

VILLAGE OF CHESTER

County of Orange, State of New York

RESOLUTION

ADOPTION OF FINAL SCOPE
UNDER SEQRA FOR BT HOLDINGS LLC PROPOSED ACTION/PROJECT

Introduced by: Deputy Mayor John Deshler

Seconded by: Trustee Jack Collins

Date of Adoption: July 14, 2008

WHEREAS the Mayor and the Trustees of the Village of Chester (the "Village Board") received a petition from BT Holdings, LLC (the "Petitioner"), pursuant to Article 17 of the General Municipal Law of the State of New York, for the annexation from the Town of Chester to the Village of Chester of a parcel of property consisting of 60.6 acres of land; and

WHEREAS the Petitioner seeks, in addition to the annexation of 60.6 acres of land from the Town of Chester to the Village of Chester, the rezoning of said land to the RM zone, approvals for the construction of a 438-unit residential development, variances as may be necessary, and connections to the Village's water and sewer service (collectively the "Proposed Action" or "Project"); and

WHEREAS the Village Board, by resolution adopted on February 11, 2008: (1) determined that the Proposed Action is subject to the State Environmental Quality Review Act ("SEQRA"), (2) made a preliminary classification of the Proposed Action as a type "1" action under SEQRA, (3) identified other Involved Agencies, (4) indicated its desire to assume lead agency status for SEQRA review of the Proposed Action, and (5) authorized the circulation of a Notice of the Village Board's intent to act as lead agency to the other identified involved agencies; and

WHEREAS the Village Board, by resolution adopted on April 14, 2008: (1) accepted and assumed its position as lead agency under SEQRA for the review of the Proposed Action, (2) determined that the Proposed Action may result in significant adverse environmental impacts which were enumerated within that resolution, and (3) acknowledged receipt of a draft scope from the applicant; and

WHEREAS the Village Board, pursuant to SEQRA: (1) filed appropriate notice and conducted a draft environmental impact statement scoping session on April 30, 2008, (2) allowed for a public comment period on the draft scope, which ran through

May 22, 2008, (3) considered the comments received on the draft scope, and (4) developed a final scope for the draft environmental impact statement in consultation with its consultant planner, the applicant, the Village's attorneys and Village staff; and

WHEREAS, the Village Board has independently reviewed and considered the content of the final scope.

NOW, THEREFORE, be it hereby

RESOLVED that, pursuant to SEQRA, the Village Board hereby adopts the final scope dated July 14, 2008, entitled "Scoping Document for BT Holdings LLC - Chester Development, Draft Environmental Impact Statement" as the final scope for preparation of the DEIS for the proposed project; and be it further

RESOLVED, that the Village Board hereby directs the applicant to serve copies of the final scope, along with this resolution, on all involved agencies; and be it further

RESOLVED that the applicant is directed to prepare a DEIS consistent with the adopted final scope, and to submit the same to the Village Board upon completion.

On a vote of 5 to 0 , the Mayor declared the resolution adopted.