

### **3.4 Land Use and Zoning**

#### **3.4.1 Land Use**

##### **Existing Land Use**

###### *Project Site*

Land use in Chestnut Ridge is composed largely of suburban single-family residential housing. The Equestrian Estates project site is located along Red Schoolhouse Road in an area that has availability of undeveloped land in the Village. There is a tributary stream to the Pascack Brook which traverses the site from east to west. There is a steep ravine along the banks of the stream. The site is characterized by sloping topography that rises from Red Schoolhouse Road, which provides road frontage to the site. The project site predominantly consists of vacant land, with a single home site located to the north of the stream.

The municipal boundary between the Village of Chestnut Ridge and the Town of Orangetown lies along the southern border of the site. The site of the proposed Equestrian Estates development is comprised of six existing tax parcels as shown in Figure 2-1. The Equestrian Estate parcels are identified on the Town of Ramapo Tax maps as Section 68.09 Block 2 Lots 9,10,11,12 and 22 plus Section 68.13 Block 1 Lot 6.

###### *Land Use within One-Half Mile of Project Site*

Figure 3.4-1 shows the existing land use within a one-half mile of the project site. Land use patterns, to the east, in the vicinity of the project site, which front or have access to S Pascack road, are predominantly single-family residential. However along Red Schoolhouse Road, which lies to the west, there are a number of other uses including Chestnut Ridge Transportation, Ridge Supply Lumberyard, located to the north and Best Friends Pet Hotel, an animal boarding facility; Saddle River Equestrian, an establishment that teaches, trains and boards horses plus The Promenade, an Assisted Living Facility and the Alexa a luxury Townhouse development in Montvale, all located to the south. North of the Garden State Parkway, along Red School House Road as it approaches NYS Route 45, the development becomes more commercial with Par Pharmaceuticals corporate office, Big Tows Towing operation, and Alpine Electronics. As Red Schoolhouse Road approaches NYS Route 45 (Chestnut Ridge Road) the land use becomes predominantly institutional with both the South Spring Valley Fire Department and the William P. Faist Ambulance corp. buildings being located on Red Schoolhouse Road, south of NYS Route 45.

Red Schoolhouse Road provides access to the Equestrian Estates site connecting NYS Route 45 to the north with Summit Road in Montvale NJ to the south. Side streets intersecting with Red Schoolhouse Road contain single family residential development.

#### **3.4.2 Zoning**

##### **Existing Zoning**

Existing zoning within one half mile of the project site is shown in Figure 3.4-2. The properties along the east side of Red Schoolhouse Road are zoned LO. The Triangle property to the west is zoned for Regional Shopping (RS). The properties along South Pascack Road are zoned R-35, single-family residential. The types of uses envisioned for the LO zone never came to

fruition. The limited selection of permitted uses along with a Floor Area Ratio being limited to a maximum of 40% rendered this zone prohibitively restrictive. As a result, the majority of the Village's remaining large tracts of undeveloped properties are located in this area. The project site is primarily zoned Laboratory Office (LO) with a small portion of the site, along S Pascack Road, zoned R-35 single family residential.

Currently the Village of Chestnut Ridge has 6 residential zones ranging in density from R-15 to R-50, plus RSH. The Village also has 6 non-residential zones NS, RS, LO, PO, and PI; but there are no zones that permit Townhouses or any sort of mixed-use developments.

### **3.4.3 Other Local, County, and State Land Development Regulations**

#### Village of Chestnut Ridge Comprehensive Plan

The Village recently embarked upon a mission to formulate and adopt a Comprehensive Plan to meet the needs of the Village as it moves into the future. Adoption of this Plan is pending. It is anticipated adoption will be complete in the next several months.

The Vision Statement of the anticipated Village of Chestnut Ridge Comprehensive Plan reads:

"In 2030, the Village of Chestnut Ridge will be an orderly and attractive community which provides economic development opportunities, a variety of housing options, and diversity in its population. Collector roads will become more pedestrian and bicycle friendly considering the needs of citizens of all ages and abilities. Architectural standards will be enhanced to reflect the Village's historic identity and a unique sense of place. In established residential areas, lower densities of single-family residential uses will dominate. Existing institutional uses will be allowed to develop housing for their staff and special needs clients. The Village's wooded character will be preserved and enhanced. Significant future development will be focused around the Red Schoolhouse Road corridor, and along Chestnut Ridge Road and.... South of the Garden State Parkway extension, options will be expanded to encourage high-quality development consistent with the range of uses permissible north of the Parkway extension and the types of uses developing in the adjacent Borough of Montvale. "

As listed in the Comprehensive Plan the goals and objectives by category include;

#### **Land Use:**

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

#### Objectives:

- Locate new commercial development along the Village's major road corridors with improved requirements for landscaping and buffers.
- Provide a variety of housing opportunities for the Village's workforce, young families and seniors in a sustainable manner, and to promote a diverse community.
- Create a Village Center at the Red Schoolhouse Road corridor, to create a central place to bring the community together and provide a stronger identity for Chestnut Ridge.

Environmental Protection:

**Economic Development:**

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

Objectives:

- Create additional opportunities for light industrial, warehousing and laboratory uses, building upon the existing employment strengths of the Village, and to increase tax ratable properties.
- Revitalize the shopping areas, and build upon the Village's historic charm, to satisfy the needs of residents and to promote shopping visits from outside of the immediate area.
- Acknowledge and accommodate changing technology as it relates to expanded/dispersed employment opportunities in residences.

**Infrastructure:**

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

**Transportation:**

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

Objectives:

- Improve turning movements and lower traffic delays for vehicles entering or turning along major road corridors.
- Provide pedestrian and bicycle facilities along existing major roads and within new residential developments, improving safety and providing an alternative to motorized transportation.
- Integrate new development near the GSP interchange. Leverage private development contributions so developers will help pay for and provide necessary improvements to remedy existing traffic problems and to accommodate traffic growth.

**Zoning**

- Red Schoolhouse Road Corridor, from South to North Area 1: South End of Corridor, from Montvale/NJ Boundary to Garden State Parkway (GSP) This area is distinct from the corridor north of the Garden State Parkway, because the elevated GSP forms a visual and physical barrier from the other parts of the corridor. With its excellent transportation access to the region, this area has been considered as ripe for development of commercial or employment opportunities. With the proper traffic improvements, the area could be developed with commercial uses that would draw consumers to Chestnut Ridge, and housing and employment opportunities could be provided at a more intense scale than north of the Garden State Parkway, all without negative impacts to the Village. To the greatest extent possible, a more sustainable pattern of mixed-use development should be promoted with integrated planning. Mechanisms should be created to ensure that developers will contribute to improve the GSP interchange area, both to fix existing traffic problems and to accommodate increased traffic that will come with future uses.

- Existing Conditions: The area on the east side of Red Schoolhouse Road, south of the Garden State Parkway, is currently home to bus and truck terminals, a building supply facility and an equestrian center, as well as some single-family homes and significant vacant acreage. The area mostly is zoned LO, except for some parcels in the eastern edge of the area that are zoned R-35. LO currently allows offices, laboratories, research, corporate parks, medical & dental clinics, health service complexes, recreation and hotels. Laboratory or office development has not occurred in this area, even though the zoning for such has been in place for a long time. Currently the Equestrian Estates mixed use residential/commercial project is proposed in this area, and a petition to establish a Planned Unit Development (PUD) floating zone, has been submitted to the Village Board for consideration. The developers have developed a scope for a Draft Generic Environmental Impact Statement which was adopted by the Village Board on September 9, 2020. Recommendations: The creation of a "PILO" District, or "Planned Industry Laboratory Office District is recommended as the underlying zone for this entire area. Such a district would essentially combine permitted uses together from PI and LO. The PI Zone at the northern section of the corridor has worked successfully, with Par Pharmaceuticals as its "anchor tenant." We believe that development and redevelopment of higher tax-ratable projects would occur if PI uses were added to the existing LO. This area already has nonconforming, existing industrial land uses that would become conforming, were such a PILO zone to be created. It is recommended that the entire area be zoned PILO, with required buffers along the east and north sides of the area adjacent to R-35 zoning. It is further recommended that this area, as well as others with one-half mile of the GSP interchange, become an area where the PUD floating zone is allowed to be "landed" in addition to the underlying PILO zoning district, to permit residential development at multifamily densities, to provide diversity of housing in the Village. However, this new multifamily development should be integrated with commercial and office projects. A mixed-use Planned Unit Development floating zone (PUD) is proposed that could be employed here for proposals that may come up for multifamily and commercial development, integrated together. The floating zone could be added to the zoning map upon request to the Village Board for an integrated multifamily residential/commercial/office project, with a minimum size of 25 acres. A minimum of 10% and a maximum of 35% of the gross floor area of all buildings proposed in the requested floating rezoning would be dedicated to commercial or office uses. The allowed use list for the nonresidential portion of such a floating zone would include a variety of commercial uses. The multifamily residential portion of the site would have a maximum density of 7 units per gross acre. Signalization, turning lanes, widening and other transportation improvements to mitigate traffic impacts, as identified during the SEQR process, would be required as part of the adoption of any mixed-use PUD floating zone. Payments to a fund for offsite traffic improvements may also be required along with any PUD re-zoning, following the incentive zoning requirements of New York State Village Law §7-703.
- Rockland County  
Under the terms of the General Municipal Law, Sections 239m and 239n, Rockland County will conduct a review of the proposed development. A number of County permits are required prior to site plan approval being granted, including County Board of Health (DOH) Approval, County Approval of the Stormwater Pollution Prevention Plan, plus demonstration of Mosquito Control. DOH approval is also

required for an extension of the water main. Rockland County Sewer District must review and approve the development plans for connecting to the Rockland County Sewer. A Rockland County Highway Work Permit will be required for the anticipated improvements to Red Schoolhouse Road and creation of the main entrance.

### **Potential Impacts**

#### **3.4.4 Impacts to Land Use**

The proposed Equestrian Estates Project would create a mixed-use development including up to 62 duplex townhouse units; plus 84 rental flats above the retail building on Red Schoolhouse Road; up to 118 senior residential rental units (at least half of which will be limited to those aged 55 and older); and two single family homes in the vicinity of Gary Drive. Thus, the project proposes a total of 266 residential units on 39.6-acre site resulting in an overall density of less than 7 units per acre.

The mixed use multifamily/office/retail development is being proposed to provide a core nucleus to the Village of Chestnut Ridge. The project is composed of a mix of housing types including market rate duplex townhouses; market rate rental units to accommodate the needs of millennials, other young professionals and others who prefer rental housing; and market rate senior rental housing in two adjacent buildings to foster socialization among the senior residents. There is a continued demand for the quality of life and maintenance free lifestyle that accompanies townhouse and rental living. The senior development will offer moderately priced senior citizen housing in the Village of Chestnut Ridge and the Rockland County region. It is the project sponsor's intent to develop a mixed-use community that accommodates the needs of a variety of residents.

This proposed development would commit the 39.6 acres to mixed use development and preclude alternative uses of the site. The proposal calls for development of the land area south of the stream to upscale development in a serene park like setting for 62 semi attached duplex dwelling units. The area north of the stream would provide rental apartments suitable for senior citizens, with approximately half of the units being restricted to residents over age 55, and with the remainder being constructed to be suitable for senior living, but available to the general population. The two mixed use buildings with apartments above the commercial development would utilize the proximity to Red Schoolhouse Road frontage to stimulate commercial usage. The availability of rental flat apartments will enhance the diversity of housing price points available in Chestnut Ridge.

The combination of residential and retail/office uses in a single development will result in a walkable, compact integrated community. The community center will offer recreation opportunities for the residents of all the housing types encouraging socialization among all residents fostering a sense of community. The retail center will provide goods and services to support the needs of residential development and the residential population will provide a ready market to support the various retail establishments. Development in this area is well positioned based upon the excellent access provided by the NY Thruway and the Garden State Parkway connection in close proximity.

### 3.4.5 Impacts to Zoning

As stated in the draft Village Comprehensive Plan (Plan), the LO zone has been underutilized. The regional demand for the development of Laboratory Office building types appears to be limited, and parcels currently zoned LO in areas with excellent transportation access have remained vacant for many years. As the Plan states, the current Laboratory Office (LO) zoning is not useful, as it does not allow warehouse or light assembly types of uses, which the market is demanding. The Comprehensive Plan recommends an adjustment to the zoning in this area through a zone amendment which would create a PI/LO zone that would permit more industrial type uses such as self-storage, warehousing, flex space etc. Parcels currently zoned LO could be considered for this PI/LO zoning. Alternatively, the Comprehensive Plan recommends the creation of Planned Unit Development zoning or a PUD as described below.

The current residential zones allow for a single housing unit on a single lot, which provides a limited number of houses and creates an inefficient use of open space; a pattern that leads to suburban sprawl. The Village also has 6 non-residential zones NS, RS, LO, PO, and PI; but there are no zones that permit Townhouses or any sort of mixed-use developments.

The Equestrian Estates development envisions the creation of a neighborhood of complementing uses in the southern portion of the Village of Chestnut Ridge. The applicant for Equestrian Estates has a vision to make this corner of Chestnut Ridge something special, something beautiful. The rendering in Figure 3.4-2 shows a concept plan of the layout of Equestrian Estates. Figure 3.4-3 shows the 6 tax lots on the east side of Red Schoolhouse Road south of the Garden State Parkway Thruway Extension on ramp to be included in the PUD development.

#### How a PUD Development differs from a Standard proposal.

A PUD Development site typically contains a mix of interrelated uses. P U D stands for Planned Unit Development where the merits of a development scheme are looked at as a cohesive unit. Typical Euclidian zoning attempts to predict where conditions are best for a particular type of use, for example putting commercial zones along major roadways or at intersections, which seems obvious. It also puts industrial zones out of the way, or office zones off the beaten path. It is a predetermination of what land use should be without any specific land development proposal. However, in order for the land to actually be developed, an applicant has to come forward with a proposal. Then there is also the issue of transitions from one type of land use to the next.

A PUD development plan looks at a system of uses that complement one another and places them in a single project. This gives the municipality an opportunity to look at the entire scheme that is actually proposed for development and decide if the development is appropriate for their community. In Chestnut Ridge, the Village's planners have recommended a PUD be created in this area and that it be implemented as a floating zone. This provides the Village an opportunity to review a development proposal that meets the criteria and determine if they are interested or not. Only after the Village has reviewed the development proposal would they then proceed to map the floating zone in an area that has been determined to be acceptable. The Village would have a choice to determine if it is the right mix of uses for a particular area in advance of making any decision.

As proposed, there are general requirements that the PUD development must adhere to. At the Village's discretion, the Planned Unit Development Zone Designation may be applied to properties in the Village that meet the following criteria;

- Minimum Lot Size: 25 acres
- Minimum Lot width: 250'
- Must have municipal water and sewer service available.
- Must be located along a NYS or County Road
- Must be located in an area served by public transportation.
- Must be located within 0.5 miles of an interchange for an Interstate Highway, as measured along a New York State or Rockland County Road.

(This last requirement will specifically locate PUD opportunities in the southern portion of the Village; and preclude them from the central portion along Route 45.)

In addition, there are general bulk requirements that the PUD development must adhere to. The full text of the proposed zone amendment is included as Appendix B. It would be the task of the Planning Board to ensure proper implementation of these requirements.

#### *Consistency with the Proposed PUD Zoning Amendment*

The project sponsor intends to request a Zoning Code Amendment to create the new Planned Unit Development (PUD) zone. Implementation of the proposed PUD zoning at the Equestrian Estates site would allow development of an integrated live and work community and has the potential to provide a diversity of housing options to meet the needs of the community in addition to providing for supporting commercial development tailored to the needs of the residents who will live there.

It is intended that development in the PUD zone would be built in a manner that embraces the architectural and aesthetic values of the Village of Chestnut Ridge, working in concert with the Planning Board and the Architectural Review Board.

The buildings will be designed to be aesthetically appealing and attractively landscaped with a variety of trees, shrubs, and plants, with priority given to utilizing native species and to conserving open land and existing flora to the extent practical.

As shown in the bulk table on CS 100 for the Mixed-Use PUD Requirements, the project as proposed complies with the following PUD Requirements;

- Minimum Lot Size: 25 acres; The project site is 39.6 acres.
- Minimum Lot width: 250'; The lot with provided is 860 feet.
- Must have municipal water and sewer service available.; The site has municipal water and sewer service available.
- Must be located along a NYS or County Road. The site is located on County Road 41 (Red Schoolhouse Road) with access provided to Red Schoolhouse Road via Loescher Lane.
- Must be located in an area served by public transportation; The Transport of Rockland (TOR) currently serves the Red Schoolhouse Road Corridor on Route 92 which provides service between Spring Valley and Nyack, with transfer service available to connecting Routes. The provision of transit service is a function of the availability of ridership generators. It is highly likely that upon the

completion of the Equestrian Estates Development additional TOR services will be provided.

- Must be located within 0.5 miles of an interchange for an Interstate Highway, as measured along a New York State or Rockland County Road; The project site is located within 0.4 miles of the GSP southbound exit Ramp and within approximately 0.2 miles of the GSP northbound entrance ramp.

*Consistency with the Village of Chestnut Ridge Comprehensive Plan*

The proposed project is consistent with goals stated in the Draft Village of Chestnut Ridge Comprehensive Plan policy to a diversity of housing density options.

The Plan is specific in its recommendations for the Red Schoolhouse Road area and the proposed project is in full conformity with these recommendations.

*Consistency with the Rockland County Comprehensive Plan*

The proposed project is consistent with the Land Use Plan and recommendations of the Rockland County Comprehensive Plan entitled *Rockland Tomorrow*, published March 1, 2011. The County Plan recommends an increase in housing opportunities in high-quality residential communities with a range of appropriate densities. The diversity of housing options and the range of price points is consistent with the County's goals of providing additional options and a range of price points to accommodate the diverse needs of its residents.

**3.4.6 Mitigation Measures**

Overall, the proposed action would be compatible with surrounding land use patterns in the vicinity of the project site. The construction of the proposed development would increase the diversity of housing options in the Village of Chestnut Ridge and would serve to expand the Village tax base with additional ratables. No significant adverse impacts are expected from the proposed action on adjacent land uses.

No significant land use impacts are anticipated. In addition, the project is consistent with the goals of the Comprehensive Plans of the Village and County, and no impacts on public policy are anticipated. With regard to zoning impacts, the project is fully compliant with the proposed PUD bulk and use regulations. All necessary permits and approvals from Rockland County and other agencies will be secured prior to final site plan approval.



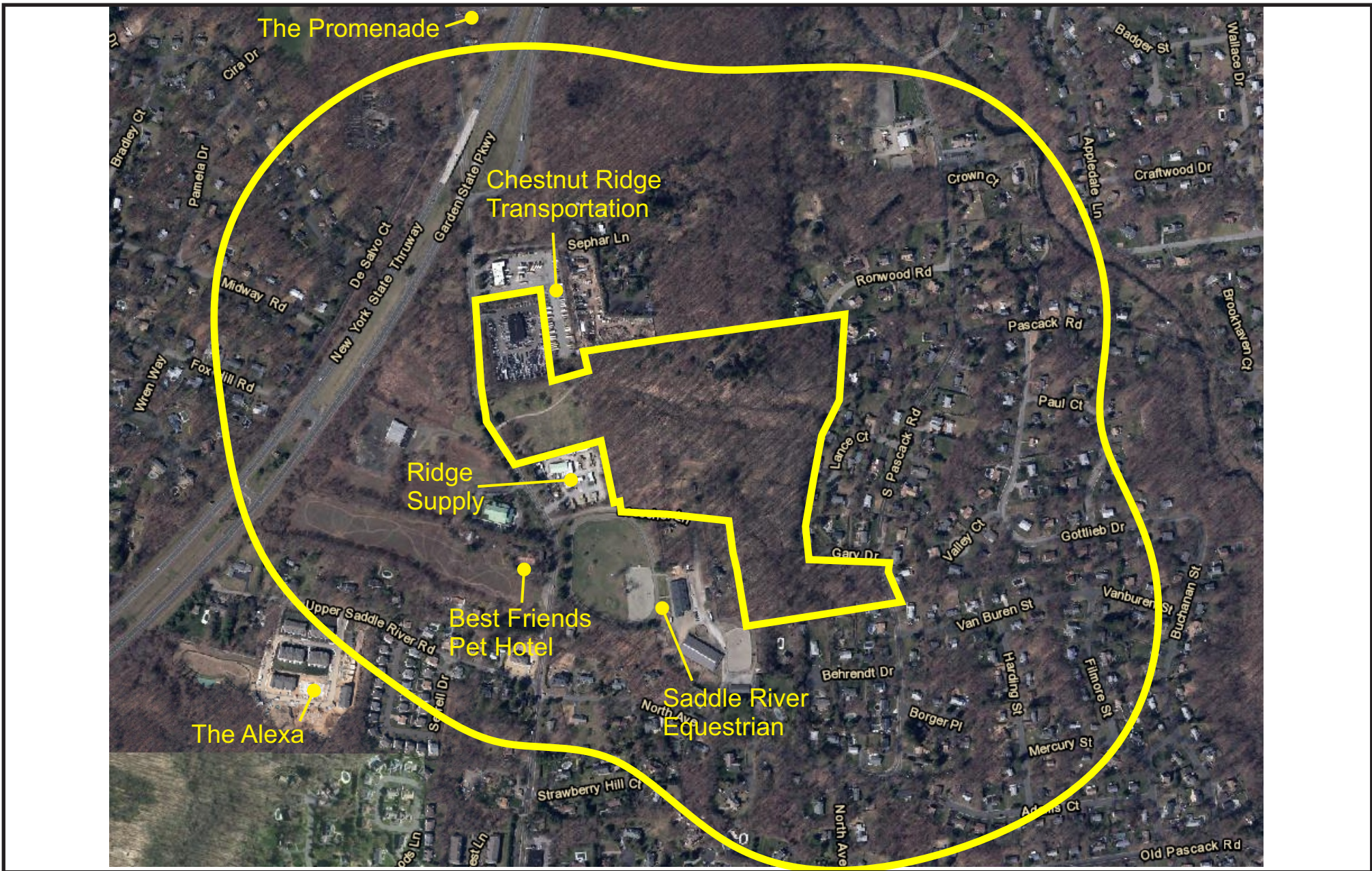
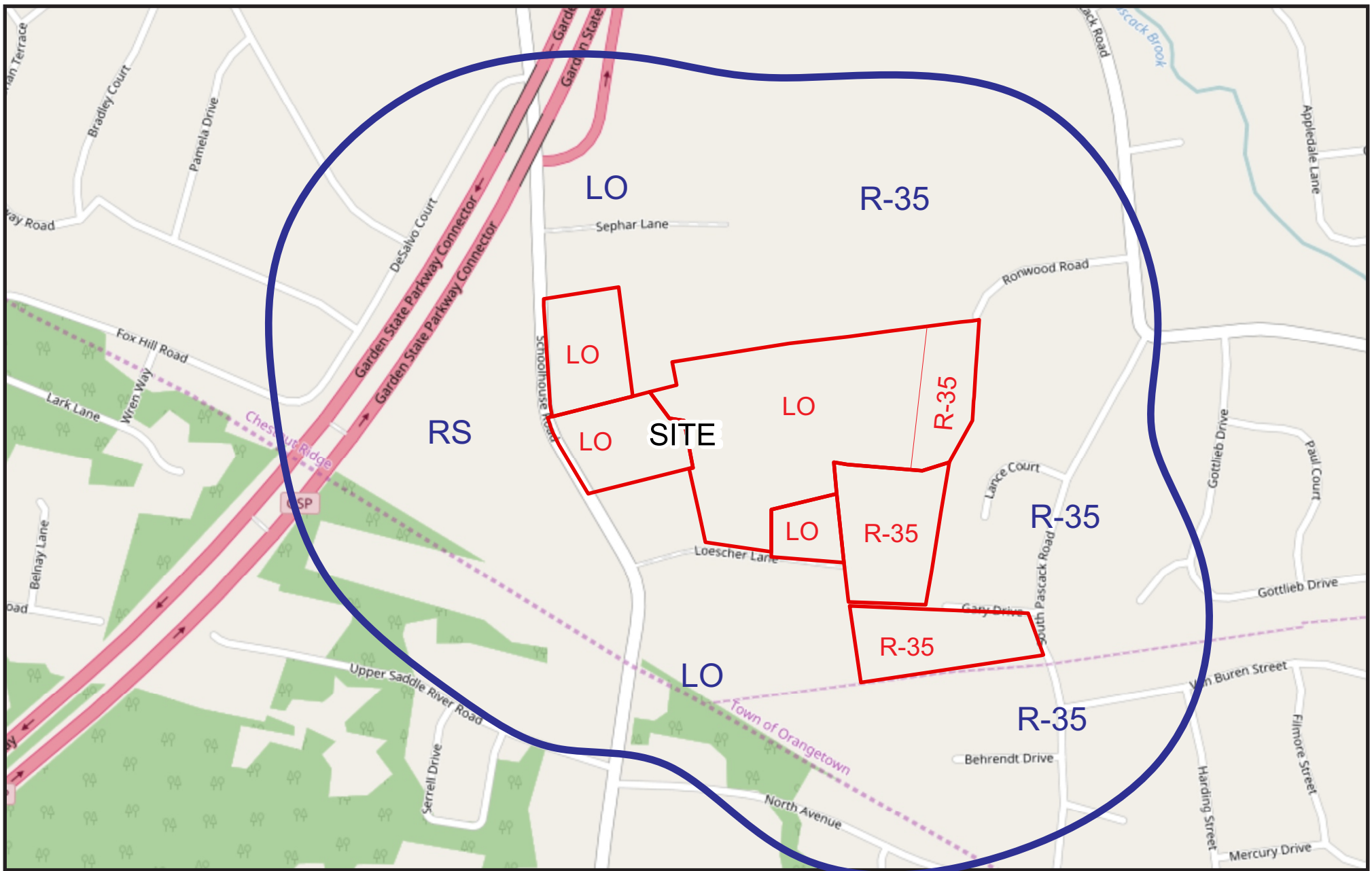


Figure 3.4-1: Land Use within 1/2 Mile  
 Chestnut Ridge  
 Village of Chestnut Ridge, Rockland County, NY  
 Source: New York Ortho Imaging



LO - Laboratory Office  
 R-35 - Residential 35,000 sq.ft. lots  
 RS - National and Regional Retail

Figure 3.4-2: Existing Zoning within 0.5 mile Radius  
 Equestrian Estates  
 Village of Chestnut Ridge, Rockland County, NY  
 Scale: 1" = 600'  
 Source: ESRI OpenStreetMap

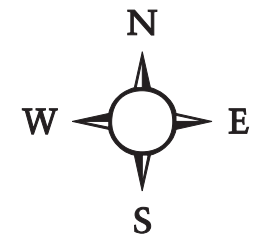


Figure 3.4-3: Site Plan Layout  
 Equestrian Estates  
 Village of Chestnut Ridge, Rockland County, New York  
 Source: Langan