

Town of Chester Comprehensive Plan and Zoning Local Law

State Environmental Quality Review

Expanded Part III Narrative and Environmental Assessment

July, 2025

The current Comprehensive Plan for the Town of Chester was adopted in 2015. The Plan recognized that community planning is an ongoing process and recommended periodic updating of the Comprehensive Plan to incorporate updated data and adjust for any unanticipated circumstances or new issues. In 2023, a comprehensive planning advisory committee was formed, as has been done in previous years, to begin review and update of the existing document. This Comprehensive Plan is meant to build upon the 2015 Comprehensive Plan and is intended to guide the Town's growth for the next 5 to 10 years. The Comprehensive Plan serves as the Town's official policy document, providing a general set of planning principles relating to land use; natural and historic resources; housing, parks & recreation, economic development and other related issues.

The proposed zoning local law is intended to implement various immediate-priority recommendations as discussed more below. In addition, the proposed zoning local law more closely aligns with the enabling statutes as it relates to the processing of applications, treatment of special use permits, cluster development and area variances.

Adoption of Comprehensive Plan Amendment and Zoning Local Law is a Type 1 Action under SEQRA. The Comprehensive Plan recommendations are generally policy-oriented and will not directly result in actual projects or physical activities. This document will discuss the various recommendations of the Comprehensive Plan, identify the relevant areas of environmental concern and analyze those areas to determine if the adoption of the Town's Comprehensive Plan Update may have a significant adverse impact on the environment in accordance with 6 NY-CRR Part 617 State Environmental Quality Review.

General

To determine whether a proposed Type I Action may have a significant adverse impact on the environment, the impacts that may be reasonably expected to result from the proposed action must be compared against the criteria of 617.7(c). These items and their relationship to the proposed comprehensive plan and associated code amendments are as follows:

(i) As further discussed in more detail below, the adoption of the Comprehensive Plan and associated zoning changes will not result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems over that which could reasonably be expected to occur under the current plan and zoning;

(ii) The adoption of the Comprehensive Plan and associated zoning changes will not result in the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources over that which could reasonably be expected to occur under the current plan and zoning;

(iii) The adoption of the Comprehensive Plan and zoning would not cause the impairment of the environmental characteristics of a critical environmental area as designated pursuant to section 617.14(g) of this Part as no such area exists within the Town;

(iv) The proposed Comprehensive Plan and associated code amendments do not represent a material conflict with the Town's current plans or goals as officially approved, or adopted, the plan refines and supplements the previously adopted 2015 plan.

(v) The recommendations of the Comprehensive Plan and associated code amendments are intended to protect important historical, archeological, architectural, and aesthetic resources and therefore would not cause any impairment of the character or quality of these resources or the existing community or neighborhood character;

(vi) The adoption of the Comprehensive Plan and associated code amendments would not cause a major change in the use of either the quantity or type of energy;

(vii) The adoption of the Comprehensive Plan and associated code amendments would not result in any hazard to human health;

(viii) None of the Comprehensive Plan or code recommendations represent a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

(ix) None of the Comprehensive Plan or code recommendations would encourage or attract a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;

(x) None of the Comprehensive Plan or code recommendations would directly create a material demand for other actions that would result in one of the above consequences;

(xi) None of the Comprehensive Plan or code recommendations would cause changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; and

(xii) None of the Comprehensive Plan or code recommendations would result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a

significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

Evaluation of Specific Recommendations:

The recommendations below are provided in the same order as presented in Chapter 12 of the Comprehensive Plan. See the respective chapters of the plan for expanded discussions of recommendations

Chapter 3: Natural Resources

Recommendations related to natural resources are intended to protect the Town's critical, sensitive environmental areas including resources that contribute to the Town's drinking water supply, rural character, surface water and sensitive habitat areas. There is an acknowledged close and critical relationship between the Town's environmental resources, rural character and quality of life as further emphasized by the feedback the Town's Comprehensive Plan Committee received during public input events. Recommendations specifically include the following:

- Incorporating natural resources into decision making and planning towards preserving the natural heritage and ensuring a healthy and resilient ecosystem for future generations
- Creation of a Community Preservation Fund which can be used to acquire and preserve additional open space in the future through a PDR or other means of property acquisition
- Continue to identify future corridor connections between public parks and natural areas to protect wildlife and enhance the recreational trail network in the area.
- Expand Ridgeline Preservation Regulations to apply to commercial development in addition to residential.
- Review Visual Impact Assessment Criteria of 98-26.C to provide more guidance to the Planning Board on the expectations and deliverables of the Visual Impact Assessment.
- Wetlands shall be delineated by a qualified professional and incorporated into the Site Plan or Subdivision Plans when the NYSDEC mapper identifies the likelihood of wetlands on a property.
- Update the stream buffers requirement.
- Wellhead protection legislation shall be adopted to provide an additional measure of protection for areas immediately around water supply wells.
- Public education program to ensure residents understand the types of activities that may impact ground water wells.
- All outdoor light fixtures shall be downward facing and shielded or otherwise covered by a structure to avoid upward light pollution or 'spill' beyond the property line. Lighting should be limited to 2.0 foot-candles within off-street parking areas and be designed in a manner that keeps the light entirely on the subject site, away from adjoining properties, and out of the night sky.

- Lighting associated with signage is recommended to be indirect, such as downward-facing goose neck lights, as opposed to the sign itself being illuminated. Digital or animated signs shall be limited as much as possible.

Recommendations related to Natural Resources are all intended to provide better awareness and protection of the environment and the Town's natural resources. No significant adverse environmental impacts are anticipated.

Chapter 4: Agricultural Resources

Recommendations related to agricultural resources are intended to encourage the long-term viability of farming in the town by providing as much flexibility as possible to farming operations so that they can adapt to economic changes and remain viable while recognizing that public events require oversight by the Planning Board to ensure protection of neighboring properties. Recommendations specifically include the following:

- Require the mapping of agricultural lands and prime farm soils on all subdivision plans.
- Review of zoning to ensure a range of agri-tourism uses are permitted in the Town.
- Encourage the retention and use of barns and other historic farm buildings as part of the re-use or expanded use of farm properties. Any uses which may involve larger events should be required to apply to the Planning Board to ensure adequate infrastructure is in place and no impacts will occur to the neighbors.
- The Town shall help to facilitate and support agricultural education and other organizations that support the farm community such as Cornell Cooperative Extension, Orange County Land Trust, Orange County Farmland Protection Board and the Hudson Valley Agri-Business Development Corporation.

The recommendations related to agricultural resources are not anticipated to have significant adverse environmental impacts.

Chapter 5: Parks and Recreation

Recommendations related to parks and recreation are intended to identify areas of improvement to specific parks and expand access to parks throughout the town. The Town recognizes, and National Park and Recreational Association studies confirm, a direct relationship between parks, healthy communities and quality of life making expanding access to parks a critical component of town planning. Recommendations specifically include the following:

- Regular review and update of the Payment in Lieu of Parkland fee to ensure consistency with surrounding municipalities.
- Improve marketing and communication of parks and recreational resources to the public
- Improvement of signage in all public parking areas.

- Ensure parks are accessible by sidewalks bike paths or other pedestrian links where safety permits.
- Improvement of playground equipment, grass field and drainage at Chester Commons Park
- Renovation or replacement of the playground equipment at Carpenter Park
- Encourage creation of pocket parks within new residential developments during the subdivision review process so that children can walk to and from parkland from their homes.
- Development of a new pocket park in Sugar Loaf
- Ensure ADA complaint pathways and incorporate facilities for people of all abilities.
- Enhance recreational opportunities by adding additional movie nights or educational and fitness classes to recreational scheduling.
- Continue to participate in planning efforts of Camp LaGuardia with applicable County agencies.
- Develop a long-term plan for Knapp's View that includes passive recreation and sitting areas.
- During Site Plan review, the Planning Board shall consider the impacts of new development
- on adjacent Town, State and County parklands including noise and visual impacts from these public open spaces.
- Pursue grants for park improvements.

Recommendations related to parks and recreation are not anticipated to result in any significant adverse environmental impacts.

Chapter 6: Cultural and Historic Resources

Recommendations related to cultural and historic resources include protection of historic cemeteries and encouraging protection of historic properties in order to retain the character of the town. Recommendations specifically include the following:

- Consider an amendment to the Town Cemeteries Law to prohibit any disturbance within 100 feet of any cemetery.
- Development proposals adjacent to or including historic sites should identify and mitigate adverse impacts.

Recommendations related to cultural and historic resources are not anticipated to result in any significant adverse environmental impacts.

Chapter 7: Transportation

Recommendations related to transportation are intended to ensure the town's road network can accommodate future traffic, encourage pedestrian safety and support the use of alternate means of

transportation where feasible. No additional lanes or changes in general traffic patterns in the town are recommended. Recommendations specifically include the following:

- Conklingtown Road should be extended to meet Route 94 farther east at a 90-degree angle.
- The intersection of Kings Highway and State Route 17M should be redesigned to permit free flow of traffic and eliminate backlogs.
- The Town should address alignment, pedestrian movements and traffic calming at the intersection of Kings Highway and Pine Hill Road.
- The Planning Board shall require traffic assessments for development projects which may have traffic implications. Traffic studies should analyze road and intersection geometry, structural integrity and susceptibility to accidents, particularly where large vehicles or tractor trailers may need to access a site and will be mixing with residential traffic, in addition to traffic volume.
- Incorporation of traffic-calming measures to slow traffic without relying on speed limits or enforcement measures in more dense developments.
- The Planning Board shall ensure new roads and driveways meeting AASHTO standards for sight distance, width and shoulders.
- Accommodate pedestrian and bicycle transportation needs in the higher density areas of the Town and support future planning and development of both on and off-road bicycle routes, including the expansion of the Heritage Trail along the Erie Railroad branch line.
- Where sidewalks are not proposed, paved shoulders shall be provided in residential subdivisions.
- Bus service within the Town should be expanded, where feasible to do so and to increase the number of stops with amenities such as shelters, benches and other means of weather protection.
- Bus service is specifically recommended which connects the Village of Chester and Sugar Loaf to the Harriman Train Station.
- The Town should support efforts by the railroad to obtain State and Federal dollars to continue to operate freight rail service in the Town.
- Explore possibilities to provide passenger train service to the Town – perhaps along the Lehigh & Hudson River Railroad active freight line or via a branch line to the NJ Transit-operated Port Jervis line.

Recommendations related to transportation are not anticipated to result in any significant adverse environmental impacts.

Chapter 8: Community Facilities and Services

Recommendations related to community facilities are intended to ensure the needs of the town are being met, ensure new development does not exceed the capacity of town resources or negatively impact existing properties. Recommendations specifically include the following:

- Continue to assess needs for community facilities and when necessary, plan for capital improvements to meet those needs.
- Assess potential impacts of proposed developments on town infrastructure and where a development requires expansion or improvements of Town infrastructure, all costs should be borne by the developer.
- Improvement of the current water system and back-up well so that the potable water needs of residents and businesses within the Sugar Loaf area are met.
- Adopt a well testing protocol to be implemented by the Planning Board during project review.
- Prohibition of the construction of privately-owned wastewater treatment facilities in the Town.
- Coordinate with school districts when planning future development.

Recommendations related to community facilities are not anticipated to result in any significant adverse environmental impacts.

Chapter 9: Economic Development

Recommendations related to economic development are intended to expand uses within the code which support tourism and hospitality, and reflect modern market demand while eliminating uses which may have a negative effect on the development of such uses because of noise, dust or other impacts. New uses to be permitted are similar, from a land use perspective, to uses that are currently permitted in the respective zoning districts. None of the recommendations expand the areas of the town where commercial development is permitted. Recommendations specifically include the following:

- Commercial, office and industrial development shall be limited to areas already designated for such purposes except for the expanded commercial use of agricultural properties, adaptive reuse of farm buildings or historic properties.
- Consider permitting a range of medical office uses, indoor and outdoor recreation uses and facilities for film production, which is an emerging industry in the region.
- Expansion of permitted accessory for agricultural uses such as on-site retail sales, tasting areas, hayrides, ‘pick-your-own’ events, catered events and educational space as well as the expansion of agricultural-supportive or related uses in the industrial zones such as drying, processing, packaging or production of processed farm products including jams, cheese, cider, beer and spirits.
- Allow expansion of permitted and accessory agricultural uses in the AR-0.3 zone to expand development opportunities with proper Planning Board oversight.
- Support continued growth of commercial development within the areas already designated for such purposes with a focus on tourism, hospitality and recreational uses.
- Review zoning tables to ensure a broad range of contemporary commercial uses which encourage and support these targeted tourism, hospitality and recreational industries.
- Permit bars, outdoor dining and recreation uses in the GC and LB Zones.

- Auto-centric uses and uses which may have a negative impact on the tourism, hospitality and recreation industries and the overall public enjoyment of the commercial district, such as excavation and mining operations, should no longer be permitted in the commercial districts.
- Create design guidelines for the LB and GC zones in order to provide guidance for creating aesthetically pleasing and functional commercial corridors. It is recommended such guidelines include both standards (requirements) and guidelines (suggestions), to guide the Planning Board's review of new commercial developments.

Recommendations related to economic development are not anticipated to result in any significant adverse environmental impacts.

Chapter 10: Sugar Loaf

Recommendations for Sugar Loaf are intended to maintain the character and development pattern of the hamlet, protect the historic buildings, and support local tourism and marketing efforts. Recommendations specifically include the following:

- Retain the unique character of the hamlet while supporting and growing the arts, entertainment & recreation industry in Sugar Loaf.
- Galleries should be permitted in the LB-SL Zone and any use which supports the tourism, arts or hospitality industries.
- Parking for commercial uses shall not be permitted between the structure and the road (front yard).
- Allow small-scale commercial uses to have no off-street parking requirement.
- Consider permitted connections and shared parking between commercial parking lots with easement agreements.
- Evaluate the ability to create ADA accessible parking spaces in a centralized location along Kings Highway to ensure accessibility.
- Creation of design guidelines for both new construction and redevelopment to protect the unique character of the area into the future.
- Provide sidewalk enhancements and crosswalks within the business district to ensure individuals of all abilities can access the district.
- New development shall be made to construct sidewalks along their street frontage where none exists.

Recommendations related to Sugar Loaf are not anticipated to result in any significant adverse environmental impacts.

Chapter 11: Zoning and Land Use Policy

Recommendations related to zoning and land use policy include two zoning map amendments and text amendments to both the zoning code, Schedule of Use and Area Requirement tables and the Town Subdivision Regulations. Revisions are intended to codify many of the recommendations in other areas of the plan, clarify the Town's intent by providing expanded definitions and ensure proposed uses fit into the character of the area in which they are proposed. Both map amendments reduce the intensity of development that is permitted. Recommendations specifically include the following:

- Rezone Lots 17-1-21, 17-1-20.1 and 17-1-20.2 to SR-2 to be more consistent with the character of the area and surrounding residential properties.
- Rezone Lot 14-7-22.1 from LB-SL to SR-2 to be more consistent with the character of the area and surrounding residential properties.
- Amend the AR-0.3 zoning table to expand the range of permitted agricultural uses to ensure consistency with NYS Agriculture and Markets Laws and to ensure flexibility and profitability of local farms.
- Chapter 83 of the Code shall be amended to specify all elements required to be provided on a subdivision plat, including Yield Plans for cluster subdivisions.
- Review the identified "Buildable Area" for subdivisions in Section 83-22 to ensure each residential lot will have adequate space for house development, utilities and useable yard space.
- Remove outdated references to the PAC floating zone in Section 98-29N
- A recreation component should be required for the development of Planned Adult Communities (PACs).
- Review regulations for short-term rentals to ensure registration and inspection requirements.
- Regulate the residential (non-agricultural) keeping of fowl, livestock and total animals.
- Amend the Town's Use Tables to specifically allow a modern range of medical office uses, recreational uses, outdoor dining and film production studios.
- In the LB-SL Zone, clarify that mixed-use must be residential with commercial use on the ground floor of the structure to reinforce the mixed-use character of the hamlet.
- Create broad design guidelines for the GC and LB zones to ensure aesthetically pleasing design.
- Add definitions to the zoning code (Section 98-2) where uses are permitted in the table and currently not defined.
- Review definitions and special permit criteria (Section 98-29L) for hotels, motels and bed and breakfast inns to ensure modern design and amenities while protecting neighbors.
- Review regulations for long-term, outdoor storage of products and equipment on industrial sites.
- Create a tree preservation law which requires a tree inventory and regulates the clearing of mature trees both within and outside of the site plan review process.

- Amend the Town’s Ridge Preservation Overlay District Regulations (Section 98-26.C) zoning to provide more direction on the expectations and deliverables associated with the visual impact assessment.
- Develop a well-testing protocol to be implemented by a developer and reviewed by the Planning Board during the SEQR review process.
- Designations of Scenic Roads and creation of associated additional setbacks.
- Revise Section 98-30F(2)(b)[4][f] to measure buffers from the center point of a stream or some other more clearly defined point.
- Create a net lot area calculation which removes wetlands, surface water features and steep slopes from lot area.
- A clearing and grading permit process shall be created to ensure oversight when a property owner is importing fill or grading large portions of a property when site plan approval is not required
- Amend Article 9 of the Town Code to amend provisions regarding solar arrays and to address the installation of Battery Energy Storage Systems, implement standards, training and equipment for addressing emergencies

Recommendations related to land use and zoning are not anticipated to result in any significant adverse environmental impacts.

Individual properties and projects remain subject to site-specific land development and SEQR review at the time an application is made to ensure that potential environmental impacts are evaluated.

Evaluation of Consistency with County Plans.

In developing the Walden Comprehensive Plan, these plans were reviewed to provide insight into how the Village could best fit into this regional framework while preserving its unique character.

Orange County Bikeway Vision Plan (2023) discusses conversion of the County-owned Camp LaGuardia property into a County park and recommends acquisition of a 10-mile segment of an abandoned railbed between Cornwall and Chester, connecting the Camp LaGuardia, for a multi-use trail. The Town Comprehensive Plan strongly supports this effort and any other initiatives to promote trail development and environmental tourism.

Orange County Comprehensive Plan (last updated in 2023), retained the Priority Growth Area concept which recommended concentrating sustainable development in and around “centers” such as cities, villages, hamlets – which have public utilities and sufficient transportation infrastructure -- in order to maintain the County’s rural countryside. The Town of Chester Comprehensive Plan supports this concept by continuing to recommend rural and suburban residential densities in areas of the town which have no public utilities or access to major transportation corridors while recommending mixed use development in the Hamlet of Sugar Loaf.

Orange County Open Space Plan (June 2004) and is incorporated into the County’s Comprehensive Plan. The recommendations for open space preservation, trail development, and

parkland development contained within the County Open Space Plan are supported through the recommendations contained within this Plan

Moodna Creek Watershed Conservation and Management Plan: This plan prepared in 2010 by the Orange County Water Authority, stresses the that streams such as the Otter Kill and Black Meadow Creek, which run through the Town of Chester, and their tributaries are in need of enhanced protections to prevent further degradation and to restore their integrity. In support of this plan, the Comprehensive Plan and zoning recommends delineation of all surface water and streams on all site plans, clear setbacks from streams and protection of riparian buffers.