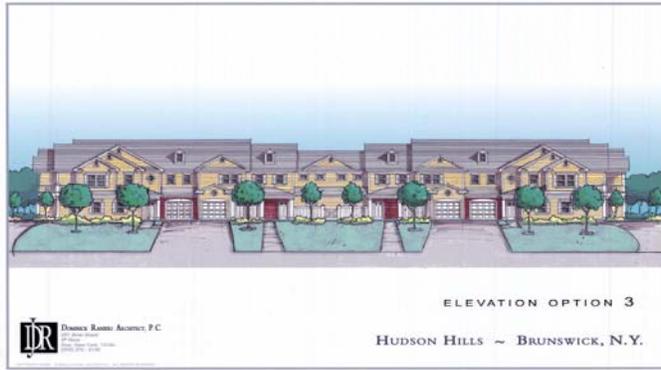


Information Regarding The Smaller Plan of The Hudson Hills Planned Development District Brunswick, New York



June 12, 2007

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**ANALYSIS OF ENVIRONMENTAL IMPACTS
HUDSON HILLS AT 250 UNITS AND TWO YOUTH BABE RUTH BASEBALL FIELDS**

I. Introduction

The following analysis has been prepared in response to comments of the Town of Brunswick Town Board (“Town Board”) that the currently proposed Hudson Hills PDD (“Current Plan”) be further downsized from 668 residential units to just phase I of the Current Plan (i.e. 250 residential units) and that an enhanced public benefit be incorporated therein (collectively, the reduction in units and addition of the public benefit are referred to as the “Town Comments”). The resulting project is hereafter referred to as the “Smaller Plan.” A concept site plan of the Smaller Project is attached as Exhibit A (“Smaller Site Plan”).

The analysis has been prepared to review the state of information in the existing record and to examine and evaluate whether there are any reasonably foreseeable environmental impacts likely to result from the Town Comments that were not previously addressed or were inadequately addressed in the Final Environmental Impact Statement for the Current Project accepted as complete by the Town Board on or about February 8, 2007 (“FEIS”). This analysis implements the requirements of the State Environmental Quality Review Act and its implementing regulations (“SEQRA”), including but not limited to 6 NYCRR 617.9(a)(7).

As set forth in greater detail below and in the attachments, this analysis demonstrates that all relevant environmental impacts likely to result from the Smaller Plan have been identified and adequately analyzed in the FEIS in accordance with SEQRA. The Smaller Plan, consisting of 250 residential units and two (2) youth Babe Ruth baseball fields, does not raise or otherwise implicate any significant new environmental impacts.

Pursuant to the Final SEQRA Scoping Document, the following categories of impacts have been addressed in the FEIS (which incorporates by reference the Draft Environmental Impact Statement) for the Current Plan:

- Geology
- Water Resources
- Terrestrial & Aquatic Ecology
- Transportation
- Air Quality
- Land Use & Zoning
- Community Resources
- Cultural Resources

II. Brief History of the Proposed Hudson Hills PDD

The Hudson Hills Planned Development District, a luxury multi-family residential community, was originally proposed as 1,116 units on 215± acres in up to four phases (“Original Plan”). As a result of public comments and informal comments from various Town officials, the Original Plan was reduced by 448 units, resulting in the Current Plan. The Current Plan represents a 40% reduction. The Current Plan basically eliminated phases III and IV of the Original Plan. While the Current Plan is a significant reduction and constriction of the Original Plan, it remains on the entire 215± acres. The Current Plan is proposed in three distinct phases. The phases are smaller than the phases proposed under the Original Plan. Phase I consists of 248 units, phase II 228 units and phase III 192 units. The North Lake Avenue access has been eliminated in its entirety.

Based on the Town Board’s recent comments that the Current Plan be downsized to approximately the same size as Phase I of the Current Plan and provide a benefit to the residents of the Town of Brunswick, the Applicant has prepared the Smaller Plan.

III. The Smaller Plan

The Smaller Plan consists of a total of 250 residential units. The Smaller Plan contains the same primary use as the Original Plan and Current Plan, a luxury multi-family residential community. The Smaller Plan also provides a public benefit by including two youth Babe Ruth baseball fields that will be constructed by the Applicant and dedicated to the Town of Brunswick. The fields are not part of the proposed Planned Development District and would be built on lands currently owned by the Applicant for the benefit of the residents of the Town of Brunswick.

The Smaller Plan is proposed in one phase and is essentially the same number of units as Phase I of the Current Plan. The total unit count has been reduced by almost 80% from the Original Plan and 63% from the Current Plan. In absolute numbers, the unit count has been reduced by 866 units (1,116 – 250). While the number of buildings and units has been drastically reduced, the buildings themselves remain unchanged. The Smaller Plan also continues to include a first class clubhouse and site design elements that have always defined Hudson Hills as a premier multi-family community.

The Original Plan had a density of 5 units per acre. The Current Plan has a density of 3 units per acre. Given the significant downsizing of the Smaller Plan, it is laid out on 77 acres. See the Smaller Site Plan attached hereto as Exhibit A. The resulting density of the Smaller Plan is the same as the Current Plan, 3 units per acre. The site development envelope of the Smaller Plan lies within the site development envelopes generally identified as phase I and phase II under the Current Plan.

In response to the Town Board’s public comment that a significant public benefit be provided together with the Smaller Plan, the Smaller Plan contemplates two youth Babe Ruth baseball fields. The fields would be located on 25 acres of the original 215 acre site in the vicinity of the southeasterly portion of phase III under the Current Plan. See the Smaller Site Plan attached hereto as Exhibit A. The fields, including an access road, water and sewer lines,

accessory structures and parking areas, would be constructed by the Applicant and the 25 acre parcel dedicated to the Town of Brunswick.

The Applicant is prepared to establish access rights as shown on the Smaller Plan attached hereto as Exhibit A through a 38 acre parcel that it presently controls and is prepared to acquire in order to assure access and utilities to the ball fields from Betts Road. See the Smaller Site Plan attached hereto as Exhibit A. The access and utilities are located within the site development envelope considered for the Current Plan.

Betts Road will continue to function as the principal access point under the Smaller Plan. The proposed improvements to Betts Road as discussed in the FEIS remain as part of the Smaller Plan. Water and sewer utilities will be constructed within the Betts Road right-of-way. The Applicant will acquire the interests necessary to establish the “proposed right-of-way” as depicted on the Map Showing Existing Conditions – Measured R.O.W. Betts Road attached hereto as Appendix 4. This will permit locating the water and sewer lines outside the paved portion of Betts Road. See Appendix 4.

Lastly, the cherry orchard will be eliminated and no residential development is proposed within approximately 1,000 feet of existing residences along Wilrose Lane. This substantially increases separation from and buffering of such neighboring residences.

Attached as Exhibit B is an analysis of the above-referenced environmental impacts addressed in the FEIS, taking into account the Town Comments. Practically, the Smaller Plan is the same size as phase I of the Current Project (250 units versus 248 units). Any impacts associated with the youth baseball fields, including traffic, are within the scope of impacts of the 668 units proposed for the same area within the Current Plan. See Exhibit B. We have considered whether there may be other foreseeable significant adverse environmental impacts and have determined that there are none.

IV. Conclusion

Taking into account the Town Comments, all relevant environmental impacts likely to occur as a result of the Smaller Plan have been adequately identified and analyzed, and there are no significant adverse environmental impacts not identified and analyzed in the FEIS. Accordingly, no supplemental environmental impact statement or other further SEQRA review is warranted or required.