

BT Holdings comments submitted by Clifton Patrick

cal shopping and therefore would encourage more traffic at project's entrance boulevard, NYS Route 17M and the malls's entrance intersections which contradict's BT's above stated goals.

Pedestrian Access

The proposed sidewalks mentioned in this section connecting directly to the mall, and along Route 17M do not appear on the plans.

Access

All primary access to the BT Holdings development would be provided from the proposed road entry boulevard, a private road which would gain access directly from NYS Route 17M, approximately 1,800 feet north of the main entrance to the Chester Mall and approximately 800 feet from the mall's secondary northern entrance. Secondary emergency access to the BT Holding's site would be available from the corner of Oakland Avenue and Woodland Terrace located east of the site, which is a Village road. This road will provide emergency access only and is not proposed for use by the future residents of the BT Holdings development.

Restricting this population, predicted over 1300 people, of this project to just one vehicular access route is madness! Assuming that two-thirds of the residents would commute (work or school) would put a nominal 900 or more through this one intersection in the morning rush. This level of congestion is too much! Just one accident or other obstruction to traffic would gridlock the entire project, and likely the State Road! A project of this scale needs multiple points of entry. As proposed, this is essentially a 400+ unit cul-de-sac!

1.1 Project Description

1.1.1 Project Purpose, Needs and Benefits

“... coordinate planning with the surrounding communities and the county, but most importantly with the Village of Chester and the Town of Monroe.” (page 24)

What does the Town of Monroe have to do with this project. I found no mention of Monroe on page 24.

Parking

Are the proposed 1,157 parking spaces for the 438 units enough. Given the experience at Whispering Hills, I doubt it!

Level of Service Summary

This section has very pretty table but never explains what all the letters in the boxes mean. Are we to assume that these letters represent letter grades like in school? When I was in school an “A” represented a grade of 90-100%. So if we are to presume that,

BT Holdings comments submitted by Clifton Patrick

those conditions marked "A" would be 90-100% what? Total capacity? Idea traffic load? Wait times? Accident frequency? Tickets issued?

"D" was defined as "level of service D or better which is the minimum level of service recommended by NYSDOT for signalized intersections." Ok, so what do A, B, & C mean at signalized intersections. What do any of these symbols mean at other intersections. We can only guess!

Without defining what these gradings mean in layman's terms, these tables are total meaningless!

Proposed Transportation Mitigation Measures

As NYS Route 17 is brought up to interstate standards the frequency of incidents may decline and the incident removal may occur more quickly. The Quickway corridor is not designed for the local network to handle peak hour Quickway traffic expeditiously. The increasing availability of near real-time incident information through the communication and tracking technology improvements will lead to drivers avoiding backups earlier.

How do these predicted "real-time incident information through the communication and tracking technology" help the people stuck at the sole exit? Or people along Route 17M leave their places during one of these gridlock events? This, again demonstrates the need for multiple access points for this project.

1.2.6 Land Use and Zoning

... it is the applicant's opinion that the proposed residential use is more compatible with agricultural uses than the nearby commercial uses.

Farming produces dust, odors and noise at all times of the day and night that any reasonable person would expect some percentage of the nearby residents to object to. Commercial occupants, spending only a portion of their day are much less likely to object to these characteristics, typical of a farming operation. One can reasonably expect much conflict arising from imposing a dense residential project so close to an operating farm. This is not fair to setup these kinds of conflicts all parties who would be occupying or governing these sites.

Therefore, significant adverse impacts to the uses to the north of the site are not anticipated.

Reason does not support the applicant's above conclusion!

Agricultural Resources

The proposed development will not result in any disturbance on any adjacent agricultural property or farm use.

The project's proposed changes to permeability, changes to grades and retention ponds, not to mention the impact of the residential uses, will certainly affect the way

BT Holdings comments submitted by Clifton Patrick

subsurface water flows , including soil surface moisture levels, and that will definitely affect the neighboring farm operations!

The proposed Zoning changes obviously fail to take the vermin control permits that are needed to operate a farm. It is my understanding that firearms can not be discharged within 500 feet of a residence. Given that firearms are used by permit on the Brookview Farm to control vermin and protect the crops, these setbacks from the farm need to be no less than 500 feet, as long as farming is conducted there.

Land Use and Zoning Mitigation Measures

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.

This erroneous conclusion obviously ignores the issues stated above.

1.2.7 Noise

Potential Noise Impacts

The applicant does not address the impacts of existing uses on the residents of this project. I can envision many complaints arising from the nearby existing farming, mall, traffic and Castle Fun Center. For this project, the developer need to mitigate the impact of these existing conditions on the proposed residences in order avoid the negative impact on the these existing, nearby operations that will result for complaints from the project's future residents!

1.2.8 Economic and Demographic

According to ePodunk.com, roughly 35% of Chester's population is of school age. Assuming , as the developer contents, that this project will be a good match the village, applying that 35% to the estimated project population of 1,137 would yield 398 children, not the 121 claimed by the developer!

Potential Fiscal Impacts

Chester Union Free School District

This would result in a nominal **net benefit** to the school district of \$7,313 annually.

This nominal benefit to the school district assumes only 121 children are added and no additional facilities are needed. As stated above, this assumes a ratio approximately only a third of the current ratio of school aged children to our current local total population! This does not seem to be a realistic projection! The fiscal impact on our school would turn negative if just one pupil is added at the per pupil cost of \$19,153, per the National Center of Educational Statistics. And grossly negative if additional facilities to accommodate this increase is required!

BT Holdings comments submitted by Clifton Patrick

Economic and Demographic Mitigation Measures

... Town and the School district, thus no additional mitigation is proposed.

Community Service Mitigation Measures

Education Facilities

No further mitigation measures are proposed.

I doubt this conclusion, as it is based on questionable assumptions.

Potential Utility Impacts

Wastewater

As mentioned above the Village has no exceed sewage allotment. At the scoping session held in January, 2010 Town of Chester Supervisor Neuhaus testified that the town's sewer allocation has been committed, plus I have read that the proposed Black Meadow Wastewater Treatment Facility is not likely to become available in the foreseeable future.

1.2.10 Visual

Visual Mitigation Measures

Section 98.23-1 concerning Senior Housing requires "appropriate landscaping, lighting, and sidewalks" and that the "architectural style of the proposed project, exterior materials, finish and color shall be consistent with existing community and neighborhood character."

The proposed site design, architecture, lighting, landscape plantings and other features would comply with the specific dimensional requirements, achieve the aesthetic goals stated in these standards and mitigate potential adverse impacts on visual resources from the proposed development.

The proposed structures are visually very different from the existing community and neighborhood.

The proposed mitigation of the adverse impacts on visual resources from my perspective are unsuccessful!

2.0 DESCRIPTION OF THE PROPOSED ACTION

The proposed project conforms with the usage envisioned for the site in the Town of Chester 2003 Comprehensive Plan which specifically designated the project site as the future location for multi-family and/or senior housing.

While they may comply with the letter of the Town of Chester Comprehensive Plan, given the large number of large structures along the highest section of the project, they are not keeping in the spirit of the ridge overlay restrictions.

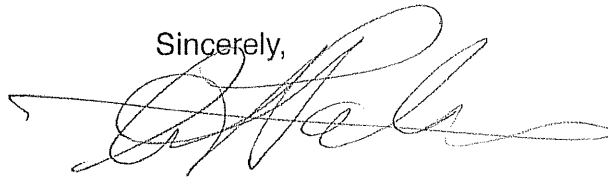
BT Holdings comments submitted by Clifton Patrick

2.1 Site Location

The project site contains a U.S. Army Corps of Engineers-regulated wetland. This wetland is situated along the westerly boundary of the site behind the Chester Mall. A small area of the wetlands will be disturbed as a result of one road crossing that is part of the BT Holdings development. There are no NYSDEC-regulated wetlands on the subject site.

They make no mention of the drainage from the former Brook Farm. This stream was covered over at some point, but the water still drains the upper elevations and makes that southern section, behind the mall very wet. You may notice that that area is not a cultivated field. The reason, according to Ted Talmadge, that it is too mucky to operate equipment on.

Sincerely,

A handwritten signature in black ink, appearing to be 'Clifton Patrick', written in a cursive style.

cc: Town of Chester

VERTICON LTD

January 28, 2010

Mayor Phil Valastro
Village of Chester
47 Main Street
Chester, New York 10918

Honorable Mayor Valastro:

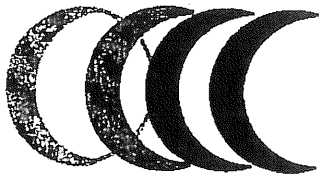
As a lifelong resident of Chester, I offer the following comments, I respectfully request that my letter be read into the minutes of tonight's meeting. Before you is an application by a long time property owner to create a new residential development proposed to be adjacent to the Chester Mall. This mixed use residential project accommodates a variety of age groups and is sensitive to the "smart growth development concepts" in keeping with both the Town of Chester and Orange County Department of Planning's comprehensive plan. This proposal benefits Chester and its residents in a number of ways:

- **Fulfills the mandate of the Town of Chester's 2003 Comprehensive Plan** which envisions senior and multifamily housing of the type proposed at this location because of its proximity to roads, shops, sewers and water. It is the ideal location for such housing. Indeed, building housing in this location, near the community's center, prevents sprawl elsewhere, allowing Chester to retain existing open space and maintain its suburban-rural character.
- **Address Chester's need for affordable senior housing.** Chester's senior citizens will benefit from the construction of 100 one and two bedroom rental apartments reserved for people ages 55 and up. Seniors living in Chester will receive preferential treatment when apartments are available, allowing them to stay in the community they love.
- **Expands Chester's housing options, offering a variety of townhomes targeted to empty-nesters and young professionals.** The new neighborhood will include 358 two and three bedroom townhouses that are ideal for empty-nesters and young professionals who desire maintenance-free living with active lifestyle amenities like a pool and clubhouse. Many of the townhouses will have popular "master down" floor plans with the master bedroom suite on the main level, a design that specifically appeals to seniors.
- **Benefits the local tax base.** The new development will contribute substantial annual tax revenue to the local community. Indeed, the project is anticipated to pay more in taxes that its residents are expected to require in services, resulting in over \$400,000 in net annual benefit that will ease the burden on Chester's existing residents. This includes over \$330,000 for the Village of Chester, nearly \$60,000 for the Town of Chester and over \$7000 annually to the school district. This type of housing is specifically designed to limit impacts, especially with regard to schoolchildren. If single-family homes were to be built on the property, there would be more children, resulting in higher taxes for current Chester residents. The current proposal prevents higher taxes.
- **Businesses to reap benefits of centrally-located residents.** By locating homes close to the commercial center of Chester, the proposal will be a boon for local businesses, providing them with a substantial number of new customers within easy walking distance.
- **Preserves open space.** By clustering buildings, nearly two-thirds of the property will be preserved as open space, including landscaped lawns and woodlands.

The proposed neighborhood will place new homes in a central location near existing shops and services, provide housing for seniors, utilize existing water and sewer systems, preserve open space and benefit the local tax base. This "smart growth" proposal is exactly the type of new development envisioned by Chester's master plan and deserves the support of local officials and residents. The new homes will be something Chester's residents can be proud of for decades to come and should be approved as quickly as possible.

Sincerely,

Irving Zuckerman



**ORANGE COUNTY
CHAMBER OF COMMERCE**

Platinum Partner
WVT Communications

Corporate Partners
Advance Testing Company
Central Hudson
Drake, Loeb, Heller, Kennedy,
Gogerty, Gaba & Rodd, P.L.L.C.
Elant Inc.
Key Bank
Marshall & Sterling
Orange & Rockland Utilities
Port Authority of
New York & New Jersey
TD BankNorth
Vanacore, DeBenedictus,
DiGiovanni & Weddell
Walden Savings Bank

January 29, 2010

Hon. Philip Valastro
Village of Chester
47 Main Street
Chester, N.Y. 10918

RE: BT Holdings Proposal

Dear Mayor Valastro:

On behalf of the Orange County Chamber of Commerce, I urge both the Chester Village and Town boards to support the BT Holdings' residential community planned for construction adjacent to the Chester Mall.

As you know, only a few people appeared at the public hearing to critique the project. The preservationists and biologists who seem to oppose any type of new construction shouldn't be allowed to prevent a project that will do so much to benefit the Chester community. The BT Holdings proposal represents smart development at its best and is exactly what was envisioned in the Town's Master Plan. The project is located right next to existing homes and businesses, allowing for preservation of the rest of Chester for open space. It appears that the developer is doing exactly what is called for in the Master Plan.

Smart development like the proposed project will not only attract senior citizens and young couples, but also support the local business community. The help of our elected officials is needed to ensure that Chester thrives, not deteriorates. I encourage you to approve this much-needed investment in the Chester community as quickly as possible. Thank you for your consideration.

Sincerely yours,

John A. D'Ambrosio, Ed.D.
President

February 2, 2010

Mayor Phil Valastro
Village of Chester
47 Main St.
Chester, N.Y. 10918
Attn: Public comment on BT Holdings proposal

Dear Mayor Valastro,

I believe both the Chester Village and Town boards should support the BT Holdings' residential community planned to be built next to the Chester Mall. It's a good proposal that will benefit our town and village.

As you know, just a few people appeared at the public hearing to critique the project. Preservationists and biologists are going to oppose any type of new construction! We all know that. I don't think these people represent the majority of residents. People want to make sure that when the Chester community grows, it does so in the right way.

The proposed housing is exactly what was envisioned in the Town's Master Plan. It is located right next to existing homes and businesses, letting us preserve the rest of Chester for open space. The developer is doing exactly what the Master Plan calls for.

We need smart development like the proposed project, which will not only attract senior citizens and young couples but also support our local businesses. I am a local business owner.

Our elected officials should make sure Chester thrives, not deteriorates. We need this investment in our community. You should approve it as quickly as possible so they can start work this year while the weather is good.

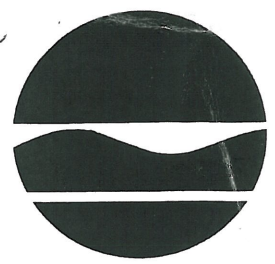
Sincerely,

Vincenzo Rubino
Vice President
Chester Brother Bruno's Inc.

APPENDIX B

Correspondence

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

April 15, 2010

Steve Marino
Tim Miller Associates, Inc
10 North Street
Cold Spring, NY 10516

COPY

Dear Mr. Marino:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to an Environmental Assessment for proposed Residential Development – 68 Acres – Nussbaum Parcels, area as indicated on the map you provided, located in the Town and Village of Chester, Orange County.

We have no records of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities and other significant habitats maintained in the Natural Heritage Data bases. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Tara Salerno
Tara Salerno, Information Services
New York Natural Heritage Program

Enc.

cc: Reg. 3, Wildlife Mgr.
Reg. 3, Fisheries Mgr.

369

September 24, 2010

Senior Planner Ann Cutignola
Tim Miller Associates, Inc
10 North Street
Cold Spring, NY 10516

RE: Impact statement regarding BT Holdings Chester Development plan

Dear Ms Cutignola,

Thank you for your interest in the potential impact of the development in Chester on the Chester Volunteer Ambulance Corps. Please find an enclosure with all of the information you have requested.

There are two points that I would like to draw attention to. In your information request you inquired as to specific needs of the proposed senior housing and anticipated staff expansion. Chester Ambulance is a volunteer organization and as such recruitment and retention are our most difficult challenges. That is where I believe we will feel the most impact. Obviously, residential development of any type brings in new residents and an increase in call volume. A large concentration of senior citizens in that development adds to the demand for our service.

We at Chester Ambulance work hard to provide the best in emergency medical care to the people of Chester. In welcoming your development to our community we will continue to do so. However any help that BT holdings may be able to provide in our continuing effort to recruit and retain volunteers would be greatly appreciated.

Should you have any questions regarding the information I have put together please feel free to contact me. My telephone number is 845-469-2721-office and 845-325-6991-cell.

Most Sincerely,



Nicholas Kobylensky, NREMTP
First Lieutenant
Chester Ambulance

1. We are located at 79 Laroe Road on the same property as the Town of Chester Highway Department.
2. The average response time to your area for an EMT would be approximately 6-10 minutes
3. The Chester Volunteer Ambulance Corps serves within the boundaries of the Chester Fire District. This area contains the Town and Village of Chester and small parts of the Town of Goshen, Town of Warwick, Town of Blooming Grove, Town of Monroe, and Town of Warwick. We serve a population of approximately 14,000 people.
4. Currently there are two hospitals that serve our area. St. Anthony's Community Hospital is part of the Bon Secours Charity Hospital system and is the closest facility to the Sugar Loaf/Warwick side of our area. Orange Regional Medical Center's Arden Hill campus is the closest hospital to the Village of Chester/Goshen area. Arden Hill Hospital will be closing in the near future and consolidating services with another hospital. The new campus will be located in Middletown, NY
5. Chester Ambulance responds to between 800 and 1,000 calls each year
6. Chester Ambulance currently has a staff of approximately 30 volunteers. We operate 3 ambulances, 2 first response vehicles, 2 special operations trailers, and a fully equipped "Gator" all-terrain vehicle. Chester Ambulance also equips all of our EMTs with response bags for their personal car allowing for quick first response to a medical emergency
7. As mentioned in the letter our agency is constantly striving to add to our list of dedicated volunteers.
8. The Chester Fire District/CVAC response area is clearly defined so we do not anticipate any overlap in jurisdiction between ambulance services. Chester Ambulance participates in Orange County's mutual aid system. The most common type of aid that we receive is Advanced Life Support (paramedic) back up provided by Regional EMS. Mutual aid is provided by both Regional EMS and neighboring agencies as needed. Our mutual aid plan is on file at the Orange County Emergency Services center. If you need more information regarding the plan please contact Lt. Nick Kobylensky by phone.
9. One specific need of seniors is quick access to emergency medical care. While the same can be said for the general population, senior citizens often have multiple complicated medical conditions which require an increase in calls for emergency medical care. This has the potential to add stress to a volunteer system.

**TIM
MILLER
ASSOCIATES, INC.**

10 North Street, Cold Spring, NY 10516 (845) 265-4400 265-4418 fax www.timmillerassociates.com

September 20, 2010

Captain Michael McKay
79 Laroe Road
P.O. Box 244
Chester, New York 10918

Re: BT Holdings-Chester Development, Town and Village of Chester, Orange County, New York

Dear Captain Michael McKay:

Tim Miller Associates is preparing the Final Environmental Impact Statement (FEIS) for a proposed residential development located within the Town and Village of Chester, Orange County, New York. A site map is enclosed for your reference. As noted, the project site is located in two municipalities, partly in the northwestern portion of the Town of Chester and partly in the northwestern area of the Village of Chester. The project site is northeast of and has road frontage on Route 17M. Access to the site would be via Route 17M in the Village. Other major through-roads nearest the site to the east and south, respectively, are New York State Routes 17 and 94. Immediately to the south of the site's frontage on Route 17M is the intersection of Route 17M with NYS Route 94.

The Applicant proposes a 458-unit residential project that would include 100 senior (age restricted) apartment type units and 358 market-rate (non-age restricted) townhomes. The application is being proposed pursuant to the requirements of the Village of Chester Zoning Law. The build year for this project is 2014. The conceptual site plan is designed to conform generally to the dimensional requirements of the applicable Village regulations for the RM District.

We have projected a total potential population of 1,137 people including approximately 121 school age children.

As part of the environmental review process, it is important that we include any concerns you may have relative to the proposed project. We would greatly appreciate a written response regarding the development's potential effect on the emergency services, and the ability of your department to provide services to this property. Information which would be useful in that regard would include:

- your location in relation to the project site
- your typical response time to a site in this location
- your current service area/population served
- the nearest hospital
- the number of emergency calls per year
- your current available manpower and equipment levels
- any anticipated department staff or facility expansion or equipment procurement plans
- any overlap in jurisdiction, or mutual aid provided by neighboring communities
- Information as to the specific needs of the proposed Senior Housing

Your input is important. Should you not be able to provide written correspondence, I can be reached at 845.265.4400.

Thank you in advance for your assistance in this matter. Please do not hesitate to call me should you have any questions or need additional information. I look forward to hearing from you.

Sincerely,



Ann Cutignola, AICP
Senior Planner
TIM MILLER ASSOCIATES, INC.