

SILO RIDGE

RESORT COMMUNITY

ADDENDUM TO ENVIRONMENTAL ASSESSMENT FORM

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Prepared For:

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Amenia, NY 12501

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ADDENDUM TO ENVIRONMENTAL ASSESSMENT FORM FOR THE SILO RIDGE RESORT COMMUNITY DATED MARCH 3, 2014

I. Introduction

This addendum is submitted to the Town of Amenia Planning Board in support of the Environmental Assessment Form for the Silo Ridge Resort Community dated March 3, 2014, and the applications of Silo Ridge Ventures, LLC (the “Applicant”) for (i) amended special use permit/master development plan approval of the Silo Ridge Resort Community (sometimes referred to as “Silo Ridge,” or the “Modified Project”); (ii) site plan approval of the first phase of Silo Ridge; and (iii) related preliminary subdivision approval. Capitalized terms used but not defined in this addendum have the meanings given to them in the revised Master Development Plan of the Silo Ridge Resort Community amended August 7th, 2014 (the “MDP”).

II. Description of the Modified Project

II.1 General Description

The 676 +/- acre (682.5 +/- acres including the 6.6 +/- acre easement area on the adjoining property owned by Harlem Valley Landfill Corp.) Modified Project site is located west of NYS Route 22 in the Town of Amenia in eastern Dutchess County, NY, approximately 25 miles east of Poughkeepsie, NY and five miles west of Sharon, CT. The site is approximately ½-mile southeast of the hamlet of Amenia and two miles north of the hamlet of Wassaic. It is accessible via US Route 44 from the east and west, and NYS Route 22 from the north and south. The Wassaic Metro-North train station, with service into New York City’s Grand Central Station, is located approximately ½-mile south of the site. Approximately 170 acres of the site consists of the former Silo Ridge Country Club, an 18-hole closed golf course and clubhouse. In concept, the Modified Project is organized in the manner of a traditional village, with a clubhouse/lodge and other resort functions, including a fitness center, set on a village green. The proposed MDP represents a more compact development that emphasizes walk-ability, and is sensitive to the visual character of the site. The neighborhoods and roads respond to the rolling topography and capture views across the golf courses and down the long valley. Pockets of density are proposed, which preserve open green space. The architectural expression of the resort buildings recalls the Hudson Valley architecture of the early twentieth century using stone and timber in traditional forms, while the residential buildings reflect the character of Dutchess County’s towns and farmsteads.

The “Modified Project” program includes 21 lodging (hotel-condominium) units and a total of 224 residences, including single-family homes and condominiums, as described in Table 1 below and are shown in more detail on the MDP Plan Sheets SP2 “Overall Site Plan” and SP3 “Program Details”.

The Traditional Neighborhood Design (“TND”) approach set forth in Section 121-12.1 of the Town Zoning Law was utilized to plan the resort community and creates a pedestrian friendly environment by concentrating approximately 60% of the residential units and all lodging units within ¼ mile radius of the Village Green core area (“Village Green”), which facilitates and encourages comfortable pedestrian travel between the various resort community components and amenities. In addition to the residences and lodging units, the resort community core area also includes dining facilities, below-ground parking, the Clubhouse and pro-shop, fitness and spa. The MDP also incorporates multi-family buildings and emphasizes the use of spaces such as greens and gardens to unify the development and foster interaction among people. These elements of the Modified Project’s design contribute to a sense of place and vitality, which are key elements of a traditional neighborhood concept.

Additional residences are located a short walk away southeast of the Village Green in the South Lawn neighborhood adjacent to the pond. These homes are located between the golf course to the west and the treed knolls and wetlands to the east. Building massing of these South Lawn residences is minimal, indicative of a typical neighborhood further from the core of a village. Detached Golf Villas are located west of the Clubhouse and 18th hole fairway, single family Estate Homes are located on a meandering country road along the western edge of the golf course and detached Vineyard Cottages are located north of Route 44 to the east of the Winery Restaurant and Artisan’s Park Overlook. The Artisan’s Park Overlook is intended to serve as a tourist destination and afford an opportunity for visitors of the region to enjoy the views from a safe location on DeLavergne Hill. Silo Ridge is intended to be built and heavily marketed as a second-home club community, where the majority of residential unit owners are expected to be part-time residents who occupy their homes on weekends or for short vacation stays.

The championship golf course designed by Tom Fazio will seek Audubon International’s Silver Certification and will be an integral part of the community and neighborhoods. A system of walks and golf cart paths throughout the Site will connect all major components of the development. The walks and paths will be separated from the street by planting strips and planting areas, and will follow the street alignment in some places and deviate from it in other locations to adjust to natural vegetation and topography. Street trees will be provided as needed to create shade and visual interest to the streetscape.

II.2 Program Components

Table 1 summarizes the program elements of the MDP, which includes a mix of 224 residential condominiums, town homes, and single-family detached homes. The residential program component is described in Section 1.4 of the MDP text.

TABLE 1	
Land Use Types and Counts	
Land Use	Number/Size
Residences:	224 Total
Condominiums (2 to 4 Bedrooms)	52 (Avg. 2,700 SF)
Town Homes (3 and 4 Bedrooms)	13 (Avg. 3,550 SF)
Single-Family	159
Golf Villas	28 (Avg. 3,890 SF)
Vineyard Cottages	19 (Avg. 2,700 SF)
Village Green Homes	23 (Avg. 3,870 SF)
South Lawn Homes	32 (Avg. 3,750 SF)
Estate Homes	57 (Avg. 5,600 SF)
Clubhouse/Lodge:	32,000 SF
Lodging/Hotel-Condominium Units (2 to 4 bedrooms, in 3 separate buildings)	21 Units
Restaurant	80 seats
Bar/Lounge	40 seats
Golf:	
Golf Pro Shop (located in Clubhouse)	1,000 SF
Golf Comfort Stations (2)	902 SF
Golf Academy	1,000 SF
Maintenance Facility (on adjoining parcel, by easement)	12,500 SF
Amenities:	
Family Activity Barn	5,862 SF
Lake Pavilion	212 SF
Gatehouse	210 SF
Sales Center	4,113 SF
Fitness Spa	3,637 SF
General Store (in Sales Center)	2,000 SF
Car Parking Barns (2)	11,220 SF
Winery Restaurant	5,000 SF
	80 seats
Vineyard Cottages Amenities Building (Cabana)	1,250 SF

Residences

All of the town homes, condominiums, and 61 single family homes, and the 21 lodging/hotel-condominium units (which are located in 3 separate buildings), are concentrated in the immediate vicinity of the Clubhouse/Lodge and the Village Green. The town homes are multi-level units and the condominiums are single-level two-bedroom and multi-level 3 and 4 bedroom units. The town homes and condominiums are proposed exclusively around the Village Green. The units are sited in groupings to maximize the provision of green space and views.

Single-family homes are located in several neighborhoods throughout the site. The Village Green neighborhood (23 homes) is located north and east of the Village Green; the Golf Villas neighborhood (28 homes) is located west of the Clubhouse; the South Lawn neighborhood (32 homes) is located near the family barn and lake; the Estate Homes neighborhood (57 homes) is located along the western edge of the golf course and into the woods at the south end of the property; the Vineyard Cottages neighborhood (19 homes) is located across Route 44 from the golf course. The single family homes range in size from approximately 2,700 square feet to 5,600 square feet, with three to five bedrooms.

Clubhouse/Lodge, Fitness and Family Activity Barn Amenities

The existing golf clubhouse will be demolished and a new clubhouse will be constructed in approximately the same location, just slightly south of the existing building's footprint.

The Clubhouse/Lodge is proposed on the west side of the Village Green and is one of the key components of the "village core" that is envisioned for this area. The Clubhouse/Lodge building is proposed to be 1-1/2 stories from the front (north side) and 2-1/2 stories from the golf course (south side), with the top floor contained entirely within the roof.

The main level of the Clubhouse/Lodge will contain the lobby, lounge, offices, gallery, dining room, kitchen, bar, grill and restroom areas. The upper level will contain the 5 lodging units. The lower level will contain pro shop, changing room, office, spa, and locker rooms. This level opens up to ground level on the south side of the building with views of the golf course. The fitness center and an outdoor pool are located to the west of the Clubhouse/Lodge. The South Lawn neighborhood will be anchored by the Family Activity Barn. Inspired by the agrarian structure of the region, the Family Activity Barn will be a center of family gatherings with space for resort community events, kids' activities, and a family pool. Overlooking the fishing pond, the barn activities will be able to take advantage of a large lawn leading down to a Lakeside Pavilion and fishing dock.

Winery Restaurant

The Winery Restaurant will be an approximately 80 seat winery themed, old world style restaurant (approximately 5,000 square feet) with outdoor patio, complete with an extensive wine cellar on the lower level, and will be located approximately 530' north of the hairpin turn on Route 44. An orchard and/or decorative grapes are expected to be part of the landscape features in this section of the Modified Project north of Route 44 in keeping with the vineyards and agricultural nature of the region. The restaurant will look to source fine food locally and promote tourism for the region.

II.3 Easements

A 100-foot wide easement granted to the New York State Electric & Gas Corporation traverses a small part of the project site in the northeastern-most corner of the site near the proposed Wastewater Treatment Plant ("WWTP"). There is also a 66-foot wide abandoned roadway, identified on the site survey as "Former Turnpike Road," that crosses a portion of the project site near the hairpin turn on Route 44.

The existing entrance road from Route 22 located on adjoining parcel 7066-00-870350 will serve as an emergency access road for the Silo Ridge Resort Community site and entrance to the golf maintenance facility. This access road and the golf maintenance facility will be permitted by easement in favor of the Silo Ridge Resort Community. The easement area totals approximately 6.6 acres.

II.4 Homeowners Association/Condominium Structure of the Modified Project

The homeowners association/condominium structure of the Modified Project is described in Section 5.0 of the MDP text. Silo Ridge Resort Community Master Home Owners Association (the "Master HOA"), will be a master home owners association responsible for managing and governing the community as a unified entity. The Master HOA will also be responsible for ensuring compliance with the conditions of the amended/supplementary Findings Statement ultimately adopted in connection with the amended MDP, including those applicable to the Common Areas and facilities of the Silo Ridge community, and the conservation easement. The Master HOA documents will set forth general standards for the operation and maintenance of the community that must be complied with by all constituent individual homeowners and condominium associations (each a "Component"). No portion of Silo Ridge, except the on-site WWTP and the facilities of the Sewage-Works Corporation, and the facilities of the Water-Works Corporation, will be excluded or will be exempt from membership in the Master HOA.

The Master HOA will have responsibility for maintaining, operating and managing the common areas and facilities of Silo Ridge (the "Common Areas"). The Common Areas will include but will not be limited to, all roads, infrastructure, parking lots,

landscaping, irrigation, signage, wetlands, watercourses, trails, open space and other common facilities at the site. The Common Areas will include the areas encumbered by the conservation easement (except the golf course which will not be owned by the Master HOA), and the buffer and management areas outside the golf course that are subject to the Habitat Management Plan (“HMP”) and Natural Resources Management Plan (“NRMP”). The Master HOA will have direct oversight over the Sewage-Works and Water-Works Corporations.

The Board of Directors of the Master HOA will be responsible for the governance of the Master HOA and will retain a property manager to maintain the Common Areas. The Master HOA will collect an escrow fee from home owners for the post-construction review by the Town Engineer of inspection and maintenance reports required in connection with the SWPPP and will be responsible for the payment of the fee to the Town. The Master HOA will also be responsible for the ongoing care, maintenance, life-cycle and eventual replacement of the vegetative screening contained in the landscaping plan for the Modified Project. The Master HOA will also contract with a private hauler to remove all solid waste and recyclables from Silo Ridge in compliance with all applicable federal, state and local rules and regulations. The Master HOA will also be the liaison with the organization holding the conservation easement on the open space.

The individual Component associations will be governed by their own Board of Directors/Managers who will be responsible for governance of the buildings and amenities within each Component.

There will be five (5) homeowners association Components (one for the Estate homes, Golf Villas, Village Green single-family homes, South Lawn homes, and one for the Vineyard Cottages), and up to eleven (11) condominium Components and a Board responsible for managing the golf club and course. Each of these individual Components will be subject to the provisions of the Master HOA documents.

II.5 Roads, Site Access and Circulation

The current entrance to the golf course will remain and will serve the Sales Center, General Store, and the Village Green, including the Clubhouse/Lodge, and condominium and town home units. That entrance will also serve as the main entry point for the single-family units in the Village Green, South Lawn, Golf Villas and Estate Home neighborhoods. The existing entrance from Route 22 on the adjoining parcel owned of record by Harlem Valley Landfill Corp., will serve as an emergency access road for the Silo Ridge site and entrance to the golf maintenance facility. This access road and the golf maintenance facility will be permitted by easement in favor of Silo Ridge. A connection between the east and west roadways will be maintained for emergency access and will also be used as a pedestrian path.

The portion of the site north of Route 44, will have two entry points for access to the Winery Restaurant and to the Vineyard Cottage units. The first entrance heading east on Route 44 will be at the top of DeLavergne Hill and will provide access to the Winery Restaurant, and the Vineyard Cottage units. The road continues eastward through the clusters of residential units and meets up again with Route 44, providing a secondary access point to this interior roadway. Gates will be installed at all entrances to Silo Ridge, except that the proposed gate for the entrance at the top of DeLavergne Hill will not interfere with access to the Winery Restaurant and Artisan's Park Overlook. Rather, it would be placed on the access road to the Vineyard Cottage units located to the east of the entrance to the Winery Restaurant parking lot. The primary purpose of the gatehouse at the main entrance will be for personnel to greet owners and their guests, provide directions or instructions to guests, and identify persons entering the Site and their intended destination(s). The gatehouse will operate 24 hours per day and 7 days per week. It will be necessary to be an owner or owner's guest, or a guest of the Lodge or of the golf course, to enter the Site. Resort Community personnel will have the authority to grant or deny access to the property. Moreover, resort community personnel will have the authority to deny access and to remove persons who are disruptive to other people visiting the resort community and to the operation of the resort community, and who have misrepresented their stated intent or purpose for visiting the resort community.

Roads throughout the community will be paved. Road profiles will vary depending on location. For instance, the more heavily traveled roads in the Village Green core area will be wider than those serving the more remote areas. Stone curbs may not be utilized in certain locations in order to promote drainage through vegetated swales. Sidewalks will be concrete pavers, bluestone, concrete or any combination thereof. Alternate pervious sidewalk materials will be evaluated. Pervious paving will be evaluated, for certain locations of roadway, such as the Vineyard Cottages, during site plan review.

II.6 Parking

The parking plan is based on Discovery Land Company's extensive resort community operating experience, the nature of the Modified Project, and the intent of the Resort Development Overlay District ("RDO District"). The parking plan takes advantage of the opportunity for "shared parking" to accommodate complimentary variations in the demand for parking at different intervals of time, day or season. Formal agreements for shared parking will not be needed because the Silo Ridge Resort Community will be under the control of a single developer and then the Master HOA, and because valet services will be used as the primary method of shared parking. This will allow parking to be shifted among and between available parking supplies to match peak demands of complimentary land uses as/when required.

Parking is described in Section 4.4 of the MDP text. As indicated in the MDP, all single-family residential units have 2-car garages with apron or driveway space for

an additional two vehicles out front for a total of 636 spaces. The condominiums and town homes will utilize a combination of underground parking, on-street convenience parking and covered parking barn spaces. The on-street convenience parking will be available to be shared among other users of the resort.

The valet parking services for the “hospitality” components of the resort community (golf course, the Clubhouse/Lodge, and associated amenities) will be provided among and between surface parking facilities. This will allow the valet staff to maximize the use of vehicle storage areas while minimizing the turnaround time for retrieval of stored cars.

MDP Plan Sheet P-1 “Parking Plan” illustrates the proposed parking details of the Modified Project.

II.7 Generalized Construction Phasing

Construction of the Modified Project is expected to occur over three phases, taking approximately seven years. The construction phasing that is currently anticipated is illustrated conceptually on MDP Plan Sheet SP-5 “Overall Phasing Plan”. It is noted that the sequencing of each of the residential components will depend on market demand.

PHASE I: Year 1 to Year 3

- Sales Office and General Store
- Clear, grub and rough grade
- Golf Course, Golf Academy, Comfort Stations and Maintenance Facilities
- Water and Wastewater Treatment Plants
- Infrastructure
- Clubhouse/Lodge – approximately 4,850 SF, including the Pro Shop, bathrooms, small wine cellar, bar/lounge and small lobby area.
- Village Green neighborhood, Golf Villas neighborhood, 10 South Lawn neighborhood homes and 31 Estate Homes
- Artisan’s Park Overlook

PHASE II: Year 4 to Year 5

- Clear, grub and rough grade

- Infrastructure
- Clubhouse/Lodge expansion
- 26 Estate neighborhood homes and 22 South Lawn neighborhood homes

PHASE III: Year 5 to Year 7

- Clear, grub and rough grade
- Infrastructure
- Winery Restaurant
- Vineyard Cottages

II.8 Modified Project Modifications and Reduced Impacts

Certain modifications to the development program effectively reduce potential impacts to the environment compared to the current approved (October 8, 2009) master development plan. They are summarized in Table 2.

TABLE 2		
Project Modifications		
Issue / Resource	Location	Proposed MDP
Access/Circulation Visual Resources Soil and Grading Water Resources	Main Entry Road and New Road	The front entry gate house will be more than 700' from the entrance in order not to negatively impact the understated country elegance of the main entrance; the gates will require a waiver from the Planning Board. The front entry will be planted with large specimen trees from within the site which would otherwise be removed. The south entrance was relocated to the existing entrance road from Route 22 located on the adjoining parcel (7066-00-870350) which will serve as an emergency access road for the Silo Ridge Resort Community site and entrance to the golf maintenance facility. This access road and the golf maintenance facility will be permitted by easement in favor of the Silo Ridge Resort Community. The relocation of the south entrance reduces the grading and clearing adjacent to the DEC 100' wetland buffer. Golf hole #9 has been relocated between the Sales Center and the Village Green, further enhancing the natural backdrop of the area; no additional impervious surface is proposed.

TABLE 2
Project Modifications

Issue / Resource	Location	Proposed MDP
		<p>The overall density of development has been reduced; the number, size and height of the buildings is reduced; no building height waivers are required.</p> <p>Seven (7) units relocated from the South Lawn area to the north side of the Sales Center on New Road B. This location is buffered by trees and topography.</p>
Soil and Grading Water Resources Vegetation Visual Resources Pedestrian Circulation Parking Open Space	Village Green Neighborhood	<p>“Road H” has been relocated along the tree knoll. The road has been aligned to minimize disturbance to the tree edge. “Road H” is designed using the Dutchess County Department of Planning and Development Hamlet Design Guidelines, in order to maintain the open, largely undeveloped landscape in the rural countryside. The density of development in this area has been reduced, reducing impervious surface, allowing for preservation of trees, reducing grading and enhancing the visual buffer. The roads have also been designed to use natural ditches and grassed buffers instead of curbing.</p> <p>Underground parking has been reduced in order to mitigate the grading impacts. Only the condominium units have underground parking. On-street convenience parking and covered parking barns are provided at the Village Green area along with valet services to facilitate shared parking arrangements.</p> <p>The Village Green neighborhood is characterized by single family residences. The homes have spacious front and rear yards and will be landscaped.</p>
Soil and Grading Water Resources Parking Open Space	Lodge Units Behind the Clubhouse	<p>Overall density of development has been reduced in this area. There are no proposed buildings on the north side of “Road E” and the building footprint was shifted south reducing grading impacts. “Road E” has also been designed to follow the natural topography to further minimize grading impacts.</p>
Soil and Grading Water Resources Vegetation Access/Circulation Open Space	South Lawn Neighborhood	<p>The South Lawn neighborhood was reconfigured, reducing the density of development as well as building heights, and therefore reducing visual impacts.</p> <p>No development is proposed south of the stream, maintaining the wetland buffer.</p> <p>The roads have been designed to be stepped in order to more closely follow the existing topography to reduce</p>

TABLE 2		
Project Modifications		
Issue / Resource	Location	Proposed MDP
Visual Impacts		<p>cuts/fills and clearing while maintaining the wetland buffer.</p> <p>The south entrance was relocated to the existing entrance road from Route 22 on the adjoining parcel, eliminating the emergency access at this location which removes the clearing and grading of the area adjacent to the wetland and west of Route 22.</p>
Soils and Geology Grading Water Resources	Estate Homes Neighborhood	<p>“Road E” has been redesigned both horizontally and vertically to further accommodate the existing topography and existing rock outcrops. Numerous homes have been shifted east thereby locating them further from steep slopes.</p> <p>The relocation of the south entrance to the existing entrance road from Route 22 on the adjoining parcel provides a shorter, more direct emergency access road for the Estate Homes.</p> <p>The driving range has been relocated to the northwest corner of the site reducing the impact to steep slopes and existing vegetation along the existing western forested area of the site by bringing the Estate Homes further down the slope.</p>

Table 3 further illustrates reductions in impact, contrasting the master development plan addressed in the FEIS, the current approved master development plan (October 8, 2009), and the proposed, amended MDP.

TABLE 3
Approved Master Development Plan Compared to Proposed MDP

Feature	FEIS Master Development Plan	Approved Master Development Plan	Proposed MDP
Total Site Acreage	670±	670±	682.5± *
Total # Homes	338	338	245
Single-family	60	60	159
Townhouses/Flats	278	278	65
Total # Lodge Units	300	300	21
Water Demand - Max. Daily (gpm)	264	264	177 ¹
Wastewater Generation - Avg. Flow (gpd)	191,800	191,800	115,000 ²
Length of Road (LF)	21,800±	20,500±	21,000±
Open space (acres/percent)	536 ac/80%	536 ac/80%	541.8 ac/80.19% **
Total Disturbed Area (acres/percent)	246 ac/37%	282.9± ac/42%	268.3± ac/39.3% *
Disturbance to land not previously disturbed	-	113.5	97.8
Steep Slope Disturbance (acres/percent)	103 ac/15%	136± ac/20%	114.1± ac/16.7% *
TOTAL Disturbance to slopes 15% - 30% (acres)	83	101.5±	92.4±
Disturbance to naturally forested slopes 15% - 30% (acres)	-	57.8±	51.9±
Disturbance to previously altered (unforested) slopes 15% - 30% (acres)	-	43.7±	40.5±
TOTAL Disturbance to slopes > 30% (acres)	20	34.5±	21.7±
Disturbance to naturally forested slopes > 30% (acres)	-	20.0±	14.4±
Disturbance to previously altered (unforested) slopes > 30% (acres)	-	14.5±	7.3±
Cut/Fill Totals (CY)	950,000	950,000	939,350
Impervious Area (acres/percent)	37.5 ac/5.6%	33.9 ac/5.1%	35.0 ac/5.1%

TABLE 3 (Cont'd)			
Approved Master Development Plan Compared to Proposed MDP			
Feature	FEIS Master Development Plan	Approved Master Development Plan	Proposed MDP
Disturbance to Natural Wetlands (acres)	0.05±	0.05±	0.00±
Reduction of Constructed Wetlands/SWM Practices (acres)	-	-	0.20±
Creation/Expansion of Constructed Wetlands/SWM Practices (acres)	-	-	2.53±
Total Population (# people)	869	869	809 ³
School Children (# students)	96	96	175 ^{3,4}
Traffic Generation (# trips):			
Weekday AM Peak Hour	442	442	176
Weekday PM Peak Hour	660	660	242
Sat Mid-Day Peak Hour	699	699	248
Sunday PM Peak Hour	637	637	242
Surplus (Shortfall) Revenue to Town of Amenia	\$473,800 ± / \$517,450 ± ⁵	\$473,800 ± / \$517,450 ± ⁵	\$989,655 ± / \$1,020,192 ± ⁵
Surplus (Shortfall) Revenue to WCSD	\$2,786,215 ⁶	\$2,786,215 ⁶	\$2,235,329 ± ^{3,4,6}

* The 682.5 +/- acres includes the proposed 5.8 ± acres lot line adjustment area and the 6.6 +/- acre easement area on the adjoining property owned by Harlem Valley Landfill Corp. Calculations shown refer to the 682.5 acres.

** Calculations shown refer to the 675.66 acres, which includes the 5.8 ± acre lot line adjustment and not the 6.6 ± acre easement area.

¹ Refer to *Appendix I* for updated water calculations.

² Refer to *Appendix J* for updated wastewater calculations.

³ The minimal decrease in total population and increase in school children, despite the decrease in total number of homes and lodge units, is due to the projected number of people for single family units in comparison to lodge units.

⁴ Less than 1% of residents of Discovery Land Company communities are full time residents. The number of school children shown are not expected to attend WCSD - refer to *Appendix K.2* for supporting documentation from Discovery Land Company.

⁵ Amount of municipal tax surplus varies based on methodology used to calculate assessed value of the hotel-condominium units. See *Appendix H* of the FEIS for the Approved MDP and *Appendix K.1* for more information.

⁶ Amount of school tax surplus varies based on methodology used to calculate assessed value of the hotel-condominium units and whether potential impacts to the amount of State Aid are included. See *Appendix K.1* for more information.

In view of the foregoing, the proposed modifications will clearly not create any new significant adverse environmental impacts, and will actually reduce the overall environmental effects of the Modified Project.

The proposed plans for the residential and golf course components of the Modified Project are compared to the approved master development plan in *Appendix A* and *Appendix B*, respectively.

II.9 Other Site Design Features Provided As Mitigation

Additionally, other site design features have been provided as mitigation, and are described below.

Habitat Management Plan: The Habitat Management Plan for the entire site has been updated based on the proposed MDP. The plan identifies species observed at the site and the capacity for site habitats to meet each species' requirements for breeding, foraging and refuge. The plan identifies habitat types at the site and where they exist and describes management activities to maintain or increase the level of ecological services provided by each habitat type. Sensitive habitats are delineated and a Buffer Management Plan is developed to protect and enhance these habitats. The plan then includes management strategies for each buffer including planting, mowing, chemical applications (or not), timeframes for implementation and a reporting requirement. Once the HMP is approved, the text portion of the plan will be incorporated into Audubon International's Natural Resource Management Plan. The MDP Plan set includes the Habitat Management Plans and Buffer Management Plans, Sheets ENV-2 to ENV-6.

It is also noted that the existing golf course will be redeveloped as an environmentally sensitive course, with increased buffers that will reduce the managed area of the golf course. Significant portions of the existing golf course will be converted from mowed turf to more natural grassland areas, which increases the habitat quality of the golf course.

Natural Resource Management Plan: The Applicant joined together with Audubon International ("AI"), which is a not-for-profit environmental organization that focuses on sustainable natural resource management. AI prepared a Natural Resource Management Plan which defines how the development will be constructed and managed so that natural resource protection and human use of the property will be integrated. The plan discusses wildlife conservation and habitat enhancement, water quality management and conservation, waste reduction and management, energy efficiency, and Integrated Pest Management (IPM)¹ planning¹. The management techniques within the IPM Plan, combined with other Best Management Practices ("BMPs") for resource protection, are an important part of the NRMP for the Modified Project. The IPM also includes monitoring for water quality parameters and pesticides. In conjunction with the prevention and monitoring strategies outlined in the NRMP, these practices will help to minimize the Modified Project's potential impact to terrestrial and aquatic resources.

¹ An IPM plan is an ecologically based preventative management program that uses information about turfgrass pest problems and environmental conditions that may precipitate these problems, and integrates these with turfgrass cultural practices and pest control measures to prevent or control unacceptable levels of pest damage. The approach includes regulatory, genetic, cultural, physical, biological and chemical approaches to pest management.

Low Impact Design: The Applicant has evaluated the use of several Low Impact Development (“LID”) stormwater management practices for the Modified Project. These measures will be designed and constructed in accordance with New York State Department of Environmental Conservation (“NYSDEC”) regulations. The Applicant has proposed the following specific measures on the site:

- Using pervious materials on many sidewalks and patios; and
- Using pervious parking for a portion of the parking area near the Family Activity Barn
- Using pervious materials at the Winery Restaurant parking, and draining that through a buffer planting area.

Stormwater Pollution Prevention Plan (“SWPPP”): A Master SWPPP has been prepared for the Modified Project in accordance with applicable NYSDEC regulations. As part of the site plan review process, a detailed final SWPPP will be prepared. This final SWPPP will be reviewed by the Town Engineer, other Town Consultants and the NYSDEC. The SWPPP will also include a detailed erosion and sediment control (“E&SC”) plan designed in accordance with and approved by the NYSDEC will be prepared. This plan will identify specific E&SC measures that will be implemented to protect adjacent aquatic resources. This will include a Phasing Plan for soil disturbance. The Applicant may also implement redundant E&SC measures in areas of special concern, such as upslope of Cascade Amenia Brook or NYSDEC AM-15.

A summary of the proposed stormwater management practices is included in *Appendix D.3*. The overall Modified Project SWPPP meets all NYSDEC requirements and satisfies the Applicant’s commitment to adhere to East of Hudson Watershed requirements. Separate SWPPPs are being prepared for the golf course component, and the remainder of the Modified Project. Each SWPPP independently complies with the NYSDEC requirements.

III. Summary of Potential Impacts and Mitigation Measures

The following table summarizes the potential impacts of the current approved master development plan (October 8, 2009), the potential impacts of the proposed, amended MDP, the mitigation measures to be “carried over” from the current approved master development plan, and the additional mitigation measures under the proposed, amended MDP.

TABLE 4

Summary of Potential Impacts and Mitigation Measures

Resource	Potential Impacts (Approved MDP)	Potential Impacts (Proposed MDP)	Mitigation Measures: (Approved MDP)	Additional Mitigation Measures: (Proposed MDP)
SOILS AND GEOLOGY	<ul style="list-style-type: none"> ▪ The project will disturb 283± acres of the site. Of this, approximately 126± acres of disturbance will be related to redevelopment of the golf course where soils have previously been disturbed. ▪ Approximately 136± acres of the disturbance will be to areas with a slope of 15% or greater. Of this, approximately 10.3± acres of disturbance will occur on the portion of the project site north of Route 44 (the Vineyard Cottages area). A total of 34.5± acres out of the 136± acres of disturbance will be to areas with a slope of 30% of greater. ▪ The Applicant has conducted soil testing at the project site. ▪ Blasting may be necessary at certain locations on the project site. 	<ul style="list-style-type: none"> ▪ The project will disturb 268.3± acres of the site. Of this, approximately 151± acres of disturbance will be related to redevelopment of the golf course where soils have previously been disturbed. ▪ Approximately 114.1± acres of the disturbance will be to areas with a slope of 15% or greater. Of this, approximately 10.3± acres of disturbance will occur on the portion of the project site north of Route 44 (the Vineyard Cottages area). A total of 21.7± acres out of the 114 acres of disturbance will be to areas with a slope of 30% of greater. ▪ The Applicant has conducted additional soil testing at the project site. ▪ Blasting may be necessary at certain locations on the project site. 	<ul style="list-style-type: none"> ▪ Impacts to soils and geology will be minimized through erosion control measures and the establishment of Best Management Practices, as outlined in the <i>New York State Stormwater Management Design Manual</i> (2003) and New York Standards and Specifications for Erosion and Sediment Control (August 2005). ▪ Redundant Soil and Erosion Control measures may be utilized upslope of sensitive areas around Amenia/Cascade Brook and NYSDEC Wetland AM-15. ▪ Impacts from grading activities will be temporary and be fully mitigated by use of low retaining walls, soil stabilization and re-vegetation with native species. ▪ Any blasting operations will adhere to New York State ordinances governing the use of explosives. Applicable blasting certifications will be obtained and blasting will comply with all safety requirements. A rock excavation concept plan has been prepared for the project. ▪ Reduction of grading disturbance by 70,000 cubic yards, reduction in impervious surface area by 65,000 square feet, and reduction in clearing area by two acres compared to DEIS Preferred Alternative. ▪ Housing units located on steep slopes have been designed with terracing. The floor grades will be split from front to back or back to front adjacent to topographic slopes. This will minimize grading and soil impacts. 	<ul style="list-style-type: none"> ▪ Reduction of grading disturbance by 10,650± cubic yards and reduction in clearing area by 14.7± acres. ▪ Reduction of disturbance to steep slopes by 21.9± acres, with a reduction to steep slopes greater than 30% by 12.8± acres. NOTE: Reduction of 5.9± acres to natural, forested steep slopes 15% to 30% and 5.6± acres to natural, forested slopes greater than 30%. ▪ Erosion and sediment control measures are designed in accordance with the <i>New York State Stormwater Management Design Manual</i> (August 2010). ▪ The road network vertical and horizontal alignments have been adjusted to follow the natural topography to further minimize grading and blasting impacts. ▪ The relocation of the south entrance reduces the clearing and grading adjacent to the NYDEC Wetland AM-15 buffer and west of Route 22. ▪ The estate homes have been laid out in the field to best fit the existing topography and minimize natural, forested steep slope disturbance and clearing of existing vegetation. Strict Design Guidelines have been implemented in order to minimize disturbance within these house lots. ▪ Grading within the flood plain has been reduced by 2.38 acres. ▪ The relocation of the driving range from the central portion of the site to its approved location allowed the reduction of impacts to natural, forested steep slopes at the estate home sites.

TABLE 4

Summary of Potential Impacts and Mitigation Measures

Resource	Potential Impacts (Approved MDP)	Potential Impacts (Proposed MDP)	Mitigation Measures: (Approved MDP)	Additional Mitigation Measures: (Proposed MDP)
<p>WATER RESOURCES</p>	<ul style="list-style-type: none"> ▪ The project will disturb less than 0.1 acres of wetlands (actually approximately 0.05 acre). ▪ The project will alter the rate and path of stormwater runoff. 	<ul style="list-style-type: none"> ▪ No natural wetlands are proposed to be disturbed by the project. ▪ The project will remove 0.20± acres of constructed wetlands. ▪ The project will alter the rate and path of stormwater runoff. 	<ul style="list-style-type: none"> ▪ Stormwater runoff from the development will be collected and conveyed to the quantity and quality control systems through a network of catch basins, drainage manholes, high density polyethylene ("HDPE") piping, roadside ditches and HDPE culverts which have been designed to convey the 50-year and 100-year storm events. ▪ All stormwater BMPs have been designed in accordance with requirements outlined in the 2003 <i>New York State Stormwater Management Design Manual</i>. Post-development peak stormwater runoff rates are less than or equal to pre-development conditions. The project will comply with applicable wetland permitted regulations required by the NYSDEC and the ACOE. ▪ The project will also implement the recommendations of the Natural Resource Management Plan (NRMP) prepared by Audubon International, which includes stormwater controls, Integrated Pest Management, and specific monitoring requirements for surface water and groundwater. ▪ The Applicant is increasing the width and planting of buffers around wetlands and watercourses on the site. See the Habitat Management Plan. ▪ The Applicant has proposed mitigation for wetland impacts. Specifically, the Applicant is restoring the floodplain around Amenia/Cascade Brook in the area of Hole #4. The project will restore currently culverted drainage ditches. The project will enhance buffer planting plan around NYSDEC Wetland AM-15 (Wetland L/LL). ▪ The Applicant is incorporating LID practices. ▪ Where possible, stormwater coming from the golf course in certain areas will be directed away from water resources through grading. 	<ul style="list-style-type: none"> ▪ Updated water budget report has been provided. ▪ Stormwater management practices have been prepared in accordance with the <i>New York State Stormwater Management Design Manual</i> (August 2010). ▪ The relocation of the south entrance reduces the clearing and grading adjacent to the NYDEC Wetland AM-15 buffer and west of Route 22. ▪ The project creates an additional 2.53± acres of constructed wetlands as part of the stormwater management practices. ▪ The project reduces grading to the 100-year floodplain area and results in a net cut which provides additional storage capacity to the floodplain. Additionally, The Applicant is proposing the relocation of Hole 9 resulting in an increase in buffer area on the Amenia Cascade brook of 3,721 LF. ▪ Increase in Conservation Buffers around Natural Wetlands from 81% to 99%. See revisions to the Habitat Management Plan

TABLE 4

Summary of Potential Impacts and Mitigation Measures

Resource	Potential Impacts (Approved MDP)	Potential Impacts (Proposed MDP)	Mitigation Measures: (Approved MDP)	Additional Mitigation Measures: (Proposed MDP)
			<ul style="list-style-type: none"> ▪ The Applicant has reduced impervious surfaces by 65,000 square feet from the impervious surface originally proposed in the DEIS for the Preferred Alternative. ▪ The Applicant has minimized impacts around Wetland P by maintaining separate stormwater paths for stormwater from undisturbed areas as compared to stormwater from developed areas. The Applicant has prepared a water budget which determined that the project would have no significant hydrological impact to NYSDEC Wetland AM-15. 	
<p>VEGETATION</p>	<ul style="list-style-type: none"> ▪ Implementation of project will disturb a total of 283± acres of the site, approximately 112 acres of which have been previously disturbed in association with development of the existing golf course. ▪ No endangered, rare, or threatened plant communities have been identified on site. Hill's pondweed is known to occur in the Wetland L/LL complex, but no impacts to this plant are anticipated. ▪ Approximately 536 acres or 80% of the site will be permanently protected by a conservation easement. 	<ul style="list-style-type: none"> ▪ Implementation of project will disturb a total of 268± acres of the site, approximately 112 acres of which have been previously disturbed in association with development of the existing golf course. ▪ No endangered, rare, or threatened plant communities have been identified on site. Hill's pondweed is known to occur in the Wetland L/LL complex, but no impacts to this plant are anticipated. ▪ Approximately 542± acres or 80% of the site will be permanently protected by a conservation easement. 	<ul style="list-style-type: none"> ▪ Vegetation removal will be mitigated to some extent with landscaping including around the proposed hotel, homes, roadways, parking areas and site amenities. Native plant species will be used as much as possible in accordance with the NRMP. The cluster of shagbark hickories located along the edge of the golf course above the southwest bank of Wetland L/LL will be preserved as potential Indiana bat summer roosting habitat. ▪ The gravelly/sandy bank along the southwest edge of Wetland L/LL will be preserved, as this area serves as a nesting area for turtle and snake species. ▪ The "island forest" habitats on the south end of the site will be preserved to allow habitat connectivity between Wetland L/LL and the western slopes. ▪ A minimum 750-foot buffer will be maintained between Wetland U (vernal pool) and the proposed development to ensure sufficient protection of potential amphibian breeding habitat. ▪ The Applicant has reduced clearing of forested areas compared to the DEIS Preferred Alternative. ▪ The design meets the NYSDEC East of Hudson Standards to protect the Hills Pondweed. 	<ul style="list-style-type: none"> ▪ The relocation of the south entrance reduces the clearing adjacent to the NYDEC Wetland AM-15 buffer and west of Route 22. ▪ Reduction in clearing of forested areas by 14.7± acres.

TABLE 4

Summary of Potential Impacts and Mitigation Measures

Resource	Potential Impacts (Approved MDP)	Potential Impacts (Proposed MDP)	Mitigation Measures: (Approved MDP)	Additional Mitigation Measures: (Proposed MDP)
	<ul style="list-style-type: none"> ▪ No rare, endangered, or threatened fauna species have been identified onsite. Suitable habitat for bog turtles and Indiana bats were found on site, but the species themselves were not found on-site. Suitable habitat for the state listed Peregrine falcon, a state listed species was found on-site. Species currently identified on non-statutory watch lists were also identified on the site. ▪ Disturbance associated with the construction of roads, driveways, utilities, residences, hotel facilities and golf course improvements will result in the removal of some habitat, which could result in the loss or migration of individual animals during the land clearing and construction phases. Land clearing activities would likely cause more mobile species to relocate off site, while less mobile species would be expected to move to areas on the site not affected by development. ▪ Alterations of overland drainage patterns may accentuate existing damage to stream beds in the Cascade/Amenia Brook floodplain. 	<ul style="list-style-type: none"> ▪ No rare, endangered, or threatened fauna species have been identified onsite. Suitable habitat for bog turtles and Indiana bats were found on site, but the species themselves were not found on-site. Suitable habitat for the state listed Peregrine falcon, a state listed species was found on-site. Species currently identified on non-statutory watch lists were also identified on the site. ▪ Disturbance associated with the construction of roads, driveways, utilities, residences, hotel facilities and golf course improvements will result in the removal of some habitat, which could result in the loss or migration of individual animals during the land clearing and construction phases. Land clearing activities would likely cause more mobile species to relocate off site, while less mobile species would be expected to move to areas on the site not affected by development. ▪ Alterations of overland drainage patterns may accentuate existing damage to stream beds in the Cascade/Amenia Brook floodplain. ▪ None of the species observed on "Parcel 1", whether breeding, foraging, or transient, are considered to be NY species of special concern. None of these are obligate grassland species (for example, grasshopper sparrow, upland sandpiper, bobolink, savannah sparrow). The species observed are characteristic of common oldfield and wetland habitats found throughout Dutchess County (see Kiviat 1984; Cunningham et al. 2010). NOTE: "Parcel 1" was not included in the Approved MDP. 	<ul style="list-style-type: none"> ▪ The project will preserve the 230±-acre hillside and ridge in the western portion of the site as contiguous open space, which will provide for wildlife habitat and movement. The undeveloped portion of the site will continue to provide habitat for those wildlife species that currently utilize this property. ▪ Vegetation removal in the proposed development area will be partially mitigated by replacement plantings using native species where possible. ▪ The project will implement the recommendations of the NRMP, which include maintenance of buffers around wetlands, streams, and ponds. ▪ The project will implement the recommendations of the Habitat Management Plan. Buildings and the development have been removed from areas within 100 feet of Wetland J/JJ to protect the habitat of the dusky salamander. No development is proposed within 50 feet of the remainder of Wetland J/JJ. ▪ Buildings and development in the headwater areas of Stream N/P have been pulled away from this area to reduce impacts in this location. 	<ul style="list-style-type: none"> ▪ The revised Habitat Management Plan will be implemented. ▪ Habitats will be enhanced with six different planting palettes for different locations throughout the site. Several native species are being used in aquatic and upland habitat enhancement. Additional species are to be used to establish vegetative cover in stormwater management basin wet pools and attenuation basins. ▪ The main entrance ponds (Isolated Wetland "A" and Wetland "B") are being opened to connect to one another providing habitat connectivity. ▪ The Island Green Pond (Wetland "Z") is being expanded to connect with the Irrigation Pond (Wetland "K") providing habitat connectivity. ▪ A bridge over Stream J south of the Golf Villas will be utilized instead of a culvert to allow easier habitat movement and less disturbance to the stream bed.

TABLE 4

Summary of Potential Impacts and Mitigation Measures

Resource	Potential Impacts (Approved MDP)	Potential Impacts (Proposed MDP)	Mitigation Measures: (Approved MDP)	Additional Mitigation Measures: (Proposed MDP)
Wildlife			<ul style="list-style-type: none"> ▪ The project will restore severely eroded stream channels and culverted drainages in three locations; stream bed restoration, stream bank restoration and daylighting currently culverted drainages. ▪ Habitats will be enhanced with six different planting palettes for different locations throughout the site. Five palettes of native species are being used in aquatic and upland habitat enhancement. A sixth palette is to be used to establish vegetative cover in stormwater management basin wet pools and attenuation basins. ▪ The project implements conservation buffers 100 feet wide, water quality buffers 50 feet wide (of terrestrial vegetation) around critical habitat and riparian buffers, respectively. ▪ Mitigation structures are being employed, including bottomless box culverts, golf course foot bridges, and wildlife tunnels to ensure habitat connectivity. In some instances, the Applicant may seek Planning Board approval to use an oversized bottomless arched culvert based on engineering and cost considerations. The Planning Board may approve such a request if the Planning Board's biodiversity consultant determines that the use of the oversized bottomless arched culvert is appropriate under the circumstances. ▪ Terrestrial habitat enhancements are proposed to provide plant communities with additional refuge, forage and, in some cases, breeding habitat for resident birds, mammals and herpeto-fauna. ▪ Aquatic habitat enhancements are proposed to provide additional functional value for aquatic and semi-aquatic wildlife species. ▪ Sensitive and productive habitats will be protected during construction and operation activities at the site. ▪ The habitat management plan includes two significant aquatic habitat restoration projects. The first project is a streambed restoration/streambed stabilization and erosion control project on a tributary to Cascade/Amenia Brook. The second project includes a 1.5 acre floodplain restoration in the Cascade/Amenia Brook floodplain. 	<ul style="list-style-type: none"> ▪ There are a total of nine (9) stream crossings in the golf course and two (2) crossings on the vehicular roads. One (1) of the eleven (11) stream crossings is located in natural habitat. This crossing is located along Road E and serves as vehicular crossing. This bridge serves for vehicular purposes, providing access to the Estate Homes; the remaining nine (9) bridges are golf cart crossings. There is one (1) arched culvert located at the main entrance to the project. All other crossings are bridges. ▪ Increase in Conservation Buffers around Natural Wetlands from 81% to 99%. See revisions to the Habitat Management Plan.

TABLE 4

Summary of Potential Impacts and Mitigation Measures

Resource	Potential Impacts (Approved MDP)	Potential Impacts (Proposed MDP)	Mitigation Measures: (Approved MDP)	Additional Mitigation Measures: (Proposed MDP)
<p>CULTURAL RESOURCES</p>	<ul style="list-style-type: none"> ▪ A series of historic charcoal hearth features were identified in the western portion of the site along the base of the ridge and a concentration of historic/modern artifacts was discovered in the northeastern corner of the site near West Lake Amenia Road. 	<ul style="list-style-type: none"> ▪ A series of historic charcoal hearth features were identified in the western portion of the site along the base of the ridge and a concentration of historic/modern artifacts was discovered in the northeastern corner of the site near West Lake Amenia Road. 	<ul style="list-style-type: none"> ▪ A Phase 2 site investigation conducted in the location of the charcoal hearth features (Site A02701.000081) recovered no significant cultural artifacts. Based on this investigation, the site is not eligible for listing in the National Register of Historic Places and no further work is necessary. SHPO recommends avoidance of the existing ponds and wetlands as they could be former iron ore pits. The Applicant is not proposing any impacts to the irrigation pond, which, based on 1955 aerial photography, is the only pond onsite which could have been an iron ore pit. ▪ The Applicant is avoiding disturbance to the historic/modern artifacts near West Lake Amenia Road by relocating the wastewater treatment plant to the north side of US Route 44. Per correspondence from SHPO dated June 18, 2008, the Applicant will expand the site boundary of this resource to include all positive shovel test pits and will prepare an avoidance plan, which will be included on contract documents to ensure avoidance of the site during construction. ▪ Based on the comprehensive Phase I investigations for the disturbance area and the Phase II results, the project is expected to have no impact on cultural resources and no further work is required. 	<ul style="list-style-type: none"> ▪ Phase 2 testing of NY SHPO Site A02701.000082 (aka Site 3662-2) was conducted in September 2013. The applicant determined that the archaeological site can be avoided; a 25' buffer is established for the site. ▪ Island Green Pond and Quarry Pond have no historical significance regarding or as iron ore as per NYSHPO so perimeters can be changed as needed to connect and for other golf and drainage improvements.
	<ul style="list-style-type: none"> ▪ The project will add a new hotel and residential uses to the site, which will be visible, to varying degrees, from the surrounding area. ▪ The project includes the development of a winery-themed restaurant and vineyard town homes on DeLavernge Hill, which will affect views to and from the hill. ▪ The project includes the disturbance of approximately 136± acres of steep slopes, including approximately 34.5± acres on slopes of 30% or greater. 	<ul style="list-style-type: none"> ▪ The project will add a new clubhouse and residential uses to the site, which will be visible, to varying degrees, from the surrounding area. ▪ The project includes the development of a winery-themed restaurant and vineyard town homes on DeLavernge Hill, which will affect views to and from the hill. ▪ The project includes the disturbance of approximately 114.1± acres of steep slopes, including approximately 21.7± acres on slopes of 30% or greater. 	<ul style="list-style-type: none"> ▪ Throughout the site, the development has been designed to follow existing landforms, topography, masses of vegetation, and ridgelines where possible. ▪ The Applicant has reduced visual impacts compared to the Preferred Alternative in the prior DEIS. Considerable detail has been provided on colors, architectural styles, heights, finished elevations, parking, etc., including a series of visual simulations, which present an overall picture of what the proposed development will look like. ▪ Landscaping has been shown to screen buildings where necessary and appropriate. 	<ul style="list-style-type: none"> ▪ Confirmatory Visual Analysis to be provided with updated photo simulations. ▪ Building heights reduced, no height waivers are required. ▪ Reduced program and heights allow for reduction in screening required.

TABLE 4

Summary of Potential Impacts and Mitigation Measures

Resource	Potential Impacts (Approved MDP)	Potential Impacts (Proposed MDP)	Mitigation Measures: (Approved MDP)	Additional Mitigation Measures: (Proposed MDP)
<p style="text-align: center;">VISUAL RESOURCES</p>	<ul style="list-style-type: none"> ▪ The project will also require a waiver from Section 121-18(C)(6) of the RDO which requires a 100-foot buffer between properties in the RDO and adjacent residential properties. ▪ The project will require waivers from the building height limit in the RDO for the hotel, spa, banquet facility, clubhouse, and 12 residential buildings. 	<ul style="list-style-type: none"> ▪ The project will also require a waiver from Section 121-18(C)(6) of the RDO which requires a 100-foot buffer between properties in the RDO and adjacent residential properties. 	<ul style="list-style-type: none"> ▪ The Winery building was moved 145 feet back to the north in order to reduce visual impacts, and the landscaping plan previously proposed was modified to reduce the potential for blocking views to the south. ▪ Taller buildings are located where there is the greatest visual buffer; roads and development are aligned along edge conditions between wooded areas and open land to allow backdrop and shadowing for structures. ▪ Site specific building types are developed that respond to topographic conditions. For example, housing units located on steep slopes have been designed with terracing. The floor grades will be split from front to back or back to front to adjacent to topographic slopes. This will minimize visual impacts along with grading and soil impacts. ▪ Grading/clearing limits will be established in the field and marked out with construction fencing prior to the start of construction to ensure that unnecessary vegetation clearing is avoided. ▪ Articulated building masses, facades, roof lines and fenestration are contextual and in scale. ▪ The color and materials palette are selected to integrate and harmonize with the natural conditions of the site. ▪ The Applicant has provided a mitigation plan for the Vineyard Cottages that has eliminated the need for the 100' waiver and increases the visual buffer along Route 44. 	<ul style="list-style-type: none"> ▪ Hedges are proposed along Route 44 at the hairpin curve to provide additional screening and to maintain that screening over time in lieu of evergreens. Grading on Estate Lots is restricted to a maximum of 30,000 SF and house location within the building envelope.

TABLE 4

Summary of Potential Impacts and Mitigation Measures

Resource	Potential Impacts (Approved MDP)	Potential Impacts (Proposed MDP)	Mitigation Measures: (Approved MDP)	Additional Mitigation Measures: (Proposed MDP)
TRANSPORTATION	<ul style="list-style-type: none"> ▪ The project will not adversely impact the Level of Service (LOS) on roadways and at intersections in the vicinity of the project site. All roadways and intersections analyzed will maintain at least a LOS B upon full buildout of the project. ▪ The project will not significantly affect parking in the hamlet area, as adequate parking is currently available 	<ul style="list-style-type: none"> ▪ The project will not adversely impact the Level of Service (LOS) on roadways and at intersections in the vicinity of the project site. All roadways and intersections analyzed will maintain at least a LOS B upon full buildout of the project. ▪ The project will not significantly affect parking in the hamlet area, as adequate parking is currently available 	<ul style="list-style-type: none"> ▪ As the project is not anticipated to create any safety issues, no mitigation measures are necessary. ▪ The Applicant intends to formally petition the NYSDOT, via its highway work permit process, to request that signalization of the intersection of Route 22 and the main project driveway be permitted as part of the overall project. Signalization would likely include the addition of designated turn lanes on both the northbound and southbound sides of Route 22 for entry into the project site. ▪ The project will include the operation of a shuttle between the site and the train station, as well as between the site and the Hamlet of Amenia. 	<ul style="list-style-type: none"> ▪ A traffic light at Route 22 and the main entrance is not warranted per the updated traffic study.
	<ul style="list-style-type: none"> ▪ The site layout has been designed to make use of the site's natural topography and vegetation. The site design takes advantage of the existing slope by stepping down the hotel buildings so that they appear smaller from certain vantage points. The majority of the residential uses will be set back into vegetation along the periphery of the golf course, reducing the project's visual impact from surrounding viewpoints. ▪ Under the Town's Resort Development Overlay (RDO) District, the project will require waivers from the 35-foot building height limitation for the hotel, spa, banquet facility, and 12 residential buildings (Section 121-18(C)(5)). ▪ The project will require a waiver from Section 121-12.1(F) of the Zoning Law with respect to gated entrances in accordance with Section 121-12.1(H)(2). 	<ul style="list-style-type: none"> ▪ The site layout has been designed to make use of the site's natural topography and vegetation. The site design takes advantage of the existing slope by stepping down the hotel buildings so that they appear smaller from certain vantage points. The majority of the residential uses will be set back into vegetation along the periphery of the golf course, reducing the project's visual impact from surrounding viewpoints. ▪ Waivers of subsections A and F of Town Code §105-21 regarding minimum required buildable area and maximum slope of buildable area, and flag lots, respectively. 	<ul style="list-style-type: none"> ▪ The Applicant will construct the project's onsite wastewater treatment plant with excess capacity to serve the Hamlet of Amenia in lieu of workforce housing. 	<ul style="list-style-type: none"> ▪ WWTP will not include excess capacity for Hamlet of Amenia. Applicant will satisfy its workforce housing obligation by payment of a fee in lieu of workforce housing. This decision was reached through discussions between the Applicant and Town of Amenia.

TABLE 4

Summary of Potential Impacts and Mitigation Measures

Resource	Potential Impacts (Approved MDP)	Potential Impacts (Proposed MDP)	Mitigation Measures: (Approved MDP)	Additional Mitigation Measures: (Proposed MDP)
<p>LAND USE AND ZONING</p>	<ul style="list-style-type: none"> ▪ The project will also require a waiver from Section 121-18(C)(6) of the RDO which requires a 100-foot buffer between properties in the RDO and adjacent residential properties. ▪ The project will require a waiver from Section 105-22(E) which requires within 40 feet of all intersections, roads shall be approximately at right angles, and grades shall be limited to 1 1/2%. ▪ The project will require a waiver from Section 105-22(G) which states requirements for cul-de-sacs. ▪ The project will require a waiver from Section 105-22(I) which states requirements for driveways and common driveways. ▪ The project will require a waiver from Section 105-22(L) which states requirements for driveways. ▪ The project will require a waiver from Section 121-12.1 which requires the RDO District to incorporate major design elements of TND. ▪ The project will require a waiver from Section 105-21(D) "driveways shall be designed and built to afford suitable access to the building site in accordance with the provisions of the Town Driveway Specifications (Chapter 101 of the Town Code), the Town Zoning Law, and the New York State Uniform Fire Prevention and Building Code." 	<ul style="list-style-type: none"> ▪ Waivers of subsections E, F, G, H, and L of Town Code §105-22, regarding, respectively: (a) intersection angle and grade; (b) maximum number of lots accessed from a cul-de-sac road, maximum length and grade of a cul-de-sac road, and cul-de-sac turnaround design/geometry; (c) minimum sight distance; (d) number of lots accessed from a rural road, minimum road pavement width, maximum road grade, minimum curb radius, maximum road grade within 150 feet of an intersection, and intersection angle; and (e) maximum driveway grades. ▪ Waivers of subsection F of Town Code §121-12.1 (in accordance with subsection C(7) of Town Code §121-18, regarding private, gated roads, and permanent cul-de-sac roads. ▪ Waiver of subsection G of Town Code §121-14.1, regarding minimum width of "green" buffer. ▪ Waiver of subsection C of Town Code §121-18, regarding minimum width of buffer from any existing residential use not within the RDO District. 		

TABLE 4

Summary of Potential Impacts and Mitigation Measures

Resource	Potential Impacts (Approved MDP)	Potential Impacts (Proposed MDP)	Mitigation Measures: (Approved MDP)	Additional Mitigation Measures: (Proposed MDP)
	<ul style="list-style-type: none"> ▪ The project will require a waiver from Section 121-15(E)(1)(l) which requires a special use permit for the storage of fertilizer, pesticide and herbicides of 500 pounds or more within the PVBA. The golf maintenance building appears to be in PVBA. ▪ The project will require a waiver from Section 121-36 of the Zoning Code provides that cutting of trees and other natural vegetation on slopes 15% or greater shall be minimized. 			
<p>Local and Regional Plan Consistency</p>	<ul style="list-style-type: none"> ▪ The project is consistent with the majority of the goals and objectives of applicable local and regional plans. 	<ul style="list-style-type: none"> ▪ The project is consistent with the majority of the goals and objectives of applicable local and regional plans. ▪ The project considers design elements of a Traditional Neighborhood Development (TND), however the project will require a waiver from Section 121-12.1 which requires the RDO District to incorporate major design elements of TND, especially the clustering of homes in walkable distances. 	<ul style="list-style-type: none"> ▪ Mitigation is not necessary. 	<ul style="list-style-type: none"> ▪ Additional mitigation is not necessary; the project is considered to be "compact development".
<p>Police, Fire, and Emergency Medical Services</p>	<ul style="list-style-type: none"> ▪ The demand for police, fire, and emergency medical services could increase due to the increased population. 	<ul style="list-style-type: none"> ▪ The demand for police, fire, and emergency medical services could increase due to the increased population. 	<ul style="list-style-type: none"> ▪ The project will provide approximately \$473,800 (conservative estimate) in net revenue to the Town of Amenia, including for police and fire services, which could be used to cover the cost of increasing staff and/or purchasing new equipment to adequately service the project. ▪ The project will utilize a private security firm for regular onsite security, which will ease any potential burden on public police protection services. ▪ Exterior lighting will be used throughout the site to enhance visibility at pedestrian and vehicular intersections and to provide security in public spaces. ▪ All roads within the development will be sufficiently wide enough to accommodate two 8.5-foot-wide fire trucks side-by-side. 	<ul style="list-style-type: none"> ▪ The Modified Project will provide approximately \$1mil in net revenue to the Town of Amenia, an increase when compared to \$473,800 for the Approved MDP. ▪ The Modified Project will reduce service needs due to the reduction of population from 869 to 809.

TABLE 4

Summary of Potential Impacts and Mitigation Measures

Resource	Potential Impacts (Approved MDP)	Potential Impacts (Proposed MDP)	Mitigation Measures: (Approved MDP)	Additional Mitigation Measures: (Proposed MDP)
School District Services	<ul style="list-style-type: none"> The project is expected to introduce a maximum of approximately 96 students to the WCSD, which will require an additional \$1,595,904± in revenues to meet the cost of these additional students. 	<ul style="list-style-type: none"> The project has the potential to introduce a maximum of approximately 175 students to the WCSD, which will require an additional \$3,647,875± in revenues to meet the cost of these additional students. 	<ul style="list-style-type: none"> The project will provide approximately \$2,580,600 (conservative estimate) in surplus revenue to the WCSD. This will offset the operational cost of the project-generated students. No mitigation is required. The evaluation of potential impacts to school district resources is based on a worst-case scenario involving year-round residence for all proposed residential units at the Silo Ridge Resort Community; however, the proposed development is being marketed as a “second home” community and therefore, it is anticipated that the number of school children generated by the project would be considerably less than the worst-case maximum presented herein. 	<ul style="list-style-type: none"> The Modified Project results in \$2,235,329 in net revenue to the WCSD (which considers the school district costs for the 175 projected students.) NOTE: A shift from condo hotel to single family residences generates more potential students; the reality is that the target purchasers will not add measurebly to the school population so this is a very conservative revenue projection. Less than 1% of residents of Discovery Land Company communities are full time residents and do not generate school children, therefore, the projected number of school children for the Modified Project are not expected to attend WCSD and there will be additional revenue to the WCSD.
Recreation, Open Space resources, and Tourism	<ul style="list-style-type: none"> The Town will continue to meet the NRPA criteria for recreational needs of its citizens even with the addition of a maximum 869 new residents from the Silo Ridge Resort Community. In accordance with Section 121-18(C)(4), Silo Ridge will preserve approximately 536± acres of open space. In addition, the Applicant proposes to upgrade the existing golf course and driving range and provide onsite recreational opportunities for Silo Ridge residents and guests and members of the public on a limited basis. 	<ul style="list-style-type: none"> The Town will continue to meet the NRPA criteria for recreational needs of its citizens even with the addition of a maximum 869 new residents from the Silo Ridge Resort Community. In accordance with Section 121-18(C)(4), Silo Ridge will preserve approximately 541± acres of open space. In addition, the Applicant proposes to upgrade the existing golf course and driving range and provide onsite recreational opportunities for Silo Ridge residents and guests and members of the public on a limited basis. 	<ul style="list-style-type: none"> It is anticipated that project will enhance the local and regional tourism economy by providing additional guests rooms, dining opportunities, and recreational resources. The Applicant has increased slightly the amount of open space provided in the MDP compared to the DEIS Preferred Alternative. 	<ul style="list-style-type: none"> It is anticipated that the Modified Project will enhance the local and regional tourism economy by providing lodging units available for reservation. The Applicant has increased slightly the amount of open space provided in the Proposed MDP compared to Approved MDP. The Modified Project reduces the population, while maintaining the same amount of overall amenities, i.e. spa, tennis, golf, activity barn, etc.
Utilities - Water	<ul style="list-style-type: none"> The estimated maximum daily water demand for the project is approximately 264 gallons per minute (gpm). 	<ul style="list-style-type: none"> The estimated maximum daily water demand for the project is approximately 177 gallons per minute (gpm). 	<ul style="list-style-type: none"> Six new water supply wells will be installed to serve the project, which will adequately supply the water needed to meet the project’s demand. 	<ul style="list-style-type: none"> The estimated maximum daily water demand for the Modified Project is reduced to from approximately 264 gpm to 177 gpm.
	<ul style="list-style-type: none"> The project will generate approximately 192,000± gpd of wastewater. 	<ul style="list-style-type: none"> The project will generate approximately 115,000± gpd of wastewater. 	<ul style="list-style-type: none"> The proposed WWTP will include a comprehensive odor control strategy, including full enclosure in a dedicated building, appropriate ventilation, and aeration of various process tanks to prevent septic conditions. 	<ul style="list-style-type: none"> The effluent discharge was requested by DEC to go to Cascade Amenia Brook with alternate to site stream ultimately leading to Irrigation Pond.

TABLE 4

Summary of Potential Impacts and Mitigation Measures

Resource	Potential Impacts (Approved MDP)	Potential Impacts (Proposed MDP)	Mitigation Measures: (Approved MDP)	Additional Mitigation Measures: (Proposed MDP)
Utilities – Wastewater	<ul style="list-style-type: none"> A new onsite wastewater collection and treatment system will be designed and constructed to accommodate flows from the proposed development. 	<ul style="list-style-type: none"> A new onsite wastewater collection and treatment system will be designed and constructed to accommodate flows from the proposed development. 	<ul style="list-style-type: none"> The wastewater treatment technology for this project will be selected to meet all effluent quality requirements as required by NYSDEC. The effluent discharge location was modified in the FEIS to be discharged to the Island Green Pond which will reduce impacts to the intermittent stream. The WWTP is being designed to intermittent stream discharge standards with additional bathing beach supplemental standards. The Applicant has prepared a water budget which determined that the project would have no significant hydrological impact to NYSDEC Wetland AM-15. 	<ul style="list-style-type: none"> Updated water budget report will be provided. The Modified Project will reduce wastewater generated to from approximately 192,000± gpd to 115,000± gpd
Noise	<ul style="list-style-type: none"> The proposed development is not expected to cause perceptible increases in sound levels from present levels and will not have an appreciable effect on noise receptors. 	<ul style="list-style-type: none"> The proposed development is not expected to cause perceptible increases in sound levels from present levels and will not have an appreciable effect on noise receptors. 	<ul style="list-style-type: none"> No mitigation is necessary. 	<ul style="list-style-type: none"> No additional mitigation is necessary.
Fiscal Resources	<ul style="list-style-type: none"> The project will result in a revenue surplus to local taxing jurisdictions. Therefore, the project will more than offset the increase in public service costs it will generate. 	<ul style="list-style-type: none"> The project will result in a revenue surplus to local taxing jurisdictions. Therefore, the project will more than offset the increase in public service costs it will generate. 	<ul style="list-style-type: none"> No mitigation is necessary. 	<ul style="list-style-type: none"> The Modified Project will result in additional revenue surplus to local taxing jurisdictions; no mitigation is necessary.
Demographics	<ul style="list-style-type: none"> Up to a maximum of 869 people could be generated by the project under the worst-case scenario of year-round occupancy of all onsite homes. However, since the project is intended to be heavily marketed as a second-home resort-style community, the actual permanent increase in population will likely be considerably smaller than that provided above. Future residents and users of the project could differ in demographic characteristics from existing residents of the Town, but because the project is not intended to be a full-time residential community, impacts are expected to be minimal. 	<ul style="list-style-type: none"> Up to a maximum of 809 people could be generated by the project under the worst-case scenario of year-round occupancy of all onsite homes. However, since the project is intended to be heavily marketed as a second-home resort-style community, the actual permanent increase in population will likely be considerably smaller than that provided above. Future residents and users of the project could differ in demographic characteristics from existing residents of the Town, but because the project is not intended to be a full-time residential community, impacts are expected to be minimal. 	<ul style="list-style-type: none"> No mitigation is necessary. 	<ul style="list-style-type: none"> Population that could be generated from the Modified Project is reduced from 869 to 809 .

TABLE 4

Summary of Potential Impacts and Mitigation Measures

Resource	Potential Impacts (Approved MDP)	Potential Impacts (Proposed MDP)	Mitigation Measures: (Approved MDP)	Additional Mitigation Measures: (Proposed MDP)
Community Character	<ul style="list-style-type: none"> ▪ It is anticipated that the project will not have a significant negative effect on the community character of area. ▪ The development is expected to support existing commercial development in the hamlet of Amenia by providing an expanded customer base for goods and services. 	<ul style="list-style-type: none"> ▪ It is anticipated that the project will not have a significant negative effect on the community character of area. ▪ The development is expected to support existing commercial development in the hamlet of Amenia by providing an expanded customer base for goods and services. 	<ul style="list-style-type: none"> ▪ The project has been designed to sensitively fit into the existing landscape. Colors and architectural styles have been chosen to complement the existing natural features of the site, while respecting the historical architecture of the Harlem Valley and the greater northeastern region. ▪ The extensive open space areas preserved on the project site are consistent with surrounding community character. 	<ul style="list-style-type: none"> ▪ No additional mitigation is necessary.

IV. Conservation Analysis Requirement

Section 121-18(C) of the Town Zoning Law requires a conservation analysis of the Modified Project. The detailed environmental analysis in the prior accepted DEIS, and this Section IV, together serve as the conservation analysis of the Modified Project.

IV.1 Site Overview

Starting at Route 22 and moving from east to west, one encounters large wetlands and water courses punctuated by steep, wooded, rocky hills. Continuing west, there is a relatively level but undulating plain interrupted by a few steep and wooded hills, and natural and manmade water bodies, crossed by water courses, mostly now piped, that emanate from the steep slopes further west. The existing closed golf course and closed golf clubhouse have been developed on 170 acres of this plain. To the west of the golf course is the toe of a very steep continuous slope that rises approximately 420 feet in elevation. The land levels off at the ridgeline of this slope and begins to undulate to the west, where vernal pools are evident in the spring.

The entire upland area of steep slopes and upper level land consists of approximately 230 acres of unfragmented forest land.

Standing on the existing closed golf course and looking north, a tall grassland rises somewhat uniformly towards the hairpin turn on Route 44. The land within the hairpin turn affords a spectacular scenic vantage point from which to view the valley and folding hills to the south; and across the Hamlet to the Berkshires in the east.

On the extreme northeast portion of the site, just south of West Lake Amenia Road between Route 22 and Route 44, a cultural resource site containing historic/modern artifacts was identified during the Phase I cultural resources investigation for the proposed development.

For a map illustrating the site's existing conditions, please see MDP Plan Sheet SP-1 "Existing Site Conditions".

IV.2 Potential Conservation Areas

The Silo Ridge site contains many notable physical features. MDP Plan Sheet ENV-1 "Environmental Constraints Map" illustrates the site's environmental constraints overlaid by the development plan. The maps indicate that there are approximately 187 acres on the project site where slopes are greater than 30%.

The development plan is designed to protect four major conservation assets of Town-wide concern:

1. Shaded wetlands and watercourses along Route 22,

2. Steep slopes, ridgeline, unfragmented forest land and vernal pools in the western 236 acres of the site,
3. Scenic viewsheds assessed in Appendix G of the prior FEIS, and
4. Archaeological site of historic/modern artifacts near West Lake Amenia Road.

IV.3 Design Considerations Based on Site Features

Notable physical features of the project site include a closed 18-hole golf course situated between the wetlands and watercourses to the east, the steep slopes, un-fragmented forest land and vernal pools to the west, and the Route 44 vantage point to the north. The proposed MDP calls for an upgraded golf-course lengthened for championship play. The most logical location for the championship course expansion was to develop it roughly in the same location as the existing course. The lodging, residential and amenity components of the Modified Project were then placed along the edges of the golf-course between the wetland complex and the steep slope complex, and behind and around the intervening wooded hills that separate the golf-course's front 9 from the back 9. The intent of this approach is to protect by avoidance the archaeological site, the major contiguous portions of the wetland/water course and steep slopes/un-fragmented forest complexes, and to use the existing natural topography and vegetation as a screen/buffer to reduce the visual effect of the development from the hairpin turn vantage point.

The MDP responds to this conceptual arrangement with the following strategies:

1. Taller buildings are located where there is the greatest visual buffer; roads and development are aligned along edge conditions between wooded areas and open land to allow backdrop and shadowing for structures;
2. Site specific building types are developed that respond to topographic conditions;
3. Articulated building masses, facades, roof lines and fenestration are contextual and in scale; and
4. The color and materials palette are selected to integrate and harmonize with the natural conditions of the site.

IV.4 Potential Impacts to Conservation Areas

Conservation areas that will be affected by the Modified Project are the eastern edge of the steep slopes/un-fragmented forest area and a potential change in viewshed character from the hairpin turn.

Development is proposed at the toe of the slope along the eastern edge of the forest area, whereas a permanent conservation easement will protect the substantial un-fragmented forest area of +/-230 acres on the steep slopes, the ridgeline and the

undulating land around the vernal pools. This upland area connects with a contiguous forest patch of more than 1,000 acres that is identified as a major town conservation resource in Significant Habitats in the Town of Amenia (Hudsonia, Ltd.).

Some buildings will be visible from the hairpin turn vantage points – please refer to the Confirmatory Visual Analysis for view details. Currently, the dominant view to the south extends across the landscape of the golf course, to the natural skyline of folding hills beyond, with the agricultural and rural development patterns forming a middle ground. The most defining aspect of this view is the interface of the dark hued hilltops against the bright sky. The ridgeline will remain intact and the views to the distant hills will not be blocked.

IV.5 Proposed Mitigation and Enhancements

The Modified Project proposes extensive landscaping with native and naturalized species to provide screening, buffering, visual interest, habitat, carbon reduction, erosion control, spatial definition, and shade and cooling, to mitigate effects on conservation areas. The proposed landscaping is designed with viewshed effects in mind, to greatly reduce the apparent mass of the Modified Project, screen the development from view and transition the edges of the development into the natural landscape.

Additionally, enhancements are proposed for conservation resources in prior disturbed areas of the site to improve habitat and water quality and re-establish wildlife connectivity between the wetlands and the un-fragmented forest complex. These enhancements are fully identified and discussed in the updated Habitat Management Plan.

V. Compliance with Zoning Requirements

There are several provisions in the Town Zoning Law that require the Planning Board to make findings about the Modified Project's impact on scenic resources and steep slopes.

Section 121-36(A), Steep Slope Regulations

The Modified Project involves approximately 21.7± acres of disturbance to slopes of 30% or more. Section 121-36(A) prohibits disturbance of steep slopes of 30% or more unless one of several criteria can be satisfied. The criterion that applies to the Modified Project is Section 121-36(B)(6), which allows such disturbance “where an applicant can demonstrate that there is no feasible alternative and that the impacts of any land disturbance will be fully mitigated by the best available engineering, erosion control, and visual impact mitigation practices.” The discussion below sets forth the basis for compliance with this requirement.

- Demonstrate that there is no feasible alternative:

For the Modified Project to be financially viable, the proposed mix of uses and extent of program space itemized on MDP Plan Sheet SP-3 “Program Details” must be developed. Considering this, as well as the conservation goals of the Town as identified in the Zoning Law and the physical constraints of the site, there is no feasible alternative to developing on slopes of 30% or greater.

The site is governed by several environmental overlay districts, which affect development options. The site is within the Aquifer Overlay District (“AQO District”) and the Modified Project complies with these regulations. The Scenic Protection Overlay District (“SPO District”) applies to portions of this site and restricts development of the site based on certain objective measures and scenic character and aesthetically compatibility. The Stream Corridor Overlay District (“SCO District”) also applies to portions of the site and restricts development along stream corridors through site plan approval, which can be granted only if the Planning Board finds no degradation of scenic character and aesthetic compatibility with surroundings will result and that the action will not result in erosion or stream pollution. The RDO District (Section 121-18 of the Town Zoning Law) also contains requirements that are protective of the environment, including that 80% of the site be placed in permanent open space conservation easement and that no more than 15% of the site area is impervious surface cover.

In addition to these requirements, many of the site’s physical characteristics restrict suitable locations for development. The site contains a NYSDEC-protected wetland with a 100’ buffer requirement and other wetland resources under the protection of ACOE. The site also contains the West Lake Amenia Road Historic Site (A02701.000082) that must be avoided and protected. There are vernal pools in the forested hillside near the top of the ridge on the site, which will be protected by at least a 500-foot buffer as recommended by the Town’s ecological consultant. These pools lie within the approximately 230 acres of un-fragmented forest land in the western portion of the site, which is connected to an offsite forest of over 1,000 acres. Finally, major portions of the site are visible from the Route 44 hairpin turn on DeLavernge Hill, a recognized visual resource in the Town.

Section IV.3 above, Design Considerations Based on Site Features, discusses the design approach of Modified Project within the context of applicable zoning regulations and the site’s natural features. To accomplish the design concept, approximately 21.7± acres of steep slopes greater than 30% (3.5% of the site) distributed throughout the site will be disturbed as a compromise to protecting other valuable site resources and providing a viable project program. Further reduction to steep slope disturbance will either reduce the Modified Project program to a point at which it no longer meets the objectives of the Applicant, or it will negatively impact other valuable site resources, such as scenic viewsheds, archaeological sites, or wetlands and watercourses.

Engineering practices will be implemented to ensure that there are no adverse impacts resulting from grading and development on slopes of 30% or greater. With respect to visual impacts, the Applicant will prepare a Confirmatory Visual Analysis to demonstrate the potential visual impact of the Modified Project. Section 121-14 of

the Town Zoning Law requires site plan approval for activities involving more than 10,000 square feet of grading within the SCO District. The Modified Project will involve approximately 3.82 acres (166,439 sf) of grading within the SCO District along Amenia/Cascade Brook and therefore requires site plan approval under this provision. Within the SCO District, the Planning Board may grant site plan approval only if it finds that, with appropriate conditions attached, the proposed activity will not result in degradation of scenic character and will be aesthetically compatible with its surroundings, and will not result in erosion or stream pollution from surface or subsurface runoff.

As discussed above, mitigation measures will be implemented to ensure that erosion and sediment control are adequate to protect water quality.

Section 121-14, Stream Corridor Overlay District

Section 121-14 of the Zoning Law, the Stream Corridor Overlay District (“SCO District”) regulations, requires site plan approval for activities involving more than 10,000 square feet of grading within the SCO District. The SCO District includes all land lying within 150 feet of the top of the bank on each side of the Amenia/Cascade Brook. No principal structure can be located within 100 feet of the Amenia/Cascade Brook, and no accessory structure 200 square feet or larger can be located within 50 feet of the Amenia/Cascade Brook.

The Modified Project will involve approximately 7.34± acres (319,740 sf) of grading within the SCO District along Amenia/Cascade Brook. Within the SCO District, the Planning Board may grant site plan approval only if it finds that, with appropriate conditions attached, the proposed activity will not result in degradation of scenic character and will be aesthetically compatible with its surroundings, and will not result in erosion or stream pollution from surface or subsurface runoff.

In making a determination as to whether development in the SCO District will result in erosion or stream pollution from surface or subsurface runoff, the Planning Board shall consider slopes, drainage patterns, water entry points, soil erosivity, depth to bedrock and high water table, and other relevant factors.

Pursuant to Section 121-18(C)(10)(a) of the Zoning Law, the Planning Board may waive specific requirements of the SCO District, where streams and water features are integrated into the master development plan, provided that the master development plan provides for water quality protection and mitigation of water quality impacts consistent with the purposes of the SCO District. Mitigation measures will be implemented as part of the Modified Project to ensure that erosion and sediment control are adequate to protect water quality.

With respect to visual impacts, a confirmatory visual analysis will be conducted in connection with site plan approval of each phase of the Modified Project.

Section 121-14.1, Scenic Protection Overlay District

The project site lies within the scenic viewshed from DeLavernge Hill. This viewshed is identified as an important scenic resource in the Town and in the surrounding area. Within the SPO District, site plan approval may only be granted if, with appropriate conditions attached, the proposed activity:

- Will not significantly impair scenic character and will be aesthetically compatible with its surroundings.
- Will minimize the removal of native vegetation, except where such removal may be necessary to open up or prevent the blockage of scenic views and panoramas from publicly accessible places.
- Will locate and cluster buildings and other structures in a manner that minimizes their visibility from public places.
- Will be at least 40 feet below the crest line of any ridge and will not disturb the continuity of the treeline when viewed from a publicly accessible place.
- Will not result in clearing a building site area, including accessory structures and parking area, greater than 30,000 square feet in area for a single-family residence.
- Will comply with the requirements of requirements of the SPO District contained in Section G (Landscape), H (Architecture), I (Fences) and J (Rural Siting Principles) of the district regulations, except where site features are screened from public roads or trails.

Each point is discussed below.

- The Modified Project will not significantly impair scenic character and will be aesthetically compatible with its surroundings. The Applicant will provide a Confirmatory Visual Analysis of the Modified Project's potential visual impacts and has incorporated mitigation where necessary to reduce the significance of any impacts. Removal of native vegetation will be minimized, except where such removal may be necessary to open up or prevent the blockage of scenic views and panoramas from publicly accessible places.

The MDP makes use of the varying topography of the site to reduce the amount of tree clearing that will be needed. Existing tree masses are used where feasible to act as screening features or to be incorporated into the overall design scheme of the Modified Project. The Modified Project will also utilize clearing and grading limits to ensure the vegetation is only removed in areas where it is necessary.

- Buildings and other structures will be located and clustered in a manner that minimizes their visibility from public places. The site design utilizes clustering by creating groupings of buildings around courtyards or greens, and by creating a "village core" in the center of the development where more dense

land uses are concentrated. The single-family homes are also grouped into small clusters on relatively small lots.

- Buildings will be at least 40 feet below the crest line of any ridge and will not disturb the continuity of the treeline when viewed from a publicly accessible place. The tallest part of any roof on the Modified Project is the ridge line of the tower roof on the Winery Restaurant building. The finish floor elevation of the building is 812' and the ridge line of the tower roof is 39' 6" above the finish floor, or at an elevation of 851.6'. The elevation of the top of the ridgeline north of the building is 1140', to the east is 1100' and to the west is 960'. The highest point of any Modified Project building is 100'± lower than any crest of any ridge line in the region around the site and therefore the Modified Project complies with this requirement of the Zoning Law.
- The Modified Project will not result in clearing a building site area, including accessory structures and parking area, greater than 30,000 square feet in area for a single-family residence. The Modified Project does not involve such grading activities.

The Modified Project will comply with the requirements of Section G (Landscape), H (Architecture), I (Fences) and J (Rural Siting Principles) of the SPO District regulations, except where site features are screened from public roads or trails. The Modified Project will adhere to these standards as illustrated in the MDP text. To eliminate the need for a waiver from the 100-foot vegetated buffer requirement along Routes 22 and 44 the Applicant prepared a revised plan for the Vineyard Cottages development in Block V, which removes building from within the 100 foot "Green Buffer" zone along the northwest side of route 44. The area surrounding the Vineyard Cottages is proposed to have trees that will not only occur in the 100' green buffer but will also continue between and around the units so they will be further screened.

Section 121-15, Aquifer Overlay District

The Aquifer Overlay District ("AQO District") is regulated under Section 121-15 of the Zoning Law. The AQO District has been created to protect the health and welfare of residents of the Town of Amenia by minimizing the potential for contamination and depletion of the Harlem Valley's aquifer system. The Town has determined that a limiting factor on the carrying capacity of the land is its capability to provide water in sufficient quality and quantity so that water use by some users does not adversely affect other users. Another limiting factor on the carrying capacity of the land is its ability to absorb wastewater without adversely affecting the quality or quantity of groundwater and surface water necessary for water supplies and other needs of the natural and human environment. The purpose of these regulations is to protect the Town's groundwater aquifer system, to provide the most protective standards to those areas of the aquifer at greatest risk of contamination, and to manage development so that groundwater supplies are not depleted or degraded. The Modified Project lies

within the Upland Aquifer and the Priority Valley Bottom Aquifer ("PVBA"), which is the aquifer area most susceptible to contamination that would affect public water supplies. The Modified Project is not expected to have a negative impact on the AQO District with regard to water recharge and consumption. The applicant will obtain a special use permit for storage of fertilizers, pesticides and herbicides in excess of 500 pounds at the golf maintenance building located in the PVBA. The substances will be stored in accordance with the NRMP Section 9.0 "Best Management Practices for the Maintenance Facility" - Subsection 9.1.1 "Pesticide Storage and Mixing." All other chemical storage will be in a separate secure storage building.

Section 121-18, Resort Development Overlay District

The Modified Project will not require a waiver from the 35' maximum building height limitation in Section 121-18(C)(10)(b) of the Town Zoning Law. In addition, no building will be more than 5 stories in height, counting the stories from average grade at the front of the building, and excluding any story contained within a roof.

VI. Significant Adverse Unavoidable Impacts

The proposed MDP will have some adverse impacts on the environment that cannot be avoided. Some of these are short-term impacts that will occur primarily during construction, most of which arise from the alteration of existing site conditions. There are, however, others that would have permanent or long-term environmental impacts. Most of these are an unavoidable consequence of the development process and are not significant, or have been mitigated to a level not considered significant.

The following are adverse impacts that cannot be avoided if the Modified Project is implemented:

- Short-term construction-related impacts that will cease after construction is complete, including:
 - Increase in dust particles and minor increases in noise due to construction activity (short-term impact);
 - Increase in construction-related traffic and potential unavoidable delays to the traveling public due to the movement of trucks, machine transport vehicles, supply vehicles, and work crew vehicles (short-term impact); and
 - Replacement or disturbance of onsite soils during the course of development, including disturbance of approximately 114± acres of steep slopes (short-term impact);

- Increase in the amount of impervious surface (a total of approximately 35± acres or slightly less than 5.1% of the site) and alteration of stormwater runoff patterns (long-term impact);
- Disturbance to wetlands (a total of 0.00± acres of natural wetlands and 0.20± acres of constructed wetlands will be disturbed during construction); overall the Modified Project will create 2.53 acres of constructed wetlands (long-term impact);
- Increase in nighttime lighting at the project site (long-term impact);
- Increase in solid waste generation (long-term impact);
- Increase in wastewater generation (long-term impact);
- Increase in water demand (long-term impact);
- Increase in energy usage (long-term impact); and
- Increase in traffic (long-term impact).