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Technical Memorandum Tuxedo Farms

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A. INTRODUCTION

Tuxedo Reserve Owner, LLC (the “Applicant”) is seeking to amend the unit distribution mix last approved in April 2017 by the Tuxedo Town Board as part of the 2017 Amendment to the Special Permit¹ for the Tuxedo Farms project (formerly known as “Tuxedo Reserve”). The proposed changes would allow the Applicant to adjust the unit mix distribution to meet current market demand while maintaining the architectural and design integrity of the prior approvals. The currently proposed unit mix would increase the number multi-family units but reallocates the bedrooms between unit types to maintain a similar anticipated population size (the “Proposed Action”).

The Proposed Action would not significantly alter the anticipated footprint of the proposed development and would stay within the previously analyzed limits of disturbance. Therefore, Proposed Action involves no significant changes to earthwork, limits of disturbance, or other physical improvements related to the Preliminary Plan, last approved in April 2017 (see “2022 Land Development Plan” and “Overall Land Development Plan” in **Attachment A**).

The purpose of this Technical Memorandum is to determine whether the Proposed Action analyzed herein has the potential to generate any new significant adverse environmental impacts not previously analyzed or analyzed herein. The Tuxedo Farms project has been in various stages of approvals and development since the 1990s. Over this extended period changes in market demand and demographics have occurred. The purpose and need of the Proposed Action is to develop a community that responds to the changing demographic and market needs. The Preliminary Plan and Design Standards² offer a framework for the buildout of the project.

B. NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

As last approved in 2017, the Tuxedo Farms project is a Planned Integrated Development (PID) comprising a total of 1,195 residential units, up to 100,000 square feet of project amenity/commercial use³ on the

¹ The 2017 Special Permit approved a change in unit mix but maintained the total number of units approved in 2010 and 2015. It also modified the Design Standards to permit parking waivers by the Planning Board and to amend the permissible building materials and construction specifications.

² The “Design Standards” include the Smart Code, Performance Standards, and Architectural and Landscape Design Guidelines.

³ Per the 2015 and 2017 Special Permits, non-residential uses in the Southern Tract shall be limited to the following: (a) Project Amenities and civic facilities, which may include but are not limited to a day care center, fitness facilities, meeting rooms, a post office, a library, community centers, and such similar facilities or amenities; and (b) Commercial Uses, which may include but are not limited to the Greeting Center, a general store, a gourmet

Southern Tract, a 3,000 square foot farm stand in the Village of Sloatsburg⁴, up to 196,100 square feet of office/light industrial/flex space on the Northern Tract, and associated infrastructure and stormwater improvements on ±2,376 acres. The project has been the subject of extensive environmental review under SEQRA. The original Preliminary Plan and Special Permit for the Tuxedo Farms project were issued in 2004 after publication of the Final Environmental Impact Statement in 2003, and the adoption of a SEQRA Findings Statement in 2004. In 2008 Tuxedo Reserve Owner, LLC, an affiliate of the Related Companies (the “Developer” or “Applicant”), submitted an application to amend the previously approved development plan to include new areas of disturbance and to amend the unit distribution. A Supplemental Environmental Impact Statement (SEIS) and Final SEIS (2010 FSEIS) were prepared, and a new SEQRA Findings Statement, amendment to the 2004 Special Permit, amended Preliminary Plan approval, and amended Design Standards⁵ were adopted by the Town Board in 2010. In 2015, additional minor amendments to the Special Permit and Preliminary Plan, for which the Town of Tuxedo Town Board issued an Amended Findings Statement, were pursued and approved. In 2017, additional minor amendments to the Special Permit were considered and approved by the Town Board. The 2017 amendments included a shift between some multi-family and townhouse units that did not change the bedroom or overall unit count, as well as the inclusion of vinyl siding as a permissible building material.

The Proposed Action would not change the approvals for the Project enumerated in the 2003 FEIS and 2010 FSEIS. To approve the Proposed Action as described in this Technical Memorandum, the following additional approvals and referrals are required.

LOCAL APPROVALS

TOWN OF TUXEDO TOWN BOARD

- Amendment to Local Law 3 of 2011, “Amendment to Local Law No. 4A of 1998”
- Amendment to the Special Permit and Preliminary Plan
- Amendment to the Regulating Plan
- Amendment to the Design Standards

TOWN OF TUXEDO PLANNING BOARD

- Planned Integrated Development Referral

ORANGE COUNTY

ORANGE COUNTY PLANNING DEPARTMENT

- General Municipal Law (GML) Review

C. DESCRIPTION OF THE PROPOSED ACTION

The Applicant proposes to amend the unit distribution mix to meet current market demand while maintaining the architectural and design integrity of the prior approvals. The Proposed Action would increase the number multi-family units but would reallocate the bedrooms between unit types to maintain a similar anticipated population size. The existing Special Permit includes caps on non-age restricted units

delicatessen and/or coffee shop, a bank, a dry cleaner, restaurant, and similar local community retail uses as may be approved by the Planning Board during site plan review.

⁴ As detailed in the 2009 DSEIS and 2010 FEIS, the 3,000 square foot farm stand would be subject to Village of Sloatsburg site plan approval.

⁵ The “Design Standards” include the Smart Code, Performance Standards, and Architectural and Landscape Design Guidelines.

and bedrooms, as well as a requirement for a minimum number of single-family units. The Proposed Action requires an amendment to the Special Permit to modify these requirements.

Table 1
Detailed Unit Mix Comparison

Unit Type	Number of Bedrooms	Program Mix	
		2015	2022
SINGLE FAMILY			
NON-RESTRICTED			
Estate	4	48	0
Manor	4	126	115
Manor	3	0	10
Village	4	0	0
Village	3	250	0
Cottage	3	251	0
Cottage	2	0	0
Cottage (Alley)	3	66	0
Carriage	2	0	0
Subtotal	--	741	125
AGE-RESTRICTED			
Village	3	0	0
Cottage	3	71	34
Cottage	2	0	80
Cottage (Alley)	3	0	0
Carriage	3	0	0
Carriage	2	55	174
Subtotal	--	126	288
TOTAL SINGLE FAMILY	--	867	413
MULTI-FAMILY			
NON-RESTRICTED			
Townhouse	3	0	307
Townhouse	2	77	458
Multi-Family	3	10	0
Multi-Family	2	108	146
Multi-Family	1	62	285
Subtotal	--	257	1,196
AGE-RESTRICTED			
Townhouse	2	71	0
Multi-Family	3	0	0
Multi-Family	2	0	0
Multi-Family	1	0	0
Subtotal	--	71	0
TOTAL MULTI-FAMILY	--	328	1,196
TOTAL PROJECT		1,195	1,609

Specifically, the Applicant proposes to increase the total (including age-restricted) maximum unit count from 1,375 to 1,609, and to modestly increase the total bedroom count from 3,324 to 3,514. The 2015 Special permit limited the number of planned non-age-restricted bedrooms to 2,860 and the Proposed Action would increase that cap to 2,950. The project previously included 764 single-family homes, many

of which were in the large “manor” home style. The Proposed Action would remove that requirement to allow for more diverse, smaller unit types that meet the current market demand and provide housing opportunities for a wider variety of income levels and a diversity of household sizes. These changes would also further cluster the development, reduce disturbed areas, and create walkable community, while not substantially increasing population (measured by bedroom count). **Table 1** and **Table 2** provide an overview of the changes in unit and bedroom distribution.

Table 2
Summary Unit and Bedroom Count Comparison

Type of Unit	Total Age Restricted Units	Total Non-Age Restricted Units	Total Units	Total Age Restrict Bedrooms	Total Non-Age Restricted Bedrooms	Total Bedrooms
2015						
Four Bedroom	0	174	174	0	696	696
Three Bedroom	71	577	648	213	1,731	1,944
Two Bedroom	126	185	311	252	370	622
One Bedroom	0	62	62	0	62	62
TOTAL	197	998	1,195	465	2,859	3,324
2022						
Four Bedroom	0	115	115	0	460	460
Three Bedroom	34	317	351	102	951	1,053
Two Bedroom	254	604	858	508	1,208	1,716
One Bedroom	0	285	285	0	285	285
TOTAL	288	1,321	1,609	610	2,904	3,514
Notes:	* The maximum number of units permitted under the Special Permit would be 1,609.					

Table 3
Commercial and Community Amenity Space

Use	2015	2022
Southern Tract		
Neighborhood Retail & Commercial	30,000 sf	40,000 sf
Private Community Club	35,000 sf	41,000 sf
Library	5,000 sf ¹	4,000 sf
Active Adult Social Club	5,000 sf	8,000 sf
Private Pool Club	6,000 sf	NA
Welcome Center	4,000 sf	4,000 sf
Neighborhood Amenity Buildings Maintenance and Recreation	15,000 sf	3,000 sf
Farm Stand (Sloatsburg)	3,000 sf	3,000 sf
Subtotal	103,000 sf	103,000 sf
Northern Tract/LIO Parcel		
Office/Light Industrial/Flex Space	196,100 sf	196,100 sf
TOTAL	299,100 sf	299,100 sf
Notes:	¹ Anticipated structure size in lieu of land. However, the Applicant may opt to not change the existing agreement to dedicate 0.5 acres to the library, as shown in the preliminary plans, and continue negotiations for a building in the future.	
	² 2015 and 2022 amenity sizes are estimated.	

SPECIAL PERMIT

The Applicant proposes changes to the Special Permit to meet the current market demand for smaller and more affordable homes in a more walkable community. The original provisions were designed to protect the character and economic stability of the hamlet and maintain the visual character and amenities of the

proposed development—the Proposed Action would not change these objectives. The proposed changes would further cluster the development in the Commons and East Ridge neighborhoods, creating a walkable community that meets current housing needs. To accommodate the revised development program, the Applicant proposes amendments to the Special Permit, including, but not limited to, the following:

1. Remove the requirement to build 764 single family homes;
2. Increase the maximum unit count from 1,375 to 1,609;
3. Increase the non-age restricted maximum bedroom cap from 2,860 to 2,950;
4. Revise the definition of multi-family to exclude townhouses and split townhouses;
5. Revise the timing of the Hamlet Revitalization Funding Program payments, modify the Town’s right to build a library, and modify the arrangement with Tuxedo Free Union School District;
6. Remove the requirement to build the project in three phases in strict sequence to allow a more thoughtful and flexible development phasing to meet the market demands and allow construction of Active Adult community sooner;
7. Update the Preliminary Plan and Regulating Plan to:
 - a. Show new master plan with planned unit types;
 - b. Adjust certain Transect Zone designations to allow more smaller homes and allow concentrated development around center of community; and
 - c. Allow other uses for School Site as the School District and Developer may determine to meet the needs of the School District and Development; and
8. Revise the Design Standards as needed to allow proposed home types to meet the market demand while maintaining the spirit and intent of the approved Design Standards and desired character of the Development.

The Proposed Action would not change the commitments regarding Open Space, Recreation, or Town Facilities. The Applicant proposes to change the timing of the payments to the Hamlet Revitalization Funding Program; however, it would not change the total payment amount. Similarly, the Applicant proposes to modify the arrangement for the Tuxedo Public Library to allow better planning for the center of the community. In addition, the Applicant is collaborating with the Tuxedo Union Free School District to modify that arrangement to better meet the needs of the development and the School District.

D. POTENTIAL EFFECTS OF THE PROPOSED ACTION

The purpose of this Technical Memorandum is to determine whether the Proposed Action has the potential to generate any new significant adverse environmental impacts not previously analyzed or analyzed herein. The following analyses address each of the relevant technical areas contained in the FEIS, comparing the potential impacts of the Proposed Action analyzed herein to those of the 2003 FEIS, 2010 FSEIS, and 2014 Technical Memorandum (as applicable).

It should be noted that the framework for analysis in this Technical Memorandum applies a different build year and phasing plan for the proposed development than was last analyzed. The 2015 Special Permit anticipated that the Project would be constructed in three phases over a 12-year period with full build out in 2027. This Technical Memorandum anticipates development over a 10-year period (subject to market conditions) commencing in 2022 with full build out in 2032. This Technical Memorandum recognizes that background conditions for certain analyses have changed and incorporates these changes as appropriate. Where standard generation rates have changed since 2015, the previous data has been updated with the new generation rates so an “apples to apples” comparison can be made to the Proposed Action.

E. LAND USE, ZONING, AND PUBLIC POLICY

The Proposed Action would not alter the basic conclusion of the prior approvals that the overall development would be compatible with nearby land uses, consistent with state and regional plans that focus on open space, and in conformity with all the objectives and requirements of the Planning Integrated Development (PID). The Proposed Action would require amendments to the Preliminary Plan, Design Standards, and Regulating Plan to accommodate the increase in the number of multi-family units and corresponding adjustments to the development layout. However, the overall intent of the Preliminary Plan, Design Standards, and Regulating Plan would remain unchanged.

In addition, the Proposed Action requires an amendment to Local Law 3 of 2011, “Amendment to Local Law No. 4A of 1998.” Local Law No. 4A of 1998, as last revised, reads:

I. No more than 1,195 residential dwelling units may be constructed on the Tuxedo Reserve planned integrated development of which no more than 180 units shall be rental and no less than 764 shall be single family detached and semidetached. An additional 180 dwelling units may be constructed provided those units are constructed for senior citizens and persons in need of congregate care or assisting living.

The Proposed Action would amend the local law to read as follows:

I. No more than 1,609 residential dwelling units may be constructed on the Tuxedo Reserve planned integrated development.

As discussed above, the Proposed Action would also modify some of the provisions of the previous Special Permit. The original provisions were designed to protect the character and economic stability of the hamlet while maintaining the visual character and amenities of the proposed development. As discussed above, the Proposed Action would adjust some of these commitments to better reflect the current market conditions while still meeting the goal of hamlet and community character preservation. In addition, the Proposed Action would provide housing opportunities for a wider variety of income levels and a diversity of household sizes.

F. ECONOMIC AND FISCAL ANALYSIS

INTRODUCTION AND PRINCIPAL CONCLUSIONS

The last major change to the Tuxedo Farms project occurred in 2015 and a detailed fiscal analysis was completed at that time. The 2017 amendment examined a small shift in multi-family and townhouse units where the total number of units and bedrooms were unchanged. The analysis did not revisit the full project at that time. As such, the economic and fiscal analysis below examines whether the Proposed Action, as compared with the project with the 2015 Approved Special Permit, would have the potential to result in significant adverse fiscal impacts not already identified in the 2010 FSEIS. The Proposed Action’s potential new fiscal impact on the Town budget and Tuxedo Union Free School District (TUFSD) are analyzed below, using similar methodologies outlined in the 2010 FSEIS. These methodologies have been updated to use current budgets and school-age children multipliers. The analysis is based on current market values of the various home types.

As further detailed below, the Proposed Action would not substantively alter the conclusions of the fiscal impact analysis presented in the 2010 FSEIS. **Tables 1, 2 and 3** above provide a comparison between the Proposed Action and the project with the 2015 Approved Special Permit. As detailed in **Table 1**, the Proposed Action responds to changed market conditions since 2015 by shifting the program away from single-family non-age-restricted housing toward a greater number of townhome and multi-family units, including a greater number of age-restricted units. As detailed in **Table 2**, overall there is an approximately 34.6 percent increase in the proposed number of dwelling units, and a modest increase in the overall number of bedrooms (approximately 5.7 percent).

The proposed development plan current shows 1,321 non-age restricted units with a total of 2,904 non-age-restricted bedrooms. However, to allow minor adjustments to the building program to meet market demand, the proposed amendments to the Special Permit would increase the cap on non-age-restricted bedrooms to 2,950. As such, **Table 4** below presents both the currently proposed building program and the maximum build-out of 2,950 bedrooms. The conceptual maximum buildout considers a similar distribution of units as the proposed building program.

As summarized in **Table 4**, the Proposed Action would be tax positive for both the Town of Tuxedo and the TUFSD. As further detailed below, the unit mix associated with the Proposed Action would have a lower assessed value but would also generate fewer school age children. As such, even though the revenues would decrease the costs would also be proportionally lower, and the Proposed Action would remain tax positive.

Table 4
**Comparison of Fiscal Impacts: 2015 Approved Special Permit
and 2022 Proposed Action**

	2015 Approved Special Permit (in 2021 dollars)	2022 Proposed Development Program (in 2021 dollars)	2022 Conceptual Maximum Buildout (in 2021 dollars) ⁴
Town			
Revenues ¹	\$8,624,368	\$7,847,813	\$7,939,298
Costs	(\$6,444,803)	(\$6,813,189)	(\$6,902,377)
Net Revenue/(Cost)	\$2,179,564	\$1,034,624	\$1,036,921
TUFSD²			
Revenues ³	\$12,236,806	\$10,880,620	\$11,052,860
Costs	(\$10,178,727)	(\$9,083,138)	(\$9,367,323)
Net Revenue/(Cost)	\$2,058,079	\$1,797,482	\$1,685,537
Notes:	¹ Town revenue estimates include property and non-property taxes projected to be generated by the project. ² TUFSD revenue and cost estimates are based on the 2018 student generation rates. ³ TUFSD revenue estimates include property taxes and estimated incremental State Aid. ⁴ Assumes 1,321 non-age-restricted units with a total of 2,590 non-age-restricted bedrooms (3,560 total bedrooms).		

PROJECTED MUNICIPAL PROPERTY TAX REVENUES

The Town's budget process determines the amount of local taxation required to meet appropriations. In 2021, the Town required approximately \$9.63 million in property taxes to do so. Once the amount of required tax revenue is established, property tax rates are determined for each budget fund. Two factors determine these rates: (1) the portion of the budget that is to be financed by real property taxes and (2) the total taxable assessed valuation. The property tax rate (known as the mil levy) is the amount to be paid for every \$1,000 of assessed valuation. **Table 5** presents the 2021 Town property tax rates for each fund.

Table 5
2021 Town Property Tax Rates
(Per \$1,000 Assessed Valuation)

	Town Tax Rate (per \$1,000 Assessed Valuation)
General	\$11.636
General: Outside Village	\$18.642
Highway: Townwide	\$3.849
Highway: Outside Village	\$5.150
Tuxedo Joint Fire	\$4.425
Tuxedo Library	\$2.916
Source: Town of Tuxedo 2021 Adopted Budget.	

Property tax revenues for the Proposed Action were estimated based on: market values provided by the Applicant as reported by Robert Charles Lesser & Co. in a September 2013 market analysis for the project; and 2021 equalization and Town tax rates from the Town of Tuxedo 2021 Adopted Budget. **Table 6**⁶ shows the estimated total assessed value of the Tuxedo Farms Project with the 2022 Proposed Action as compared with the 2015 Approved Special Permit plan (also applying 2021 equalization and Town tax rates). The Proposed Action would have market value of approximately \$823.05 million and an assessed value of approximately \$133.33 million. This is a reduction from the 2015 Special Permit plan which had a market value of approximately \$925.88 million and an assessed value of approximately \$149.99 million. This difference is due to the lower market value of multi-family units versus single-family units to facilitate a greater diversity of new housing opportunities.

The Proposed Action would shift the overall mix of units away from non-age-restricted single-family homes toward more age-restricted homes. Based on market values from a 2013 market analysis, the shift in mix would lead to an approximately 11 percent decrease in overall market value for the residential component of the project. However, the decrease in market value is overstated given the changes in market demand since 2013; the shift in unit type with the Proposed Action is in response to those changes, whereby demand and associated market values for townhome and multi-family homes have increased. Therefore, this analysis is conservative (i.e., understates market value) in applying the 2013 market values to the Proposed Action to project tax revenues.

⁶ Although the 2015 Special Permit permitted up to 100,000 square feet of non-residential space on the Southern Tract, the 2015 plan included 44,000 square feet of non-residential space. The analysis in Table 6 is based on the 44,000 square feet of non-residential space proposed.

Table 6
Land Development Plan: Market and Assessed Values
(in 2021 dollars)

Unit Type	Beds	Market Value per Unit*	2015 Plan Number of Units	2015 Plan Market Value	2015 Plan Assessed Value	2022 Plan Number of Units	2022 Plan Market Value	2022 Plan Assessed Value
SINGLE FAMILY								
NON-RESTRICTED								
Estate	4	\$1,405,000	48	\$67,440,000	\$10,925,280	0	\$0	\$0
Manor	4	\$1,164,000	126	\$146,664,000	\$23,759,568	115	\$133,860,000	\$21,685,320
Manor	3	\$1,047,600	0	\$0	\$0	10	\$10,476,000	\$1,697,112
Village	4	\$1,162,350	0	\$0	\$0	0	\$0	\$0
Village	3	\$973,000	250	\$243,250,000	\$39,406,500	0	\$0	\$0
Cottage	3	\$795,000	251	\$199,545,000	\$32,326,290	0	\$0	\$0
Cottage	2	\$620,000	0	\$0	\$0	0	\$0	\$0
Cottage (Alley)	3	\$693,000	66	\$45,738,000	\$7,409,556	0	\$0	\$0
Carriage	2	\$612,000	0	\$0	\$0	0	\$0	\$0
Subtotal			741	\$702,637,000	\$113,827,194	125	\$144,336,000	\$23,382,432
AGE-RESTRICTED								
Village	3	\$886,000	0	\$0	\$0	0	\$0	\$0
Cottage	3	\$746,000	71	\$52,966,000	\$8,580,492	34	\$25,364,000	\$4,108,968
Cottage	2	\$580,000	0	\$0	\$0	80	\$46,400,000	\$7,516,800
Cottage (Alley)	3	\$653,000	0	\$0	\$0	0	\$0	\$0
Carriage	3	\$567,000	0	\$0	\$0	0	\$0	\$0
Carriage	2	\$606,000	55	\$33,330,000	\$5,399,460	174	\$105,444,000	\$17,081,928
Subtotal			126	\$86,296,000	\$13,979,952	288	\$177,208,000	\$28,707,696
TOTAL SINGLE FAMILY			867	\$788,933,000	\$127,807,146	413	\$321,544,000	\$52,090,128
MULTI-FAMILY								
NON-RESTRICTED								
Townhouse	3	\$515,700	0	\$0	\$0	307	\$158,319,900	\$25,647,824
Townhouse	2	\$508,000	77	\$39,116,000	\$6,336,792	458	\$232,664,000	\$37,691,568
Multi-family	3	\$392,000	10	\$3,920,000	\$635,040	0	\$0	\$0
Multi-family	2	\$250,803	108	\$27,086,724	\$4,388,049	146	\$36,617,238	\$5,931,993
Multi-family	1	\$179,821	62	\$11,148,902	\$1,806,122	285	\$51,248,985	\$8,302,336
Subtotal			257	\$81,271,626	\$13,166,003	1196	\$478,850,123	\$77,573,720
AGE-RESTRICTED								
Townhouse	2	\$465,000	71	\$33,015,000	\$5,348,430	0	\$0	\$0
Multi-family	3	\$392,000	0	\$0	\$0	0	\$0	\$0
Multi-family	2	\$250,803	0	\$0	\$0	0	\$0	\$0
Multi-family	1	\$179,821	0	\$0	\$0	0	\$0	\$0
Subtotal			71	\$33,015,000	\$5,348,430	0	\$0	\$0
TOTAL MULTI-FAMILY			328	\$114,286,626	\$18,514,433	1196	\$478,850,123	\$77,573,720
GRAND TOTAL (RESIDENTIAL)			1195	\$903,219,626	\$146,321,579	1609	\$800,394,123	\$129,663,848
COMMERCIAL								
		Value psf	2015 Plan Square feet	2015 Plan Market Value	2015 Plan Assessed Value	2021 Plan Square feet	2021 Plan Market Value	2021 Plan Assessed Value
Retail	N/A	\$125	44,000	\$5,500,000	\$891,000	44,000	\$5,500,000	\$891,000
Office	N/A	\$130	29,415	\$3,823,950	\$619,480	29,415	\$3,823,950	\$619,480
Flex/Light Industrial	N/A	\$80	78,440	\$6,275,200	\$1,016,582	78,440	\$6,275,200	\$1,016,582
Warehouse	N/A	\$80	88,245	\$7,059,600	\$1,143,655	88,245	\$7,059,600	\$1,143,655
Subtotal**			240,100	22,658,750	\$3,670,718	240,100	\$22,658,750	\$3,670,718
TOTAL PROJECT				\$925,878,376	\$149,992,297		\$823,052,873	\$133,334,565
Notes: *Total assessed value is calculated using the assessment ratio of 16.2% for both residential and commercial property.								
** Consistent with the methodology used in the FSEIS, planned community facility and recreation space was not included in total assessed value.								
Sources: AKRF, Inc. based on information provided by Related Companies as reported by Robert Charles Lesser & Co. in a September 2013 market analysis for the project. This analysis conservatively uses 2013 market value estimates, rather than 2022 estimates which would be expected to have higher market values for townhome multi-family units.								

As shown in **Table 7**, using conservative assumptions with respect to market valuation, with 1,609 residential units and 240,100 square feet total of commercial development, the Proposed Action would generate approximately \$6.22 million in Town (including special districts) property taxes.

Table 7

Future with the 2022 Proposed Action:
Estimated Town Property Taxes from the Tuxedo Farms Development in 2021 Dollars

	Assessed Value	Category	Town Tax Rate (per 1,000)	Estimated Taxes Generated
		General	\$11.636	\$1,551,528
Residential (1,609 units)	\$129,663,848	G.OV	\$18.642	\$2,485,596
Commercial (240,100 sf)	\$3,670,718	Highway: Townwide	\$3.849	\$513,265
Total Assessed Value	\$133,334,565	H.OV	\$5.150	\$686,633
		Tuxedo Joint Fire	\$4.425	\$589,952
		Tuxedo Library	\$2.916	\$388,857
TOTAL REVENUES				\$6,215,831
Note: Assessed values based on assessment ratio of 16.2% for both residential and commercial property. General Outside Village (G. OV), Highway Outside Village (H. OV)				
Source: AKRF, based on estimated market values provided by The Related Companies, derived from Tuxedo Farms market study conducted by Robert Charles Lesser & Co. in September 2013, updated equalization rate from Town of Tuxedo 2021 Adopted Budget.				

The Proposed Action also would generate non-property tax revenues for the Town including from sources such as licenses and permits and fines and forfeitures. For the 2010 FSEIS and 2015 Special Permit approvals, the incremental non-property tax revenues generated by the project were estimated based on the project's incremental population, unit count, miles of roads, and increases in property taxes. Although the Proposed Action would result in increases for some of these factors, this analysis conservatively assumes the same amount of non-property tax revenues as the project with the 2015 Special Permit, adjusted for inflation. This is equivalent to approximately \$1.63 million annually at full build-out.

PROJECTED MUNICIPAL COSTS AND NET FISCAL IMPACT

The estimated annual expense of providing additional community services for the Proposed Action is based on municipal cost estimates from the project with the 2015 Approved Special Permit, which were estimated using methodology consistent with the 2010 FSEIS. Most municipal services, such as police protection, are influenced by total population (i.e., on a per-capita basis). The Proposed Action would increase the overall bedroom count by approximately 5.7 percent as compared with the 2015 Special Permit. As such, the overall project population could also be expected to increase by approximately 5.7 percent (7.1 percent for the conceptual maximum buildout with 2,950 non-age-restricted bedrooms). Therefore, this analysis grew the estimated municipal costs estimated for the project with the 2015 Approved Special Permit by 5.7 percent and adjusted for inflation so that both costs and revenues are reported in 2021 dollars.

Table 8 summarizes the estimated annual expenses for the project at full build with the Proposed Action, considering each major service currently provided by the Town, organized by Town budget category. Overall, at full build-out the Proposed Action is projected to have an annual cost to the town of approximately \$6.81 million.

Table 8
Future with the Proposed Action
Summary of Project-Related Incremental Municipal Costs
Town of Tuxedo

Budget Category	Estimated Annual Cost (2021 dollars)
General Fund: Townwide	\$2,036,058
General Fund: Outside Village	\$2,158,207
Highway: Townwide	\$174,568
Highway: Outside Village	\$147,219
Tuxedo Joint Fire District	\$1,281,537
Library District	\$1,015,600
Total Cost:	\$6,813,189
Source: Based on project-related incremental municipal expenditures estimates for the project with the 2015 Approved Special Permit, adjusted to September 2021 dollars using the NY/NJ/PA Consumer Price Index for All Urban Consumers	

The projected net fiscal impact to the Town of the Proposed Action, as compared to the project with the 2015 Approved Special Permit, is presented in **Table 9** by budget category. At full build-out, similar to the project with the 2015 Approved Special Permit, the Town would experience a net positive fiscal impact, although certain districts or fund categories may experience a net fiscal deficit that would require adjustment in taxes for the taxing jurisdictions. The overall net revenues to the Town are projected to be less with the Proposed Action, though this finding is heavily influenced by outdated market values, and very likely overstates the difference in net revenues.

Table 9
Summary of Annual Net Revenues/(Costs) at Full Build-Out Project with the
2015 Approved Special Permit Compared with the 2022 Proposed Action (in 2021 Dollars)

Budget Category	2015 Approved Special Permit	2022 Proposed Action
General	\$287,151	(\$16,772)
General Outside Village	\$1,902,627	\$1,475,404
Highway: Town wide	\$414,887	\$341,325
Highway Outside Village	\$646,738	\$552,995
Tuxedo Joint Fire	(\$548,589)	(\$691,585)
Tuxedo Library	(\$532,250)	(\$626,743)
Net Revenue/(Cost)	\$2,179,564	\$1,034,624
Notes: To present a more conservative analysis, the Proposed Action does not include the previous PILOT or CBD Grant.		

PROJECTED TUFSD REVENUES

Similar to the Town's budget process, TUFSD determines the amount of local taxation required to meet appropriations. For the 2020/2021 school year, the TUFSD required approximately \$11.24 million in property taxes to do so. The established property tax rate to meet that budgetary need was approximately \$76.13 per \$1,000 of assessed valuation. **Table 10** presents the projected property tax revenues to the TUFSD from the project with the Proposed Action.

Table 10

**Future with the 2022 Proposed Action:
Estimated TUFSD Property Taxes from the Tuxedo Farms Development in 2021 Dollars**

	Assessed Value	TUFSD Tax Rate (per 1,000)	Estimated Taxes Generated
Project Total (1,609 units, 240,100 sf of commercial)	\$133,334,565	\$76.128	\$10,150,465
<p>Note: Assessed values based on assessment ratio of 16.2% for both residential and commercial property.</p> <p>Source: AKRF, based on estimated market values provided by The Related Companies, derived from Tuxedo Farms market study conducted by Robert Charles Lesser & Co. in September 2013, updated equalization rate from Town of Tuxedo 2021 Adopted Budget and TUFSD tax rate from the 2020/2021 TUFSD Budget.</p>			

In addition to property tax revenues, TUFSD received approximately \$1.05 million in revenue funds from New York State (i.e., “State Aid”) for the 2020/2021 school year. While a school’s enrollment is a factor in determining State Aid, given the relatively low current enrollment at TUFSD (241 K-12 students), estimating potential State Aid revenue from the project on a per-student basis using the current enrollment would likely overstate future State Aid amounts. Therefore, to estimate incremental revenues from State Aid, this analysis conservatively assumes the same per-student amount utilized for the 2015 Special Permit, adjusted for inflation. This equates to approximately \$1,963 per student in the future with the Proposed Action. As detailed below, the Proposed Action is estimated to generate 372 school-aged children, equating to an estimated total of \$730,059 in State Aid annually.

PROJECTED TUFSD COSTS AND NET FISCAL IMPACT

Two factors are considered in estimating the project’s cost to the TUFSD: 1) the number of school-aged children likely to be generated by the project; and 2) the marginal cost per student to the TUFSD. The following sections summarize the analysis assumptions used to derive these estimates. Previous fiscal analyses had considered the Applicant’s donation of a parcel of land for a new school to accommodate potential overcrowding of the existing school facilities. However, due to changes in background conditions and the substantial reduction in the number of school age children within the TUFSD, a new school building may not be warranted. As discussed above, the Applicant is collaborating with the Tuxedo Union Free School District to modify that arrangement to better meet the needs of the development and the School District. Since these discussions are ongoing, the fiscal impact analysis does not take credit for the value of that land donation.

Number of School-Aged Children

For consistency purposes, this analysis presents student generation rates prepared by the Town of Tuxedo’s consultant Bay Area Economics (BAE) for the 2010 FSEIS. **Table 11** presents these student generation rates by housing type, and the resulting student projection estimates for the project with the 2015 Approved Special Permit and the Proposed Action. However, since those rates were based on the 2000 US Census, the estimated school age children based on the 2018 study, *Who Lives in New Jersey Housing? Updated New Jersey Demographic Multipliers*, is provided for comparative purposes (see **Table 12**).⁷ The school-age children generation rates presented in **Table 12** are based on the occupancy of newer housing units (constructed between 2000 and 2016) with above median housing values.

⁷ Listokin, D., & A. Voicu (November 2018). *Who Lives in New Jersey Housing? Updated New Jersey Demographic Multipliers*. Rutgers Center for Urban Policy Research Edward J. Bloustein School of Planning and Public Policy.

Table 11
Projected Number of School Age Children Based on 2010 FSEIS Student Generation Rates

Unit Type	Number of Bedrooms	Student Generation Rate ¹	2015 Approved		2022 Proposed Action		Net Change	
			Unit Count	Total Number of Students	Unit Count	Total Number of Students	Unit Count	Total Number of Students
Estate	4	0.880	48	42	0	0	-48	-42
Manor	4	0.880	126	111	115	101	-11	-10
Manor	3	0.524	0	0	10	5	10	5
Village	4	0.880	0	0	0	0	0	0
Village	3	0.524	250	131	0	0	-250	-131
Cottage	3	0.524	251	132	0	0	-251	-132
Cottage	2	0.140	0	0	0	0	0	0
Cottage (Alley)	3	0.524	66	35	0	0	-66	-35
Carriage	2	0.140	0	0	0	0	0	0
Townhouse	3	0.343	0	0	307	105	307	105
Townhouse	2	0.074	77	6	458	34	381	28
Multi-Family	3	0.332	10	3	0	0	-10	-3
Multi-Family	2	0.064	108	7	146	9	38	2
Multi-Family	1	0.036	62	2	285	10	223	8
TOTAL			998	468	1,321	265	323	-203

Notes: ¹ Student generation rates from BAE Memorandum dated March 16, 2010, per 2010 FSEIS.

Table 12
Projected Number of School Age Children Based on 2018 Student Generation Rates

Unit Type	Number of Bedrooms	Student Generation Rate ¹	2015 Approved		2022 Proposed Action		Net Change	
			Unit Count	Total Number of Students	Unit Count	Total Number of Students	Unit Count	Total Number of Students
Estate	4	1.057	48	51	0	0	-48	-51
Manor	4	1.057	126	133	115	122	-11	-12
Manor	3	0.362	0	0	10	4	10	4
Village	4	1.057	0	0	0	0	0	0
Village	3	0.362	250	91	0	0	-250	-91
Cottage	3	0.362	251	91	0	0	-251	-91
Cottage	2	0.245	0	0	0	0	0	0
Cottage (Alley)	3	0.362	66	24	0	0	-66	-24
Carriage	2	0.245	0	0	0	0	0	0
Townhouse	3	0.403	0	0	307	124	307	124
Townhouse	2	0.245	77	19	458	112	381	93
Multi-Family	3	0.074	10	1	0	0	-10	-1
Multi-Family	2	0.074	108	8	146	11	38	3
Multi-Family	1	0.000	62	0	285	0	223	0
TOTAL			998	417	1,321	372	323	-45

Notes: ¹ Table I-6, Illustrative New Jersey Statewide Residential Demographic Household Size and School Multipliers. Listokin, D., & A. Voicu (November 2018). *Who Lives in New Jersey Housing? Updated New Jersey Demographic Multipliers*. Rutgers Center for Urban Policy Research Edward J. Bloustein School of Planning and Public Policy.

The 2015 Special Permit plan included 998 non-age-restricted units, which were anticipated to generate 468 school-age children (or 417 children utilizing the 2018 multipliers). The Proposed Action includes 1,321 non-age-restricted units and is anticipated to generate 265 to 372 school-age children. The conceptual maximum buildout with 2,950 non-age-restricted units would result in 274 to 384 school age children. The proposed development program's shift from single-family to multi-family reduces the anticipated number of school-age children by between 45 and 203.

In May 2013, Hudson Valley Pattern for Progress (HVPP) published *The Empty Classroom Syndrome*, which discussed declining enrollment projections in the Hudson Valley as a result of declining birth rates and a net out-migration. In particular, this report identified declining enrollment trends in suburban and rural parts of Orange County (see Attachment C). By 2020, HVPP projected the Tuxedo Union Free School District to have a 33 percent decline in student population from its peak of 655 students in 2006 to 440. However, this report was published before the Greenwood Lake students left the district. At this time, the Tuxedo Union Free School District has 241 students, a 63 percent decline since 2006. As discussed in the HVPP report, declining enrollment trends have caused some districts to close schools. The Tuxedo Union Free School District is currently substantially under capacity and has been accepting students from other districts on a tuition basis to reach the economies of scale necessary to sustain the array of support services for the students.

Marginal Cost per Student

This analysis utilizes a similar methodology as the 2010 FSEIS to derive the marginal cost per student, utilizing current (2020/2021) TUFSD budget data. Specifically, the analysis considers the current TUFSD expenditures by district function (e.g., general support services, instruction, transportation, employee benefits) and considers whether the estimated project-generated student population would be expected to generate incremental (marginal) costs associated with these functions. Consistent with the 2010 FSEIS, this analysis included costs associated with Central Services, Pupil Transportation, Employee Benefits, Interfund Transfer, and Undistributed costs in estimating a marginal cost per student. One notable departure from the 2010 FSEIS methodology was the exclusion in this analysis of Instructional Costs. Given that the TUFSD is substantially under capacity, with a student-teacher ratio of 7:1 (compared to the New York State average of 14:1), it is reasonable to assume that the instructional demands of project students could largely be met by existing staff. Utilizing these assumptions, the estimated marginal cost per student is an estimated \$24,423 annually.⁸

Table 13 summarizes the projected annual cost and revenue to the TUFSD from the Proposed Action, along with a comparison to the project with the 2015 Approved Special Permit utilizing the same above-described methodology. Under the Proposed Action the anticipated revenue would decrease from approximately \$12.24 million to \$10.88 million, but the projected costs would also decrease from approximately \$10.18 million to \$9.08 million. Overall, the Proposed Action would slightly decrease net revenue from \$2.06 million to approximately \$1.78 million.

⁸ The estimated \$24,423 marginal cost by TUFSD budget category includes approximately \$4,604 in General Support, \$3,752 in Pupil Transportation, and \$16,067 in Undistributed.

Table 13
Summary of Annual Net Revenues/(Costs) to TUFSD at Full Build-Out
Project with the 2015 Approved Special Permit Compared with the 2022 Proposed
Action (in 2021 Dollars)

	2015 Approved Special Permit	2022 Proposed Action
Projected Revenue*	\$12,236,806	\$10,880,620
Projected Cost**	(\$10,178,727)	(\$9,083,138)
Net Revenue/(Cost)	\$2,058,079	\$1,797,482
Notes: TUFSD revenue and cost estimates are based on the 2018 student generation rates *Projected revenue includes estimated property tax revenues and State Aid equaling \$1,963 per incremental student. **Projected cost assumes a marginal cost of \$24,423 per incremental student.		

G. CULTURAL RESOURCES

The Proposed Action would not expand the limits of disturbance or add new development to areas not previously analyzed (see "2022 Land Development Plan" and "Overall Land Development Plan" in **Attachment A**). The Applicant has completed a Phase III Archaeological Data Recovery Assessment of the on-site quartz quarry. In a letter from Douglas P. Mackey dated February 26, 2007, the New York State Office of Parks Recreation and Historic Preservation indicated that the report fulfills the conditions of the Data Recovery Plan for the Project.

In view of the archaeological investigations already completed and the process that was put in place as part of the 2003 FEIS and 2004 Statement of Environmental Findings for addressing any resources that remain undiscovered, the Proposed Action is not anticipated to have a significant adverse environmental impact on cultural resources.

H. VISUAL QUALITY AND COMMUNITY CHARACTER

The Proposed Action would not add new development areas, and instead would concentrate development nearer to the center of the Project Site and farther away from existing residences within Tuxedo Park. In addition, the Proposed Action would maintain the development's extensive open space system, trails, sidewalks, and the visual buffer provided by the site's topography.

The Proposed Action would cluster development in the Commons and East Terrace neighborhoods and would and would integrate community amenity spaces such as community parks, trails, and neighborhood retail. The Proposed Action is design to replicate a traditional Hudson Valley neighborhood, and to foster a sense of place and established community. The Proposed Action would not increase the maximum height of the proposed development. As such, potential visibility would be comparable to what was previously studied and documented in the prior SEQRA reviews. As such, the Proposed Action is not anticipated to substantially change views of the Project Site from offsite locations.

In addition, the Proposed Action would maintain the Smart Code which identifies the various standards regulating the form and size of development (such as height, setback, etc.), as well as street standards, architectural guidelines, landscape guidelines, lighting, and streetscape requirements. The Smart Code provides comprehensive standards for each of the seven types of "neighborhoods" in Tuxedo Farms to

assure that each type is developed with the same community character and is subject to the same standards and regulations. The Smart Code also contains certain overlays to establish specific standards applicable only to particular geographic areas or neighborhoods. Although some minor modifications to the Smart Code to address the relocated density are proposed, the overall visual quality and cohesive character of the development would be maintained.

Therefore, the Proposed Action is not anticipated to result in any significant adverse visual quality or community character impacts.

I. GEOLOGY, SOILS, AND TOPOGRAPHY

The 2003 FEIS and 2010 FSEIS concluded that potentially significant adverse impacts to geography, soils, and topography would be avoided through adherence to the Performance Standards prepared for the Project. The Proposed Action includes both changes to the Preliminary Plan and Performance Standards to address the shift and relocation of unit types. However, the proposed changes are limited to permitting more multi-family units within the previously analyzed limits of the proposed development. The Proposed Action would not substantially change the previously analyzed development boundaries (see "2022 Land Development Plan" and "Overall Land Development Plan" in **Attachment A**). The limits of disturbance for each area of the development will be determined during the site plan approvals process, and will be designed to minimize grading, to balance the site, and to avoid new areas of disturbance. Therefore, the Proposed Action is not anticipated to result in any significant adverse impacts to geology, soils, or topography.

J. NATURAL RESOURCES

As discussed above, the Proposed Action would not substantially change the limits of the development from what was previously analyzed. The Proposed Action would remain within the approved development footprint and would not cause new disturbance to natural areas. The limits of disturbance for each area of the development will be determined during the site plan approvals process, and will be designed to avoid new wetland or wetland buffer impacts and new areas of disturbance.

The Project Site is located in an area that has the potential to support the federally endangered Indiana bat (*Myotis sodalis*) and federally threatened northern Long-eared Bat (*Myotis septentrionalis*). Potential impacts to threatened or endangered bat species were assessed as part of previous SEQRA reviews of the Project Site. In the spring of 2006, a bat mist net survey was conducted on the Southern Tract to determine the presence or absence of the Indiana bat. The survey pre-dated the 2015 listing of the Northern Long-eared Bat as a federally threatened and New York State endangered species; however, this species was included in the analysis. The Project Site was surveyed in two separate sessions from May 15, 2006, to May 21, 2006, and from June 9, 2006, to June 12, 2006. The survey confirmed the absence of the Indiana bat but confirmed the presence of several other bat species occurring on the site. Fifty-six bats representing four species were captured: 39 big brown bats (*Eptesicus fuscus*), 8 little brown bats (*Myotis lucifugus*), 2 northern long-eared bats (*Myotis septentrionalis*), and 7 eastern red bats (*Lasiurus borealis*). Approximately 58 percent of all captures were females; 72 percent of those females were pregnant. Big brown bats accounted for nearly 70 percent of the total capture. Reproductive adult females were captured from all species except the northern long-eared bat, which was only represented by adult males. No juveniles of any species were captured due to the early timing of the survey. Netting efforts provided no evidence that endangered Indiana bats use the Project Area during summer months. However, the survey did document the summer presence of the now federally threatened northern long-eared bat. The Proposed Action would maintain previous mitigation measures for threatened and endangered species and species of special concern as detailed in the previous approvals. In addition, if required, the Applicant would implement a time of year tree clearing restriction to avoid impacts to the northern long-eared bat. Consistent with

NYSDEC recommendations, tree clearing would occur during the northern long-eared bat hibernation period of November 1 through March 31.⁹

K. HYDROLOGY AND STORMWATER MANAGEMENT

The Proposed Action would not substantially change the impervious surfaces associated with the overall development (see "2022 Land Development Plan" and "Overall Land Development Plan" in **Attachment A**). The proposed stormwater management practices for the development will be designed during the site plan approvals process to comply with the latest New York State Department of Environmental Conservation (NYSDEC) Stormwater Management Design Manual (SDM), latest revision of January, 2015. Portions of the project were constructed from 2015 to 2017 and were designed to meet the latest NYSDEC SDM criteria for water quality treatment and quantity control while at the same time meeting the objectives of the project criteria reviewed under SEQRA. The practices included bioretention basins for water quality and dry/extended detention basins for stormwater quantity control, where needed.

The Proposed Action may increase the impervious surfaces in the higher density areas; however, these areas will be treated as discussed above. The plan will incorporate bio-swales, rain gardens, bioretention, and potentially other approved stormwater management practices noted within the NYSDEC SDM. The Proposed Action would integrate the stormwater management system with the landscape plan submitted with each site plan approval document set for each neighborhood. In addition, the proposed vegetation would primarily consist of native plantings to be consistent with the overall character of the Project.

L. WATER SUPPLY

The Proposed Action is not anticipated to generate a new significant adverse impact on water supply or energy. The proposed development program includes 3,514 bedrooms.¹⁰ As further described below, the proposed water supply is sufficient to meet the demand for the proposed 3,514 bedrooms and associated commercial and amenity spaces. Therefore, the Proposed Action is not anticipated to result in any new significant adverse impacts to potable water services.

The water facilities are being constructed in phases. The first phase, which is partially constructed, would accommodate 169,000 gallons per day (gpd). At full buildout the water facilities will have a total capacity of 392,000 gpd. The water system and construction were subject to Town, NYSDEC and NYSDOH review for compliance with all health and regulatory standards.

The potable water system is designed to accommodate flows as follows:

Water System - Currently Permitted / Partially Installed

2 wells – each rated for 250 gallons per minute (gpm)

Design average flow capacity (largest well out of service and maximum day factor 2.13) 169,000 gpd

Equivalent bedroom count (110 gpd / bedroom – DEC 2014) at 169,000 gpd: 1,536 bedrooms

2 Hour Fire flow capability: 2,000 gpm.

Water System at Full Buildout

Well LBG-1: 130 gpm

Well LBG-2: 250 gpm

⁹ <https://www.dec.ny.gov/animals/106713.html>

¹⁰ As discussed above, the amendments to the Special Permit would a maximum of 2,950 non-age-restricted bedrooms. If the existing age-restricted bedrooms were held constant to the proposed development program, this would result in a maximum potential bedroom count of 3,560.

Well LBG-6: 130 gpm

Well TW-2B: 250 gpm

Well TW-F: 70 gpm

Design average flow capacity (largest well out of service and maximum day factor 2.13) 392,000 gpd

Commercial uses (0.1 gpd/gsf): 5,400 gpd

Equivalent bedroom count (110 gpd / bedroom – DEC 2014) at 386,600 gpd: 3,514 bedrooms

As summarized above, as designed, the proposed water system would accommodate the proposed development program, which includes 3,514 bedrooms. If consistent with the Special Permit, additional bedrooms were proposed, the amount of commercial space could be reduced to accommodate up to a maximum of 3,560 bedrooms.

M. SANITARY SEWER SERVICES

The Proposed Action is not anticipated to generate a new significant adverse impact on sanitary sewer services. The Proposed Action would increase the maximum potential bedroom count to 3,560. As further described below, the proposed sanitary sewer system is sufficient to meet the demand for 3,560 bedrooms and associated commercial and amenity spaces. Therefore, the Proposed Action is not anticipated to result in any new significant adverse impacts to sanitary sewer services.

Tuxedo Farms has constructed a new wastewater treatment plant (WWTP) that will serve both residents of the project and the Town hamlet. The WWTP is being constructed in phases, and the first phase (Phase #1) is constructed to accommodate 311,000 gpd. The WWTP is master planned for a capacity expansion to 500,000 gpd as a second construction phase (Phase #2). The WWTP design and construction was subject to Town and NYSDEC review for compliance with treatment procedures and effluent standards.

The following section summarizes the WWTP plant and collection system capacity design and constraints.

COLLECTION SYSTEM

A significant portion of the collection system is constructed and ready for operation. The design was reviewed and approved by both the Town and NYSDEC. The capacity of the collection system is limited upstream of Pump Station 1C (PS 1C) by the capacity of the pump station. The capacity of the collection system downstream of PS 1C exceeds the capacity of the WWTP at full buildout and the limiting factor for the service area between the PS 1C and the WWTP is the capacity of the WWTP.

The capacity of the collection upstream of pump station PS 1C is as follows:

Upstream of pump station PS 1C

Design average flow: 270,000 gpd

Actual capacity based on final pump selection: 349,000 gpd (3.3 PF to 1.15 MGD)

Equivalent bedroom count (110 gpd / bedroom – DEC 2014) at 349,000 gpd: 3,173 bedrooms

WASTEWATER TREATMENT PLANT (WWTP)

The Phase #1 portion of the WWTP, with a capacity of 311,000 gpd, is constructed and the WWTP is ready to be placed into operation. As discussed above, the WWTP was master planned to allow for the facility to be expanded to 500,000 gpd. The Phase #2 expansion would be accommodated by adding additional flow equalization capacity along with additional aeration and membrane bioreactor (MBR) system capacity.

WWTP - Current Design

Design average flow: 311,000 gpd

Flow allocated to Hamlet District: 100,000 gpd

Available average flow capacity for Farms District: 211,000 gpd

Equivalent bedroom count (110 gpd / bedroom – DEC 2014) at 211,000 gpd: 1,918 bedrooms

WWTP Buildout – Master Plan

WWTP master planned for buildout to 500,000 gpd.

Design average flow: 500,000 gpd

Flow allocated to Hamlet District: 100,000 gpd

Available average flow capacity for Farms District: 400,600 gpd

Commercial uses: 5,400 gpd

Equivalent bedroom count (110 gpd / bedroom – DEC 2014) at 394,600 gpd: 3,587 bedrooms

As summarized above, with Phase #2 in place, the proposed WWTP would accommodate a maximum of 3,587 bedrooms which is greater than the 3,514 bedrooms proposed.

N. SOLID WASTE

The 2003 FEIS concluded that the Project would not result in a significant impact on the Town's ability to manage solid waste. The Proposed Action is not anticipated to substantially change the conclusions presented in the FEIS. Although the Proposed Action would increase the number of units overall, the proposed increase would not substantially increase anticipated population of the development. The Environmental Protection Agency (EPA) estimates municipal solid waste (MSW) of 4.9 pounds per person per day.¹¹ With an average household size of 2.5, the Proposed Action would increase the anticipated population from 2,988 people to 4,023 people (including children).¹² As such, the Proposed Action would increase solid waste generation from 14,639 to 19,710 pounds per day. It is anticipated that the increased costs associated with waste removal would be accommodated by the tax revenues associated with the Proposed Action.

O. HAZARDOUS MATERIALS

A Phase 1 Environmental Site Assessment was conducted as part of the 2003 FEIS. The assessment did not reveal any hazardous conditions on the site. The two dumping areas in the Southern and Northern Tracts previously identified were cleaned up in accordance with applicable State and Federal laws. The Proposed Action is not anticipated to uncover any hazardous conditions not previously discovered. However, as per the prior approvals, the Applicant is responsible for delivering a site remediated in accordance with NYSDEC standards should such conditions be discovered.

P. TRAFFIC

A traffic impact study (TIS) was conducted by Philip Habib & Associates to analyze the potential impacts of the Proposed Action. As detailed in the TIS, based on an updated travel demand forecast it is estimated that there would be a relatively small (4 percent to 5 percent) increase in the numbers of vehicle trips generated during the weekday AM and PM peak hours under the Proposed Action compared to the numbers of vehicle trips generated by the program assessed in the 2003 FEIS. However, it should be noted that the traffic analysis in the 2003 FEIS took a conservative approach with respect to forecasting background

¹¹ <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/national-overview-facts-and-figures-materials#Generation> (accessed January 10, 2022)

¹² US Census, American Community Survey (2019) average household size for the Town of Tuxedo, NY.

conditions (e.g., by assuming a one percent/year background growth rate). Recent traffic count data collected both prior and subsequent to the onset of the Covid-19 pandemic indicate that volumes at analyzed intersections are below levels forecasted for the 2015 No Build condition in the 2003 FEIS. In addition, it should also be noted that one long-term effect of the pandemic has likely been a permanent shift from daily commuting to work-from-home by a portion of the workforce, a condition that is not reflected in the factors used for the residential travel demand forecasts for both the 2003 FEIS and the Proposed Action (which are based on pre-pandemic data). The forecasts therefore likely overestimate the levels of peak hour commuter travel demand that will be generated in the future by the Project's residential component. Consequently, it is unlikely that future traffic volumes with the Proposed Action would exceed those forecast in the 2003 FEIS, or would result in new or substantially different significant adverse traffic impacts in the AM and PM peak hours compared to those disclosed in the 2003 FEIS and subsequent analyses. Therefore, the traffic mitigation measures outlined in the 2003 FEIS are expected to remain effective at mitigating any significant adverse traffic impacts under the Proposed Action. Lastly, based on the updated travel demand forecast and the likely permanent shift from daily commuting to work-from-home by some workers, it is anticipated that there will be less demand for the planned jitney service to nearby commuter rail stations and bus stops than previously estimated. Therefore, under the Proposed Action the jitney service would be initiated at the issuance of the 100th certificate of occupancy for the Project rather than the 50th certificate of occupancy as previously assumed.

Q. AIR QUALITY

Air quality levels were assessed in the 2003 FEIS and it was determined that the Project would not result in any significant adverse air quality impacts. Since the Proposed Action is not anticipated to result in any significant change in traffic volumes, potential changes to air quality from the levels previously analyzed would be insignificant. Therefore, the Proposed Action is not anticipated to result in any significant adverse air quality impacts.

R. NOISE

Noise levels were assessed in the 2003 FEIS and it was determined that the Project would not result in any significant adverse noise impacts. Since the Proposed Action is not anticipated to result in any significant change in traffic volumes, potential noise increases would be insignificant. Therefore, the Proposed Action is not anticipated to result in any significant adverse noise impacts.

S. CONSTRUCTION IMPACTS

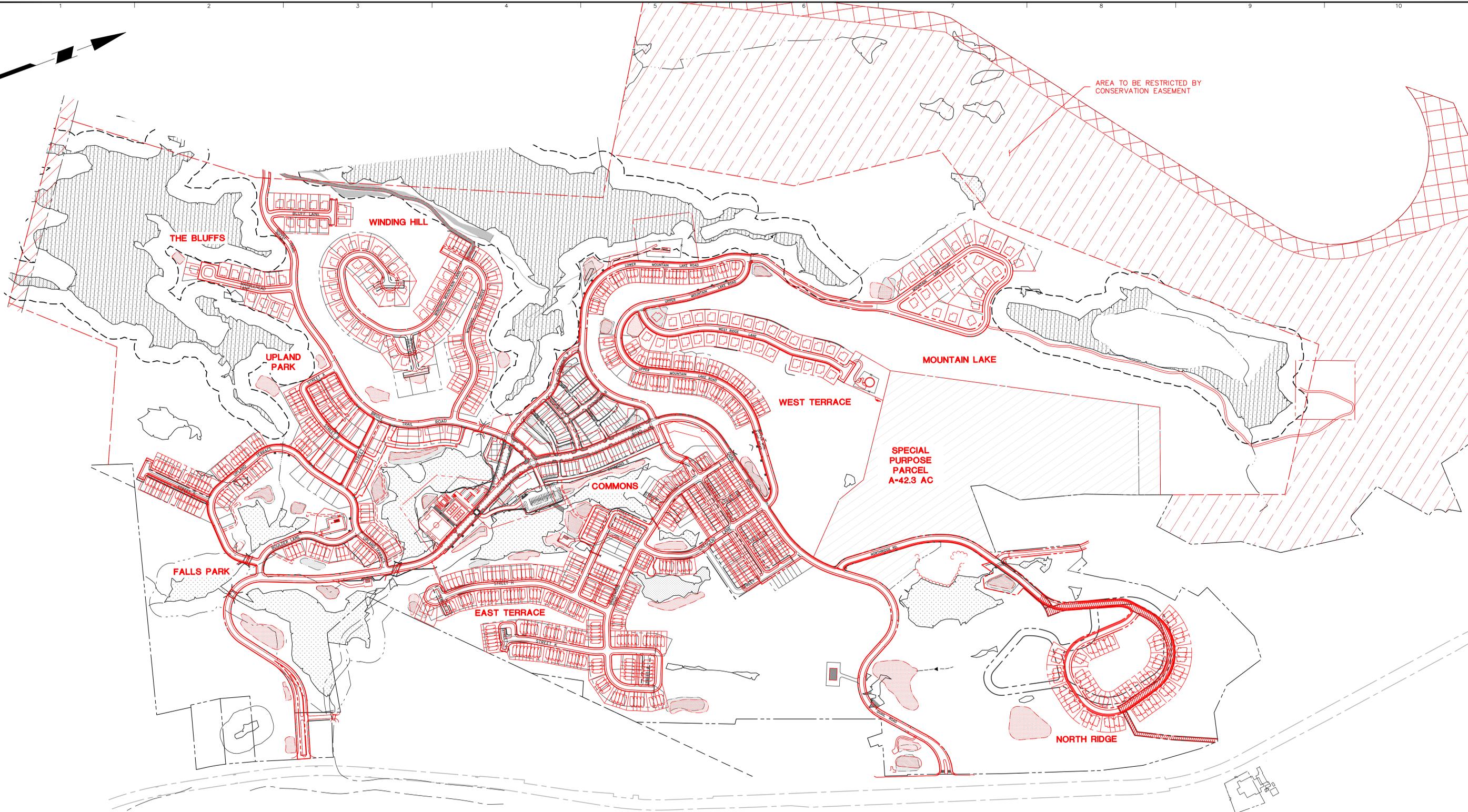
The Proposed Action would alter the sequencing of construction activities and would allow for overlapping of construction sequencing as necessary to accommodate changes in market demand. Previous iterations of the project contemplated three distinct phases. The Proposed Action moves away from this strict sequencing of the development. This would enable the development of the Active Adult community sooner since that community is currently planned for the area formerly designated as Phase 2. The construction sequencing will be developed rationally to allow efficient cutting and filling, thoughtful completion of amenities, commercial areas, and neighborhoods to deliver the quantity and diversity of home types to meet the market as it may evolve and minimize construction disturbance to residents. It is anticipated that initial construction will involve the completion of Quail Road (with connection to Route 17 in Sloatsburg); the amenities, commercial and multifamily buildings in the Commons; and the townhomes and single-family homes in West Terrace.

To prepare for the construction of the Active Adult community, construction would then commence on Bridle Trail Road (in the area formally known as Phase 2). Site fill work would continue in East Terrace throughout as appropriate material is available (from internal or external sources) and is anticipated to commence full development following completion of grading. Upland Park, Winding Hill, The Bluffs, Mountain Lake, and North Ridge neighborhoods are anticipated to follow. All construction phasing and sequencing is subject to change and will evolve as the project develops.

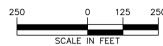
The amount of construction activity on the Project Site would not materially change from previous approvals. However, the Proposed Action would alter the timing of construction vehicle access to the Project Site. Previously, construction vehicles were to avoid, to the extent practical, entering and exiting the site between 7:15 a.m. and 8:15 a.m. and between 5 p.m. and 6 p.m. on weekdays. Under the Proposed Action, construction trucks will be limited to five entering and five exiting the site from 7:30 a.m. to 8:30 a.m. and from 5 p.m. to 6 p.m. This limitation would not apply to two-axle vehicles; however, construction would typically start at 7 a.m. on weekdays to facilitate the arrival of worker autos and deliveries by truck prior to 7:30 a.m. In addition, as construction work typically ends at 4 p.m., relatively little construction-related traffic is expected to enter/exit the site during the 5 p.m. to 6 p.m. period. Given the small number of construction vehicle trips expected to use the local roadway system during the 7:30 a.m. to 8:30 a.m. and 5 p.m. to 6 p.m. periods with this change in the timing of vehicle access to the site, the Proposed Action is not anticipated to result in any new potentially significant adverse traffic impacts.

In addition, the Proposed Action would concentrate development nearer to the center of the Project Site and decrease the overall development footprint. The Proposed Action would adhere to all construction mitigation measures specified in the prior approvals. Therefore, the Proposed Action is not anticipated to result in any new potentially significant adverse construction impacts from those evaluated in the prior approvals.

Attachment A



WARNING: IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.



3	OWNER SITE LAYOUT CHANGES	01/25/22
2	TOWN COMMENTS	04/20/15
1	TOWN COMMENTS	06/10/14
No.	REVISIONS	DATE

SIGNATURE _____ DATE _____
 GEORGE DERRICK
 PROFESSIONAL ENGINEER N.Y. Lic. No. 48930-1

TUXEDO FARMS
 TOWN OF TUXEDO, ORANGE COUNTY

2022 LAND DEVELOPMENT PLAN

SCALE 1" = 250'	PROJECT NO. 1280702	EXHIBIT A
DATE 04/09/2014		

LANGAN PROJECT No. 1280702



WARNING: IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.

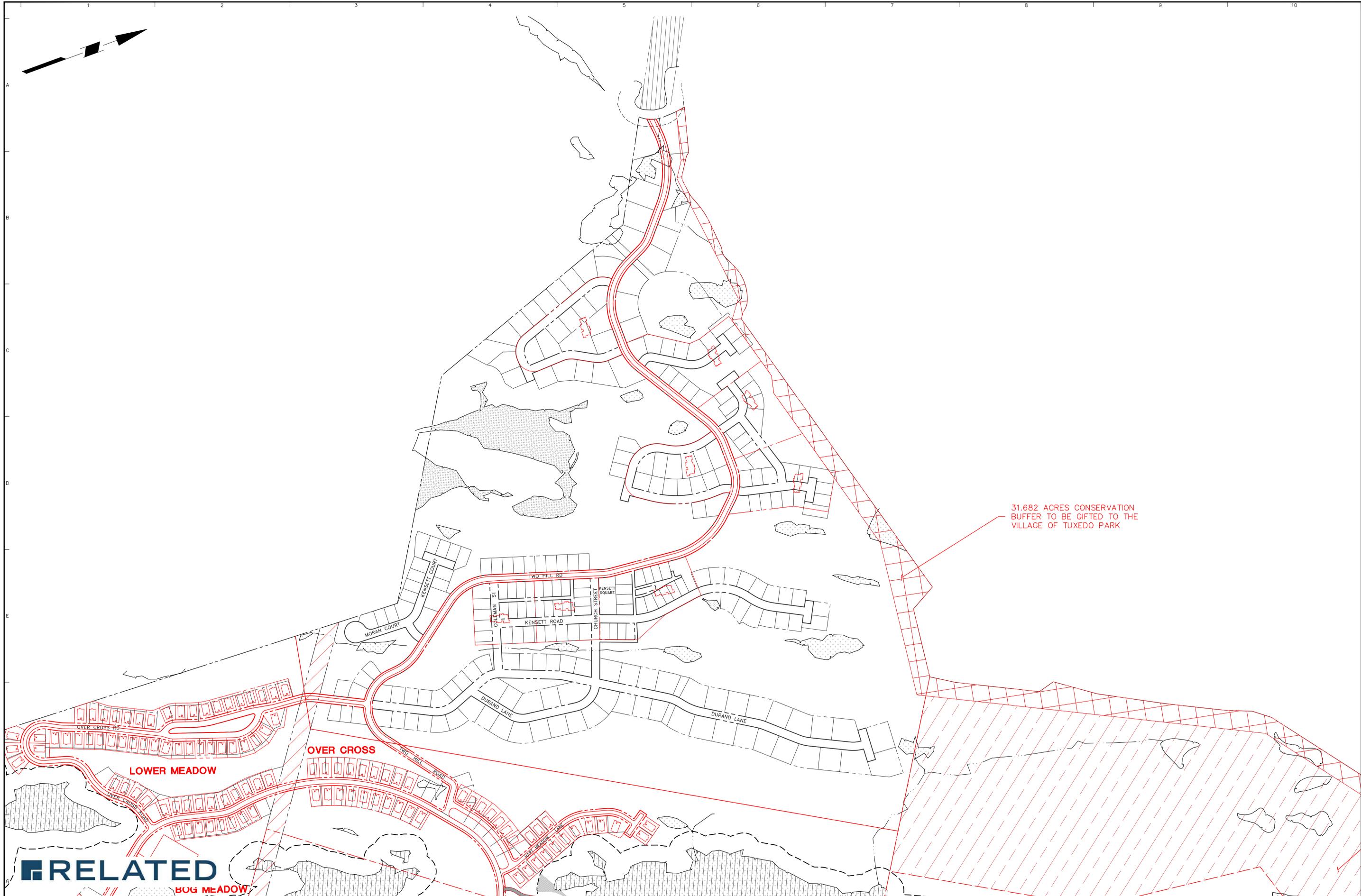


3	OWNER SITE LAYOUT CHANGES	01/25/22
2	TOWN COMMENTS	04/20/15
1	TOWN COMMENTS	06/10/14
No.	REVISIONS	DATE

SIGNATURE _____ DATE _____
 GEORGE DERRICK
 PROFESSIONAL ENGINEER N.Y. Lic. No. 48930-1

TUXEDO FARMS
 TOWN OF TUXEDO, ORANGE COUNTY

2022 LAND DEVELOPMENT PLAN		
SCALE	PROJECT NO.	EXHIBIT
1" = 200'	1280702	B
DATE		
04/09/2014		



31.682 ACRES CONSERVATION
BUFFER TO BE GIFTED TO THE
VILLAGE OF TUXEDO PARK



BUG MEADOW

WARNING: IT IS A VIOLATION OF THE NYS
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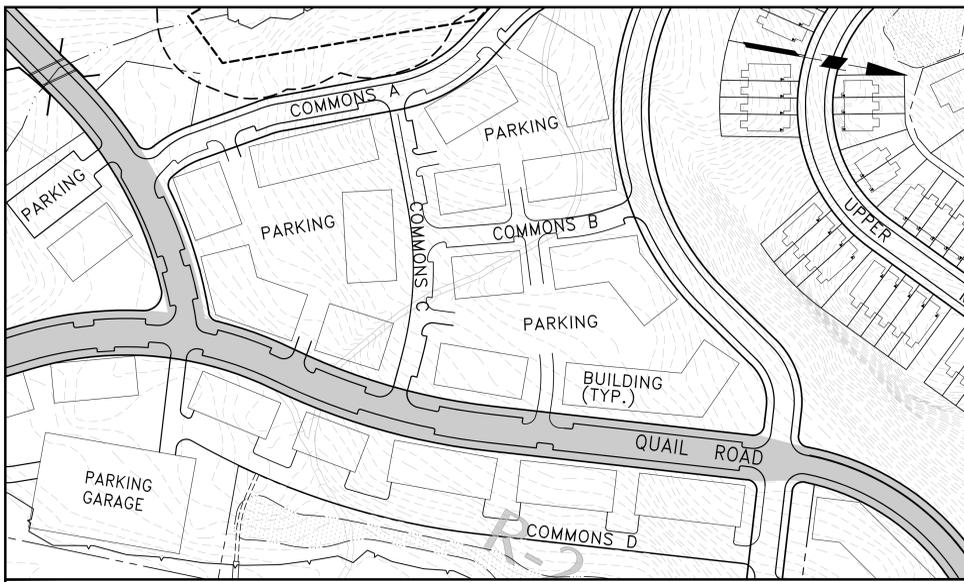
3	OWNER SITE LAYOUT CHANGES	01/25/22
2	TOWN COMMENTS	04/20/15
1	TOWN COMMENTS	06/10/14
No.	REVISIONS	DATE

SIGNATURE _____ DATE _____
GEORGE DERRICK
PROFESSIONAL ENGINEER N.Y. Lic. No. 48930-1

TUXEDO FARMS

TOWN OF TUXEDO, ORANGE COUNTY

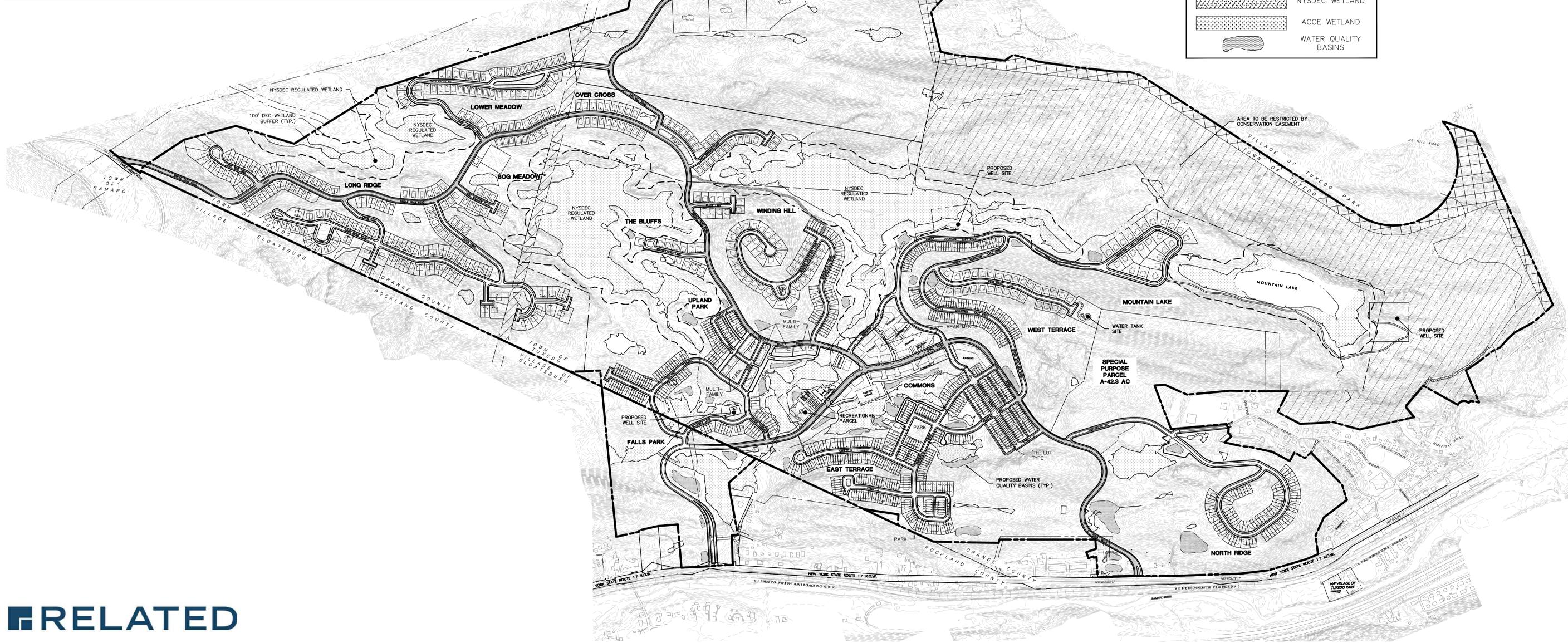
2022 LAND DEVELOPMENT PLAN		
SCALE	PROJECT NO.	EXHIBIT
1" = 200'	1280702	C
DATE		
04/09/2014		



COMMONS AREA INSERT

SCALE: 1" = 100'

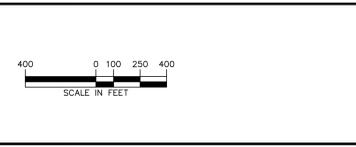
NOTE: BUILDING FOOTPRINTS SHOWN ARE THEORETICAL AND DO NOT REPRESENT BUILDING DESIGNS



LEGEND	
	ROADS OFFERED FOR DEDICATION
	DEDICATED AREA
	PHASE LINE
	PROPERTY LINE
	NEIGHBORHOOD LINE
	NYSDEC WETLAND
	ACOE WETLAND
	WATER QUALITY BASINS



3	OWNER SITE LAYOUT CHANGES	01/25/22
2	OWNER SITE LAYOUT CHANGES	11/04/21
1	TOWN COMMENTS	06/10/14
No.	REVISIONS	DATE



SIGNATURE: MICHAEL FINAN
 PROFESSIONAL ENGINEER NY Lic. No. 081473-1
 DATE: _____

TUXEDO FARMS
 TOWN OF TUXEDO, ORANGE COUNTY

OVERALL LAND DEVELOPMENT PLAN		
SCALE: 1" = 400'	PROJECT NO. 190072101	FIGURE NO. LDP-6
DATE: 04/09/2014		

Filename: \langan\data\190072101\Project Data\CAD\1\Sheaf\1\1\Concepts\Land Development Plan\190072101-CB101-0101.dwg Date: 1/27/2022 Time: 07:27 User: czkolc Style Table: Langan.stb Layout: Land Development Plan

PROJECT No. 1280702

LANGAN

	OPEN SPACE			
	Proposed w/ PIPC Parcel		Proposed w/o PIPC Parcel	
	Acres	% of Total	Acres	% of Total
Southern Tract ⁽²⁾	782	35.0%	782	34.0%
Lot 28 (PIPC)	13	0.6%	N/A	N/A
Northern Tract	753	33.7%	753	32.7%
Fox Hill Tract	209	9.4%	209	9.1%
TOTAL	1757	78.7%¹	1744	75.8%¹

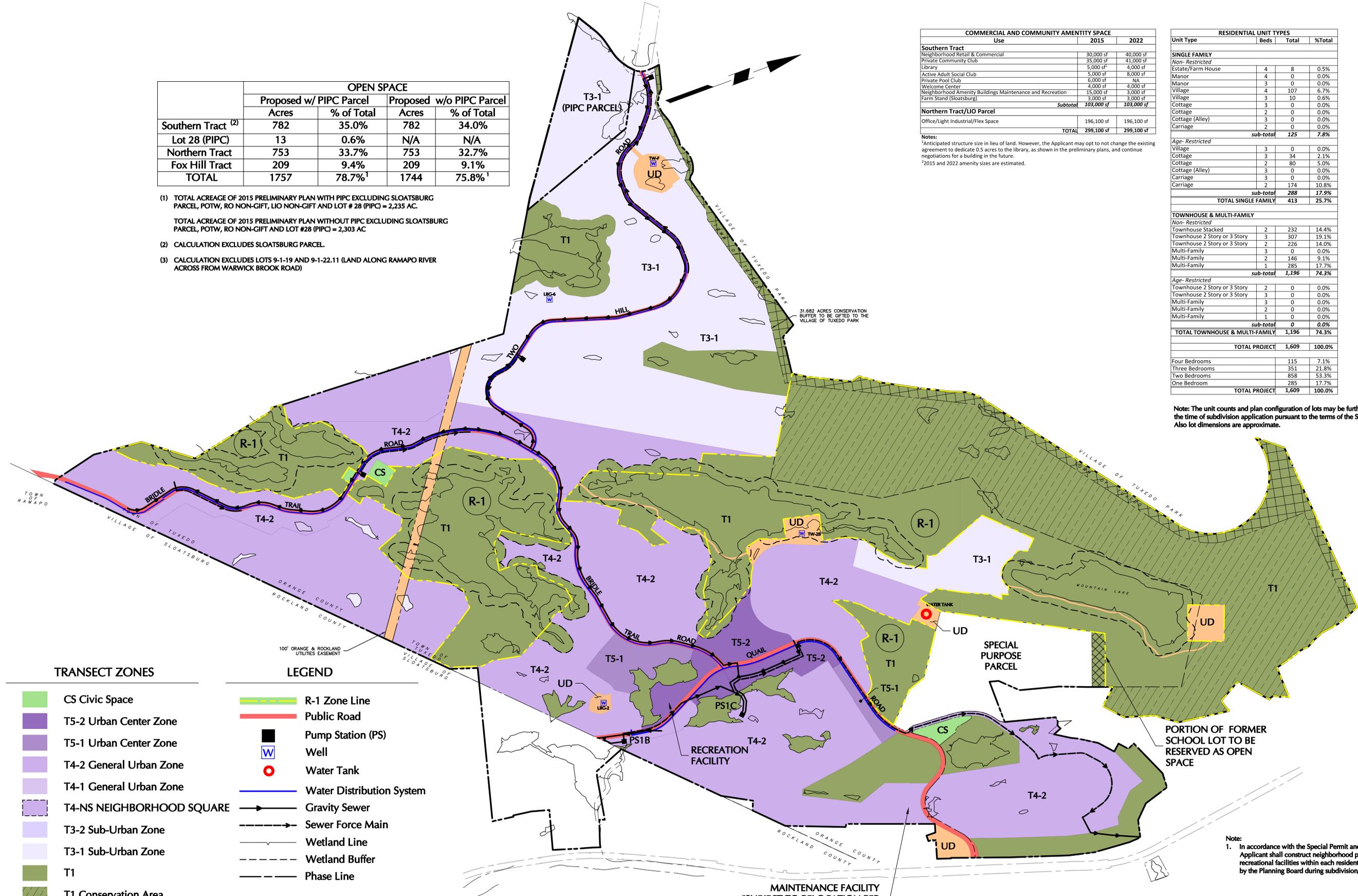
- (1) TOTAL ACREAGE OF 2015 PRELIMINARY PLAN WITH PIPC EXCLUDING SLOATSBURG PARCEL, POTW, RO NON-GIFT, LIO NON-GIFT AND LOT # 28 (PIPC) = 2,235 AC.
TOTAL ACREAGE OF 2015 PRELIMINARY PLAN WITHOUT PIPC EXCLUDING SLOATSBURG PARCEL, POTW, RO NON-GIFT AND LOT #28 (PIPC) = 2,303 AC
- (2) CALCULATION EXCLUDES SLOATSBURG PARCEL.
- (3) CALCULATION EXCLUDES LOTS 9-1-19 AND 9-1-22.11 (LAND ALONG RAMAPO RIVER ACROSS FROM WARWICK BROOK ROAD)

COMMERCIAL AND COMMUNITY AMENITY SPACE		
Use	2015	2022
Southern Tract		
Neighborhood Retail & Commercial	30,000 sf	40,000 sf
Private Community Club	35,000 sf	41,000 sf
Library	5,000 sf	4,000 sf
Active Adult Social Club	5,000 sf	8,000 sf
Private Pool Club	6,000 sf	NA
Welcome Center	4,000 sf	4,000 sf
Neighborhood Amenity Buildings Maintenance and Recreation	15,000 sf	3,000 sf
Farm Stand (Sloatsburg)	3,000 sf	3,000 sf
	Subtotal	103,000 sf
Northern Tract/LIO Parcel		
Office/Light Industrial/Flex Space	196,100 sf	196,100 sf
	TOTAL	299,100 sf

Notes:
¹Anticipated structure size in lieu of land. However, the Applicant may opt to not change the existing agreement to dedicate 0.5 acres to the library, as shown in the preliminary plans, and continue negotiations for a building in the future.
²2015 and 2022 amenity sizes are estimated.

RESIDENTIAL UNIT TYPES			
Unit Type	Beds	Total	%Total
SINGLE FAMILY			
<i>Non-Restricted</i>			
Estate/Farm House	4	8	0.5%
Manor	4	0	0.0%
Manor	3	0	0.0%
Village	4	107	6.7%
Village	3	10	0.6%
Cottage	2	0	0.0%
Cottage (Alley)	3	0	0.0%
Carriage	2	0	0.0%
	sub-total	125	7.8%
<i>Age-Restricted</i>			
Village	3	0	0.0%
Cottage	3	34	2.1%
Cottage (Alley)	2	80	5.0%
Carriage	3	0	0.0%
Carriage	2	174	10.8%
	sub-total	288	17.9%
	TOTAL SINGLE FAMILY	413	25.7%
TOWNHOUSE & MULTI-FAMILY			
<i>Non-Restricted</i>			
Townhouse Stacked	2	232	14.4%
Townhouse 2 Story or 3 Story	3	307	19.1%
Townhouse 2 Story or 3 Story	2	226	14.0%
Multi-Family	3	0	0.0%
Multi-Family	2	146	9.1%
Multi-Family	1	285	17.7%
	sub-total	1,196	74.3%
<i>Age-Restricted</i>			
Townhouse 2 Story or 3 Story	2	0	0.0%
Townhouse 2 Story or 3 Story	3	0	0.0%
Multi-Family	3	0	0.0%
Multi-Family	2	0	0.0%
Multi-Family	1	0	0.0%
	sub-total	0	0.0%
	TOTAL TOWNHOUSE & MULTI-FAMILY	1,196	74.3%
	TOTAL PROJECT	1,609	100.0%
Four Bedrooms	115	7.1%	
Three Bedrooms	351	21.8%	
Two Bedrooms	858	53.3%	
One Bedroom	285	17.7%	
	TOTAL PROJECT	1,609	100.0%

Note: The unit counts and plan configuration of lots may be further revised at the time of subdivision application pursuant to the terms of the Special Permit. Also lot dimensions are approximate.

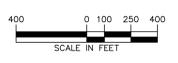


TRANSECT ZONES

- CS Civic Space
- T5-2 Urban Center Zone
- T5-1 Urban Center Zone
- T4-2 General Urban Zone
- T4-1 General Urban Zone
- T4-NS NEIGHBORHOOD SQUARE
- T3-2 Sub-Urban Zone
- T3-1 Sub-Urban Zone
- T1
- T1 Conservation Area
- T1 Buffer
- UD Utility District

LEGEND

- R-1 Zone Line
- Public Road
- Pump Station (PS)
- Well
- Water Tank
- Water Distribution System
- Gravity Sewer
- Sewer Force Main
- Wetland Line
- Wetland Buffer
- Phase Line



No.	REVISIONS	DATE	No.	REVISIONS	DATE
6.	2022 REVISED SITE PLAN	1/25/2022	3.	REVISED PER TOWN COMMENTS	4/20/2015
5.	2021 REVISED SITE PLAN	11/12/2021	2.	ADDED LIBRARY LOCATION AND DESIGNATION	2/28/2015
4.	REVISED UNIT MIX TABLES	12/20/2017	1.	REVISED PER TOWN COMMENTS	1/30/2015

SIGNATURE: MICHAEL FINAN, PE
PROFESSIONAL ENGINEER N.Y. Lic. No. 081473
DATE: _____

TUXEDO FARMS
TOWN OF TUXEDO, ORANGE COUNTY

REGULATING PLAN		
SCALE	PROJECT NO.	FIGURE NO.
1" = 400'	1280702	1-2
DATE		
11/24/14		

