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## Technical Memorandum Tuxedo Farms

~~March 9~~ May 26, 2022

### A. INTRODUCTION

Tuxedo Reserve Owner, LLC (the “Applicant”) is seeking to amend its development program last approved in April 2015 by the Tuxedo Town Board as part of the 2015 Amendment to the Special Permit for the Tuxedo Farms project (formerly known as “Tuxedo Reserve”).

Specifically, the Applicant proposes to increase the total (including age-restricted) ~~maximum~~ unit count from ~~1,375~~195 to 1,609, and to increase the total bedroom count from 3,324 to 3,514. The 2015 Special permit limited the number of non-age-restricted bedrooms to 2,860 and the Proposed Action would increase that cap to 2,950. Due to sewer and water capacity, the maximum number of bedrooms inclusive of age-restricted units would be capped at 3,560. As such, this Technical Memorandum analyzes both the proposed 1,609 unit/3,514 bedroom development program and a maximum build-out scenario of 1,609 units with 3,560 bedrooms.

The proposed changes ~~would allow the Applicant to~~ to the Special Permit and associated plans and Design Standards would adjust the unit mix distribution to meet current market demand ~~for~~ for “Missing Middle” housing. As further described below, Missing Middle housing is a range of buildings with multiple units that provide a similar living experience to single-family homes and that are located in a walkable neighborhood.<sup>1</sup> In addition, the Applicant proposes ~~updates to~~ update and replace the Preliminary Plan and Design Standards<sup>2</sup> to accommodate the new development program, new building types such as stacked townhomes, and to permit additional building materials ~~such~~. The Applicant also proposes an amendment to Local Law 3 of 2011 (collectively, all these modifications are referred to as high-quality vinyl siding (the “Proposed Action”).

Tuxedo Farms is located in the Town of Tuxedo and consists of three tracts of land—the Fox Hill Tract, Northern Tract, and Southern Tract—totaling approximately 2,247 acres (see **Table 1** and “Land Holdings” map in **Attachment A**).

The Proposed Action locates the development within the previously analyzed limits of disturbance and would not establish new development areas (see “2022 Land Development Plan” and “Overall Land Development Plan” in **Attachment A**). In addition, because the Proposed Action involves more townhome and multi-family units to meet demand for the “Missing Middle,” the overall limits of disturbance on the Southern Tract would be reduced from approximately 443 acres to approximately 380 acres as the development would be more concentrated in the Commons area and the neighborhoods immediately

<sup>1</sup> <https://missingmiddlehousing.com/> (accessed 05/04/2022)

<sup>2</sup> The “Design Standards” ~~include~~ consists of the Smart Code, Performance Standards, and Architectural and Landscape Design Guidelines.

surrounding it. ~~Therefore, the Proposed Action involves no significant~~ Under the Proposed Action, the limits of disturbance would be reduced in the area formerly designated as Phase III in the northern portion of the Southern Tract (see Sheet C, "2022 Land Development Plan" in Attachment A). The remaining areas of disturbance would be substantially similar to the previously approved project with minor deductions due to slight roadway realignments or reduction in lots. Therefore, with these reductions in disturbed areas, the Proposed Action involves no significant adverse changes to earthwork or other physical improvements related to the Preliminary Plan, last approved in April 2015.

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 and current demographic and market needs. The Preliminary Plan and Design Standards offer a framework for the buildout of the project.

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

The Tuxedo Farms project is a Planned Integrated Development (PID) most recently approved under the Town of Tuxedo Zoning ordinance in 2015. The 2015 development program comprised a total of 1,195 residential units,<sup>3</sup> up to 100,000 square feet of project amenity/commercial use<sup>4</sup> on the Southern Tract,<sup>5</sup> a 3,000 square foot farm stand in the Village of Sloatsburg<sup>6</sup>, up to 196,100 square feet of office/light industrial/flex space on the Northern Tract, and associated infrastructure ~~and~~ stormwater, landscaping and other site improvements on ±2,301 acres (see Table 1). No changes are proposed to the previously contemplated development program on the Northern Tract at this time. The Proposed Action would maintain the total site acreage and total preserved open space areas that were approved as part of the 2015 Special Permit.

**Table 1  
Project Acreage**

| Area                        | Total Open Space | Total Area (Acres)              |
|-----------------------------|------------------|---------------------------------|
| Southern Tract <sup>1</sup> | 782              | 1,197 <sup>2</sup>              |
| Northern Tract <sup>3</sup> | 753              | <del>879</del> 841 <sup>4</sup> |
| Foxhill Tract <sup>5</sup>  | 209              | <del>234</del> 209              |

<sup>3</sup> The 2015 approvals analyzed and showed 1,195 units. However, the Special Permit allowed for the potential of up to 1,395 units inclusive of 180 senior or assisted living units.

<sup>4</sup> ~~Per the 2015 Special Permit, 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 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.~~

<sup>5</sup> Per the 2015 Special Permit, 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 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. The Applicant proposes that such non-residential uses may include event space, pet care, property management or leasing office, and temporary offices for home sales and rentals.

<sup>6</sup> 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.

| TOTAL AREA <sup>6</sup>  | 1,744 | 2,304,247 |
|--|-------|-----------|
| <b>Notes:</b>  |       |           |
| <sup>1</sup> Currently owned by Tuxedo Reserve Owner LLC but will be transferred to a joint venture of Related and Lennar.   |       |           |
| <sup>2</sup> Includes 1.6-acre Medynski, and 3.2-acre Mazzariello parcels (added in 2007). Includes 31.682 conservation buffer gifted to the Village of Tuxedo Park in 2016. |       |           |
| <sup>3</sup> Owned by Tuxedo Reserve Investment Partners, LP   |       |           |
| <sup>4</sup> Excludes 40.3-acre RO Non-Gift parcel which was retained by Tuxedo Park Associates and is not part of the project.  |       |           |
| <sup>4</sup> Includes 702,242 acres gifted to the Town of Tuxedo and 50,258 acres gifted to the Village of Tuxedo Park in 2016. Excludes 28,648 acres sold in 2015.          |       |           |
| <sup>5</sup> This Tract has been transferred was gifted to the Village of Tuxedo Park.   |       |           |
| <sup>6</sup> Excludes Sloatsburg.  |       |           |

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 Standards 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 approved. In 2017, additional ~~minor~~ amendments to the Special Permit were reviewed by the Town Board. However, the 2017 Special Permit was not finalized and that application has been withdrawn. Where applicable, the 2017 proposed changes are incorporated into the Proposed Action. This includes changes to the permissible building materials to allow items such as vinyl siding.

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
- ~~Updated~~ Update and replace 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 its development program to meet current market demand. There is strong market demand for compact walkable communities with access to a town center. These types of

communities rely on neighborhood-scale density and amenities to enliven community activity and support retail and other commercial uses.

### **TUXEDO FARMS**

Tuxedo Farms is a walkable planned community comprising several residential neighborhoods centered around a mixed-use town center. The centerpiece of Tuxedo Farms is the Commons. It is a neighborhood commercial area providing a critical place-making function which is essential to establishing the character and quality of Tuxedo Farms. Areas that have been designated as environmentally sensitive still form the foundation of the open space system throughout the site. Approximately 1,744 acres are to remain primarily in a natural and undeveloped state as open space, preserving scenic and environmental qualities of the Southern, Fox Hill, and Northern Tracts. As further described below, each of the neighborhoods within Tuxedo Farms has its own character, amenities, and meets a housing need, while maintaining physical and visual connectivity to the Commons through walking trails and cohesive design.

#### **THE COMMONS**

The Commons is the mixed-use center of Tuxedo Farms, located on approximately 20 acres at the crossroads of Quail Road, which connects Tuxedo Farms to the broader region from Route 17 and internally to the neighborhoods north and east, and Bridle Trail Road, which connects to the neighborhoods to the south and west. Following the tradition of towns in the region, The Commons draws inspiration from the Tudor style which is often in the urban center of these historic communities. The Commons will offer a range of amenities that could include shops and restaurants, gathering and event spaces, fitness facilities and a recreation center, farmers markets, and other locally serving uses. Multi-family units, some located above retail and others in multi-story buildings, will provide a concentration of residents that will help to support the retail uses and maintain activity throughout the day. The Commons is connected to its adjacent neighborhoods and surrounding natural areas through a network of sidewalks and off-street trails.

#### **WEST TERRACE**

West Terrace occupies a hilltop overlooking The Commons. This neighborhood will provide a combination of townhouses closer to The Commons before transitioning to single-family houses above which boast impressive views of the area's hilltops and undulating landforms. These residents have access to nature trails and trails to The Commons.

#### **UPLAND PARK**

The Upland Park neighborhood is adjacent to The Commons and will feature a mix of multi-family units, townhouses and stacked townhouses. The central feature of the neighborhood is a park that offers views to the surrounding landforms and areas for unstructured play.

#### **EAST TERRACE**

The East Terrace neighborhood is nestled on a series of undulating hillsides that overlook a natural drainage course and The Commons to the west. Sidewalks and trail networks connect East Terrace to the amenities of The Commons. The neighborhood will feature an array of townhouses and stacked townhouses with neighborhood parks and pocket parks that offer unstructured gathering and play areas.

#### **WINDING HILL & THE BLUFFS**

Winding Hill overlooks its surrounding neighborhoods of The Commons and Upland Park and offers magnificent views of the region's hilltops and undulating landforms. The neighborhood will offer a combination of townhomes closer to The Commons before transitioning to single-family homes along the hilltop. Adjacent to Winding Hill are The Bluffs which are two small enclaves of single-family homes accessed from Bridle Trail Road.

**MOUNTAIN LAKE**

Nestled between hills and situated below the West Terrace neighborhood, Mountain Lake is an enclave of single family lots surrounded by nature with direct trail access to Mountain Lake.

**NORTH RIDGE**

Accessed from Quail Road, North Ridge is an enclave of townhouses on a hilltop overlooking the Ramapo River valley. Walking paths will offer connections back to East Terrace and The Commons, as well as down into the Hamlet Center.

**ACTIVE ADULT COMMUNITY**

South of the core areas of The Commons and its adjacent neighborhoods is an active adult community along Bridle Trail Road. The community will offer a range of two-family (also known as duplex homes) and single-family houses, a neighborhood clubhouse, and a network of trails connecting it to the natural areas of the site and The Commons along Bridle Trail Road.

**FARM LOTS**

West of a central high ridge separating the more clustered development areas of Tuxedo Farms to the east, is an area of undulating landforms offering eight single family large lots which have access off a country road that winds through the landscape. These minimum two-acre lots will offer privacy and direct access to an abundance natural areas and trails.

**MISSING MIDDLE HOUSING**

The Proposed Action includes more unit types in the “Missing Middle” in lieu of a substantial proportion of large single-family homes. “Missing Middle” housing is the transitional housing between a denser town center and more suburban single-family housing. It is a walkable, neighborhood scale, two to three story housing. It could include housing typologies such as duplexes, stacked townhomes, and ~~duplexes, triplexes, and quad~~ townhomes. These housing typologies—which are typically smaller and more moderately priced than a single-family home—can meet the needs of downsizing seniors looking to stay near family and friends within the community, as well as first-time home buyers.

In “Missing Middle Housing: Thinking Big and Building Small to Response to Today’s Housing Crisis,” author Daniel Parolek explains that Missing Middle housing is “about house-scale buildings that happen to have more than one unit within them.” Parolek, who coined the term in 2010, lays out its two meanings: first it represents the middle scale of buildings between single-family homes and large apartment buildings, and second it relates to the affordability or attainability level by providing housing choices to middle-income families without subsidies. He further explains that one of the most important characteristics of Missing Middle housing is that it provides a similar living experience to single-family homes—such as entering from a private door—which is consistent with the duplex, townhome, and stacked townhome units proposed for Tuxedo Farms.

**Table 2**  
**2015 Program Mix**

| Unit Type                     | Beds | 2015 Plan Number of Units |
|-------------------------------|------|---------------------------|
| <b>NON-RESTRICTED</b>         |      |                           |
| <b>Single Family Detached</b> |      |                           |
| Estate                        | 4    | 48                        |
| Manor                         | 4    | 126                       |
| Village                       | 3    | 250                       |
| Cottage                       | 3    | 251                       |
| Cottage (Alley)               | 3    | 66                        |
| <i>Subtotal</i>               |      | 741                       |
| <b>Single Family Attached</b> |      |                           |
| Townhouse                     | 2    | 77                        |
| <i>Subtotal</i>               |      | 77                        |

|                               |   |              |
|-------------------------------|---|--------------|
| <b>Multi-family</b>           |   |              |
| Multi-family                  | 3 | 10           |
| Multi-family                  | 2 | 108          |
| Multi-family                  | 1 | 62           |
| <i>Subtotal</i>               |   | 180          |
| <b>AGE-RESTRICTED</b>         |   |              |
| <b>Single Family Detached</b> |   |              |
| Cottage                       | 3 | 71           |
| <i>Subtotal</i>               |   | 71           |
| <b>Single Family Attached</b> |   |              |
| Carriage                      | 2 | 55           |
| Townhouse                     | 2 | 71           |
| <i>Subtotal</i>               |   | 126          |
| <b>TOTAL RESIDENTIAL</b>      |   | <b>1,195</b> |

The Tuxedo Farms ~~There is strong market demand for compact walkable communities with access to a town center.~~ “Missing Middle” housing types, such as those proposed for Tuxedo Farms, enliven community activity and support retail and other commercial uses. The homes sizes are anticipated to range as follows: single-family 2,400 to 3,400 square feet, townhomes 2,200 to 3,000 square feet, stacked townhomes 1,200 to 1,900 square feet, age-restricted single-family 1,900 to 2,900 square feet and age-restricted carriage homes 2,100 square feet. The “Proposed New Concept Plan by Neighborhood” plan in Attachment A shows the unit types by neighborhood.

**Table 3**  
**2022 Program Mix**

| Unit Type                     | Beds | 2022 Plan Number of Units | 2022 Number of Bedrooms |
|-------------------------------|------|---------------------------|-------------------------|
| <b>NON-RESTRICTED</b>         |      |                           |                         |
| <b>Single Family Detached</b> |      |                           |                         |
| Farm Lots (fmr. Estate)       | 4    | 8                         | 32                      |
| Single Family (fmr. Village)  | 4    | 107                       | 428                     |
| Single Family (fmr. Village)  | 3    | 10                        | 30                      |
| <i>Subtotal</i>               |      | 125                       | 490                     |
| <b>Single Family Attached</b> |      |                           |                         |
| Townhouse                     | 3    | 307                       | 921                     |
| Townhouse                     | 2    | 226                       | 452                     |
| Stacked Townhouses            | 2    | 232                       | 464                     |
| <i>Subtotal</i>               |      | 765                       | 1,837                   |
| <b>MULTI-FAMILY</b>           |      |                           |                         |
| Multi-family                  | 2    | 146                       | 292                     |
| Multi-family                  | 1    | 285                       | 285                     |
| <i>Subtotal</i>               |      | 431                       | 577                     |
| <b>AGE-RESTRICTED</b>         |      |                           |                         |
| <b>Single Family Detached</b> |      |                           |                         |
| Single-family (fmr. Cottage)  | 3    | 34                        | 102                     |
| Single-family (fmr. Cottage)  | 2    | 80                        | 160                     |
| <i>Subtotal</i>               |      | 114                       | 262                     |
| <b>Single Family Attached</b> |      |                           |                         |
| Duplex (fmr. Carriage)        | 2    | 174                       | 348                     |
| <i>Subtotal</i>               |      | 174                       | 348                     |
| <b>TOTAL RESIDENTIAL</b>      |      | <b>1,609</b>              | <b>3,514</b>            |

The Proposed Action would increase the number of townhome and multi-family units but would reallocate the bedrooms between unit types to minimize the increase in anticipated population size. The existing Special Permit includes caps on non-age restricted units 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 and caps to reflect the new proposed development program.

**Table-2  
Detailed Unit Mix Comparison**

| Unit Type                     | Number of Bedrooms | Program Mix |              |
|-------------------------------|--------------------|-------------|--------------|
|                               |                    | 2015        | 2022         |
| <b>SINGLE FAMILY</b>          |                    |             |              |
| <b>NON-RESTRICTED</b>         |                    |             |              |
| Estate                        | 4                  | 48          | 8            |
| Manor                         | 4                  | 126         | 0            |
| Manor                         | 3                  | 0           | 0            |
| Village                       | 4                  | 0           | 107          |
| Village                       | 3                  | 250         | 10           |
| Cottage                       | 3                  | 254         | 0            |
| Cottage                       | 2                  | 0           | 0            |
| Cottage (Alley)               | 3                  | 66          | 0            |
| Carriage                      | 2                  | 0           | 0            |
| <b>Subtotal</b>               | --                 | <b>741</b>  | <b>125</b>   |
| <b>AGE-RESTRICTED</b>         |                    |             |              |
| 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          |
| <b>Subtotal</b>               | --                 | <b>126</b>  | <b>288</b>   |
| <b>TOTAL SINGLE FAMILY</b>    | --                 | <b>867</b>  | <b>413</b>   |
| <b>TOWNHOMES/MULTI-FAMILY</b> |                    |             |              |
| <b>NON-RESTRICTED</b>         |                    |             |              |
| Townhouse                     | 3                  | 0           | 307          |
| Townhouse                     | 2                  | 77          | 226          |
| Stacked Townhouse             | 2                  | 0           | 232          |
| Multi-Family                  | 3                  | 10          | 0            |
| Multi-Family                  | 2                  | 108         | 146          |
| Multi-Family                  | 1                  | 62          | 285          |
| <b>Subtotal</b>               | --                 | <b>257</b>  | <b>1,196</b> |
| <b>AGE-RESTRICTED</b>         |                    |             |              |
| Townhouse                     | 2                  | 71          | 0            |
| Multi-Family                  | 3                  | 0           | 0            |
| Multi-Family                  | 2                  | 0           | 0            |
| Multi-Family                  | 1                  | 0           | 0            |
| <b>Subtotal</b>               | --                 | <b>71</b>   | <b>0</b>     |

|                           |    |              |              |
|---------------------------|----|--------------|--------------|
| <b>TOTAL MULTI-FAMILY</b> | -- | <b>328</b>   | <b>1,196</b> |
| <b>TOTAL PROJECT</b>      |    | <b>1,195</b> | <b>1,609</b> |

As shown in **Tables 2, 3, and 34**, the Applicant proposes to increase the total (including age-restricted) maximum unit count from 1,375~~195~~ to 1,609, and to increase the total bedroom count from 3,324 to 3,514.<sup>7</sup> The 2015 Special permit limited the number of non-age-restricted bedrooms to 2,860 and the Proposed Action would increase that cap to 2,950. The project previously included a requirement of at least 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 a walkable community, while not substantially increasing population (measured by bedroom count). **Table 2, 3, and Table 34** provide an overview of the changes in unit and bedroom distribution. **Table 4** ~~provides~~<sup>5</sup> presents the projected population of the ~~2015 versus~~ 2022 building program.<sup>8</sup>

**Table 34**  
**Summary Unit and Bedroom Count Comparison**

| Type of Unit  | Total Age Restricted Units   | Total Non-Age Restricted Units | Total Units  | Total Age Restricted Bedrooms | Total Non-Age Restricted Bedrooms | Total Bedrooms |
|---------------|--|--------------------------------|--------------|-------------------------------|-----------------------------------|----------------|
| <b>2015</b>   |  |                                |              |                               |                                   |                |
| 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             |
| <b>TOTAL</b>  | <b>197</b>   | <b>998</b>                     | <b>1,195</b> | <b>465</b>                    | <b>2,859</b>                      | <b>3,324</b>   |
| <b>2022</b>   |  |                                |              |                               |                                   |                |
| 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            |
| <b>TOTAL</b>  | <b>288</b>   | <b>1,321</b>                   | <b>1,609</b> | <b>610</b>                    | <b>2,904</b>                      | <b>3,514</b>   |
| <b>Notes:</b> | * The maximum number of units permitted under the Special Permit would be 1,609. <u>The maximum non-age restricted units is 2,950 bedrooms</u> |                                |              |                               |                                   |                |

<sup>7</sup> Due to sewer and water capacity, the maximum number of bedrooms inclusive of age-restricted units would be 3,560. As such, this Technical Memorandum analyzes both the proposed 1,609 unit/3,514 bedroom development program and a maximum build-out scenario of 1,609 units with 3,560 bedrooms.

<sup>8</sup> The 2014 Technical Memorandum estimated a total population of 3,276 for the 2015 development program.



**Table 4  
Detailed Population Generation Comparison**

| Unit Type                       | Number of Bedrooms | Population Generation Rate | 2015-Approved Project |                   | 2022-Proposed Action |                   | Net Change |                   |
|---------------------------------|--------------------|----------------------------|-----------------------|-------------------|----------------------|-------------------|------------|-------------------|
|                                 |                    |                            | Unit Count            | Total # of People | Unit Count           | Total # of People | Unit Count | Total # of People |
| <b>Non-Age-Restricted</b>       |                    |                            |                       |                   |                      |                   |            |                   |
| Estate                          | 4                  | 3,719                      | 48                    | 179               | 8                    | 30                | (40)       | (149)             |
| Manor                           | 4                  | 3,719                      | 126                   | 469               | 0                    | 0                 | (126)      | (469)             |
| Manor                           | 3                  | 2,606                      | 0                     | 0                 | 0                    | 0                 | 0          | 0                 |
| Village                         | 4                  | 3,719                      | 0                     | 0                 | 107                  | 398               | 107        | 398               |
| Village                         | 3                  | 2,606                      | 250                   | 652               | 10                   | 26                | (240)      | (626)             |
| Cottage                         | 3                  | 2,606                      | 254                   | 654               | 0                    | 0                 | (254)      | (654)             |
| Cottage                         | 2                  | 2,359                      | 0                     | 0                 | 0                    | 0                 | 0          | 0                 |
| Cottage (Alley)                 | 3                  | 2,606                      | 66                    | 172               | 0                    | 0                 | (66)       | (172)             |
| Carriage                        | 2                  | 2,359                      | 0                     | 0                 | 0                    | 0                 | 0          | 0                 |
| Townhouse                       | 3                  | 2,755                      | 0                     | 0                 | 307                  | 846               | 307        | 846               |
| Townhouse                       | 2                  | 2,359                      | 77                    | 182               | 226                  | 533               | 149        | 351               |
| Stacked Townhouse               | 2                  | 2,359                      | 0                     | 0                 | 232                  | 547               | 232        | 547               |
| Multi-Family                    | 3                  | 2,355                      | 10                    | 24                | 0                    | 0                 | (10)       | (24)              |
| Multi-Family                    | 2                  | 2,355                      | 108                   | 254               | 146                  | 344               | 38         | 89                |
| Multi-Family                    | 4                  | 1,551                      | 62                    | 96                | 285                  | 442               | 223        | 346               |
| <b>Total Non-Age-Restricted</b> |                    |                            | <b>998</b>            | <b>2,680</b>      | <b>1321</b>          | <b>3166</b>       | <b>323</b> | <b>485</b>        |
| <b>Age-Restricted</b>           |                    |                            |                       |                   |                      |                   |            |                   |
| Village                         | 3                  | 2,606                      | 0                     | 0                 | 0                    | 0                 | 0          | 0                 |
| Cottage                         | 3                  | 2,606                      | 71                    | 185               | 34                   | 89                | (37)       | (222)             |
| Cottage                         | 2                  | 2,359                      | 0                     | 0                 | 80                   | 189               | 80         | 189               |
| Cottage (Alley)                 | 3                  | 2,606                      | 0                     | 0                 | 0                    | 0                 | 0          | 0                 |
| Carriage                        | 3                  | 2,606                      | 0                     | 0                 | 0                    | 0                 | 0          | 0                 |
| Carriage                        | 2                  | 2,359                      | 55                    | 130               | 174                  | 410               | 119        | (11)              |

|                             |   |       |              |              |              |              |            |              |
|-----------------------------|---|-------|--------------|--------------|--------------|--------------|------------|--------------|
| Townhouse                   | 2 | 2,359 | 71           | 167          | 0            | 0            | (71)       | (238)        |
| Multi-Family                | 3 | 2,355 | 0            | 0            | 0            | 0            | 0          | 0            |
| Multi-Family                | 2 | 2,355 | 0            | 0            | 0            | 0            | 0          | 0            |
| Multi-Family                | 4 | 1,551 | 0            | 0            | 0            | 0            | 0          | 0            |
| <b>Total Age-Restricted</b> |   |       | <b>197</b>   | <b>482</b>   | <b>288</b>   | <b>688</b>   | <b>91</b>  | <b>(391)</b> |
| <b>TOTAL</b>                |   |       | <b>1,195</b> | <b>3,163</b> | <b>1,609</b> | <b>3,854</b> | <b>414</b> | <b>691</b>   |

**Notes:** <sup>1</sup>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.

**Table 5  
2022 Population Generation**

| Unit Type                     | Beds | Population Generation Rate | 2022 Plan Number of Units | Total # of People |
|-------------------------------|------|----------------------------|---------------------------|-------------------|
| <b>NON-RESTRICTED</b>         |      |                            |                           |                   |
| <b>Single Family Detached</b> |      |                            |                           |                   |
| Farm Lots (fmr. Estate)       | 4    | 3,719                      | 8                         | 30                |
| Single Family (fmr. Village)  | 4    | 3,719                      | 107                       | 398               |
| Single Family (fmr. Village)  | 3    | 2,606                      | 10                        | 26                |
| <i>Subtotal</i>               |      |                            | 125                       | 454               |
| <b>Single Family Attached</b> |      |                            |                           |                   |
| Townhouse                     | 3    | 2,755                      | 307                       | 846               |
| Townhouse                     | 2    | 2,359                      | 226                       | 533               |
| Stacked Townhouses            | 2    | 2,359                      | 232                       | 547               |
| <i>Subtotal</i>               |      |                            | 765                       | 1,926             |
| <b>Multi-family</b>           |      |                            |                           |                   |
| Multi-family                  | 2    | 2,355                      | 146                       | 344               |
| Multi-family                  | 1    | 1,551                      | 285                       | 442               |
| <i>Subtotal</i>               |      |                            | 431                       | 786               |
| <b>AGE-RESTRICTED</b>         |      |                            |                           |                   |
| <b>Single Family Detached</b> |      |                            |                           |                   |
| Single-family (fmr. Cottage)  | 3    | 2,606                      | 34                        | 89                |
| Single-family (fmr. Cottage)  | 2    | 2,359                      | 80                        | 189               |
| <i>Subtotal</i>               |      |                            | 114                       | 277               |
| <b>Single Family Attached</b> |      |                            |                           |                   |
| Duplex (fmr. Carriage)        | 2    | 2,359                      | 174                       | 410               |
| <i>Subtotal</i>               |      |                            | 174                       | 410               |
| <b>TOTAL RESIDENTIAL</b>      |      |                            | <b>1,609</b>              | <b>3,854</b>      |

**Notes:**

<sup>1</sup> 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.

<sup>2</sup> This analysis does not take a deduction in population for age restricted units, and therefore presents a conservative analysis.

**COMMERCIAL AND COMMUNITY SPACES** As described above, the center of the walkable development is the 20-acre Commons which features the Town Center. The Commons includes multi-

family apartment units in mixed-use buildings, resident recreational amenities, a trail network, and local retail and restaurant spaces. The restaurant, retail, and trails would be open to the general public ~~for their use and enjoyment~~. **Table 56** summarizes the proposed commercial and community spaces.

**Table 56**  
**Commercial and Community Amenity Space**

| Use   | 2015              | 2022                    |
|---|-------------------|-------------------------|
| <b>Southern Tract</b>   |                   |                         |
| Neighborhood Retail, <u>Service Business</u> & Commercial                     | 30,000 sf         | <del>40</del> 44,000 sf |
| Private Community <u>Club</u> <sup>3</sup>                                    | 35,000 sf         | 41,000 sf               |
| Library <sup>1</sup>  | 5,000 sf          | 4,000 sf                |
| Active Adult Social <u>Club</u> <sup>3</sup>                                  | 5,000 sf          | 8,000 sf                |
| Private Pool Club   | 6,000 sf          | NA                      |
| Welcome Center  | 4,000 sf          | <del>4,000 sf</del> NA  |
| Neighborhood Amenity Buildings Maintenance and <u>Recreation</u> <sup>3</sup> | 15,000 sf         | 3,000 sf                |
| Farm Stand (Sloatsburg)   | 3,000 sf          | 3,000 sf                |
| <b>Subtotal</b>   | <b>103,000 sf</b> | <b>103,000 sf</b>       |
| <b>Northern Tract/LIO Parcel</b>  |                   |                         |
| Office/Light Industrial/Flex Space  | 196,100 sf        | 196,100 sf              |
| <b>TOTAL</b>  | <b>299,100 sf</b> | <b>299,100 sf</b>       |

**Notes:**

<sup>1</sup> ~~Anticipated structure size in lieu of land. Under The 2015 Special Permit provided, among other things, that the current agreement, the Applicant would reserve a place for a future Library and the Town would have 12 years to build it. Since a vibrant center is important for the Commons, the an opportunity to construct, at its own cost, a new library facility on land to be donated by the Applicant within the Project site. The Applicant now proposes to construct a flexible-use building or ground floor space in a mixed-use building that would be used by the Applicant an Event Building (approx. 4,000sf) in the Commons, at the Applicant's own cost, which would be used exclusively by the Applicant for the first three (3) years, after which the Applicant and Library would share the use of the Event Building for special events based on a schedule and residents for at least 3 years at which point the Town other terms to be agreed upon between the Applicant and Library. The Library would also have the right an option to purchase the building or space at cost Event Building from the Applicant for use as a Library or community events facility within a certain period of time.~~

<sup>2</sup> 2015 and 2022 amenity sizes are estimated.

<sup>3</sup> Amenity components for residents and resident's guest use only.

**DESIGN STANDARDS**

The Applicant ~~proposes to update the~~ Design Standards have been revised to reflect the current building program and the requirements of today's homebuilding community. At the time of 2015 approvals, the Applicant did not have a specific builder on the project team as it does now (Lennar). The prior approved Design Standards do not address some of the new housing types, such as stacked townhomes, that are included in the Proposed Action to meet market demand ~~for missing middle housing~~. In addition, some of the materials specifications, housing typologies, and construction standards in the prior Design Standards do not meet current market trends or building requirements. The prohibition of certain building materials

does not reflect the significant design and durability improvements that have been made to vinyl, asphalt shingle, and other composite building products since the project was contemplated in 2004.

Therefore, the ~~Applicant proposes to update and replace the~~ Design Standards have been updated and replaced with a set Design Standards that matchesmatch the proposed building program, maintains the high-quality appearance of the planned Tuxedo Farms community, and modernizes the permitted materials to comport with the best practices of today's ~~production~~-homebuilders.

The Proposed Action would not change the overall implementation of the Design Standards or result in homes of a lesser quality. ~~When designed thoughtfully and installed with care, vinyl products offer an improved aesthetic to the vinyl products of the past and have the low-maintenance qualities that today's home buyers desire.~~ The proposed ~~updates to the~~ Design Standards specify manufacturers that offer multiple systems (e.g. siding, trim, roofing, foundation, etc.) that can provide building styles and materials that work together to ensure a cohesive, attractive community and will ensure quality installation, design, and craftsmanship.

~~The potential cumulative impacts of the changes to the Design Standards are captured in the fiscal analysis below. The market values used in the fiscal analysis reflect the proposed building materials, anticipated size of each home, and housing typologies and, as further explained below, would still result in a tax positive development.~~

#### **SPECIAL PERMIT**

~~The Applicant proposes changes~~ Changes are proposed to the Special Permit to ~~meet~~ reflect ~~this proposed~~the new development program. 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 Terrace neighborhoods,~~ creating a walkable community that meets current housing needs for a wider variety of income levels. They would also reinforce and modify, where necessary to address changed circumstances, prior community commitments. 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~~Remove references to the Palisades Interstate Parks Commission (PIPC) swap alternative as it is no longer contemplated;~~
- 4.5. Update the definition of multi-family to exclude ~~townhouses~~attached home concepts such as townhomes and ~~split townhouses~~stacked townhomes;
6. Revise the timing of the Hamlet Revitalization Funding Program payments, ~~modify the Town's right to build a~~ (total amount of funding would remain the same);
7. Modify the library, ~~agreement to permit shared use between the Applicant and modify the arrangement~~ Library (and Town) of a new, approximately 4,000sf event center building in the Commons to be constructed by the Applicant, with ~~Tuxedo Free Union School District~~an option for the library to acquire the building;
- 5.8. Modify the PILOT payment schedule regarding the 88.78 acres of LIO zoned land depicted on the 2022 Preliminary Plan;
- 6.9. 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;

~~7.10.~~ 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 Applicant may determine to meet the needs of the School District and Development.~~

~~8.11.~~ Update and replace the Design Standards as needed to allow proposed home types to meet the market demand and latest building materials while maintaining the quality and desired aesthetic character of the Development.

The Proposed Action would not change the commitments regarding the Tuxedo Union Free School District (TUFSD), Open Space, Recreation, or Town Facilities. Although the Proposed Action would decrease the amount of land disturbance, it would not change the total area of open space to be preserved on the Regulating Plan (see **Table 1** above and “Attachment A”). ~~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.~~Attachment A).

#### **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 potential 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 approximately a 10-year period (subject to market conditions) commencing in late 2022 with full build out ~~in~~by approximately 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 Town’s Planned Integrated Development (PID) regulations in the Zoning Code. ~~The Proposed Action would require amendments~~

In 2021 the Town of Tuxedo adopted a new zoning ordinance and zoning map. However, the Proposed Action is grandfathered into the PID regulations in existence at the time the Special Permit was first issued. The current zoning designations are shown on the “Zoning Plan” in Attachment A. The Proposed Action would require modifications 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. The proposed single-family, attached single-family, and townhome units would be on fee simple lots. However, the overall intent ~~of~~underlying 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:

*1. 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:

*1. No more than 1,609 residential dwelling units may be constructed on the Tuxedo Reserve planned integrated development Farms Planned Integrated Development of which no more than 500 units shall be multi-family units and no less than 203 units shall be single family detached and semidetached units.*

~~Consistent with New York State law, the proposed amendment would regulate the use of the property by establishing a maximum number of units for residential use and would remove the restrictions on the users of the property (i.e., the number of renters). To the extent that ownership versus rental units affect the potential fiscal impacts of the project, the differences in assessment and market valuation are accounted for in the fiscal analysis presented below.~~

~~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 As discussed above, the amount of the Applicant’s financial commitment to the hamlet revitalization fund would remain the same (as proposed the payments would be phased over time), and thus the Proposed Action would continue to advance 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 METHODOLOGY 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 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 to the Town’s community service providers and taxing jurisdictions. 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 and the 2014 fiscal memorandum that was the basis of the 2015 Special Permit. Both of these prior analyses are included for reference in Attachment C. This analysis updates the methodologies have been updated outlined in the 2010 FSEIS and 2014 fiscal memorandum to use current account for 2022 budgets, population and, school-age children child multipliers, and market values for the various home types.~~

~~As further detailed below, this Technical Memorandum concludes that the Proposed Action would not substantively alter be tax positive for both the conclusions of the Town and TUFSD, and would not result in significant adverse fiscal impact analysis presented in the 2010 FSEIS impacts.~~

~~Tables 2 through 56 above provide a comparison between the Proposed Action and the project with the 2015 Approved Special Permit. As detailed in Table Tables 2 and 3, 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 4, overall there is an approximately 22 percent The Proposed Action~~

would increase in the residential population resulting from by approximately 17.6 percent. This increase is due to an increase in the overall unit count and the resulting increase in the overall number of bedrooms (approximately 5.7 percent). As further discussed below, this population increase was used to proportionally grow the anticipated costs to community service providers.

The proposed development plan currently 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 6 below presents both the currently proposed building program and the maximum build-out of 2,950 bedrooms. As further described below, this fiscal analysis is based on current market values, and accounts for fee-simple versus non-fee simple taxation. In New York State, tax assessors determine residential property value in two ways: (1) market approach, which looks at properties recently sold, and (2) income approach. The income approach analyzes how much income a property (such as an apartment building) will produce if rented, and considers operating expenses, insurance, maintenance costs, financing terms, and amount expected to be earned.<sup>9</sup> The property assessment is a fraction of the property's market value.

The conceptual maximum buildout considers a similar distribution of units as the proposed building program.

As summarized in Table 6, 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 slightly higher assessed value and would generate fewer school age children. Town costs are estimated to increase with the growth in residential population, but non-property tax revenues also would be expected to increase with an increase in project population. Overall, the projected revenues generated by the Proposed Action are expected to exceed costs, and the Proposed Action would remain tax positive for both the Town of Tuxedo and the TUFSD.

**Table 6  
Comparison of Fiscal Impacts: 2015 Approved Special Permit  
and 2022 Proposed Action**

|   | 2015 Approved Special Permit<br>(in 2021 dollars) | 2022 Proposed Development Program<br>(in 2021 dollars) | 2022 Conceptual Maximum Buildout<br>(in 2021 dollars) <sup>4</sup> |
|---|---|--|--|
| <b>Town</b>   |   |  |  |
| Revenues <sup>1</sup>   | \$8,170,209                                       | \$8,403,884  | \$8,507,134  |
| Costs   | (\$6,444,803)                                     | (\$7,852,794)  | (\$7,852,794)  |
| <b>Net Revenue/(Cost)</b>   | <b>\$1,734,496</b>                                | <b>\$641,090</b>                                       | <b>\$744,340</b>   |
| <b>TUFSD<sup>2</sup></b>  |   |  |  |
| Revenues <sup>3</sup>   | \$10,933,852                                      | \$11,364,211   | \$11,547,930   |
| Costs   | (\$10,254,243)                                    | (\$9,217,269)  | (\$9,405,252)  |
| <b>Net Revenue/(Cost)</b>   | <b>\$679,609</b>                                  | <b>\$2,146,943</b>                                     | <b>\$2,142,678</b>   |
| <b>Notes:</b> <sup>1</sup> Town revenue estimates include property and non-property taxes projected to be generated by the project. Non-property tax revenues include sources such as licenses, permits, fines and forfeitures.<br><sup>2</sup> TUFSD revenue and cost estimates are based on the 2018 student generation rates.<br><sup>3</sup> TUFSD revenue estimates include property taxes and estimated incremental State Aid.<br><sup>4</sup> Assumes 1,321 non-age-restricted units with a total of 2,590 non-age-restricted bedrooms (3,560 total bedrooms). |   |  |  |

<sup>9</sup> NYS Department of Taxation and Finance. <https://www.tax.ny.gov/pit/property/learn/howassess.htm>

## 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 7** presents the 2021 Town property tax rates for each fund.

**Table 7**  
**2021 Town Property Tax Rates**  
**(Per \$1,000 Assessed Valuation)**

|  | Town Tax Rate<br>(per \$1,000 Assessed<br>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  |
| <b>Source:</b> Town of Tuxedo 2021 Adopted Budget. |  |

Property tax revenues for the Proposed Action were estimated based on: March 2022 market values provided by Lennar and the Related Companies and 2021 equalization and Town tax rates from the Town of Tuxedo 2021 Adopted Budget. Multifamily market values were estimated using an income-based approach to valuation, assuming an 8 percent capitalization rate. In addition, the rental unit valuation assumes a 3 percent vacancy rate. ~~For the purpose of this fiscal analysis, all All multifamily units were considered to be rental units and all stacked townhomes (including stacked townhome) were evaluated using an income-based approach, and all remaining townhomes and single-family units were considered to be condominiums evaluated as fee-simple ownership units. (see Table 6<sup>40</sup>). Table 8 shows the estimated total assessed value of the proposed Tuxedo Farms Project with the<sup>11</sup> in 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 \$861.39884.29 million and an assessed value of approximately \$139.55 million. This is an increase from the 2015 Special Permit plan which would have a market value of approximately \$819.74 million and an assessed value of approximately \$132.80143.25 million. The Proposed Action would shift the overall mix of units away from non-age-restricted single-family homes toward more age-restricted homes. The shift in mix would lead to an approximately 5.1 percent increase in overall market value for the residential component of the project.~~

<sup>40</sup> 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.

<sup>11</sup> The 2010 FSEIS estimated the total assessed value of the 2010 development program to be \$163,839,445. The 2014 fiscal memorandum estimated the total assessed value of the 2015 Special Permit program to be \$161,670,281. (See Attachment B).



**Table 8  
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        |
|----------------------------------|------|------------------------|------------------------------|-------------------------------|---------------------------------|------------------------------|-------------------------------|---------------------------------|
| <b>SINGLE FAMILY</b>             |      |                        |                              |                               |                                 |                              |                               |                                 |
| <b>NON-RESTRICTED</b>            |      |                        |                              |                               |                                 |                              |                               |                                 |
| Estate                           | 4    | \$1,300,000            | 48                           | \$62,400,000                  | \$10,108,800                    | 8                            | \$10,400,000                  | \$1,684,800                     |
| Manor                            | 4    | \$1,000,000            | 126                          | \$126,000,000                 | \$20,412,000                    | 0                            | \$0                           | \$0                             |
| Manor                            | 3    | \$900,000              | 0                            | \$0                           | \$0                             | 0                            | \$0                           | \$0                             |
| Village                          | 4    | \$819,000              | 0                            | \$0                           | \$0                             | 107                          | \$87,633,000                  | \$14,196,546                    |
| Village                          | 3    | \$799,000              | 250                          | \$199,750,000                 | \$32,359,500                    | 10                           | \$7,990,000                   | \$1,294,380                     |
| Cottage                          | 3    | \$652,831              | 251                          | \$163,860,581                 | \$26,545,414                    | 0                            | \$0                           | \$0                             |
| Cottage                          | 2    | \$509,126              | 0                            | \$0                           | \$0                             | 0                            | \$0                           | \$0                             |
| Cottage (Alley)                  | 3    | \$569,072              | 66                           | \$37,558,752                  | \$6,084,518                     | 0                            | \$0                           | \$0                             |
| Carriage                         | 2    | \$502,557              | 0                            | \$0                           | \$0                             | 0                            | \$0                           | \$0                             |
| <b>Subtotal</b>                  |      |                        | <b>741</b>                   | <b>\$589,569,333</b>          | <b>\$95,510,232</b>             | <b>125</b>                   | <b>\$106,023,000</b>          | <b>\$17,175,726</b>             |
| <b>AGE-RESTRICTED</b>            |      |                        |                              |                               |                                 |                              |                               |                                 |
| Village                          | 3    | \$824,908              | 0                            | \$0                           | \$0                             | 0                            | \$0                           | \$0                             |
| Cottage                          | 3    | \$674,000              | 71                           | \$47,854,000                  | \$7,752,348                     | 34                           | \$22,916,000                  | \$3,712,392                     |
| Cottage                          | 2    | \$665,000              | 0                            | \$0                           | \$0                             | 80                           | \$53,200,000                  | \$8,618,400                     |
| Cottage (Alley)                  | 3    | \$743,298              | 0                            | \$0                           | \$0                             | 0                            | \$0                           | \$0                             |
| Carriage                         | 3    | \$707,890              | 0                            | \$0                           | \$0                             | 0                            | \$0                           | \$0                             |
| Carriage                         | 2    | \$539,000              | 55                           | \$29,645,000                  | \$4,802,490                     | 174                          | \$93,786,000                  | \$15,193,332                    |
| <b>Subtotal</b>                  |      |                        | <b>126</b>                   | <b>\$77,499,000</b>           | <b>\$12,554,838</b>             | <b>288</b>                   | <b>\$169,902,000</b>          | <b>\$27,524,124</b>             |
| <b>TOTAL SINGLE FAMILY</b>       |      |                        | <b>867</b>                   | <b>\$667,068,333</b>          | <b>\$108,065,070</b>            | <b>413</b>                   | <b>\$275,925,000</b>          | <b>\$44,699,850</b>             |
| <b>MULTI-FAMILY</b>              |      |                        |                              |                               |                                 |                              |                               |                                 |
| <b>NON-RESTRICTED</b>            |      |                        |                              |                               |                                 |                              |                               |                                 |
| Townhouse                        | 3    | \$634,863              | 0                            | \$0                           | \$0                             | 307                          | \$194,902,941                 | \$31,574,276                    |
| Townhouse                        | 2    | \$599,000              | 77                           | \$46,123,000                  | \$7,471,926                     | 226                          | \$135,374,000                 | \$21,930,588                    |
| Staked Townhouses                | 2    | \$456,500              | 0                            | \$0                           | \$0                             | 232                          | \$105,908,000                 | \$17,157,096                    |
| Multi-family                     | 3    | \$398,125              | 10                           | \$3,981,250                   | \$644,963                       | 0                            | \$0                           | \$0                             |
| Multi-family                     | 2    | \$355,750              | 108                          | \$38,421,000                  | \$6,224,202                     | 146                          | \$51,939,500                  | \$8,414,199                     |
| Multi-family                     | 1    | \$322,250              | 62                           | \$19,979,500                  | \$3,236,679                     | 285                          | \$91,841,250                  | \$14,878,283                    |
| <b>Subtotal</b>                  |      |                        | <b>257</b>                   | <b>\$108,504,750</b>          | <b>\$17,577,770</b>             | <b>1196</b>                  | <b>\$579,965,691</b>          | <b>\$93,954,442</b>             |
| <b>AGE-RESTRICTED</b>            |      |                        |                              |                               |                                 |                              |                               |                                 |
| Townhouse                        | 2    | \$544,545              | 71                           | \$38,662,695                  | \$6,263,357                     | 0                            | \$0                           | \$0                             |
| Multi-family                     | 3    | \$398,125              | 0                            | \$0                           | \$0                             | 0                            | \$0                           | \$0                             |
| Multi-family                     | 2    | \$355,750              | 0                            | \$0                           | \$0                             | 0                            | \$0                           | \$0                             |
| Multi-family                     | 1    | \$322,250              | 0                            | \$0                           | \$0                             | 0                            | \$0                           | \$0                             |
| <b>Subtotal</b>                  |      |                        | <b>71</b>                    | <b>\$38,662,695</b>           | <b>\$6,263,357</b>              | <b>0</b>                     | <b>\$0</b>                    | <b>\$0</b>                      |
| <b>TOTAL MULTI-FAMILY</b>        |      |                        | <b>328</b>                   | <b>\$147,167,445</b>          | <b>\$23,841,126</b>             | <b>1196</b>                  | <b>\$579,965,691</b>          | <b>\$93,954,442</b>             |
| <b>GRAND TOTAL (RESIDENTIAL)</b> |      |                        | <b>1195</b>                  | <b>\$814,235,778</b>          | <b>\$131,906,196</b>            | <b>1609</b>                  | <b>\$855,890,691</b>          | <b>\$138,654,292</b>            |
| <b>COMMERCIAL</b>                |      |                        |                              |                               |                                 |                              |                               |                                 |
|                                  |      | <b>Value psf</b>       | <b>2015 Plan Square feet</b> | <b>2015 Plan Market Value</b> | <b>2015 Plan Assessed Value</b> | <b>2022 Plan Square feet</b> | <b>2022 Plan Market Value</b> | <b>2022 Plan Assessed Value</b> |
| Retail                           | N/A  | \$125                  | 44,000                       | \$5,500,000                   | \$891,000                       | 44,000                       | \$5,500,000                   | \$891,000                       |
| <b>Subtotal**</b>                |      |                        | <b>44,000</b>                | <b>\$5,500,000</b>            | <b>\$891,000</b>                | <b>240,100</b>               | <b>\$5,500,000</b>            | <b>\$891,000</b>                |
| <b>TOTAL PROJECT</b>             |      |                        |                              | <b>\$819,735,778</b>          | <b>\$132,797,196</b>            |                              | <b>\$861,390,691</b>          | <b>\$139,545,292</b>            |

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: ARK+, inc. based on market information provided by Lennar and Related Companies in March 2022. Multi-family market values were estimated using an income-based approach to valuation, assuming an 8 percent capitalization rate.

**Table 8**  
**2022 Land Development Plan: Market and Assessed Values (in 2021 dollars)**

| Unit Type   | Beds | Market Value per Unit | 2022 Plan Number of Units | 2022 Plan Market Value | 2021 Equalization Rate | 2022 Plan Assessed Value* | Valuation Methodology for Fiscal Analysis/Taxation |
|---|------|-----------------------|---------------------------|------------------------|------------------------|---------------------------|--|
| <b>NON-RESTRICTED</b>   |      |                       |                           |                        |                        |                           |  |
| <b>SINGLE FAMILY DETACHED</b>   |      |                       |                           |                        |                        |                           |  |
| Farm Lots (fmr. Estate)   | 4    | \$1,300,000           | 8                         | \$10,400,000           | 0.162                  | \$1,684,800               | Fee simple   |
| Single Family (fmr. Village)  | 4    | \$829,000             | 107                       | \$88,703,000           | 0.162                  | \$14,369,886              | Fee simple   |
| Single Family (fmr. Village)  | 3    | \$809,000             | 10                        | \$8,090,000            | 0.162                  | \$1,310,580               | Fee simple   |
| <b>SUBTOTAL</b>   |      |                       | <b>125</b>                | <b>\$107,193,000</b>   |                        | <b>\$17,365,266</b>       |  |
| <b>SINGLE FAMILY ATTACHED</b>   |      |                       |                           |                        |                        |                           |  |
| Townhouse   | 3    | \$644,000             | 307                       | \$197,708,000          | 0.162                  | \$32,028,696              | Fee simple   |
| Townhouse   | 2    | \$609,000             | 226                       | \$137,634,000          | 0.162                  | \$22,296,708              | Fee simple   |
| Stacked Townhouses  | 2    | \$467,000             | 232                       | \$108,344,000          | 0.162                  | \$17,551,728              | Income-based                                       |
| <b>SUBTOTAL</b>   |      |                       | <b>765</b>                | <b>\$443,686,000</b>   |                        | <b>\$71,877,132</b>       |  |
| <b>MULTI-FAMILY</b>   |      |                       |                           |                        |                        |                           |  |
| Multi-family  | 2    | \$386,000             | 146                       | \$56,356,000           | 0.162                  | \$9,129,672               | Income-based                                       |
| Multi-family  | 1    | \$353,000             | 285                       | \$100,605,000          | 0.162                  | \$16,298,010              | Income-based                                       |
| <b>SUBTOTAL</b>   |      |                       | <b>431</b>                | <b>\$156,961,000</b>   |                        | <b>\$25,427,682</b>       |  |
| <b>AGE-RESTRICTED</b>   |      |                       |                           |                        |                        |                           |  |
| <b>Single Family Detached</b>   |      |                       |                           |                        |                        |                           |  |
| Single-family (fmr. Cottage)  | 3    | \$674,000             | 34                        | \$22,916,000           | 0.162                  | \$3,712,392               | Fee simple   |
| Single-family (fmr. Cottage)  | 2    | \$665,000             | 80                        | \$53,200,000           | 0.162                  | \$8,618,400               | Fee simple   |
| <b>SUBTOTAL</b>   |      |                       | <b>114</b>                | <b>\$76,116,000</b>    |                        | <b>\$12,330,792</b>       |  |
| <b>Single Family Attached</b>   |      |                       |                           |                        |                        |                           |  |
| Duplex (fmr. Carriage)  | 2    | \$545,000             | 174                       | \$94,830,000           | 0.162                  | \$15,362,460              | Fee simple   |
| <b>SUBTOTAL</b>   |      |                       | <b>174</b>                | <b>\$94,830,000</b>    |                        | <b>\$15,362,460</b>       |  |
| <b>TOTAL RESIDENTIAL</b>  |      |                       | <b>1,609</b>              | <b>\$878,786,000</b>   |                        | <b>\$142,363,332</b>      |  |
| <b>COMMERCIAL</b>   |      |                       |                           |                        |                        |                           |  |
|   |      | Value psf             | 2022 Plan Square feet     | 2022 Plan Market Value |                        | 2022 Plan Assessed Value  |  |
| Retail  | N/A  | \$125                 | 44,000                    | \$5,500,000            | 0.162                  | \$891,000                 | Income-based                                       |
| Subtotal**  |      |                       | 240,100                   | \$5,500,000            |                        | \$891,000                 |  |
| <b>TOTAL PROJECT</b>  |      |                       |                           | <b>\$884,286,000</b>   |                        | <b>\$143,254,332</b>      |  |
| <b>Notes:</b>   |      |                       |                           |                        |                        |                           |  |
| *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 market information provided by Related Companies in March 2022.  |      |                       |                           |                        |                        |                           |  |

As shown in **Table 9**, using conservative assumptions with respect to market valuation, with 1,609 residential units and 44,000 square feet total of commercial development, the Proposed Action would generate approximately \$6.5468 million in Town (including special districts) property taxes.

**Table 9  
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                  | \$1,623,798               |
| Residential (1,609 units)  | \$138,654,292        | G.OV              | \$18.642                  | \$2,601,375               |
| Commercial (440,000 sf)  | \$891,000            | Highway: Townwide | \$3.849                   | \$537,173                 |
| <b>Total Assessed Value</b>  | <b>\$139,545,292</b> | H.OV              | \$5.150                   | \$718,616                 |
|  |                      | Tuxedo Joint Fire | \$4.425                   | \$617,432                 |
|  |                      | Tuxedo Library    | \$2.916                   | \$406,970                 |
| <b>TOTAL REVENUES</b>  |                      |                   |                           | <b>\$6,505,364</b>        |
| <b>Note:</b> 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) |                      |                   |                           |                           |
| <b>Source:</b> AKRF, based on estimated market values provided by The Related Company in March 2022, updated equalization rate from Town of Tuxedo 2021 Adopted Budget.        |                      |                   |                           |                           |

**Table 9  
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                  | \$1,666,958               |
| Residential (1,609 units)  | \$142,363,332        | G.OV              | \$18.642                  | \$2,670,519               |
| Commercial (440,000 sf)  | \$891,000            | Highway: Townwide | \$3.849                   | \$551,450                 |
| <b>Total Assessed Value</b>  | <b>\$143,254,332</b> | H.OV              | \$5.150                   | \$737,717                 |
|  |                      | Tuxedo Joint Fire | \$4.425                   | \$633,843                 |
|  |                      | Tuxedo Library    | \$2.916                   | \$417,787                 |
| <b>TOTAL REVENUES</b>  |                      |                   |                           | <b>\$6,678,274</b>        |
| <b>Note:</b> 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) |                      |                   |                           |                           |
| <b>Source:</b> AKRF, based on estimated market values provided by The Related Company in March 2022, 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. ~~Consistent with cost assumptions described below, this analysis assumes that the non-property tax revenues generated by the project would grow by the percentage increase in project population (approximately 21.8 percent), adjusted (see Attachment C). Consistent with past assessments, for certain revenue categories the estimates were grown based on incremental population and unit count. Other revenue categories that would not be expected to grow with population increases were held constant, other than to adjust~~ for inflation. Adjustments for inflation use the U.S. Bureau of Labor Statistics Consumer Price Index (CPI) for New York-Newark-Jersey City, NY-NJ-PA metropolitan region. ~~This adjustment of value to 2021 dollars is reasonable given the passage of time and is consistent with upward adjustments to the Proposed Action's cost estimates. This is equivalent to approximately \$1.99 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~~ established in the 2015 Approved Special Permit, which ~~were estimated using~~ based on methodology ~~consistent with~~ adopted by the Lead Agency in the 2010 FSEIS- (see Attachment C). Most municipal services, such as police protection, are influenced by total population (i.e., on a per-capita basis). ~~This means that as a population grows, there would be a proportional increase in costs to serve that new population. Typical costs would include personnel hours, facility use, and equipment.~~

The Proposed Action would increase the overall population count by approximately ~~21.8~~17.6 percent as compared with the 2015 Special Permit (see ~~Table 4~~Tables 4A and 4B). Therefore, this analysis grew ~~most of~~ the estimated municipal costs ~~estimated for the project with the 2015 Approved Special Permit~~ by ~~21.8~~17.6 percent and adjusted for inflation so that both costs and revenues are reported in 2021 dollars.

Table 10 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 \$~~7.856.68~~ million.

**Table 10  
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  | \$ <del>2,346,734</del> 259,850        |
| General Fund: Outside Village   | \$ <del>2,487,524</del> 041,514        |
| Highway: Townwide   | \$ <del>201,205</del> 189,700          |
| Highway: Outside Village  | \$ <del>169,682</del> 163,829          |
| Tuxedo Joint Fire District  | \$ <del>1,477,083</del> 128,085        |
| Library District  | \$ <del>1,170,568</del> 894,912        |
| <b>Total Cost:</b>  | <b>\$<del>7,852,794</del>6,677,888</b> |
| <b>Source:</b> Based on project-related incremental municipal expenditures estimates for the project with the 2015 Approved Special Permit, <del>population-based costs</del> grown by <del>21.8</del> 17.6 percent to reflect increase in population, <del>and unit-based costs</del> grown by 34.6 percent to reflect <del>increase in units; and all costs</del> adjusted to 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 11 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 overall. This net positive would be achieved solely through property taxes generated by the Proposed Action. At full build-out, the Proposed Action would generate approximately \$6.678,274 in total property tax revenue (see Table 9), and approximately \$6.677,888 (see Table 10) in costs. However, the Proposed Action would also generate approximately \$1.9 million in non-property tax revenues (see Table 11), which would increase the annual net fiscal deficit~~ benefit to the Town.

~~The Town Highway Department, Police Department, and Fire Departments were contacted to confirm cost assumptions and the ability to serve the project (see Attachment D). The Town Highway Department confirmed that would require adjustment in taxes for the taxing jurisdictions, since the Proposed Action would include the same future Town roads as the previously approved project, no change in impacts or ability to~~

serve are anticipated. The Fire Department confirmed that the proposed building heights can be accommodated with the current fire equipment. The Police Department has not responded to the inquiry.

**Table 11**  
**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 <sup>1</sup> |
|---------------------------|--|-----------------------------------|
| General                   | \$189,254 (\$57,846)                   | (\$152,988)                       |
| General Outside Village   | \$1,832,885,990,689                    | \$1,512,674                       |
| Highway: Town wide        | \$349,270,364,352                      | \$339,171                         |
| Highway Outside Village   | \$564,155,587,323                      | \$565,482                         |
| Tuxedo Joint Fire         | (\$624,674,494,242)                    | (\$859,651)                       |
| Tuxedo Library            | (\$573,398,477,125)                    | (\$763,598)                       |
| <b>Net Revenue/(Cost)</b> | <b>\$1,734,496,913,151<sup>2</sup></b> | <b>\$641,090</b>                  |

**Notes:** <sup>1</sup> To present a more conservative analysis, the Proposed Action does not include the previous PILOT or CBD Grant.  
<sup>2</sup> Town revenue estimates include property and non-property taxes projected to be generated by the project. Non-property tax revenues include sources such as licenses, permits, fines and forfeitures.

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**POTENTIAL FISCAL EFFECTS ON THE TUFSD**

**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 12** presents the projected property tax revenues to the TUFSD from the project with the Proposed Action.

**Table 12**  
**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, 44,000 sf of commercial) | \$139,545,292  | \$76.128                   | \$10,623,273              |

**Note:** Assessed values based on assessment ratio of 16.2% for both residential and commercial property.  
**Source:** AKRF, based on estimated market values provided by The Related Companies in March 2022, updated equalization rate from Town of Tuxedo 2021 Adopted Budget and TUFSD tax rate from the 2020/2021 TUFSD Budget.

**Table 12**  
**Future with the 2022 Proposed Action:**  
**Estimated TUFSD Property Taxes from the Tuxedo Farms Development in 2021 Dollars**

|  | Assessed Value | TUFSD Tax Rate<br>(per 1,000) | Estimated Taxes<br>Generated |
|--|----------------|-------------------------------|------------------------------|
| Project Total (1,609 units, 44,000 sf of commercial) | \$143,254,332  | \$76.128                      | \$10,905,634                 |

**Note:** Assessed values based on assessment ratio of 16.2% for both residential and commercial property.  
**Source:** AKRF, based on estimated market values provided by The Related Companies in March 2022, updated equalization rate from Town of Tuxedo 2021 Adopted Budget and TUFSD tax rate from the 2020/2021 TUFSD Budget.

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 377 school-aged children, equating to an estimated total of approximately \$740,000 in State Aid annually at full build-out.

#### *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, Although the Applicant is collaborating with the Tuxedo Union Free School District to modify that arrangement to better meet the needs of TUFSD memorialized in the development and the School District. Since these discussions are ongoing, the fiscal impact~~ 2015 Special Permit, to present a conservative analysis, this analysis does not take any financial credit for the value of ~~that~~ the land donation outlined in the Special Permit.

#### *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 13** 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 14**).<sup>12</sup> The school-age children generation rates presented in **Table 14** are based on the occupancy of newer housing units (constructed between 2000 and 2016) with above median housing values. These multipliers, while based on US Census data specific to New Jersey, reflect the regional trends of the declining number of school age children residing in new housing units. They are also particularly relevant to Orange County due to its proximity to New Jersey. Furthermore, the study provides multipliers that focus on the occupants of new housing units above the median housing values, which is relevant to the Proposed Action as it would

<sup>12</sup> 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 420 children utilizing the 2018 multipliers). The Proposed Action includes 1,321 non-age-restricted units and is anticipated to generate 265 to 377 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 42 and 203.

Since 2006, student enrollment within the Tuxedo Union Free School District has declined. This decline is from a combination of factors including a regional trend in declining birth rates and outmigration, and more substantially the loss of Greenwood Lake tuition students. 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. 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 detailed in **Table 15** below, the Tuxedo Union Free School District was experiencing years of declining enrollment before the agreement with Greenwood Lake was fully dissolved.

**Table 15**  
**Tuxedo Union Free School District Enrollment Trends**

| Year    | Total Enrollment | % Change |
|---------|------------------|----------|
| 2006-07 | 655              | --       |
| 2007-08 | 645              | -1.53%   |
| 2008-09 | 639              | -0.93%   |
| 2009-10 | 618              | -3.29%   |
| 2010-11 | 623              | 0.81%    |
| 2011-12 | 591              | -5.14%   |
| 2012-13 | 552              | -6.60%   |
| 2013-14 | 508              | -7.97%   |
| 2014-15 | 474              | -6.69%   |
| 2015-16 | 247              | -47.89%  |
| 2016-17 | 240              | -2.83%   |
| 2017-18 | 235              | -2.08%   |
| 2018-19 | 222              | -5.53%   |
| 2019-20 | 222              | 0.00%    |
| 2020-21 | 225              | 1.35%    |
| 2021-22 | 241              | 7.11%    |

**Source:** <https://data.nysed.gov/archive.php?instid=800000040171>

The Tuxedo Union Free School District is currently at 37 percent of its previous student capacity. The Tuxedo Union Free School District is substantially under its physical 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. With the Proposed Project, the enrollment would be 618 students—which was the enrollment during the 2009-10 school year and less than the peak enrollment of 655 in the 2006-07 school year. The ~~Applicant has reached out to Applicant's consultants reviewed the school district to confirm the assumptions/conclusions~~ presented in this ~~Technical Memorandum~~ memorandum with the

~~TUFSD Superintendent on March 23, 2022, and will present those responses to the Town Board upon receipt provided follow-up information requested at that meeting (see Attachment D).~~

*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.<sup>13</sup>

~~Table 16 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 increase from approximately \$10.93 million to \$11.3665 million, and the projected costs would decrease from approximately \$10.25 million to \$9.22 million. Overall, the Proposed Action would increase have a net revenue from of approximately \$680,000 to \$2.1543 million.~~

**Table 16**  
**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*   | \$10,933,852                 | \$11,364,211         |
| Projected Cost**   | (\$10,254,243)               | (\$9,217,269)        |
| <b>Net Revenue/(Cost)</b>  | <b>\$679,609</b>             | <b>\$2,146,943</b>   |
| <b>Notes:</b><br>TUFSD revenue and cost estimates are based on the 2018 student generation rates<br>*Projected revenue includes estimated property tax revenues and State Aid equaling \$1,963 per incremental student.<br>**Projected cost assumes a marginal cost of \$24,423 per incremental student. |                              |                      |

**Table 16**  
**Summary of Annual Net Revenues/(Costs) to TUFSD at Full Build-Out of**  
**2022 Proposed Action (in 2021 Dollars)**

<sup>13</sup> 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.

|   | <u>2022 Proposed Development Program</u><br><u>(in 2021 dollars)</u> | <u>2022 Conceptual Maximum Buildout</u><br><u>(in 2021 dollars)<sup>3</sup></u> |
|---|--|---|
| Projected Revenue <sup>1</sup>  | \$11,646,572   | \$11,833,281  |
| Projected Costs <sup>2</sup>  | (\$9,217,269)  | (\$9,405,252)   |
| <b>Net Revenue/(Cost)</b>   | <b>\$2,429,304</b>   | <b>\$2,428,028</b>  |
| <b>Notes:</b> TUFSD revenue and cost estimates are based on the 2018 student generation rates.                                |  |   |
| <sup>1</sup> TUFSD revenue estimates include property tax revenues and State Aid equaling \$1,963 per incremental student.    |  |   |
| <sup>2</sup> Projected cost assumes a marginal cost of \$24,423 per incremental student.                                      |  |   |
| <sup>3</sup> Assumes 1,321 non-age-restricted units with a total of 2,590 non-age-restricted bedrooms (3,560 total bedrooms). |  |   |

### COMMONS AREA BUILD-OUT FISCAL EFFECTS

Some of the preliminary road alignments and infrastructure has been initiated on the Tuxedo Farms Project Site in accordance with prior approvals. These preliminary roads and infrastructure are primarily in the vicinity of the Commons Area and would be the first areas to be built-out when construction commences on the Proposed Project. As requested by the Town, this section analyzes the fiscal effects of the Proposed Action if hypothetically construction ceased after construction of the Commons and West Terrace. (the Applicant does not anticipate this happening). This first development area would include 473 units, comprising 31 4-bedroom homes, 72 3-bedroom townhomes, 34 2-bedroom townhomes, 84 2-bedroom multi-family units, and 252 1-bedroom multi-family units. This analysis does not include the fiscal benefits from the LIO parcel, or homes that would be constructed subsequent to this initial construction sequence.

As shown in **Table 17**, the Proposed Action would be tax positive for both the Town of Tuxedo and the TUFSD upon build-out of the Commons Area and West Terrace. Estimated Town tax revenues would exceed estimated municipal costs, and estimated TUFSD revenues would exceed the marginal costs generated from additional students. See Attachment C for the complete back-up of this analysis.

**Table 17**  
**Commons Area and West Terrace Build-Out Fiscal Effects**

|   | Commons Area and West Terrace<br>Build-Out<br>(in 2021 dollars) |
|---|---|
| <b>Town</b>   |   |
| Revenues*   | \$2,433,175   |
| Costs   | (\$2,362,403)   |
| <b>Net Revenue/(Cost)</b>   | <b>\$70,772</b>   |
| <b>TUFSD</b>  |   |
| Revenues**  | \$2,723,321   |
| Costs   | (\$1,958,549)   |
| <b>Net Revenue/(Cost)</b>   | <b>\$764,772</b>  |
| Notes: * Town revenue estimates include property and non-property taxes projected to be generated by the project.<br>** TUFSD revenue estimates include property taxes and estimated incremental State Aid. |   |

**Table 17  
Commons Area and West Terrace Build-Out Fiscal Effects**

|   | <b>2022 Proposed Action<br/>(in 2021 dollars)</b> |
|---|---|
| <b>Town</b>   |   |
| Revenues*   | \$2,611,319                                       |
| Costs   | (\$1,705,383)                                     |
| <b>Net Revenue/(Cost)</b>   | <b>\$905,936</b>                                  |
| <b>TUFSD</b>  |   |
| Revenues**  | \$2,866,354                                       |
| Costs   | (\$1,958,549)                                     |
| <b>Net Revenue/(Cost)</b>   | <b>\$907,805</b>                                  |
| Notes: * Town revenue estimates include property and non-property taxes projected to be generated by the project. |   |
| ** TUFSD revenue estimates include property taxes and estimated   |   |

### FISCAL CONCLUSIONS

The proposed 2022 development program 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 cap non-age-restricted bedrooms at 2,950. As such, **Table 18** below presents both the currently proposed building program and a 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 18**, the Proposed Action would be tax positive for both the Town of Tuxedo and the TUFSD. Some Town of Tuxedo costs are estimated to increase with the growth in residential population, but some non-property tax revenues also would be expected to increase with an increase in project population. In addition, some costs estimated on a per-capita basis may be overstated because they do not take into account existing excess capacity that might exist for particular services, nor do they account for potential economies of scale. Overall, the projected revenues generated by the Proposed Action are expected to exceed costs, and the Proposed Action would remain tax positive for both the Town of Tuxedo and the TUFSD.

Furthermore, the analysis conservatively excludes the value of the mitigations and community benefits prescribed in the 2015 Special Permit, which are anticipated to be carried forward to the 2022 Special Permit. These mitigations and community benefits, which have a monetary value, include:

- Construction of event center building in the Commons to be shared with the Library (and Town);
- Donation of 42 acres of land to the Tuxedo Union Free School District;
- Donation of the remaining \$1,000,000 to the Hamlet Revitalization Fund (\$1,000,000 was already paid);
- Donation of +/- 702 acres of conservation land to the Town of Tuxedo;
- Donation of +/- 82 acres of conservation land to the Village of Tuxedo Park;
- Donation of 3,000 square feet of garage/storage space for the Highway Department for 30 years;
- Free use of community trail system by residents of the Town;
- Recreation fees; and
- PILOT agreement.

**Table 18**  
**Summary Comparison of Fiscal Impacts:**  
**2022 Development Program and Conceptual Maximum Buildout**

|   | <u>2022 Proposed Development Program</u><br>(in 2021 dollars) <sup>4</sup> | <u>2022 Conceptual Maximum Buildout</u><br>(in 2021 dollars) <sup>5</sup> |
|---|--|---|
| <b>Town</b>   |  |   |
| <u>Revenues<sup>1</sup></u>   | \$8,591,039  | \$8,696,120   |
| <u>Costs</u>  | (\$6,677,888)  | (\$6,742,955)   |
| <b>Net Revenue/(Cost)</b>   | <b>\$1,913,151</b>   | <b>\$1,953,165</b>  |
| <b>TUFSD<sup>2</sup></b>  |  |   |
| <u>Revenues<sup>3</sup></u>   | \$11,646,572   | \$11,833,281  |
| <u>Costs</u>  | (\$9,217,269)  | (\$9,405,252)   |
| <b>Net Revenue/(Cost)</b>   | <b>\$2,429,304</b>   | <b>\$2,428,028</b>  |
| <b>Notes:</b> <sup>1</sup> Town revenue estimates include property and non-property taxes projected to be generated by the project. Non-property tax revenues include sources such as licenses, permits, fines and forfeitures.<br><sup>2</sup> TUFSD revenue and cost estimates are based on the 2018 student generation rates.<br><sup>3</sup> TUFSD revenue estimates include property taxes and estimated incremental State Aid.<br><sup>4</sup> Analysis of the proposed 1,609 unit with 3,514 bedrooms development program .<br><sup>5</sup> Analysis of the maximum build-out scenario of 1,609 units with 3,560 bedrooms. |  |   |

**G. CULTURAL RESOURCES**

The Proposed Action would not expand the limits of disturbance beyond those previously approved or add new development to areas not previously analyzed (see “2022 Land Development Plan” and “Overall Land Development Plan” in **Attachment A**). As part of the previous SEQRA reviews of the project, several archaeological sites were identified as a result of Phase 1B Archaeological Investigations. Construction of the Proposed Action would occur in accordance with the Memorandum of Understanding (MOU) Between

the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) and The Related Companies, L.P. Regarding the Tuxedo Reserve Planned Integrated Development Project (Phases 1, 2 & 3) dated March 19, 2001.

In accordance with the MOU, the Applicant previously completed a Phase 3 Archaeological Data Recovery and mitigation of the on-site quartz quarry (OPRHP Archaeological Site A07116.000435). In a letter dated February 26, 2007, OPRHP indicated that the report fulfills the conditions of the Data Recovery Plan for the Project. A 2008 Phase IB Archeological Investigation identified limited portions of three other areas that may require further investigation depending on the definitive delineation of the area of potential effect (APE). The current layout would avoid these areas and the avoidance measures identified in the Phase IB would be implemented during construction.

In view of the archaeological investigations and mitigation already completed and the process that was established by the 2003 FEIS and 2004 Statement of Environmental Findings and the MOU for addressing any resources that remain on the project site, 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. The potential impacts to Tuxedo Park, Harriman State Park, and other sensitive receptors were thoroughly evaluated by the Lead Agency during the previous environmental reviews. As the Proposed Action would not introduce new development areas, no new impact to these receptors would result. 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. As shown in the land holdings map in Attachment A, there is an existing conservation buffer between the Southern Tract and Tuxedo Park that was transferred by the Applicant to Tuxedo Park in 2016. The Proposed Action would not increase the visibility of the development from what was previously analyzed. Potential views of the Proposed Action 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.

The Proposed Action would cluster development ~~in the Commons and East Terrace neighborhoods~~ 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~~ designed to foster a sense of place and established community. The maximum height would be 63 feet, which is a slight increase from the previous approvals. The height increase is proposed to allow 20-foot ceilings for the first-floor commercial spaces and a pitched roof. The only planned 4-story buildings would be located in the Commons area, along Quail Road, and around the town center. This minimal increase in height ~~—which would be limited to the buildings in the Commons—~~ in a central portion of the Project Site is not anticipated to increase the visibility of the project from offsite locations. In addition, the Applicant has reached out to the Tuxedo Fire Department which confirmed its ability to respond to a 63-foot-tall building and the project as a whole ~~—(see Attachment D)~~. Written confirmation from the Tuxedo Fire Department is expected and will be forwarded to the Town Board upon receipt.

~~Potential views of the Proposed Action 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 update and replace the Design Standards (Smart Code, Performance Standards, and Architectural and Landscape Design Guidelines) to reflect the new development program and updated building materials. The updated new Design Guidelines would continue to regulate the form and size of development (such as height, setback, etc.), as well as street standards, architectural guidelines, landscape guidelines, lighting, and streetscape and establish the minimum requirements. ~~However, the updated Design Standards would reflect for building and landscape design and aesthetics of the new private~~

~~development areas reflecting the anticipated array of housing typologies, commercial, and amenity buildings to be offered,~~ modern construction practices, and quality building materials.

~~The updated~~ Together, the new Design Standards will establish a cohesive character and visual quality for the new Tuxedo Farms development. The ~~updated~~ new Design Standards ~~would~~ will maintain design integrity throughout the Project Site such that the cumulative effects of the design changes would be a walkable community with sidewalks, trails, public spaces, and thoughtful design. Although the ~~updated~~ new Design Standards would introduce new housing typologies and architectural styles to reflect market demand, the proposed changes would continue to employ architectural features and site design characteristics that are visually consistent with other buildings and structures in the area. The Proposed Action would not impair the character of quality of important historic, archeological, architectural, or aesthetic resources. The ~~updated~~ new Design Standards would ~~retain the Hudson Valley~~ create a thoughtful and well-designed community with traditional architectural influences ~~reflected in prior approvals, and these influences would be most prevalent in the Commons Area which contemplates Modern Tudor style design. Moving away from the Commons Area, additional architectural styles would be introduced in a thoughtful and cohesive manner.~~

~~Any cumulative effects of modernizing~~ The Commons Area would have a clear architectural style that would set the tone for the community and distinguish the neighborhood as the community's mixed-use center. Moving away from the Commons Area, additional architectural criteria would be established in a cohesive manner to maintain the design integrity and quality of the development and respond to the scale and residential nature of the building types outside of the Commons. Provisions within the Design Guidelines address transitions from the Commons to adjacent development to ensure a feathering of the ~~mixed-use center to the residential neighborhoods. Moreover, the modernization of~~ the building materials and expanding the housing typologies are captured in the market values of the new development program which is the basis for the fiscal analysis presented above. Overall, the Proposed Action would establish an attractive community that would address current housing needs, stabilize the Tuxedo Union Free School District, and generates positive tax revenue for the Town.

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. Because the Proposed Action involves more townhome and multi-family units, the overall limits of disturbance on the Southern Tract would be reduced from approximately 443 acres to approximately 380 acres. All development would be within the previously analyzed limits of disturbance (see "2022 Land Development Plan" and "Overall Land Development Plan" in **Attachment A**). The precise development footprint, impervious surface area, and grading limits for each area of the development will be determined during the site plan approvals process. The site plan will be designed to minimize grading, to balance the site, and to avoid new areas of disturbance.

The Applicant does propose a minor modification to the Performance Standards to permit the Town Engineer to administratively approve reasonable deviations to slope and cut/fill requirements based on field conditions and a detailed grading plan. The current standards limit development to areas where surface slope does not exceed 33% (3:1) and requires that roads and buildings be located in areas where cuts/fills do not exceed 20 feet where feasible. There may be areas within the Project Site with existing topographic conditions that would require cuts/fills to be greater than 20 feet. Balanced earthwork onsite is a goal for both the Applicant and the Town. The restrictions placed on 33% existing slope areas may limit areas of development in conjunction with cuts and fills onsite and could affect the ability to balance the site. The



inclusion of an administrative waiver would ensure that the Project Site is developed in a way that addresses both the steep slopes and grading concerns, as well as the desire to balance cut and fills.

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.

~~West Ridge Lane and the water tank site are near a known copperhead den. The Proposed Action would continue to avoid disturbance to the copperhead den by maintaining the den within an open space area.~~

West Ridge Lane and the water tank site are near a known copperhead den. As previously documented, the presence of the copperhead den requires certain measures to protect the den and the species. The den is located within a portion of the Southern Tract designated as permanently protected open space. The Proposed Action would maintain a distance of 500 feet from the nearest residence to the den, which is consistent with the 2015 Preliminary Plan. The residences in closest proximity to this den are sited generally to the south of its location. The water tower, which is already installed, is roughly 567 feet from the den. The lots proposed along the road leading to the water tower would be no closer than roughly 510 feet to the copperhead den. The closest point of disturbance (a point along Upper Mountain Lake Road) would be approximately 392 feet away from the den; equivalent to the distance under the 2015 Preliminary Plan. Therefore, the Proposed Action would not result in any encroachments closer to the copperhead den than previously approved. As required under previous approvals, the following steps would be undertaken to avoid all disturbances to the den and nearby potential copperhead basking areas: (1) fencing and barriers shall be erected in a manner to direct snakes away from the water tower site and from residential development; and (2) additional wildlife tunnels shall be evaluated and installed under proposed roadways to assure that sufficient migration pathways are maintained between the den and nearby wetlands.

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*).<sup>14</sup> 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

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<sup>14</sup> On March 22, 2022, the USFWS proposed to reclassify the northern long-eared bat as endangered under the Endangered Species Act. This proposal is currently undergoing a public review process and a final decision will be announced in November 2022. In the interim, the existing 4(d) rule continues to apply to the Proposed Action. <https://www.fws.gov/press-release/2022-03/proposal-reclassify-northern-long-eared-bat-endangered>

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, consistent with NYSDEC requirements under existing permits for the Project Site, tree clearing would occur during the northern long-eared bat hibernation period of November 1 through March 31.<sup>15</sup> As this condition is in place, no further review by NYSDEC is required at this time.

## K. HYDROLOGY AND STORMWATER MANAGEMENT

~~The Proposed Action is not anticipated to result in a new significant adverse drainage impact. The Proposed Action would not substantially change the impervious surfaces (and hence, nor the Project's hydrology) associated with the overall development (see "2022 Land Development Plan" and "Overall Land Development Plan" in Attachment A). As discussed above, because the Proposed Action involves more townhome and multi-family units, the overall limits of disturbance on the Southern Tract would be reduced from approximately 443 acres to approximately 380 acres. The proposed townhome and multi-family units would be concentrated in the Commons area. While these buildings have larger footprints than single family homes and would increase the amount of impervious surface in the Commons area, impervious surfaces elsewhere on the Project Site would be reduced. Therefore, overall the amount of impervious is anticipated to be less than what was previously studied.~~

The proposed stormwater management practices for the development will be finalized 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.

~~As noted above, the Proposed Action may increase the impervious surfaces in the higher density areas. These areas will be treated in accordance with the latest NYSDEC SDM criteria for water quality treatment and quantity control. The Proposed Action may increase the impervious surfaces in the higher density areas, such as the Commons, where larger footprint buildings would be located. However, while the impervious surface areas in the Commons would increase, impervious surfaces elsewhere on the Project Site would be reduced. New impervious surface areas will be treated in accordance with the latest NYSDEC SDM criteria for water quality treatment and quantity control. As noted above, Tuxedo Farms has already installed some of the stormwater management infrastructure. A stormwater analysis of the previously installed drainage systems will be performed as part of the site plan approval process. The installed stormwater management systems are bioretention basins, which provide runoff reduction. The installed basins will be analyzed during the site plan approval process to evaluate if they can accommodate the increase in impervious area or if additional stormwater management measures will be required. Should additional stormwater management measures be required, stormwater management practices with runoff reduction volume or runoff reduction techniques, where feasible, will be incorporated into the stormwater management design for the Commons. The Preliminary Plan has been designed with adequate space to accommodate increased impervious surfaces with NYSDEC SDM compliant stormwater management systems.~~ 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.

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<sup>15</sup> <https://www.dec.ny.gov/animals/106713.html>

## 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. 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~~204,550 gallons per day (gpd). As detailed below, 204,550 gpd can accommodate 1,860 bedrooms. At full buildout the water facilities will have a total capacity of ~~392,000 gpd~~474,550 gpd. As detailed below, 474,550 gpd can accommodate 4,314 bedrooms. The water system and construction were subject to Town, NYSDEC and NYSDOH review for compliance with all health and regulatory standards.

Flow monitoring would be utilized to verify actual water consumption and well capacity limits. Once capacity is reached, no further connections would be permitted until the additional capacity is in place and able to operate. Water availability for the project would be further addressed during individual site plan reviews.

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~~1.76) 204,550 gpd

Equivalent bedroom count (110 gpd / bedroom – DEC 2014) at ~~169,000~~204,550 gpd: 1,536860 bedrooms

2 Hour Fire flow capability: 2,000 gpm.

### **Water System at Full Buildout**

Well LBG-1: 130 gpm

Well LBG-2: 250 gpm

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~~1.76) 474,550 gpd

Commercial uses (0.1 gpd/gsf): ~~5,400~~4,200 gpd<sup>16</sup>

Equivalent bedroom count (110 gpd / bedroom – DEC 2014) at ~~386,600~~474,550 gpd: ~~3,514~~4,314 bedrooms

Bedrooms available after accounting for commercial flow: 4,274 bedrooms

As summarized above, as designed, the proposed water system would accommodate the proposed development program, which includes 3,514 bedrooms and commercial space.

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<sup>16</sup> The amenity areas are for resident and their guest use only. Water/wastewater demand for the amenity spaces is accounted for in the bedroom count.

## M. SANITARY SEWER SERVICES

The Proposed Action is not anticipated to generate a new significant adverse impact on sanitary sewer services. The ~~Proposed Action~~ proposed development program includes 3,514 bedrooms, but the Special Permit would ~~increase the~~ allow a maximum potential bedroom count ~~to~~ of 3,560. As further described below, at full build-out, the proposed sanitary sewer system is sufficient to meet the demand for the proposed 3,514 bedrooms, and maximum potential buildout of 3,560 bedrooms and inclusive of the 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~~ WWTP Phase #1 can accommodate 1,918 equivalent bedrooms. Construction of WWTP Phase #1 is constructed and can be placed into operation Summer 2022. However, the WWTP is master planned for a capacity expansion ~~to~~ in excess of 500,000 gpd as a second construction phase (Phase #2). ~~WWTP Phase #2 will be designed to accommodate the full-build out of Tuxedo Farms. The WWTP Phase #2 expansion would be accommodated by adding additional flow equalization capacity along with additional aeration and membrane bioreactor (MBR) system capacity.~~ The WWTP design and construction was subject to Town and NYSDEC review for compliance with treatment procedures and effluent standards.

Flow monitoring would be utilized to verify actual wastewater generation and capacity limits. Once capacity is reached, no further connections would be permitted until the additional capacity is in place and able to operate. Sanitary sewer availability for the project would be further addressed during individual site plan reviews.

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~~ As discussed above, the WWTP was master planned with two phases. WWTP Phase #1 ~~portion of the WWTP,~~ with a capacity of 311,000 gpd; is constructed and the WWTP is nearly ready to be placed into operation. ~~As discussed above, the WWTP was master planned to allow for the facility to be expanded to WWTP Phase #2 would expand the capacity up to or beyond 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.~~ The design flows for each phase are summarized below.

#### 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 in excess of~~ 500,000 gpd.

~~Design average flow: 500,000 gpd~~

Flow allocated to Hamlet District: 100,000 gpd

Available average flow capacity for Farms District: 400,000 gpd ~~or greater as required~~

~~Commercial uses: 5,400 gpd~~

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

As summarized above, ~~with the Phase #2 in place, the proposed WWTP would upgrade will be design to accommodate a maximum the entire buildout of 3,587 bedrooms which is greater than the 3,514 bedrooms proposed Tuxedo Farms.~~

#### **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.<sup>17</sup> As shown in ~~Table 4~~ **Tables 4A and 4B**, the Proposed Action would increase the anticipated population from 3,163 people to 3,854 people (including children). As such, the Proposed Action would increase solid waste generation from approximately 15,499 to 18,885 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. However, two historic dumping ~~sites~~ have since been identified on the Southern and Northern Tracts. The fill deposited in these areas are not classified as "hazardous materials" and are not considered to pose a hazardous condition to the surrounding area, surface or ground water quality.

The "Eastern Historic Fill Area" has been closed per the approved closure plan developed by Lagan Engineering. The closure documents and subsequent NYSDEC approval have been provided to the Town and Town engineer.

The second dumping site, located in the former Phase 3 area and referred to as the "Western Historic Fill Area" has not been disturbed. It was identified in a 2015 Phase I Environmental Site Assessment prepared by EcolSciences. This document, which includes the closure documents, has been provided to the Town under separate cover and is incorporated herein by reference. The Western Historic Fill Area comprises a smaller footprint than the Eastern Historic Fill Area and contains similar materials. Although there is no known requirement for any remediation unless the area is developed, the Applicant has prepared an RFP

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<sup>17</sup> ~~<https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/national-overview-facts-and-figures-materials#Generation> (accessed January 10, 2022) <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/national-overview-facts-and-figures-materials#Generation> (accessed January 10, 2022)~~

for an approved closure plan as a mitigative measure. This request has been transmitted to the appropriate environmental engineering firms.

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**

The Proposed Action is not anticipated to generate a new significant adverse impact on traffic.

No changes are proposed to site access. The proposed entrance on South Gate road would continue to be used for emergency access only. A traffic impact study (TIS) was conducted by Philip Habib & Associates, last revised ~~January 25~~ May 5, 2022, to analyze the potential impacts of the Proposed Action (see Attachment B). 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 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, at most locations, the traffic mitigation measures outlined in the 2003 FEIS are expected to and subsequent approvals would likely remain effective at mitigating any significant adverse traffic impacts under the Proposed Action. The traffic mitigation measures established by the past approvals include monitoring traffic volumes at each of the Project's driveway access points and along Route 17 (see Attachment J to the 2015 Special Permit) to ensure that the proposed mitigation measures adequately address the project's traffic volumes. The Proposed Action would not change these monitoring requirements or subsequent mitigative measures. However, as discussed in the TIS, monitoring traffic volumes and conditions at the unsignalized intersection of SR 17 and Washington Avenue as part of the Project's traffic monitoring program is now recommended given the recent reduction in travel lanes along this segment of SR 17 by NYSDOT.

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

Operational 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. Potential impacts from construction noise, such as blasting, are discussed under Construction Impacts below.

## S. CONSTRUCTION IMPACTS

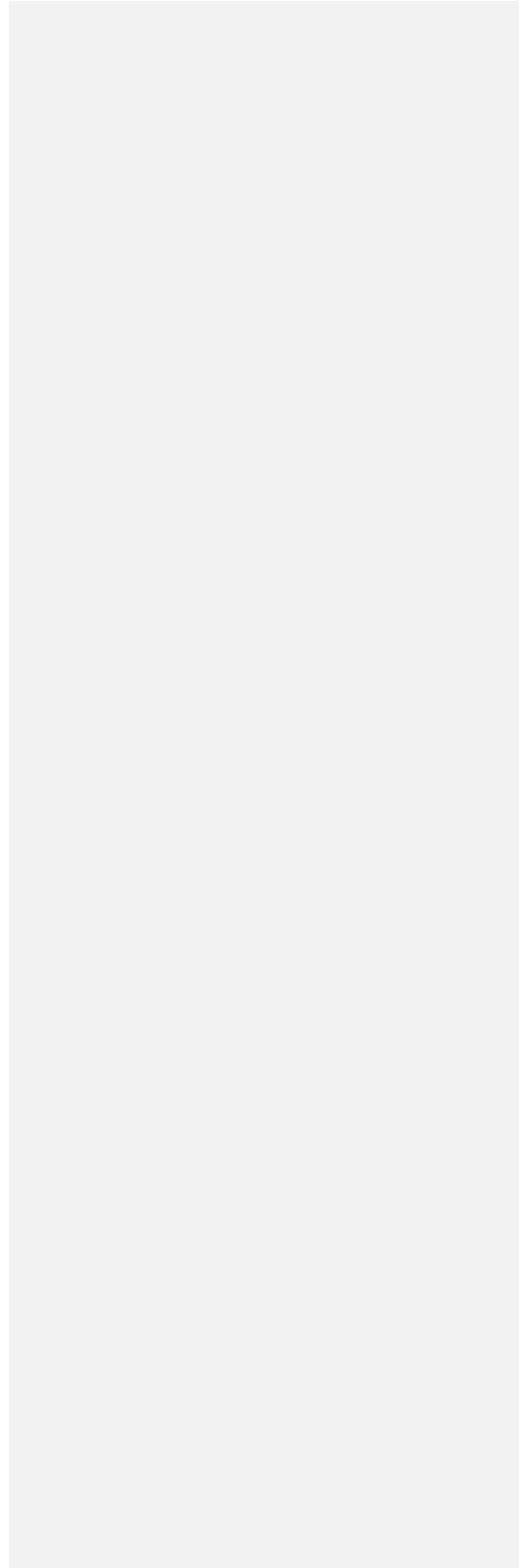
The Proposed Action would alter the sequencing of construction activities and would allow for overlapping of construction sequencing as necessary to accommodate changes in market demand. Previous iterations of the project contemplated three distinct phases. The Proposed Action moves away from this strict sequencing of the development. This would enable the development of the Active Adult community sooner since that community ~~is currently~~ was 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.

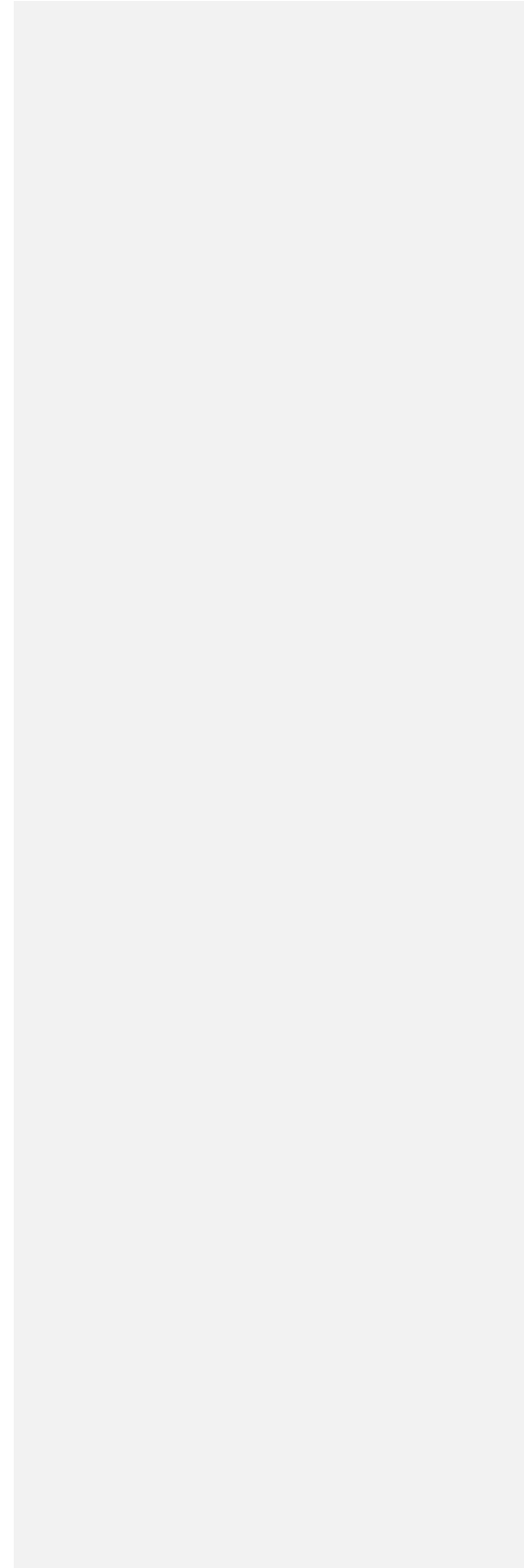
The current approvals limit rock blasting to between the hours of 9 am and 5 pm, Monday through Friday, and no blasting permitted on Saturdays, Sundays, or holidays. The Applicant proposes to allow blasting on Saturdays with 24-hour prior notice to Town Engineer. Under this proposal, Saturday blasting hours would be restricted to 10 am to 3 pm. Noise associated with blasting during the construction period would be temporary in nature and would occur during the hours permitted by the Town's noise ordinance. As such, no long term noise impacts are anticipated.

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.

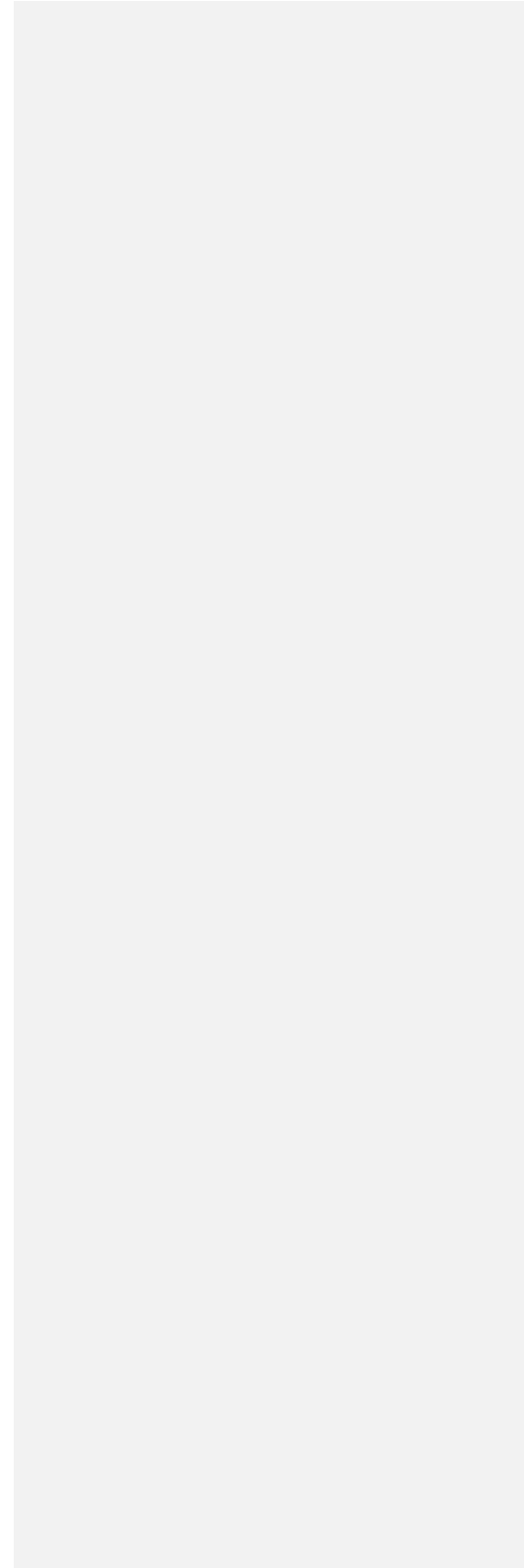




# **Attachment A: Design Plans**



## **Attachment B: Traffic Impact Study**



**Attachment C:**  
**2010 and 2014 Fiscal Analyses**

**Attachment D:**  
**Correspondence**

