

January 27, 2022

**By E-mail**

Hon. Kenneth English  
Supervisor of the Town of Tuxedo  
and Members of the Town Board  
1 Temple Drive  
Tuxedo, New York 10987

**Re: Application for Amendment to Special Permit/Preliminary Plan/Regulating Plan and Local Law No. 3 of 2011 for Tuxedo Farms**

Dear Supervisor English and Members of the Town Board:

Our firm, together with AKRF, Langan, Hart Howerton, and Philip Habib & Associates, represents Tuxedo Reserve Owner, LLC, the Applicant for the Tuxedo Farms project, together with its new development partner, Lennar.

The Development Team is pleased to make this submission in advance of today's Town Board Work Session. These materials respond to all the feedback we received during the Board's November 29, 2021 Work Session, and also reflect Lennar's home building experience and input on the proposed development plans and supporting documents.

To remind the Board, this Application seeks: (i) an Amended Special Permit/Preliminary Plan/Regulating Plan to adjust the mix of residential product type to meet market demand, and (ii) Amendment to Local Law No. 3 of 2011 (which modified the unit count for the project as previously set forth in Local Law No. 4A of 1998) to establish that no more than 1,609 units may be constructed as part of this PID.<sup>1</sup>

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<sup>1</sup> Local Law No. 3 of 2011 appears to be a renumbering of Local Law No. 5 of 2010; regardless, a new Local Law is required for the current proposal. Also, the Applicant previously withdrew its prior application seeking a maximum of 2,000 units.

The proposed program modifications are designed primarily to meet current market demand for what is commonly referred to as the “Missing Middle.” This means more attached townhomes and multi-family units in a walkable community with supporting retail, and fewer large, single-family homes. This amendment would, among other things, increase the total maximum unit count from 1,375 to 1,609 units (both numbers are inclusive of age-restricted), for a modest increase of 234 units. There would also be a minor increase in bedroom count from 3,324 to 3,514 to accommodate the change in product types. The limit on non-age-restricted bedrooms would increase from 2,860 to 2,950.

Enclosed are the following materials in support of the Application:

- SEQRA Technical Memorandum, prepared by AKRF – demonstrating that the proposed Application would not result in any new potential significant adverse environmental impacts under SEQRA
- Concept Master Plan, prepared by Hart Howerton – color coded to show all unit types
- 2022 Land Development Plan (Exhibits A-C), prepared by Langan – an Overlay Plan comparing proposed and prior approved layouts
- Overall Land Development Plan (Figure No. LDP-6), prepared by Langan
- Regulating Plan (Figure No. 1-2), prepared by Langan
- SmartCode Regulating Plan (SC-A1), prepared by Langan
- Traffic Assessment, prepared by Philip Habib & Associates – demonstrating no new traffic impacts or traffic mitigation required
- Proposed modifications to Design Standards – enclosed are excerpted, redlined pages from the SmartCode and Architectural Design Guidelines showing proposed changes; also enclosed are Memoranda, prepared by Bowman, describing proposed changes to the Landscape Design Guidelines and Performance Standards

The Town Board should also know that our firm is continuing to work with your Board’s counsel on appropriate changes to the Special Permit to reflect the proposed development program and comments raised during this process.

The Development Team hopes that this submission addresses most, if not all, of the comments raised during the November meeting. We have certainly worked hard to provide the level of detail the Board and staff requested.

With respect to next steps, following the Board's (and your consultants') review of these materials, we will resubmit an updated set that incorporates the Board's feedback, at which time the Applicant respectfully requests that the Town Board:

- schedule a Public Hearing pursuant to Zoning Code Section 98-23K
- refer the Application to the Town Planning Board pursuant to Zoning Code Section 98-23E
- refer the Application to the Orange County Planning Board pursuant to General Municipal Law Section 239-m

The Development Team looks forward to completing this process with the Town Board as expeditiously as possible so that we can advance the Project to the detailed site plan and subdivision reviews before the Planning Board.

Thank you for the Board's continued attention.

Respectfully submitted,

ZARIN & STEINMETZ

By: Brad Schwartz

Brad Schwartz  
Kory Salomone

Encls.

cc: Larry Wolinsky, Esq./ Howard Protter, Esq.  
Bonnie Franson, AICP CEP, PP  
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