcels:

- There are no parcels that are similar in size to the BT Holdings site and would therefore not accommodate the number of housing units proposed;
- A large number of parcels that appeared to be vacant were categorized as “muckland”, which would be the low flat wet areas near the outskirts of the Village, and others include ponds, streams and significant wet areas;
- The Village of Chester owns numerous parcels that are occupied by water and sewer service facilities; highway garage buildings and related yard and storage areas; government parking lots related to Village offices; and some vacant commercial and industrial lands;
- The Town of Chester owns land in the Village;
- A couple of vacant industrial lots were centrally encumbered by a wide utility right-of-way;
- Some of the vacant industrial land is in the Chester Industrial Park and is slated for industrial development; and
- Vacant industrial lands pose the problem of contamination and may not be suitable for residential development.

There were no vacant parcels identified in the Village of Chester that were large enough (20+ acres) or available for development (unconstrained by wetlands, rights-of-way, etc.), which would be suitable for a mixed multi-family development consistent with the project sponsors objectives. Moreover, the client does not own other land in the Village of Chester other than the parcels identified in DEIS section 2.0.

3.6.1.4 Conformance with Local and Area Plans

Village of Chester Planning

The Village of Chester does not have a comprehensive plan as per telephone communication with the Village Clerk.

Town of Chester Comprehensive Plan

The *Comprehensive Plan, Town of Chester* was adopted by the Town of Chester Town Board on May 1, 2003. The overall goal of the Town's plan balances the need to preserve and enhance open spaces and natural features as part of its scenic character with accommodating its "fair share" of residential, commercial and industrial growth. More specific objectives include the following pertinent objectives and proposed land use strategies:

- Channel future residential growth towards areas where central water and sewer services can expand to accommodate growth;
- Coordinate planning with nearby communities and Orange County, especially with the Village of Chester and the Town of Monroe;
- Provide a mix of housing types to promote a diverse population;
- Retain and reinforce existing higher-density population areas with central services, while recognizing personal preferences for a rural lifestyle; and
- Provide higher density senior citizen housing in suburban residential land use categories.

Part of the Town's Comprehensive Plan describes proposed residential land uses including the "Suburban Residential High Density". The BT Holdings site was specifically designated for this land use category in the 2003 plan, which is the highest planned density focused on areas close to shopping and services. In considering various possible areas for this land use category, the plan described the property to the rear of the Chester Mall as a site that could be developed for senior or adult housing or a combination of high density residential uses in proximity to transportation and shopping. The BT Holdings site, which is directly behind the Chester Mall, was later zoned to the SR-6 (Suburban Residential) district, one of only two such designated parcels in the entire Town.

The Chester plan identifies the site as a potential water service area in relation to planned potential development densities. The plan also identifies the site as a sewer benefit area noting that sewer service is provided by the Moodna Basin Joint Operation and Maintenance Commission .

The proposed development, including the proposed zoning amendment, is consistent with the general and specific objectives of the *Comprehensive Plan, Town of Chester* since it includes a mix of high-density housing - senior and non-age-restricted - in a variety of types: rental apartments; back-to-back condominiums; and side-to-side townhouses. A variety of dwelling formats is offered with opportunities for rental and ownership.

The proposed annexation of the 60.6-acre portion of the BT Holdings site to the Village of Chester will address inclusion in a water service area while sewer services would be available through the Moodna Basin Joint Operation and Maintenance Commission . As discussed in

DEIS Sections 2.0 and 3.10, the construction and costs for related sewer improvements would be borne by the developer of the site.

The site's location on Rte 17M, near the intersection with Rte 94 and the Rte 17 interchange, adjacent to an intensive highway commercial area places the proposed development with maximum access to major transportation routes and shopping. In addition to the stores and services on 17M, the site is close to downtown Chester shops, community, cultural and recreational amenities as well as potential places of employment in the Chester Industrial Park.

Orange County Comprehensive Plan: Strategies for Quality Communities

The *Orange County Comprehensive Plan, Strategies for Quality Communities*, adopted by the Orange County Executive and Legislature in April 2003, recognizes Chester as a "Community Center" within its designation of "Priority Growth Areas". It is also identified as an "Interchange" a location with immediate interstate connections and major commercial facilities. Chester is located within an area that includes Sugar Loaf as a "Neighborhood Center" to the south and Goshen as a "County Wide Center" to the north.

As an area that includes an incorporated Village, a Community Center serves as a smaller scale County-wide Center and has a central business district with a mix of commercial facilities along with civic and community amenities and a variety of types and densities of housing. This type of center also serves as a transportation connection to other destinations such as County-wide Centers for work, shopping and civic facilities.

Because of Interstate highway interchanges and connections, Chester is noted as a "Interchange" within the County's Priority Growth Areas. The major retail, service, restaurant, hospitality and entertainment operations along Rte 17M; and the Chester Industrial Park off of Rte 94 adjacent to the Rte 17 interchange makes this area a "high-volume destination" as described in the *Orange County Comprehensive Plan*. The need for a mix of uses including housing is encouraged in these areas.

In addition to encouraging housing near Interchanges, the Orange County Plan in Section IV., The Vision for Quality Communities, includes the following pertinent strategies and priorities:

- Zoning alternatives to single family conventional subdivisions to promote different types of housing;
- Recognize the county's position within the metropolitan area and related housing pressures near the main access points;
- Enhance village centers as compact economic areas that provide a sense of place and build on the centers' strengths;
- Promote a range of housing options to meet the needs of the various segments of the County's population, including options for rural, suburban and urban dwelling within the County at a range of densities and styles for ownership and rental; and
- Encourage rental and senior citizen housing.

The BT Holdings development presents a zoning alternative and locates a mix of housing styles, including rental apartments for senior citizens and ownership opportunities in two distinct styles (side-to-side and back-to-back dwellings). Rather than creating a conventional subdivision development with detached dwellings on private lots, the proposed action involves various styles of housing in a setting with common open areas, walking trails, central recreational facilities as well as smaller outdoor play and gazebo areas. The provision of such a compact, blended residential project located near major travel routes (Interstate Rte 17 and State Routes 17M/6 and 94) is consistent with the County's strategies in relation to main access points and the Chester area's position within the metropolitan region. Additionally, the setting of the project between two types of economic centers - the 17M highway commercial areas and the Chester and East Chester hamlet centers - provides a local and accessible population that would frequent businesses, services, civic and community amenities in each center.

3.6.2 Potential Impacts

3.6.2.1 Land Use

The BT Holdings development involves an annexation, zone change and a 458-unit residential project. The proposed zoning amendment will involve:

- Creation of the RM-N (Residential - Multiple Dwellings-Neighborhood) zoning district with mixed residential uses consistent with existing residential zoning uses and densities; and
- Amendment of existing related supplemental requirements to enhance flexibility of design for uses in existing zoning requirements.

The 458-unit project would include 100 Senior apartments in two 3-story buildings and 358 market-rate townhouses in buildings of various sizes, placed along an interior road network. Of the 100 proposed Senior apartments, an appropriate number as per the applicable zoning will be designated as affordable housing units.

Compatibility with Existing Land Use

The proposed BT Holdings development has been designed to be compatible with the adjacent and nearby areas west and southwest of the site (commercial, office and industrial uses with some high-density residential), since it places high-density residential development near shopping, services, transportation routes and potential places of employment. It is the applicant's intent that the project be similarly compatible with uses in the areas south, southeast and east of the site (commercial highway, mixed used hamlets and mixed-density neighborhoods). The project provides a transition between the commercial uses on the west side and the hamlet and neighborhood areas on the east side of the site. Therefore, the project is not expected to have an impact on uses in three directions from the site (west, south and east).

Although the project is a higher density development than the areas to the north and northeast of the site (lower-density residential and agricultural uses), it is the applicant's opinion that the proposed residential use is more compatible with agricultural uses than the nearby commercial uses. The project serves as a transition between the intensive commercial area to the west-southwest of the site and the more rural areas to the north of the site. The retention of existing trees and the proposed buffer plantings along the developments northern perimeter will

soften the limited view of the development from the adjacent farm to the north as described in DEIS section 3.11. Therefore, significant adverse impacts to the uses to the north of the site are not anticipated.

3.6.2.2 Agricultural Resources

The present condition of the BT Holdings property is undeveloped farm fields with its use being described as rural and vacant according to Orange County Real Property tax information for the 60.6-acre parcel.

The proposed development will not result in any disturbance on any adjacent agricultural property or farm use. Land clearing will occur near the perimeter of the project site, however, trees will be preserved along the northern property boundary (near Brookview/Talmadge Farm) within the project site. The closest residential structures to the Brookview (Farm property boundary would be the northernmost townhouse units at approximately thirty-five feet (35'). Between the site boundary and the adjacent farm fields is a buffer of existing trees to be preserved, which should provide an adequate noise, dust and visual separation between the adjacent agricultural and residential uses. Therefore, no direct impact on agricultural uses will occur as a result of the proposed action.

Views of the existing BT Holdings site from locations on the Brookview Farm are limited in many locations by the steep topography of the Brookview Farm fields. After construction portions of the proposed development close to the north property line would be visible from some locations on the lower elevations of Brookview Farm. From locations at the higher elevations on Brookview Farm, closer to the proposed development, views of much of the development would be possible soon after the end of construction. However, evergreen and deciduous tree buffers are proposed for the property boundary and between the senior mid rise buildings and the group of townhouses to the east of them. These buffers would be expected to obscure views of the development substantially over time, as the trees grow larger.

Existing trees to be preserved along the easterly portion of the north property line would be expected to provide screening of views of the project on the highest elevations on the site, adjacent to the property boundary. DEIS Section 3.11 regarding visual resources describes the view from the Brookview Farm property, near the subject property boundary, and characteristics of the layout of development and design of structures that will minimize visual impacts.

3.6.2.3 Zoning

Conformity with the SR-6 Suburban Residential Zoning District (Town of Chester)

The BT Holdings development, including the proposed zoning amendment, is consistent with the density, use and bulk regulations of the Town SR-6 existing zoning on the site and the Village RM zoning regulations, which are most comparable to the underlying Town SR-6 zoning district. The Town's SR-6 and the Village's RM zoning district requirements were used as guideposts in the proposed conceptual design.

In accordance with table 3.6-3 in subsection 3.6.1.3 above, the pertinent SR-6 lot area and bulk requirements are met or exceeded by the proposed BT Holdings development. Although the proposed development does not include proposed individual lots for the townhouses, land area exists to provide lots that would be likely to conform with the lot requirements in the related supplemental requirements. However, the creation of lots would not enhance the design of the proposed development as the provision of lots reduces the flexibility necessary to follow site

contours and the related layout of roads, additional parking, recreation and open areas and other amenities. If developed under existing SR-6 zoning, the applicant would have to apply for a variance from the requirement for lots associated with townhouse dwellings.

The zoning table provided on the Conceptual Site Plan (Figure 2-4) illustrates parking requirements using a "worst case" approach to possible per unit requirements by partially addressing the higher parking standards of the Village. Table 3.6-4 in DEIS subsection 3.6.1.3 above shows that the proposed parking per unit exceeds the Town's parking requirements, yet does not meet the Village's comparable parking requirements for three-bedroom and senior units.

An overview of the Conceptual Site Plan shows adequate parking near the various residential uses. Two parking areas providing 125 parking spaces are located adjacent to the senior apartment buildings. Each of the townhouse and condominium units has a one- or two-car garage and a single- or double-width driveway and therefore, each unit has potentially 2 or 4 parking spaces. Guest parking lots are distributed along the internal roads within proximity to each multi-unit building. The Applicant feels that a total of 1,032 parking spaces provided for the townhouse/condominium development and a total of 1,157 provided on the entire site will be adequate to serve the future residents of the site and their guests.

The proposed RM-N zoning amendments include adjustments to the parking requirements in the proposed zoning table and related text amendments consistent with the number of spaces provided on the plans. As shown in Table 3.6-4, this will result in a reduced number of parking spaces on the site resulting in a reduction of impervious surface area on the site. As detailed in DEIS Section 3.5, Table 3.5-12, the number of proposed parking spaces meets the projected parking demand and is consistent with the Institute of Transportation Engineers data relative to parking utilization for this type of land use.

Since the proposed RM-N zoning is in compliance with the permitted densities of the SR-6 (Town) and RM (Village) zoning districts and the Village's related supplemental requirements, there is no anticipated impact related to conformity with existing zoning. The reduction in bulk and parking requirements will allow for greater sustainability of the completed project and will allow design to create a project with increased open space compared to existing zoning regulations.

3.6.2.4 Conformance with Local and Area Plans

Compatibility with Village of Chester Comprehensive Plan

The Village of Chester does not have a comprehensive plan.

Compatibility with Town of Chester Comprehensive Plan

The BT Holdings development, including the proposed zoning amendment, was specifically conceived and designed to fulfill the objectives of the *Town of Chester Comprehensive Plan of 2003*. The plan accomplishes this by including a mix of high-density housing - senior and non-age-restricted - with both rental and ownership opportunities for future residents. A variety of dwelling styles are offered from lower priced one-bedroom rental units to larger three-bedroom ownership units.

The proposed annexation to the Village of Chester will address inclusion in a water service area and sewer services available through the Moodna Basin District with the construction and costs

for related sewer improvements covered by the developer of the site. The project promotes the plan's objective of utilizing environmentally-friendly municipal water and sewer systems to service development as opposed to costly and inefficient individual options such as water wells and septic systems.

The site's location adjacent to an intensive highway commercial area places the proposed development with maximum access to major transportation routes and shopping, another objective of the plan. In addition, the site is close to downtown Chester shops, community, cultural and recreational amenities as well as potential places of employment in the Chester Industrial Park.

Therefore, no impacts are anticipated in relation to the Town Comprehensive Plan.

Compatibility with Orange County Comprehensive Plan

The BT Holdings development presents a zoning alternative for mixed residential development and locates a mix of housing styles, including rental apartments for senior citizens and ownership opportunities in two distinct styles (side-to-side and back-to-back dwellings). Rather than creating a conventional subdivision with detached dwellings on lots, the proposed action involves various styles of housing in a setting with common open areas, trails and recreational amenities. The provision of a compact, blended residential neighborhood near major travel routes (Routes 17, 17M and 94) is consistent with Orange County's strategies in relation to main access points and the Chester area's position within the metropolitan region. Additionally, the setting of the project between two types of economic centers - the 17M highway commercial areas and the Chester and East Chester hamlet centers - provides a population that would frequent businesses, services, civic and community amenities in each center.

Therefore, no impacts are anticipated in relation to the Orange County Comprehensive Plan.

3.6.3 Mitigation Measures

3.6.3.1 Land Use

No impacts are anticipated to land use, therefore, no mitigation measures are proposed.

3.6.3.2 Agricultural Resources

No impacts are anticipated to agricultural uses, therefore, no mitigation measures are proposed. DEIS Section 3.11 discusses the proposed landscaping, buffering and screening shown on the project plans that will provide mitigation to potential visual effects, and compatibility of land uses with the adjacent Brookview Farm.

3.6.3.3 Zoning

A proposed zoning amendment to create a new RM-N zone which provides for multifamily housing, including a diversity of housing unit types, allowing flexibility in design, and reduced parking requirements, which limit site disturbance and reduce impervious areas, thus creating a more sustainable project, has been provided. The proposed zone amendment is based upon the use, density and bulk requirements of the existing Town SR-6 zoning and the similar Village

RM zoning regulations, Thus, the proposed development is not anticipated to have an impact on zoning, therefore, no mitigation measures are proposed.

3.6.3.4 Conformance with Local and Area Plans

The proposed development is not anticipated to have an impact related to conformance with local area plans, therefore, no mitigation measures are proposed.

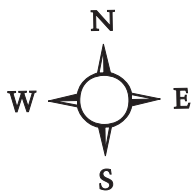
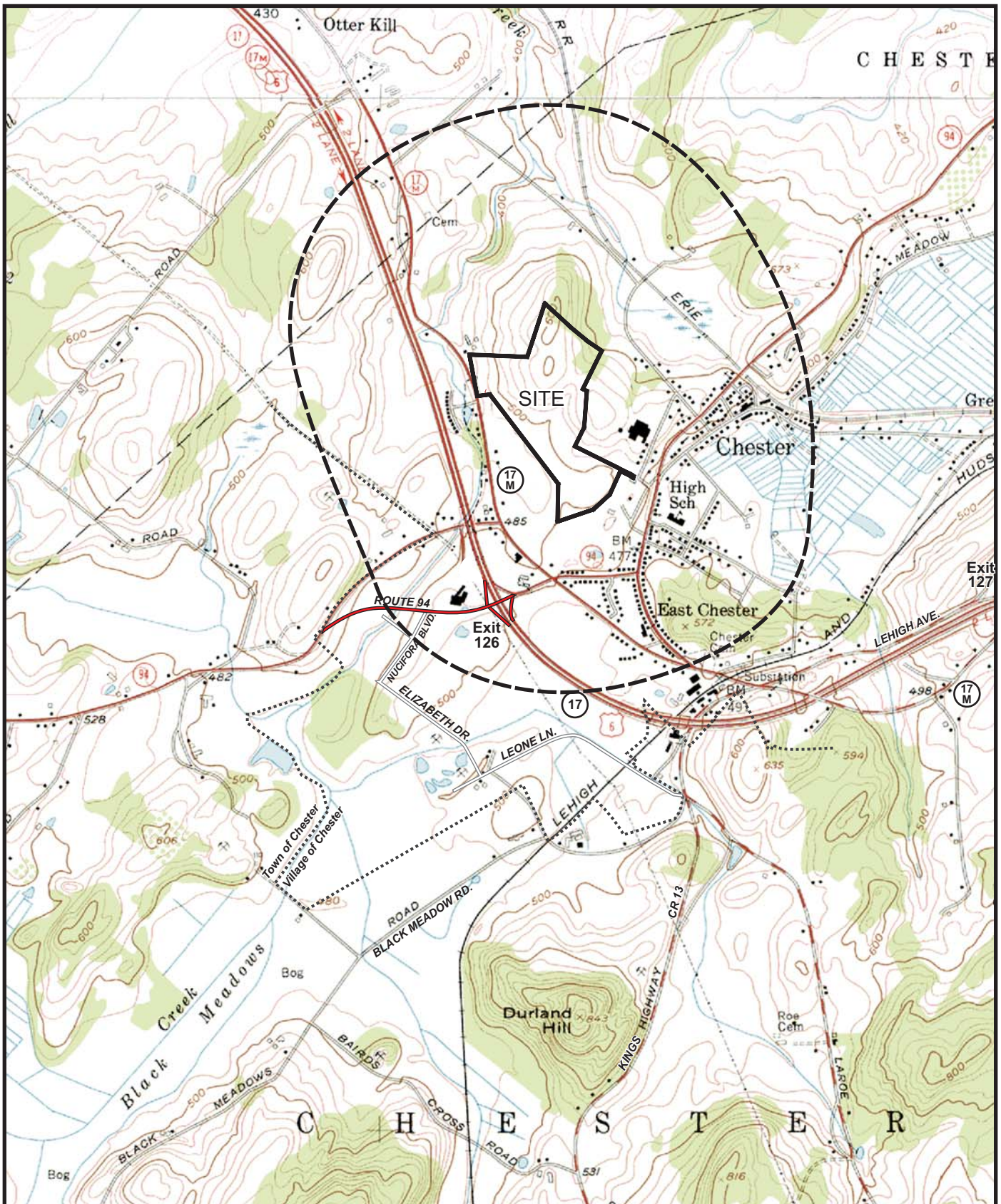


Figure 3.6-1: Land Use Study Area
 BT Holdings - Chester Development
 Village of Chester, Town of Chester, Orange County, New York
 Base Map: USGS Topographic Map, Warwick Quad
 Scale: 1 inch = 2,000 feet



Figure 3.6-2: Existing Land Use
BT Holdings - Chester Development
Village of Chester, Town of Chester, Orange County, New York
Source: NYS GIS Clearinghouse, 2007 Aerial Photograph
Scale: 1" = 850'

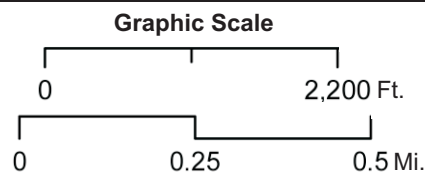
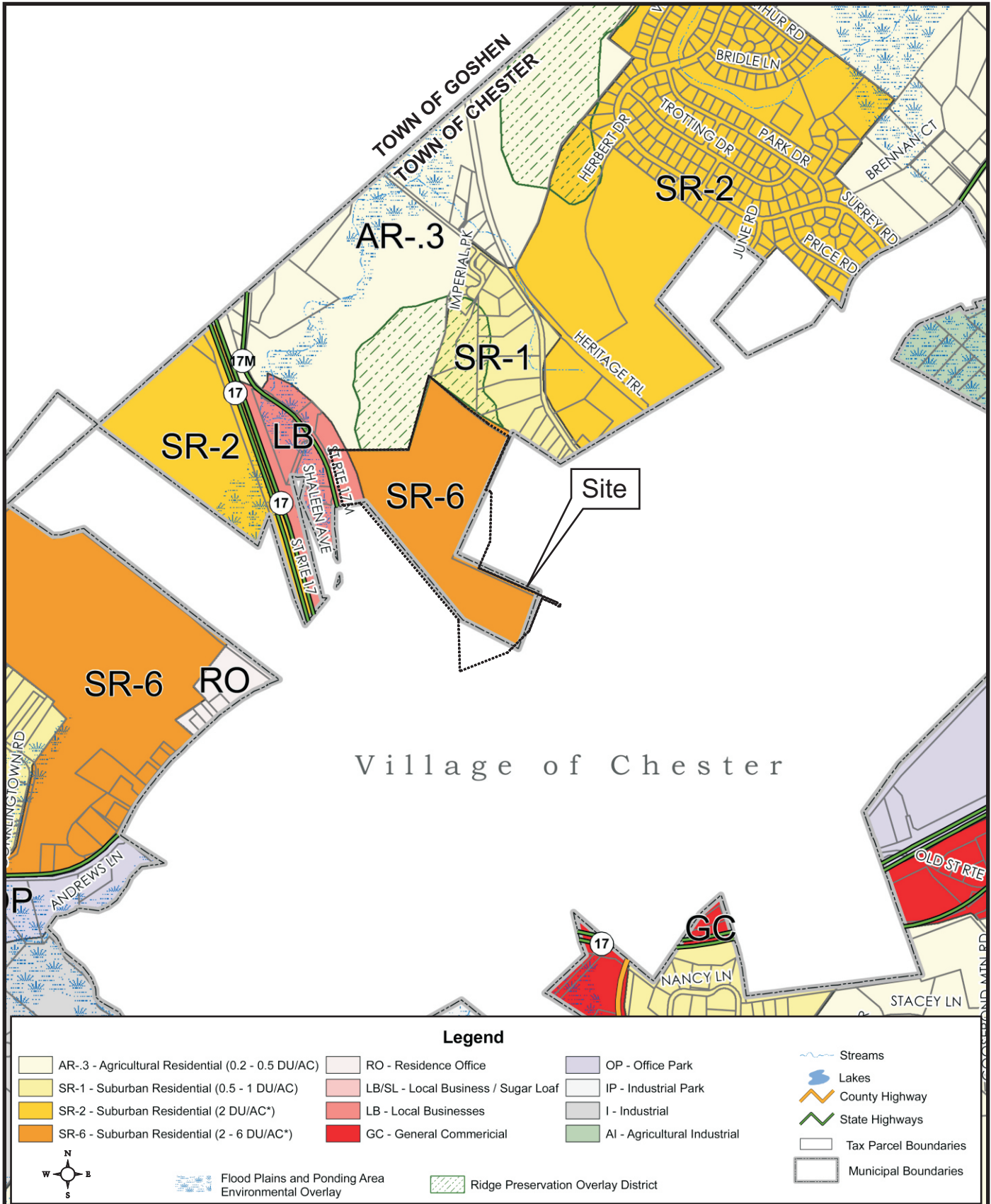


Figure 3.6-3: Site on Town of Chester Zoning Map
BT Holdings - Chester
 Village of Chester, Town of Chester, Orange County, New York
 Source: Orange County Planning Dept., 8/11/06
 Scale: As Shown

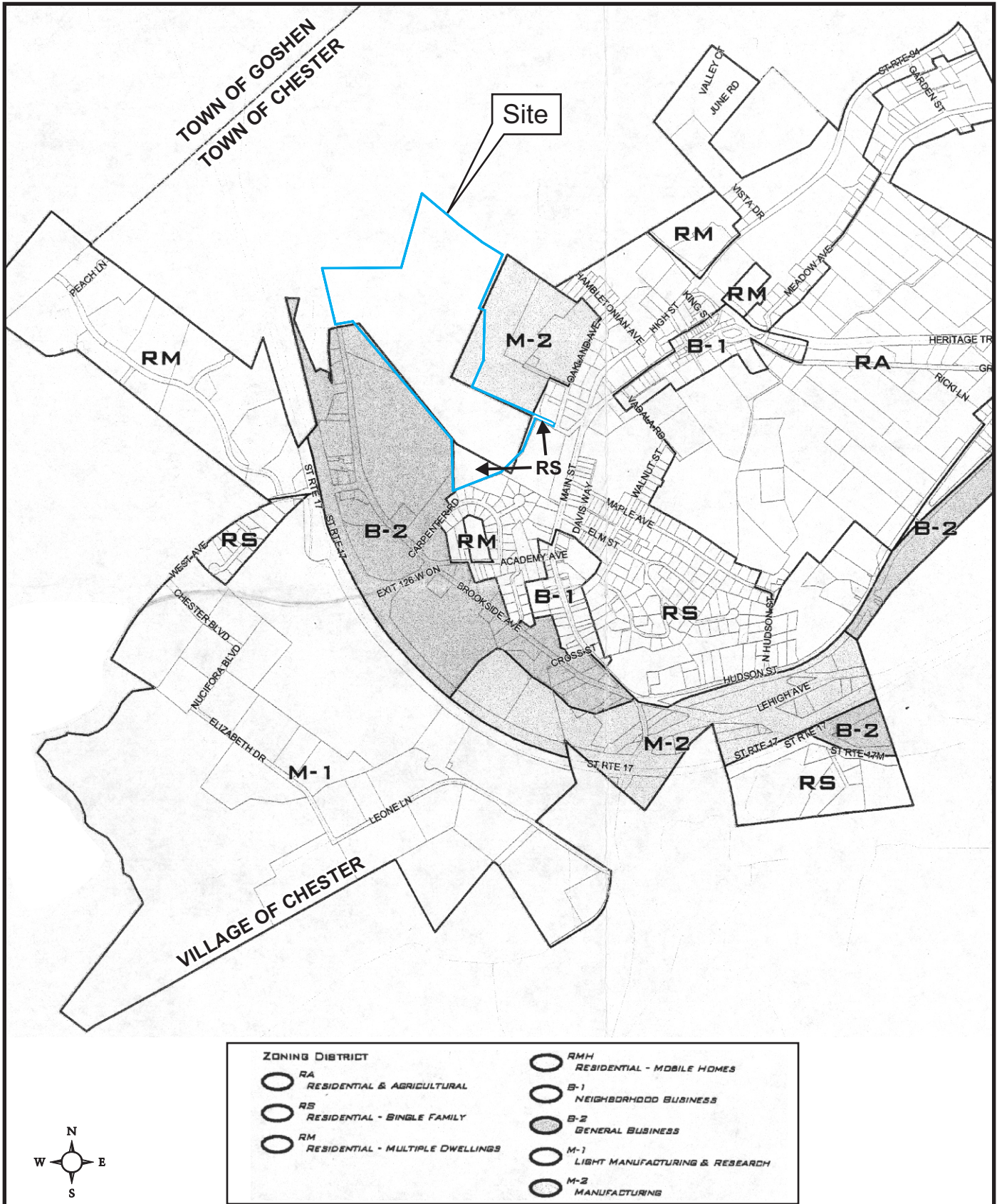


Figure 3.6-4: Site on Village of Chester Zoning Map
BT Holdings - Chester

Village of Chester, Town of Chester, Orange County, New York

Source: Orange County Water Authority

Scale: As Shown