

Appendix A

November 17, 2007 Public Hearing Transcript

1 TOWN OF AMENIA  
2 SPECIAL PLANNING BOARD MEETING  
3 -----  
4 RE:  
5 SILO RIDGE RESORT COMMUNITY  
6 PUBLIC COMMENTS ON THE  
7 DRAFT ENVIRONMENTAL IMPACT STATEMENT  
8 -----

9  
10 November 17, 2007  
11 9:00 a.m.  
12 Silo Ridge Country Club  
13 Amenia, New York

14 PLANNING BOARD:  
15 GEORGE FENN, Chairman  
16 TONY ROBUSTELLI  
17 BILL FLOOD  
18 NINA PEEK  
19 GINA MIGNOLA  
20 JIM WALSH  
21 JAY DEDRICK  
22 SUE METCALFE, Secretary

23 ALSO PRESENT: MICHAEL HAYES, ESQ.  
24 Town Attorney  
  
DR. MICHAEL CLEMENS  
Consultant  
  
MICHAEL SOYKA  
Consultant

REPORTED BY: KAREN SCHMIEDER, CSR, RDR  
Schmieder & Meister Inc.

2 CHAIRMAN FENN: Good  
3 morning. We would like to open this  
4 public hearing in connection with the  
5 Silo Ridge Project. The exits are all  
6 marked on two sides of the room here.

7 People will be asked to  
8 speak, those that have signed up, in  
9 the order in which they signed, except  
10 I guess for one person who requested a  
11 specific time. I think that from the  
12 size of the group that's assembled  
13 here, we probably will permit people  
14 to speak as long as they wish. But I  
15 think that if you plan to speak for  
16 more than five minutes, we should  
17 reconsider. However, we don't want  
18 anyone to feel deprived of time.

19 First of all, I think that  
20 Miss Mascali, from Chazen Company,  
21 would like to say a few words about  
22 the status of the project and about  
23 its recent development and the changes  
24 right along. And it becomes a little

3

1 confusing sometimes to understand  
2 exactly where the project stands at  
3 the present time.

4 So if you would like to do  
5 that.

6 MR. HAYES: George, actually

7 we should talk about SEQR first.

8 MS. MASCALI: I'll do that  
9 next.

10 CHAIRMAN FENN: Michael  
11 Hayes, our counsel, would like to say  
12 a few words about the SEQR process, of  
13 which this hearing of course is a  
14 part. And the interesting part of  
15 that is what happens from now on.

16 So Michael.

17 MR. HAYES: All right.  
18 well, I'm sure there's a lot of people  
19 here who know at least as much and  
20 probably a fairly significant amount  
21 more about SEQR than I do. But in  
22 case there are people who are going  
23 through this process for the first  
24 time, I want to just start by giving

4

1 you a couple of bullet points as to  
2 the main parts of the SEQR process and  
3 then go back and give you a little  
4 detail regarding specifically how the  
5 SEQRA process has worked in this  
6 project.

7 Typically, the first step  
8 that happens in SEQR is the Board  
9 makes a determination of significance.  
10 That's an initial decision as to

11 whether or not the project may have  
12 one or more significant adverse  
13 environmental impacts. If the Board  
14 concludes that that is the case, which  
15 is fairly common in a complex project  
16 like this, then that's called a  
17 positive declaration. The Board then  
18 has the opportunity to move forward  
19 into scoping, which allows for an  
20 early identification of issues  
21 particular to the project.

22 After scoping is completed,  
23 the Applicant prefers what's referred  
24 to as a DEIS or Draft Environmental

5

1 Impact Statement. Once the Applicant  
2 prepares their proposed DEIS, the  
3 Planning Board reviews it and makes a  
4 determination as to whether or not the  
5 DEIS is adequate for purposes of  
6 commencing the public comment and  
7 public hearing process. Once the DEIS  
8 reaches that point, the Board then  
9 circulates it to all other agencies  
10 who are involved in the environmental  
11 review and permitting process and  
12 commences the public comment period.  
13 That's where we are today.

14 Once the public comment  
15 period is closed, the Board will then

16 work towards the preparation of an  
17 FEIS, which is a Final Environmental  
18 Impact Statement. Once an FEIS has  
19 been completed, the Board then is  
20 acting as the lead agency, which in  
21 this case is the Planning Board will  
22 make its initial finding statement,  
23 and then all other involved agencies  
24 will make their finding statements.

6

1 So to give you some sense of  
2 big picture, what is the SEQR process,  
3 that's what we are talking about.  
4 None of the approvals that the  
5 Applicant will need from this Board or  
6 from any other agency can be granted  
7 until the SEQR process has been  
8 completed.

9 Now, I wanted to go back and  
10 give you some specific information  
11 regarding what we have done to date in  
12 terms of SEQR and this project. The  
13 original application for this project  
14 was submitted in May of 2003. A  
15 substantially revised proposal was  
16 submitted in June of 2005. Both  
17 applications included a hotel or golf  
18 resort component. And under the  
19 zoning that existed back in 2003 and

20 2005, a zoning amendment would be  
21 necessary to allow that as part of  
22 this development, either as a  
23 site-specific zoning amendment or as  
24 part of the overall town-wide

7

1 rezoning.

2 In September of 2005 the  
3 Planning Board declared itself lead  
4 agency for the coordinated SEQR review  
5 of this project. The lead agency is  
6 the agency that is principally  
7 responsible for the action and  
8 therefore responsible for determining  
9 whether a DEIS and an FEIS will be  
10 required, and if so for the  
11 preparation and filing of that  
12 document. In September of 2005, the  
13 Board issued a positive declaration  
14 finding that there were one or more  
15 potential significant adverse  
16 environmental impacts and that the  
17 preparation of a DEIS would be  
18 appropriate.

19 In October of 2005 the  
20 Planning Board conducted a public  
21 hearing, which is known as a scoping  
22 hearing. Scoping is the process by  
23 which the lead agency identifies the  
24 potentially significant adverse

1 impacts related to the proposed action  
2 that should be addressed in the DEIS,  
3 including a range of alternatives that  
4 should be considered and appropriate  
5 mitigation for any impacts that may be  
6 implicated.

7 In preparing the scoping  
8 document, which was adopted in  
9 November of 2005, the Planning Board  
10 identified five alternatives that the  
11 Applicant was required to include in  
12 its DEIS. That includes a no-build  
13 alternative, which SEQR requires as  
14 part of any DEIS; a traditional  
15 neighborhood development alternative,  
16 a reduced-scale alternative --  
17 basically build it but build it at  
18 less; a conforming zoning  
19 alternative -- that is a conventional  
20 subdivision under the existing zoning  
21 law, and an alternative energy option.

22 In September of 2006 the  
23 Applicant submitted its first proposed  
24 DEIS. Again the DEIS, which I've

1 referred to before, is the initial

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
statement that is circulated for

review and comment, which is intended  
to provide a means for agencies,  
project sponsors and the public to  
systematically consider significant  
adverse environmental impacts,  
alternatives and mitigation.

In November of 2006 the  
Planning Board concluded that the  
proposed DEIS was inadequate for  
public review and directed that a  
substantial revision be made. In  
December of 2006 the Applicant  
submitted a revised DEIS. And then in  
February of 2007 the Applicant  
withdrew its reviewed DEIS in order to  
develop the traditional neighborhood  
development alternative, which it had  
identified through the SEQR process as  
its preferred alternative over and  
above or rather than the original  
proposal that had been put forth in  
their application.

10

In June of 2007 the  
Applicant submitted its revised DEIS  
with the new traditional neighborhood  
development alternative more fully  
fleshed out and presented as its  
preferred alternative. And

7 traditional neighborhood development,  
8 or TND as its called, refers to the  
9 development of compact complete  
10 communities that include single-family  
11 homes, apartments, townhouses, work  
12 places, shops, restaurants, hotels and  
13 recreational facilities. The goal of  
14 a TND is to create a  
15 pedestrian-friendly or  
16 pedestrian-oriented environment in  
17 which residents and those who work in  
18 the area can comfortably walk between  
19 the different land uses and minimize  
20 the use of automobiles on site. The  
21 preferred TND alternative, for those  
22 of you who have a copy of the DEIS or  
23 will be looking at it after today's  
24 meeting, is in Section 5.2 of the

11

1 DEIS.

2 In June through October of  
3 2007 the Planning Board reviewed that  
4 revised DEIS with the TND preferred  
5 alternative and requested a number of  
6 additional revisions or additional  
7 information which the Applicant  
8 provided. And ultimately, in October  
9 of 2007, the Planning Board decided  
10 that the DEIS had reached the point

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
11 where it was adequate for public

12 review and comment and commenced that  
13 process.

14 In the meantime, in July of  
15 2007, as you all know, the town went  
16 ahead and adopted its comprehensive  
17 new zoning law. Under the new zoning  
18 this property -- the underlying zoning  
19 for this property is RA, Residential  
20 Agricultural where this property is  
21 located, in an overlay district, a  
22 Resort Development Overlay District  
23 under the new zoning. Under the new  
24 zoning the purpose of the RDO District

12

1 is to provide use and design  
2 flexibility to encourage resort  
3 development that fits into the rural  
4 character of the town and protects its  
5 scenic, historic and environmental  
6 resources. The RDO District is  
7 intended to provide a procedure for  
8 Master Plan development for large  
9 properties to promote tourism,  
10 recreation and open space and natural  
11 area of protection.

12 In terms of the public  
13 review process that has now commenced  
14 based on the October 2007 finding of  
15 completeness, there was a notice

16 published in the Environmental Notice  
17 Bulletin -- that's a publication of  
18 the DEC -- alerting people throughout  
19 the state that we have reached the  
20 point now where the DEIS was complete.  
21 Copies of the DEIS were circulated to  
22 all involved agencies. Involved  
23 agencies are those agencies that will  
24 have some sort of discretionary permit

13

1 or approval decision to make as part  
2 of this project going forward, as well  
3 as to all interested agencies, which  
4 are agencies that may not have a  
5 permitting or approval process, but  
6 nonetheless, either by implication or  
7 by having expressed interest in the  
8 process are deemed to have sufficient  
9 interest in the project as to be kept  
10 in the loop essentially.

11 Also the links to the DEIS  
12 were placed on the town web site were  
13 too big to put on the town web site  
14 directly. But if you went to the town  
15 web site you could get a link that  
16 would shoot you over to a web site  
17 dedicated solely to the DEIS. Copies  
18 were made available at the Town Hall  
19 and library. Once you reach this

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
point there's an optional hearing.

20  
21  
22  
23  
24

The Planning Board can choose to schedule a public hearing or not as to solicit public comment. The Planning Board has chosen to do so, and that's

14

1 why we are here today.

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

The Planning Board will continue to take written comments for 20 days at whatever date the public hearing is closed. The public hearing may well not be closed today, so that 20 days would only run from today if the Planning Board closed the hearing today. If the Planning Board chooses to keep the hearing open, then that 20-day additional written comment period will only start to run at that future date where the hearing is closed.

Once the hearing is closed and the 20 additional days for the written comments have expired, the Planning Board will then prepare the FEIS. The FEIS will include a summary of all substantive comments that are received during this public comment and written review process. The Applicant will typically take the first run at that. We have a court

1 reporter here today who is creating a  
2 transcript of everything that's said,  
3 so that we have an accurate record to  
4 rely upon for --

5 AUDIENCE MEMBER: Could you  
6 please go a little slower. Because  
7 you're saying a lot of important  
8 things and someone is having to take  
9 notes in order to get it.

10 MR. HAYES: Sure. I'm sorry  
11 I was rushing, but I figured people  
12 were anxious to say what they wanted  
13 to say. So I was trying to get myself  
14 back out of the process here.

15 But in terms of what happens  
16 going forward, once the public hearing  
17 is closed and the written comment  
18 period is concluded, the FEIS will be  
19 prepared. The Applicant will  
20 typically organize the first draft of  
21 the FEIS by organizing all the  
22 comments that have been received by  
23 topic and all substantive comments  
24 that are received during this process,

1 whether verbal comments at a hearing

2 or written comments that are submitted  
3 during the process will be responded  
4 to in the FEIS. Again, typically the  
5 Applicant will often suggest responses  
6 to those comments. But the Planning  
7 Board is ultimately responsible for  
8 the accuracy and the completeness of  
9 the responses that are contained in  
10 the FEIS. And under the SEQR  
11 regulations the FEIS is -- the  
12 regulation says the FEIS should be  
13 completed within 45 days of the close  
14 of the public hearing. That's an  
15 advisory period of time, and the  
16 Planning Board, with the Applicant's  
17 consent, can extend it out if it's  
18 necessary to take more time to make  
19 sure that the FEIS fully and  
20 completely responds to all substantive  
21 comments. But there will come a point  
22 where the Planning Board will conclude  
23 that they have an FEIS before them  
24 that identifies all substantive

17

1 comments in response to them  
2 appropriately. Once the Planning  
3 Board reaches that point, the FEIS  
4 will then be accepted or approved, and  
5 it's at that point that the Planning  
6 Board and all involved agencies will

7 then make individual findings  
8 regarding the project. A findings  
9 statement is a written statement  
10 prepared by each involved agency after  
11 the FEIS has been filed that considers  
12 the relevant environmental impacts,  
13 weighs and balances them with  
14 socio-economic and other essential  
15 considerations and provides a  
16 rationale for the agencies' decision  
17 regarding whether SEQR requirements  
18 have been met or not met. Each  
19 involved agency makes its own findings  
20 statement. So the Planning Board as  
21 lead agency will make its statement,  
22 likely will be the first to make its  
23 statement. But other involved  
24 agencies will now be bound by the

18

1 Planning Board's findings statement.  
2 They will be bound by the record that  
3 we are creating here. They will be  
4 bound by the FEIS and will be required  
5 to base their individual findings  
6 statements upon that FEIS and not  
7 reinvent the process on their own.  
8 So I think that's probably a  
9 more comprehensive review of the SEQR  
10 process than I had originally planned

11 on giving when I first started putting  
12 together some notes for today. But it  
13 is a complicated process if you  
14 haven't been through it before. I  
15 think it is important for people to  
16 understand all the work that went into  
17 getting us to this point and  
18 understand what happens after today.

19 So in terms of the hearing  
20 process itself, the hearing today is  
21 not a question and answer type  
22 process. The Applicant is here, and  
23 in a few moments they are going to  
24 make a presentation that deals more

19

1 with the substance of their project.  
2 But when that's done people will be  
3 given an opportunity to make comments.  
4 Their comments can certainly ask  
5 questions, but you're not going to get  
6 the answers today. I want people to  
7 understand that really the process  
8 here is your comments, whether they be  
9 criticisms or questions, will all be  
10 recorded, and they will ultimately be  
11 part of the record that is contained  
12 in the FEIS. The answers to your  
13 questions, the responses to your  
14 questions will come in the form of the  
15 FEIS. So that is one area that I want

16 to make sure that everybody  
17 understands. Just so that as we move  
18 forward here, you'll be able to  
19 understand what the procedures are for  
20 today.

21 CHAIRMAN FENN: I think that  
22 is a very complete investigation of  
23 the process.

24 One point though I would

20

1 like to clarify. Michael, you alluded  
2 to the written comment period that  
3 follows the closing of the public  
4 hearing. That is not to say that  
5 people can't submit written comments  
6 prior to that.

7 MR. HAYES: At any time.

8 CHAIRMAN FENN: At any time.  
9 The written comment period is provided  
10 only if you miss this meeting or for  
11 one reason or another or thought you  
12 had too much to say, it may be better  
13 written rather than spoken, or for  
14 whatever reason you wanted to submit a  
15 written comment after the close of the  
16 public hearing, there is this special  
17 period of 20 days that's provided.  
18 But that's not to say that you can't  
19 submit the written comment at any

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
time.

20

21

Yes.

22

23

24

AUDIENCE MEMBER: If the  
response to our comments doesn't come  
until a final document, what if they

21

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

are not adequate responses? Then  
what -- do we have another hearing?  
who gets to review the responses to  
what we are saying?

MR. HAYES: The Planning  
Board will ultimately determine what  
the appropriate responses are.

Now, all Planning Board  
meetings are open meetings; they are  
open to the public. And certainly  
anybody who has an interest in that  
and wants an opportunity to be heard  
is welcome to come to future Planning  
Board meetings, where you'll reach a  
point where the FEIS is in draft form  
and the Planning Board is working on  
it.

AUDIENCE MEMBER: It is  
still a working --

MR. HAYES: It is done in a  
public setting. It may not be a  
public hearing in the sense of what we  
are doing here today, but probably be  
more on the first or third Thursday of

1 the month at 7:00 p.m. at Town Hall.  
2 But there will be every opportunity to  
3 be there, listen to the dialogue and  
4 to make comments. There are plenty of  
5 opportunities after today to continue  
6 to be involved in the process if you  
7 so choose. But ultimately the  
8 Planning Board will be the arbiter of  
9 whether the responses are adequate.

10 AUDIENCE MEMBER: Will those  
11 responses be up for viewing?

12 MR. HAYES: Yes.

13 AUDIENCE MEMBER: On the web  
14 site or before the Planning Board  
15 meeting?

16 MR. HAYES: I don't know  
17 that they will be on the web site  
18 before the FEIS gets adopted. But I'm  
19 certain that anybody who wants to at  
20 least come to a meeting will be able  
21 to get copies of it at that point.  
22 It's a lot of paper. As you can see,  
23 it's a lot of material. But the  
24 Planning Board, I will tell you from

1 my five or six years with them, the

2 transparently, and I've never seen  
3 anybody come to a meeting who  
4 complained they were being excluded  
5 from the process or being denied an  
6 opportunity to be educated and  
7 involved.  
8

9 AUDIENCE MEMBER: No, I'm  
10 just saying if it is a big document  
11 like that, it is very hard to go  
12 through the day of the meeting or  
13 whatever.

14 MR. HAYES: We will work it  
15 out as we go forward I guess.

16 CHAIRMAN FENN: It's hard  
17 for us too.

18 Now Melissa, do you want to  
19 say a few words?

20 MS. MASCALI: Good morning.  
21 Can everybody hear me? Thank you for  
22 participating in the public hearing  
23 for the proposed Silo Ridge Resort  
24 Community development. My name is

24

1 Melissa Mascali from the Chazen  
2 Companies representing the Applicant  
3 for the proposed project, Silo Ridge  
4 Country Club.

5 As Mr. Hayes said, the  
6 purpose of today's hearing is to

7 accept comments on the project or  
8 Draft Environmental Impact Statement  
9 or DEIS, which was accepted as  
10 adequate for public review by the  
11 Amenia Planning Board on October 4th,  
12 and was circulated to interested and  
13 involved agencies and the public for  
14 review.

15 All of the comments that are  
16 made today will be recorded by the  
17 court stenographer, and all subsequent  
18 comments will be responded to in  
19 writing in the FEIS or Final  
20 Environmental Impact Statement.

21 Questions and comments that  
22 are voiced here today will not be  
23 answered right now but will be  
24 addressed in the FEIS. The comment

25

1 period will remain open until at least  
2 December 7th, which I believe is 20  
3 days from today. So if you have  
4 comments or questions that come to  
5 mind after you hear everyone speak  
6 today or if you do not wish to speak  
7 today, you can still submit your  
8 comments in writing. I believe they  
9 are going to Lana at Town Hall until  
10 the 7th of December. Written comments

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
will be treated exactly the same way

11  
12 as any comments spoken here today. So  
13 if you speak today, you don't need to  
14 send in comments in writing unless you  
15 wish to. They will be all be  
16 responded to in the FEIS.

17 The project site, which we  
18 are at right now as you know, is 670  
19 acres and is zoned RA or Rural  
20 Agricultural, and RDO, Resort  
21 Development Overlay. The site is  
22 development is with a golf course,  
23 clubhouse, parking and maintenance  
24 facility. It has varied topography,

26

1 as you know, including the steep  
2 wooded hillside to the west of the  
3 golf course. There are also several  
4 ponds and wetlands on the site,  
5 including a large regulated wetland in  
6 the southeast portion of the site.

7 The proposed development  
8 includes a resort hotel, up to 359  
9 residential units including  
10 single-family homes, townhomes and  
11 flats, small-scale neighborhood retail  
12 uses, an upgraded golf course and  
13 clubhouse, as well as related uses,  
14 such as spa and fitness center and  
15 restaurants. The vast majority of the

16 site will be preserved as open space,  
17 including the golf course.

18 Now, the DEIS itself  
19 includes an evaluation of the proposed  
20 action and several alternatives, as  
21 Mr. Hayes mentioned, as required by  
22 SEQR and as identified in the scoping  
23 document. The alternatives include a  
24 no-build alternative, a traditional

27

1 neighborhood alternative, a  
2 reduced-scale alternative, conforming  
3 zoning analysis and an alternative  
4 energy option.

5 As you've already heard,  
6 over the course of the SEQR review  
7 process, with input from the Planning  
8 Board and the Town's consultants, the  
9 traditional neighborhood alternative  
10 option has become the Applicant's  
11 preferred development plan.  
12 Therefore, the DEIS analyzes in detail  
13 both the original proposed action and  
14 the traditional neighborhood  
15 alternative.

16 The clay model over here and  
17 the rendering that's right here as  
18 well as the overall site plan layout  
19 over there present the traditional

20 neighborhood alternative, which was  
21 designed by architect Robert A.M.  
22 Stern, or RAMSA for short. The  
23 development, the traditional  
24 neighborhood alternative development

28

1 is pedestrian friendly. It includes  
2 mixed use neighborhood with  
3 small-scale limited retail uses. It  
4 is designed with as much open space  
5 and green area as possible. And the  
6 residential units in most cases are  
7 centered around a green or a square  
8 for pedestrian circulation and use. A  
9 lot of the homes have alleys off the  
10 back where the traffic comes in, so  
11 that the houses can front onto a  
12 street which enhances the  
13 pedestrian-friendly atmosphere of the  
14 development.

15 The DEIS itself includes an  
16 evaluation of the following 19 topics:  
17 soils and geology, water resources,  
18 vegetation, wildlife, cultural  
19 resources, visual resources,  
20 transportation, land use and zoning,  
21 local and regional planned  
22 consistency, police, fire and  
23 emergency services, school services,  
24 recreation open space and tourism,

1 water, utilities, wastewater  
2 utilities, solid waste, noise, fiscal  
3 impacts, demographics and community  
4 character. So there is a lot in  
5 there.

6 Section 3 of the DEIS, when  
7 you review it or if you have already  
8 reviewed it, addresses each of the  
9 above issues with respect to the  
10 existing conditions of the project  
11 site, what's here now, and the  
12 potential impacts of the proposed  
13 action, the original proposal.  
14 Section 5.2 of the DEIS addresses each  
15 issue as it pertains to the potential  
16 impact of the traditional neighborhood  
17 alternative.

18 The existing conditions that  
19 are described in Section 3 of the DEIS  
20 are relevant to the traditional  
21 neighborhood alternative, as well as  
22 to any other alternatives, since they  
23 describe the existing conditions of  
24 the site that are here right now.

1 If possible, when you make

2 your comments, it would be helpful if  
3 you could refer to the section of the  
4 DEIS that your comment pertains to.  
5 Of course, if you can't and want to  
6 just speak generally, that's fine. It  
7 would help us when we address comments  
8 if we know which plan you're talking  
9 about, because there are some  
10 differences.

11 with that, I'll turn it back  
12 over to the Planning Board to begin  
13 the public hearing process. Thank  
14 you.

15 CHAIRMAN FENN: We have the  
16 sign-in list. Do I hear a motion to  
17 open the public hearing?

18 MR. WALSH: I'll make the  
19 motion.

20 MS. MIGNOLA: Second.

21 CHAIRMAN FENN: Second. All  
22 in favor.

23 (Board members vote aye.)

24 CHAIRMAN FENN: Any opposed?

31

1 (No response.)

2 Let's commence then.

3 MS. METCALFE: Patty O'Neil.

4 MS. O'NEIL: Good morning.

5 Can everybody hear me? My name is  
6 Patricia O'Neil. I reside in town at

7 4931 Route 22.

8 I can't really comment  
9 according to the sections. If I had  
10 known that, I would have done better.

11 I understand that the Silo  
12 Ridge Resort Community Development  
13 project has offered the Town of Amenia  
14 to utilize the waste management  
15 treatment facilities that are to be  
16 built. The town desperately needs to  
17 move in this direction, as many of us  
18 know.

19 My concern is the expense  
20 that the Town will incur to hook into  
21 the treatment plant. The proposed  
22 location of the plant appears to be at  
23 a high elevation, which will be an  
24 added expense to the Town. The

32

1 majority of the expense is in laying  
2 the piping and tearing up our roads.  
3 And with the added elevation we would  
4 have to install several pump stations  
5 to get the sewage up to this facility.

6 Can the Planning Board and  
7 the developer tell us the elevation  
8 difference, say from a point on Route  
9 22 to the area where they proposed the  
10 waste management site.

11 I would like to ask the  
12 developers if they would consider  
13 purchasing another property for the  
14 waste management plant that is more  
15 feasible to the use the Town. In the  
16 past the Allen property was considered  
17 a good site for such a facility. This  
18 property is strategically located and  
19 could serve the Town and Silo Ridge as  
20 well as the proposed Keane Stud  
21 Equestrian Community. Topographically  
22 this property appears lower and  
23 therefore would be a better choice for  
24 the Town.

33

1 So back to -- I don't really  
2 know the elevation difference. That's  
3 what I would like to see. Because  
4 pump stations will incur a much more  
5 expensive thing and probably have  
6 possibly more problems during  
7 different times of the year.

8 Will the private homes be  
9 built as spec houses or privately  
10 purchased and custom built?

11 What if the properties do  
12 not sell? Will we have large enough  
13 funds -- performance funds that can  
14 assist if the project does go belly  
15 up?

16 I'm concerned that the  
17 terrain would be interrupted, and if  
18 they clear the sites prior to being  
19 purchased or should we keep them  
20 intact? What if the properties don't  
21 sell? It could be very aesthetically  
22 unpleasing to a future user, ownership  
23 of this property.

24 This project is so enormous

34

1 for our town and makes people very  
2 anxious I'm sure, as I am. And if  
3 your goals are not met in terms of  
4 sales, I would like this bucolic  
5 setting to remain that way.

6 will all the homes in the  
7 village buildings conform to the  
8 design styles indicated in the  
9 proposal? Is this proposal binding as  
10 far as architectural style?

11 Is there any possibility  
12 that the developers would consider the  
13 modified community plan with a smaller  
14 amount of residences as their  
15 secondary plan?

16 The frame structure on the  
17 hill, which is for us to kind of  
18 perceive the future, I think it's a  
19 little deceptive because you're not

20 able to see through it -- or you are  
21 able to see through it. At this  
22 location would the developers consider  
23 moving the buildings farther north,  
24 towards the Miller property, and

35

1 having a vineyard in the center near  
2 the road? We already know that a  
3 vineyard would not disrupt the view,  
4 since corn has been grown there for  
5 many years. And I don't think a  
6 vineyard is hard on the eyes.

7 So in conclusion, I am  
8 asking also will there be performance  
9 bonds purchased by the builder that  
10 will be large enough and will be  
11 returned after completion of certain  
12 phases, because it could be very  
13 costly if the project doesn't develop  
14 as planned. Thank you.

15 CHAIRMAN FENN: Thank you.

16 MS. METCALFE: Tom Flexner.

17 MR. TOM FLEXNER: Thank you  
18 and good morning. My name is Tom  
19 Flexner. I'm a resident of Amenia, in  
20 the hamlet of Wassaic, and I  
21 appreciate the opportunity to just  
22 spend a few minutes with some general  
23 comments on the project.

24 This is obviously a perfect  
Page 30

1 place to have this meeting, because we  
2 can look out over the land, which is  
3 very beautiful. I will say, being  
4 familiar with the architects for the  
5 traditional plan, Robert A.M. Stern,  
6 he is -- he designs fantastic  
7 high-quality, very aesthetically  
8 pleasing projects.

9 I have spent a little while  
10 thumbing through the DEIS. It's a  
11 massive, massive undertaking to do  
12 that. It has the impact of probably  
13 about two bottles of wine when you try  
14 to get through the whole thing.

15 I spent a little while  
16 looking at the statistical analysis  
17 that the consultants provided, trying  
18 to just get my own sense of what are  
19 the financial impacts and quality of  
20 life impacts going to be on our town.  
21 I tend to be very skeptical about  
22 those kind of statistical studies,  
23 because there is something called the  
24 law of unintended consequences. It is

1 very, very difficult to capture

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
2 through statistical analysis the real

3 quality of life impacts that could  
4 occur, both from the positive side, to  
5 be fair, as well as on the negative  
6 side. So I'm not an expert in that  
7 area, so I leave it to others to  
8 decide whether there's a net tax per,  
9 and whether road congestion is  
10 problematic, whether incomes will go  
11 up and job creation will occur.

12 I just only hope and I do  
13 believe that our Planning Board and  
14 the officials of the Town who have  
15 both a moral and legal responsibility  
16 to protect our collective best  
17 interests really focus very, very  
18 carefully and try to make the best  
19 informed judgment they can.

20 My largest concern is that  
21 this project as described is not  
22 viable. I say that from the context  
23 of being very involved in this  
24 business. I would say that over the

38

1 last ten years my firm -- I'm with one  
2 of the largest security firms in New  
3 York, so I'm a weekender up here --  
4 but we've probably been involved in at  
5 least a third of all resort  
6 development projects, financing and

7 investments in the United States.  
8 Including Canyon Ranch, including the  
9 Wyndham resorts, including most of the  
10 Starwoods resorts, LaQuinta, and as  
11 well as a number of Las Vegas resorts,  
12 which are really not related to this.

13 So when I look at this in  
14 the context of can this be financed;  
15 can this generate -- attract the  
16 capital and generate the sources of  
17 funds that are needed to build this  
18 out, particularly in the environment  
19 that we as a community, as a state, as  
20 a country going into -- let us not  
21 forget that we are on the verge of a  
22 very, very significant housing  
23 downturn nationally. I think anybody  
24 who reads the papers, looks at the

39

1 business news on TV cannot ignore that  
2 fact. And this is not a temporary,  
3 cyclical downturn, when you consider  
4 the levels of foreclosures that are  
5 occurring across the country and the  
6 major housing builders, whose own  
7 companies are at risk today.

8 On top of that and related  
9 to that there is fairly good evidence  
10 that we might be tipping into a

11 recession. Now, even in the absence  
12 of a severe housing downturn, even in  
13 the absence of a recession, a project  
14 of this scope, at this location I  
15 think would be incredibly difficult to  
16 finance.

17                   Again, it's easy to create  
18 projections that show wonderful  
19 outcomes when you are in a location an  
20 hour and a half north of where 10  
21 million people live. I mean you can  
22 make the statistics sing whatever song  
23 you want them to sing, but at the end  
24 of the day, this project, this

40

1 location in my opinion is not viable.

2                   So, what does that mean to  
3 our town? It means one of two things.  
4 By some miracle it proceeds, it gets  
5 built out at roughly the scale we are  
6 talking about and it fails. Now, what  
7 happens if a project like this fails?  
8 We can spend hours discussing unsold  
9 condominiums, low occupancy resort; is  
10 that going to depress everybody else's  
11 housing value in this town if you've  
12 got 200 unsold condominiums that are  
13 eventually going to have to be reduced  
14 significantly in price to get moved?  
15 I mean that's one consequence that I

16 think we really have to be concerned  
17 about. So I'm --

18 MS. MIGNOLA: Excuse me. So  
19 what are the other consequences, the  
20 other consequences of failure?

21 MR. FLEXNER: Well, another  
22 consequence of failure, hopefully --  
23 hopefully, there is a market  
24 adjustment that prevents failure.

41

1 what I mean by that is if this project  
2 were to go out and financing were  
3 attempted to be put in place and the  
4 lending community and the equity  
5 community said this is too aggressive  
6 a project, we need to scale back.  
7 That's the other consequence.

8 Now, I'm not making any  
9 judgment, okay, aesthetically about  
10 the size of this development or what a  
11 lesser development would like. But I  
12 think we have to be mindful that  
13 whatever we see here today may not  
14 ultimately be what we get or what is  
15 asked for in the future. And the time  
16 frames that we are talking about here  
17 are significant. I'm fairly certain  
18 that this is a project that at a  
19 minimum could probably not be started

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
for several years.

20  
21  
22  
23  
24

I would welcome after this  
to meet with the developer and their  
advisors and share my particular  
expertise in that area, which I think

42

1 is equal to or unmatched anywhere.  
2 And that pretty much concludes my  
3 comments. So thank you very much.  
4 MS. MIGNOLA: You're saying  
5 the two possibilities are if the  
6 project went forward as is, home  
7 values could be depressed if it fails.  
8 And the other possibility is that  
9 finances would require in order for  
10 any project to go forward to really  
11 scale back and reduce the size and  
12 reduce the number of residents and --

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

MR. FLEXNER: Yes, the  
number of residents and whether or not  
a resort hotel could actually get  
built.

MS. MIGNOLA: Right. So are  
there any other consequences that you  
want to just put out there?

MR. FLEXNER: Well,  
obviously, if the first scenario, if a  
large-scale development were  
undertaken and failed, you know I  
think we would have to do an analysis

1 of what the consequences are to the  
2 fiscal well being of the Town.

3 MS. MIGNOLA: So is that one  
4 of your questions then, what would the  
5 Town have to pick up, what it would  
6 cost us then --

7 MR. FLEXNER: Yes, that  
8 would be one for sure.

9 I haven't spent a lot of  
10 time thinking about it. I probably  
11 could and come back in writing with  
12 more questions. But that's my biggest  
13 concern. If this got built, I think  
14 this is a very -- personally, you  
15 know, a very kind of aesthetically  
16 pleasing project. If it got built and  
17 it was tremendously successful, I mean  
18 I love the picture on front of one of  
19 the proposals where people are kind of  
20 sitting outside in the gardens  
21 drinking lattes and you're looking at  
22 a vibrant retail front. Which I'm  
23 sure it would end up looking like  
24 that.

1 I actually financed one of

2 centers once outside of Chicago. But  
3 it was in an area that had 2 million  
4 people within ten miles. It was a  
5 different kind of situation.

6 So I think actually, almost  
7 definitionally, if this thing were  
8 wildly successful, it would probably  
9 be a good thing for the Town. How  
10 could it not be? If it is wildly  
11 successful, it means people love it,  
12 and they are here and engaged in it.  
13 And that can't be bad at the end of  
14 the day. But my theory is that can't  
15 happen on this scale, here.

16 MS. MIGNOLA: It is also  
17 possible that Mr. Stern's company  
18 could drop out at any time?

19 MR. FLEXNER: They could  
20 drop out. They could drop out. You  
21 know, that frankly is another concern  
22 which I should note. And I'm not  
23 quite sure how the local approval  
24

45

1 process works with respect to a  
2 specific piece of property. But let's  
3 assume that this project succeeds in  
4 getting all of its approvals. Do the  
5 owners have the right to flip the  
6 property? I mean we, by giving these

7 approvals, are conferring potential  
8 great value on this property, at least  
9 the expectation of great value.  
10 Otherwise there wouldn't be this  
11 effort to get these approvals. If we  
12 as a town are going to give that  
13 benefit to someone else, we have to  
14 make sure that we get the benefit that  
15 we want back with a very high degree  
16 of certainty. And if we don't, then  
17 there have to be penalties. That's  
18 just smart business. It's just smart  
19 business. And because the last thing  
20 we want to do is be known as the Town  
21 that bought the Brooklyn Bridge. That  
22 was not a good outcome.

23 MS. MIGNOLA: So that's also  
24 one of your questions then, what would

46

1 happen once the approvals are  
2 conferred --

3 MR. FLEXNER: Yes, do they  
4 run with the land, or do they run with  
5 effectively the project team that is  
6 attempting to get those approvals?

7 MS. MIGNOLA: Anything that  
8 you would like to submit in writing, I  
9 think the Board would welcome your  
10 questions.

11 MR. FLEXNER: Okay, thank  
12 you very much.  
13 MS. METCALFE: Richard  
14 Howard.  
15 MR. RICHARD HOWARD: No  
16 comment.  
17 MS. METCALFE: Pet Nelligan.  
18 MR. PAT NELLIGAN: Good  
19 morning. First of all, if we weren't  
20 going to have this at a town facility,  
21 I expected cider and donuts. I mean  
22 if they can't afford a few cider and  
23 donuts, how are they going to do this  
24 project?

47

1 MR. FLOOD: Can't do it  
2 legally. That's why it's not here.  
3 MR. NELLIGAN: It is nice  
4 here. The problem is when this  
5 project is done, it won't be nice  
6 here. For the rest of the Town,  
7 there's no integration of this into  
8 the character of the Town. There is  
9 no attempt in any of this to somehow  
10 include this project in a very nearby  
11 hamlet and the impacts on it.  
12 I believe the scoping  
13 document that the EIS is based on is  
14 fatally flawed and out of date. I  
15 think it should be been updated after

16 the zoning law was passed. The DEIS  
17 has sort of evolved in sequences that  
18 the original scoping document doesn't  
19 even bring out. For instance, in the  
20 original scoping document there was  
21 nothing about other commercial in the  
22 traditional neighborhood development  
23 idea where new commercial, other than  
24 the hotel and conference center and

48

1 spa. So they aren't looking at how  
2 it's going to impact the commercial  
3 areas of the downtown of Amenia.

4 The zoning law was passed  
5 without any kind of generic EIS being  
6 done. I need to know if there's any  
7 responsibility then on the Planning  
8 Board to have these people look at  
9 more global impacts on the community,  
10 since there is no global analysis of  
11 what the RDOs in general do, and  
12 specifically this RDO, which is the  
13 largest. It dwarfs the township, I  
14 mean the historic hamlet, in size and  
15 scope. Density is tremendous here.

16 I agree with Dr. Clemens,  
17 that the open space things that you  
18 have based the densities on, including  
19 the golf course, make the densities so

20 large. I mean if you include the golf  
21 course as open space that you're using  
22 in your conservation analysis, then on  
23 the 200 acres that they are actually  
24 developing, you have the potential,

49

1 with the hotel condominiums portion  
2 now in the law -- which weren't in the  
3 original scope either, the fact that  
4 there would be hotel condominium  
5 transfers from the hotel rooms, the  
6 densities are about one unit per half  
7 acre, instead of one unit per ten  
8 acres, which the zone now is under the  
9 new law. The average person who wants  
10 to buy an acre adjacent to this, say  
11 from let's say that the fish and game  
12 decides to subdivide theirs up into  
13 ten-acre parcels, which is the zone  
14 now, the average person in town would  
15 have to buy a ten-acre parcel. The  
16 people in this development will be  
17 living on about a half acre or less.  
18 The underlying zoning is totally  
19 perverted with those kinds of numbers  
20 and the use of the golf course's open  
21 space to get those kinds of numbers.  
22 So the viability he's talking about is  
23 from a financing thing. I'm saying in  
24 terms of the densities that you're

1 creating here, on the area you're  
2 actually creating it are tremendous  
3 impacts on the underlying zoning.  
4 That leads to what's going  
5 to happen to the environment  
6 downstream of this. If the Town is  
7 included in the wastewater system, the  
8 single point discharge into that  
9 stream in August, when it is a  
10 trickle, what will be the impact of  
11 that on the downstream wetlands and  
12 aquatic species? There will be more  
13 water coming from the sewer treatment  
14 plant than there is actually regular  
15 flow in the stream. And that has to  
16 have a tremendous impact. Is that  
17 downstream impact being looked at  
18 further down the valley on wetlands?  
19 I didn't see a lot of that. How is  
20 that going to be mitigated? Is that  
21 the best way to go? Should we not  
22 require a wetland type sewer treatment  
23 plant for this development as well, as  
24 opposed to a traditional one? I don't

1 like a traditional sewage treatment

2 idea. We are not dumping into the  
3 Hudson River here. That discharge is  
4 going into a very small stream, and I  
5 worry about that. And then you add  
6 the next project that's coming, and if  
7 the Town is included, that's a lot of  
8 water going into that stream that is  
9 not probiotic. That's enough of that.

10 was there ever a need  
11 analysis done for the hotel rooms?

12 MS. MIGNOLA: What do you  
13 mean by that?

14 MR. NELLIGAN: Well, I can  
15 say I want to put 200 campsites around  
16 my pond. And say I could get  
17 approvals for that, does that mean  
18 there's a demand for 200 campsites?  
19 Is there any analysis that we really  
20 need in this community a 325-room  
21 hotel? Viability is one question.  
22 The other is why so large and tall a  
23 hotel in a rural community when there  
24 is no proven demand for those number

52

1 of units. Was there ever an analysis  
2 saying -- I mean the reason we went,  
3 the community in 2003, with the  
4 amendments that were added was we  
5 thought we needed a hotel or  
6 additional lodging facilities. I

7 don't think anybody in this town ever  
8 perceived we needed 325 of them in one  
9 hotel. Again, I believe that should  
10 be scaled down. I think the height of  
11 the hotel is much too high. I think  
12 if anything, they should be required  
13 to do a sequential hotel adoption.  
14 Say start -- I think an approval  
15 should be based on at least half of  
16 that or less. And then if further  
17 development is indicated, that they  
18 could come back for further approval  
19 later. There is nothing that says  
20 they can't. To approve this for a  
21 325-room hotel, if it were staying as  
22 a 325-room hotel, I think they  
23 wouldn't even build it. But when they  
24 finally got the hotel/condominium

53

1 thing into the law and broke the law  
2 for it by the way and got it, a hotel  
3 condominium described as a lodging  
4 facility instead of a dwelling unit, I  
5 know what's going to happen to that  
6 hotel. It is going to slowly evolve  
7 into condos. Do we want that kind of  
8 dwelling density as opposed to  
9 transient density in one spot?

10 This project even half the

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
size doesn't fit the character of this

11  
12 community. I think the negative  
13 impacts on both hamlets from these  
14 type of developments was not looked  
15 at, certainly wasn't looked at by the  
16 Town in the zoning law, and I think it  
17 should be required to be looked at by  
18 each applicant, globally met, not just  
19 in here, but what's it going to do to  
20 that little village up there.

21 MS. MIGNOLA: So what kind  
22 of specifics do you want them to look  
23 at. You said global, that's broad;  
24 what specifically?

54

1 MR. NELLIGAN: How it is  
2 going to impact that hamlet?  
3 Financially, commercially. Will that  
4 hamlet -- yes, they have looked at how  
5 it will affect property values perhaps  
6 around, but what it's actually going  
7 to do to those two hamlets that are  
8 supposedly our traditional  
9 neighborhoods. Will there be any  
10 viable commercial there? Will the  
11 people here demographically even have  
12 to go up there? Because we have given  
13 them all the commercial they need  
14 here. I think that is a bad move. I  
15 think that of course they want the

16 traditional neighborhood development  
17 model, because then they can have all  
18 their commercial and neighborhood  
19 shops here. They don't ever have to  
20 come to town. I think you're killing  
21 the hamlet with that traditional  
22 neighborhood development. It sounds  
23 real cute. But I think by giving them  
24 all the commercial, not just the hotel

55

1 and restaurant which is part of the  
2 resort, but giving them everything  
3 they need for a community here  
4 basically kills the other community.  
5 I don't think anybody is looking at  
6 that, globally, what it will do to  
7 that hamlet. That's it. Thank you.

8 MS. METCALFE: Wayne Euvard.

9 MR. EUVARD: No comments at  
10 this time.

11 MS. METCALFE: Dan Brown.

12 MR. DAN BROWN: Good  
13 morning. I would like to speak in  
14 support and in favor of this current  
15 plan, as the Planning Board has helped  
16 the developer to evolve it.

17 In a general introductory  
18 sense, before I get to specific  
19 subjects.

20

MS. PEEK: Excuse me. Can

21

you identify yourself and give your

22

address for the court reporter.

23

MR. BROWN: Dan Brown, 577

24

Smithfield Valley Road, Amenia. I've

56

1 been a resident for 28 years.

2

So my general comment in

3

support I think requires first that

4

the Planning Board be acknowledged for

5

its role in helping the developer come

6

to where it is today. That the

7

proposed action was rejected as it

8

were and that the traditional

9

neighborhood alternate model was

10

developed and is now advocated by the

11

developer as well as the Planning

12

Board's consultants. So they are in

13

harmony on that, and I'm in harmony

14

with them on that plan. For what

15

that's worth.

16

I also want to thank the

17

Comprehensive Planning and Zoning

18

Commission of the Town of Amenia, who

19

for five years has worked on

20

developing the plan, which embraces or

21

at least permits in a planning and

22

zoning sense this development to be

23

for the most part developed as of

24

right, although all subject to the

1 Planning Board's right of approval and  
2 some exceptions required. And the  
3 current Town Board for reviewing and  
4 revising and ultimately approving that  
5 Comprehensive Plan. All of these  
6 things were necessary for us to be  
7 where we are today, which I think is  
8 at the verge of doing something for  
9 Amenia which will be a very positive  
10 thing. As Mr. Flexner said, if it's  
11 successful, it should redound to the  
12 benefit of everyone in town.

13 I disagree with the previous  
14 speaker --

15 AUDIENCE MEMBER: That would  
16 be something new.

17 MR. BROWN: -- Pat Nelligan,  
18 with respect to its impact on the  
19 hamlets. I think it will benefit. I  
20 think if you look at the hamlet Stowe,  
21 which is the base of a resort  
22 community, there are resort amenities  
23 in the Town green. If you go to any  
24 resort hotel you'll find a little mini

1 grocery store, operated by locals by

2 the way, who provide a can of soup or  
3 whatever that you might need for your  
4 condo.

5 The second point, about the  
6 visual impact, one of the exceptions,  
7 as I read this DEIS, that the Planning  
8 Board will have to grant the developer  
9 is the 35-foot height restriction  
10 waiver. But this resort, as seen from  
11 the north, the hotel, the highest  
12 structure is only four stories as  
13 defined by the law, these laws. The  
14 fifth story, the highest floor, is  
15 actually within the roof and actually  
16 doesn't count as a story. It is a  
17 garret as it were. Of course, the  
18 south side, because the hotel is built  
19 into a slope, there is a terrace  
20 opening out onto the golf course. But  
21 it is only four stories high and  
22 that's not a high-rise hotel by any  
23 definition. If it looks anything like  
24 the hotels with beautiful roofs that

59

1 characterize it, it will be become an  
2 architectural landmark. I certainly  
3 agree, as Mr. Flexner said, about the  
4 project being flipped. But within the  
5 Town, granting value to the developer,  
6 the Town should ensure that the

7 project does not degrade. Of course,  
8 Robert A.M. Stern could pull out at  
9 any point, but he's a world-class  
10 firm. I commend the developer for  
11 choosing him and for Ernie Els as  
12 well. It's a good team.

13 The two specific comments I  
14 would like to make have to do with the  
15 siting of a winery. I like it. I  
16 think it is very carefully selected on  
17 the upper part of the curve on  
18 Delaverne Hill. It is a significant  
19 architectural structure. Should be,  
20 if it's anything like the illustration  
21 that we saw in the lobby at the  
22 village planning session when it was  
23 posted a few months ago. I like it  
24 because at present anyone coming down

60

1 this hill has a passing glance at the  
2 views out for the notch in Wassaic and  
3 then west over to the hillsides --  
4 excuse me, east over to the hillside  
5 across the valley. I like the site  
6 because by putting a structure there  
7 it will become a destination. This is  
8 not a passing view. It's not one that  
9 you have to look up from the road to  
10 see. You'll be able to sit out on a

11 terrace on the south side of a sunny  
12 cafe and as a destination people from  
13 Hyde Park and Pleasant Valley and  
14 Milan and Pine Plains and LaGrange  
15 will come to Amenia. In a sense it  
16 will put Amenia on the map. And by  
17 putting it in a place that's visible,  
18 it will be sort of a signature  
19 structure for the development. It  
20 will become one of the landmarks.  
21 Landmarks are not land alone but  
22 beautiful buildings. I'm an  
23 architect, and beautiful buildings  
24 sited in beautiful places are assets.

61

1 They don't detract from the view. A  
2 pristine natural site, which you  
3 have -- I mean coming down the hill as  
4 the building is sighted, it takes  
5 consideration, the driver, you look  
6 south into the notch, and before the  
7 curve you look east across town to the  
8 equestrian farm. So I like the site,  
9 and I support its location.

10 My concern, my other comment  
11 about specifics is about the  
12 wastewater treatment plant. I support  
13 what the first speaker said about the  
14 pumping costs. I know that the  
15 developer has two pumping stations as

16 well in his wastewater treatment plan,  
17 but he has less elevation than the  
18 Town would to have to pump. The  
19 conveyance system would be the town's  
20 expense. The idea that the developer  
21 is taking the cost of the treatment  
22 facility, approximately \$2 million  
23 they estimate, is great they take that  
24 cost. Because that's a cost in a

62

1 sense that will be shared by all  
2 people of the Town. Even though I  
3 understand the law about sewage  
4 systems; sewage districts requires  
5 only that those who benefit from it  
6 have to pay for it. In a way this is  
7 a way of sharing the cost among all  
8 the people of the Town who I think  
9 will benefit from the hamlet residents  
10 having a sewage treatment system for  
11 their sewage. So I like that fact. I  
12 mean I don't know what percentage of  
13 the total cost of equipment. I mean  
14 the plant itself and conveyance, the  
15 plant is, but anything that reduces  
16 the cost to the people of the hamlet  
17 who will be hooked up to the system  
18 benefits the Town, because it reduces  
19 that part of the cost of the total

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
20 system to them, because the plants

21 have been paid for by in a sense all  
22 of us in permitting this.

23 But my concern is that in  
24 Chapter 3, under the wastewater

63

1 treatment plant paragraphs, perhaps  
2 because of the siting of it, and I  
3 think because of the siting of it, the  
4 plant was enclosed. It was proposed  
5 to be within the structure -- that is  
6 the tanks, not the offices and  
7 equipment and controls, but the tanks  
8 themselves were proposed to be  
9 enclosed within a structure. And if I  
10 remember -- I didn't bring that page  
11 with me, but if I remember correctly,  
12 one of the reasons given for enclosure  
13 was for odor control and that makes  
14 sense to me. In the traditional  
15 neighborhood alternate plan, page  
16 5-151, it states because it is at a  
17 higher elevation it states, quote:  
18 Therefore enclosing the tanks in a  
19 building would no longer be required  
20 for aesthetic reasons. And that tag  
21 for aesthetic reasons is a qualifier,  
22 and it gives me some cause for  
23 concern. If it is not required --  
24 there's another sentence which

1 mitigates that to some extent, and  
2 I'll get to that. But the fact that  
3 it's not required for aesthetic  
4 reasons --

5 MS. MIGNOLA: wait for just  
6 a second.

7 MR. BROWN: The fact that  
8 it's not required but that this Draft  
9 EIS states that it's not required for  
10 aesthetic reasons gives me some pause  
11 and some concern. Instead -- the  
12 report goes on, page 151: Instead,  
13 the tanks would be outdoors with  
14 low-profile engineered covers for odor  
15 control. And I'm not a sanitary  
16 engineer, but a low-profile engineered  
17 cover is not the same as enclosure.  
18 And it's not the rationale that as I  
19 recall is given for enclosure in the  
20 first place in the proposed action  
21 that was given a couple of years ago.  
22 So I would like to have that issue  
23 explored in a little more detail and  
24 the feasibility of enclosure of the

1 tanks for reasons other than aesthetic

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
2 reasons considered by the Planning

3 Board in its review of this Draft EIS.

4 Thank you.

5 MS. METCALFE: Sharon  
6 Krueger.

7 AUDIENCE MEMBER: Excuse me.  
8 Can the Town take some responsibility  
9 for the -- you asked people to stay  
10 under five minutes. I think everybody  
11 has exceeded that significantly. Can  
12 you let people know when five minutes  
13 have passed perhaps? Just a thought.  
14 Or we'll be here until Christmas.

15 AUDIENCE MEMBER: We are  
16 limited to five minutes? We thought  
17 it was unlimited, without being  
18 excessively ridiculous.

19 MS. SHARON KRUEGER: Are you  
20 changing the rules in the middle of  
21 the hearing?

22 MR. FLOOD: Just for you,  
23 Sharon.

24 AUDIENCE MEMBER: You

66

1 suggested people stay to five minutes.

2 MS. KRUEGER: Some of your  
3 people are more expert than others,  
4 and you need to pick their brains. So  
5 I would hope you would give them the  
6 time. I'm not in that category. I'm

7 just going to raise several issues.

8 First of all, I'd better  
9 identify myself. I guess that is  
10 important in the record. I'm Sharon  
11 Krueger. I run the general store down  
12 in the antique hamlet of Wassaic. And  
13 I'm a retired college professor.

14 Firstly, I wanted to commend  
15 the Planning Board for having insisted  
16 that the structure be raised so that  
17 everyone could see what the impact  
18 might be. This technique is being  
19 used increasingly in various  
20 development situations, and it was  
21 really very helpful. Because until  
22 you did that, most people didn't begin  
23 to get it, what was really happening,  
24 as far as I can tell from speaking to

67

1 the neighbors and the various folks in  
2 the various hamlets.

3 I want to talk about that  
4 viewshed, because I think this is  
5 something that hasn't had adequate  
6 clarifications and celebration, and I  
7 don't think the folks who are offering  
8 us the plan realize, firstly, that  
9 throughout all the Town open meetings  
10 in the planning process, and that goes

11 over a four-year period, every time  
12 there was a discussion of goals, it  
13 was clarified that this viewshed is  
14 the most important thing in town. And  
15 there's never any disagreement about  
16 that. I think no matter who you are  
17 in town you value it. Now, it's the  
18 gateway to the home valley. The  
19 hairpin turn is one of two very  
20 important hairpin turns in the Hudson  
21 Valley. I mean you have one going up  
22 the Shawangunk and you have one here.  
23 What is a hairpin turn and why is it  
24 important? Because you see the drama

68

1 of the traveling up and the traveling  
2 down across a grand expanse. You  
3 can't get that if you're going to  
4 intrude buildings into that situation.  
5 So I think that the idea of breaking  
6 up that hairpin turn with its viewshed  
7 is just a very serious error, and I  
8 would hope that you would take that  
9 option out of your plans as you  
10 discuss it.

11 MR. WALSH: Excuse me,  
12 Sharon. Are you talking about the  
13 view down the valley, or are you  
14 talking about the view at the hill  
15 itself?

16 MS. KRUEGER: As you come  
17 down the hill, it's important to see  
18 it and to see it and to continue  
19 seeing it from all the different  
20 angles as you travel.

21 MR. WALSH: So you're also  
22 talking about your view to the east as  
23 well?

24 MS. KRUEGER: Primarily the

69

1 view to the east. I think there are a  
2 few planners that you'll talk to who  
3 will say oh, you need a public place  
4 where people can park and everybody  
5 can see it. Now, I don't agree with  
6 that. I think the business of  
7 traveling is an important thing in  
8 itself, and you don't have to hop out  
9 of the car.

10 So my second point in regard  
11 to the viewshed, A) how excellent it  
12 is and how important it is, and I  
13 don't think we have understood it yet.

14 B) this is a safety issue.  
15 My understanding is that the emergency  
16 medical folks are picking up at least  
17 one or two serious accidents off that  
18 hill every year. It never stops. And  
19 if you increase the traffic, it will

20 increase. Now, what you don't want to  
21 do is encourage people to hop out of  
22 their cars and wander about on the  
23 edge of that curve.

24 MS. MIGNOLA: After having

70

1 visited a winery.

2 MS. KRUEGER: And I don't  
3 think you want a parking lot there.  
4 You don't want to interrupt what  
5 nature has given us in this location.

6 So good planners can  
7 disagree, but I think if a planner  
8 looks at this and drives slowly, they  
9 don't tell you to go ahead and build a  
10 parking lot so people can stop and  
11 look.

12 Now, I just wanted to  
13 comment about the instructions that we  
14 were given, both by our lawyer and by  
15 the project -- Chazen. They stressed  
16 that the only comments that would be  
17 summarized and carried forward would  
18 be substantive comments. Now, I  
19 believe the procedural comments are  
20 also important to this process. And I  
21 do want to make a procedural comment.  
22 And that is that we really haven't had  
23 a chance to read the whole thing as  
24 well as we should have. There weren't

1 enough days. And one of the  
2 assumptions that's being made is that  
3 anyone who can get to a computer can  
4 push a button and suddenly it all  
5 printed out and they can read it in  
6 their own private town. There's only  
7 one copy in the library and one in the  
8 Town Hall. And you've got to be able  
9 to go there. Ordinary everyday people  
10 have to be able to read this. And  
11 everybody's printer won't print out  
12 that voluminous set of things, because  
13 it is so important. There hasn't been  
14 enough time. There have been so many  
15 issues raised already before we even  
16 get to some of the others. It would  
17 be a mistake to close the hearing at  
18 the end of this. It needs to be  
19 extended.

20 I think some of us have to  
21 study, based on what we are hearing.  
22 I just heard today there are a huge  
23 number of chemicals authorized to be  
24 used on the grounds of this place. I

1 think those chemicals are very scary

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
2 based on what I learned the last time

3 we had a golf course development. And  
4 I haven't even begun studying those.

5 All right, financial  
6 concerns. I'm not going to get all of  
7 this, but I'll give something in  
8 writing afterwards. The economic  
9 section at the back of the summary  
10 really is inaccurate, and there are  
11 assumptions here that don't follow.  
12 They are assuming that because the  
13 Hudson River National Heritage area  
14 has certain kinds of financial  
15 assumptions that we can use the same  
16 ones here in this kind of a setting.  
17 we can't. It's not the same. Now, as  
18 a member of Farm Bureau, one of the  
19 things that I've been noticing in the  
20 last five or six years is that every  
21 time somebody does a study on changing  
22 farmland into residences, what we find  
23 out is that they always cost more. It  
24 always costs more in taxes than it

73

1 brings back. And I would like to see  
2 if there is evidence to the contrary,  
3 that it be shown to the Planning Board  
4 very carefully and no assumptions but  
5 really very carefully projected.  
6 Because the demands that are made are

7 generally far greater than what's  
8 being produced. I think if this plan  
9 goes forward, it would be important --  
10 this is another separate point -- I  
11 think if it goes forward there should  
12 be a staging process that starts with  
13 the sewage treatment plant so that  
14 what the Town has to begin to get has  
15 to start initially. Because we are in  
16 an economic depressed situation with  
17 financing nationwide and even  
18 region-wide. And I think that we  
19 don't know if the builder will be able  
20 to continue along the lines of what  
21 are being suggested. Therefore, if  
22 they are going to go bankrupt or if  
23 they are going to have some difficulty  
24 in finishing, let's have the sewage

74

1 treatment plant first so that at least  
2 the Town will have gotten something  
3 out of this. If you decide to go  
4 forward. And I don't think there is  
5 any -- given the nature of the  
6 economic changes in the society that  
7 we have, there is no requirement that  
8 you go forward at a certain point if  
9 you decide that it isn't the right  
10 thing to do. So I mean I hope that

11 the Planning Board feels that it can  
12 shift gears in that regard.

13 I think the rest of the  
14 points I have to make, I'll just make  
15 in writing so as to save time.

16 CHAIRMAN FENN: Thank you  
17 very much.

18 MR. HAYES: George, just one  
19 thing I want to clarify, so there is  
20 no confusion. I heard what Sharon  
21 said about substantive versus  
22 procedural comments. The phrase  
23 substantive comments is a terminology  
24 that's been developed in SEQR, and I

75

1 wasn't really attempting to  
2 distinguish substantive comments from  
3 procedural comments. If you have  
4 questions or comments regarding  
5 procedure that's been followed here,  
6 you're pleased to feel free to make  
7 those. What I was attempting to  
8 distinguish was between substantive  
9 comments versus speculative comments  
10 or very general comments. So that was  
11 really the focus, is the Planning  
12 Board will respond to substantive  
13 comments, being comments that are not  
14 speculative or so general as to be  
15 difficult to really provide a precise

16 response to.

17 MS. METCALFE: Steven

18 Benardete.

19 MR. STEVEN BENARDETE:

20 Hello. My name is Steve Benardete. I  
21 live on Smith Hill Valley Road.

22 First of all, I would like  
23 to start by saying that on paper this  
24 looks like a very exciting project.

76

1 You look through whatever parts of the  
2 document that you can sort of  
3 effectively download off the Internet,  
4 and there are incredibly prestigious  
5 people involved with this project.  
6 Robert A.M. Stern, there is nobody I  
7 think that a lot of us in this room  
8 respect more for doing this kind of  
9 project out there. The prospect of  
10 having a first-class resort, Canyon  
11 Ranch type of place is very exciting.  
12 But the problem is that as I think Tom  
13 Flexner started out by saying, the  
14 question is what are we really going  
15 to end up getting? And what is it  
16 that the people of the Town of Amenia  
17 want from a project like this? It's  
18 nice for a developer to sort of come  
19 in and get what they want, but

20 obviously the question is what do we

21 want?

22 I just tried to make a  
23 little list off the top of my head of  
24 types of things maybe we want, and the

77

1 question is, are we going to get them?

2 what are the prospects we'll get them?

3 The first thing that will  
4 come to mind are construction jobs.  
5 This is a \$600 million project. That  
6 is enormous. Just to put it in  
7 context, the total assessed value of  
8 the Town is only \$431 million. On 600  
9 or 700 acres, what is projected to be  
10 a 6 or 7 hundred million dollar  
11 project, that's huge. The question  
12 is: Are there going to be  
13 construction jobs for the people in  
14 this community? There obviously will  
15 be a lot of jobs if the project  
16 actually gets underway, but how much  
17 of it is going to trickle down to us?  
18 And if they are going to trickle down  
19 to us, can we get some kind of  
20 commitment for that? I don't know if  
21 that's something appropriate to  
22 address in the DEIS, but to me that  
23 has an impact on our community. Job  
24 creation, can there be a commitment on

1 the part of a development that a  
2 certain percentage of the jobs will be  
3 right here?

4 MS. MIGNOLA: What about  
5 hotel jobs?

6 MR. BENARDETE: I'll get to  
7 that. So the first thing are sort of  
8 construction jobs.

9 Just as an aside, it is not  
10 just Amenia, it is sort of the greater  
11 community. The greater community  
12 could be considered northeast Dutchess  
13 County, parts of Litchfield County in  
14 Connecticut. When you think of a job,  
15 even if there is a job for a local  
16 person, whether that person is Amenia  
17 resident, Millerton resident, Town of  
18 Washington or Sharon, Connecticut  
19 resident, who knows. So I don't know  
20 what's going to trickle down to us.

21 The second, when you think  
22 about jobs, what kind of jobs are  
23 going to be created, whether they be  
24 resort jobs, maintenance jobs? That's

1 a huge facility. Clearly they are

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
going to need a lot of people working

2  
3 there. Again, how many of those jobs  
4 are going to trickle down or come down  
5 to people in the community, and what  
6 kinds of jobs are they? Are they  
7 attractive jobs, low-paying,  
8 high-paying, what percent of  
9 management jobs. These are the things  
10 I think we want to know.

11 Before I go on, I want to  
12 say a lot of this information may be  
13 in the DEIS. And I should have  
14 prefaced my comment by saying I found  
15 it incredibly difficult to work my way  
16 through that document. I tried to do  
17 it through the Internet. There are at  
18 least 75 different PDF files to  
19 download, look through. If I printed  
20 them all out -- which I didn't, I  
21 would assume at least 1,000, maybe  
22 2,000 pages. On top of all that we  
23 are being asked to consider a plan  
24 which is not the proposed action.

80

1 So as a sort of diversion  
2 here, I would like to make a request  
3 to the Planning Board that they ask  
4 the Applicant to redo the DEIS where  
5 the proposed action is the favored  
6 plan, and not make all of us who are

7 not experts in this field, who are  
8 trying to work our way through  
9 thousands of pages of documents to  
10 come up with meaningful comments go  
11 through a proposed action and then try  
12 and figure out how that proposed  
13 action relates to it.

14 MS. MIGNOLA: I've  
15 repeatedly suggested that.

16 MR. BENARDETE: Okay. Well,  
17 I support that as well.

18 Anyway, going back to my  
19 point about what are we getting out of  
20 this. We talked about jobs.

21 The other possibility would  
22 be alternative housing. I'm not sure  
23 that the people who live in this  
24 community are going to be considering

81

1 living at Silo Ridge, for a number of  
2 reasons. The people who are here who  
3 do have the money to be able to afford  
4 the type of housing, I'll tell you  
5 personally, I don't think they want to  
6 live in this type of development. If  
7 they did, they'd be living in  
8 Scottsdale, Arizona; they'd be living  
9 in Hilton Head, North Carolina; they'd  
10 be living somewhere in Florida. I

11 don't think the people who live here,  
12 who can afford to live in those types  
13 of houses, are going to want to live  
14 there. So it is not those people.  
15 And I saw a couple of people sort of  
16 smirking when I brought that up. It  
17 is certainly not the average  
18 middle-class person living in Amenia.  
19 So it is not like they are building  
20 housing for all of us. They are  
21 building housing for somebody else.

22 The next thing would be just  
23 the pride and prestige of having this  
24 community here. If it was successful,

82

1 I think that would be great. And  
2 that's maybe part of Dan Brown's  
3 comment. Maybe I misinterpreted it.  
4 But I think having a Robert A.M. Stern  
5 neighborhood in Amenia, I think that  
6 would be a nice thing. I think it  
7 would bring a lot of pride and  
8 prestige to the Town. Maybe it is the  
9 kind of pride and prestige we used to  
10 have when we had (unintelligible), not  
11 that I was around for that. But from  
12 what I hear, in photographs and the  
13 movie theater and everything else, it  
14 does has the potential to revitalize  
15 the Town. That's a positive thing.

16                   The last is tax surplus. I  
17 am very skeptical of the numbers in  
18 the document. I agree with Sharon  
19 Krueger. I've read the same studies.  
20 I do not believe this is going to end  
21 up being a positive tax surplus to the  
22 Town. In my mind the most important  
23 aspect of taxes are school taxes; they  
24 are three or four times our town

83

1 taxes. And school taxes, everything,  
2 all the analysis that's done is based  
3 on at what price the units are sold  
4 for; therefore, relating to the  
5 assessed value, how many kids are  
6 going to be in each unit. And there  
7 are so many assumptions, and you can  
8 work those assumptions every way you  
9 want to show a positive surplus. I  
10 don't think that's going to happen. I  
11 think a lot more work needs to be done  
12 on that fiscal analysis to prove to  
13 the residents of Amenia that we are  
14 not going to have a negative tax  
15 impact. Because that's the worst  
16 thing that could happen.

17                   In the recent election there  
18 was a lot of discussion about taxes.  
19 A lot of people expressed concern

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
20 about their inability to afford taxes.

21 And now the prospect of somebody  
22 coming into our town, not really for  
23 us, for somebody else, and our taxes  
24 going up, I think it would scare a lot

84

1 of people.

2 Just as sort of an aside on  
3 the issue of taxes, I noticed, and  
4 it's fairly evident, that the fiscal  
5 analysis relies on some form of  
6 preferable treatment for condominiums.  
7 For those of you maybe that didn't get  
8 to that section, I guess it is a New  
9 York State tax law, but for one reason  
10 or another, condominiums are taxed on  
11 a very favorable basis versus just  
12 ordinary residences. And it's -- I  
13 couldn't quite figure out exactly how  
14 they are taxed, but I think it would  
15 be fair to say as a rough number that  
16 they are taxed at about 60 to 50  
17 percent, roughly, of their fair market  
18 value.

19 Now, I'm sure there's a  
20 possible policy reason why that law is  
21 in effect, but I don't know what it  
22 is. I've asked around, and no one has  
23 been able to explain it to me. But  
24 I'm concerned about the issue of

1 equity and fairness. Because somebody  
2 from out of town is going to move into  
3 a million dollar condominium or  
4 townhouse, and they are going to pay  
5 taxes as if that property was valued  
6 at half a million dollars. The rest  
7 of us sitting in this room who own  
8 property that's worth 300, 500, even a  
9 million dollars are going to pay twice  
10 as much tax as they are. The question  
11 is: why? So I would say yes, the law  
12 is there, and obviously they are  
13 entitled to take advantage of the law.  
14 But is there something that we can do  
15 as a town to say we don't buy it. We  
16 are not going to give you condominium  
17 status because we just don't think it  
18 is fair for the people who are moving  
19 in --

20  
21 (Applause.)

22  
23 -- moving into this town to pay less  
24 tax for the same value for the

1 combination they are living in. So

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
2 that would be a question that I have.

3           Then just circling back to  
4 something that Tom Flexner started  
5 with, which is what is the viability  
6 of this project? I'm not a  
7 professional. He is. He's in this  
8 business. I'm sure he'll have more to  
9 say about it as time goes on. But I  
10 just -- and I hate to be negative  
11 because it sounds like we are sort of  
12 down on Amenia. But I just don't see  
13 a \$700 million resort community in  
14 this market environment in this  
15 geographic area in the northeast.  
16 You're a second homer, living on a  
17 golf course, spend \$2 million for a  
18 condominium, with no children, that's  
19 why school taxes are going to be  
20 lower, and you're going to live in a  
21 place where you can play golf four  
22 months out of the year. You're not  
23 going to go to Arizona; you're not  
24 going to go to North Carolina or

87

1 Florida? So I'm highly suspicious of  
2 the bait and switch. I don't think we  
3 are going to get what we are seeing.  
4 If we do, I think that's great. But I  
5 don't think we are going to get what  
6 we are seeing. So how do we get

7           assurances that what we get is what we  
8           see? How do we get assurances that we  
9           give approvals, and we find out we are  
10          getting something completely  
11          different? Not a 300-room hotel, we  
12          are getting an apartment complex. We  
13          are not getting an A.M. Stern  
14          neighborhood; he was paid X dollars to  
15          come up with the initial plan, and we  
16          are getting something else. That's  
17          really it. I'm just skeptical of the  
18          whole thing. And I think we as a town  
19          need to protect ourselves to make sure  
20          whatever we are giving approval for,  
21          that that is what we are getting. I  
22          don't know how we do it, but we have  
23          to do it. That's all I have. Thank  
24          you.

88

1                   MS. METCALFE: Betty Rooney.

2                   MS. BETTY ROONEY: Betty

3                   Rooney, 17 Lango Road, Amenia.

4                   I have had many phone calls  
5                   from people from other towns  
6                   surrounding us asking the question:  
7                   what is that structure that's being  
8                   built on top of Delaverne Hill? And  
9                   that's a good question. And I  
10                  understand from one of the members of

11 the Board that the developers were  
12 asked to put that there so that people  
13 could see whether or not it was going  
14 to obstruct the view coming down the  
15 hill. well, of course, it doesn't  
16 obstruct the view at this point,  
17 because you can see right through it.  
18 It's just the framework. But people  
19 who call from surrounding towns -- not  
20 just Amenia residents, that view is  
21 very special to many, many people.

22 I agree with Sharon, that  
23 viewshed is probably -- it's the jewel  
24 in Dutch County's crown here. It is a

89

1 gorgeous, magnificent view. For over  
2 300 years people have lived and worked  
3 and been very fortunate to have been  
4 able to raise their families here.  
5 And you only have to look at this  
6 panoramic view to understand what drew  
7 so many people to this area who wanted  
8 to live here and have the quality of  
9 life that we have here.

10 with the developers  
11 breathing down our necks here, our  
12 generation has weighing heavily on us  
13 the future of Amenia. What we do now  
14 really is important. This development  
15 is the first, and it won't be the

16 last, but it is huge. And it's a lot  
17 to deal with and a lot to think about,  
18 as the previous speakers have all  
19 brought up.

20 So you are all good people.  
21 You are family people. You live here,  
22 you work here. And I admire your  
23 spirit, that you're able to sit on  
24 this Board and devote years to just

90

1 this project alone. And I thank you  
2 for all that you do. I ask that you  
3 consider this carefully, because  
4 developers can come in, take the money  
5 and run, and we're left with the  
6 pollution, the traffic, the water  
7 situation. So there's an awful lot to  
8 be considered here. But we're very  
9 fortunate with what we have, and it's  
10 most important to protect it.

11 So I think what Sharon said  
12 is very true, that that view coming  
13 down Delaverne Hill, there is no need  
14 for anything to be put up there, ever.  
15 It should be saved for the future  
16 generations. It is just something  
17 that we can't lose. Thank you.

18 MS. METCALFE: Mark Doyle.

19 MR. MARK DOYLE: Mark Doyle,

20 320 South Amenia Road. Farmer and ex  
21 chair of (unintelligible) committees.

22 I just want to firstly speak  
23 to the concept behind the development  
24 of the resort development overlay.

91

1 That really came from the work that  
2 was done on what the document that was  
3 called the Action Amendments to the  
4 Comprehensive Plan, to the 1991  
5 Comprehensive Plan, which identified  
6 as a means for the Town to make  
7 economic progress the value or  
8 economic and cultural and aesthetic  
9 progress, the value of our natural  
10 resources, the value of the views of  
11 the farmlands, of our rural setting.  
12 And so taking into consideration also  
13 the desire to improve or primarily to  
14 improve business and economic  
15 development in town, the idea was that  
16 we could be enabled, through the right  
17 kind of legislation, town ordinance,  
18 to make the best stainable use of our  
19 rural assets. And so that's the basis  
20 of where you see this Resort  
21 Development Overlay. The goals being  
22 for tourism, recreation, open space,  
23 protection. But I want to really  
24 bring out strongly that it was all

1 stated within the context of that type  
2 of development fitting in our rural  
3 surroundings and being of a scale and  
4 a form that will fit in our rural  
5 surroundings. So that was a key.

6 I'm going to jump right out  
7 of that and talk about process a  
8 little bit, in that the zoning  
9 document, specifically for the Resort  
10 Development Overlay, speaks of the  
11 Resort Development Overlay being a  
12 Master Plan development process. And  
13 so at this point we're looking at a  
14 large plan and a very significant  
15 DEIS, but we don't have in front of us  
16 a master development plan. And I  
17 think that it is an absolutely key  
18 component to this project. Because  
19 without that plan, we have -- the Town  
20 has no commitment to the design. It  
21 has no commitment to the materials.  
22 It has really no commitment to the  
23 operational aspects of this project.  
24 So I think that that in itself will

1 answer an awful lot of questions for

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
2 the public, for the whole town. And I

3 would request that this process, the  
4 public hearing process remain open  
5 until the public has had a really good  
6 chance to scrutinize that master  
7 development plan. I don't think that  
8 that will be anything that slows down  
9 the project. It's not intended to  
10 slow down the project. It's simply  
11 part of the intention of the law.

12 Specifically, I would like  
13 to see in the fiscal impacts an update  
14 and a more intensive study of the  
15 fiscal impacts. Specifically, numbers  
16 have been used that relate to the  
17 2004-2005 assessment period. We've  
18 now had a town-wide reassessment, and  
19 it shouldn't be at all difficult to  
20 use those numbers and not rely on  
21 vague percentages to come up with  
22 projections.

23 Our new assessment, total  
24 assessment is \$576,500,000. The

94

1 projected value of this project is  
2 \$655,700,000. So you know, it is a  
3 bigger deal than the entire assessment  
4 of the Town. And those numbers need  
5 to be projected clearly so that  
6 everybody can see really in simple

7 terms what the impact of this project  
8 is.

9 Fundamentally, one of the  
10 strategies used in this projection was  
11 that they used the existing mil rate  
12 of 3.92 and pushed that forward  
13 without actually taking into account  
14 the additional total assessed value  
15 that the project would apply. Now  
16 when you're doing a budgeting process,  
17 you have to know what the total  
18 assessed value is, and then you work  
19 back to the mil rate. So it is one  
20 thing to state surpluses, but let's  
21 look at how the Town actually does its  
22 budgeting process and apply that, so  
23 we can all understand the impact on  
24 our own taxes.

95

1 I think that what I will do  
2 is write this down in a letter, so  
3 that it's clearer. Otherwise I could  
4 go on.

5 I would like to understand  
6 better what Silo Ridge is doing to  
7 meet the requirements for affordable  
8 housing.

9 And lastly, as something  
10 that is just a personal opinion, and

11 that is that if the portion -- the  
12 lots north of Route 44 were being  
13 developed as a stand-alone project, I  
14 don't believe this town would easily  
15 consider the number of units that are  
16 being put up there. I'm speaking of  
17 this development up here (pointing to  
18 map). So I don't see a clear  
19 connection between the really fabulous  
20 work that is being done on integrating  
21 this project down here and those units  
22 up on the hill. And why would we  
23 consider so many? The impact -- the  
24 number of housing units I think is

96

1 something that concerns me, and  
2 everybody I've talked to has said the  
3 same thing. It's the number of  
4 housing units that concerns people.  
5 They are interested in the business  
6 components, but the number of housing  
7 units is a huge concern. So that is a  
8 particular location that seems out of  
9 balance with the design of the whole  
10 project.

11 And why not move that winery  
12 building to that Miller house  
13 location, which essentially has the  
14 same view, and it has a better  
15 driveway. It has a site where you

16 could park people and entertain people  
17 without being right in the middle of  
18 our really important viewshed that is  
19 recognized in documents going back 30  
20 years, that we were able to find, by  
21 the county and other agencies as being  
22 of tremendous value.

23 So maybe we should put the  
24 winery there and do away with those

97

1 houses. That's my personal thought on  
2 that hill. That's my personal  
3 opinion. I think that would be a  
4 really fantastic asset to the Town,  
5 and I will supplement something in  
6 writing. Thank you.

7 MS. METCALFE: Tom Werner.

8 MR. TOM WERNER: Tom Werner,  
9 Amenia. As most of the problems that  
10 I have been concerned on have been  
11 addressed today. The only thing is  
12 the stage proposing that it be built  
13 in --

14 AUDIENCE MEMBER: Can't hear  
15 you.

16 AUDIENCE MEMBER: Speak up.

17 MR. WERNER: The stage that  
18 it's to be built in, if you have the  
19 first stage and they don't complete

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
20 it, can they start the second stage

21 before they complete the first one?

22 And in so doing, I think they have to  
23 come back to the Planning Board before  
24 they start another phase and be sure

98

1 that they haven't altered the plan.

2 And Sharon's remarks, rarely  
3 do I agree with her, but this time I  
4 do. And it would certainly be a great  
5 thing if we could save the view.

6 I'd also like to ask, and  
7 I'm sure that the developers have it,  
8 a victor [sic] view, not these  
9 balloons that don't find --

10 MS. MIGNOLA: What are you  
11 saying, what kind of view?

12 MR. WERNER: Victor view.

13 AUDIENCE MEMBER: Vector  
14 view, like in 3D, CAD.

15 MR. WERNER: Vector, excuse  
16 me. That way you could actually see  
17 what you're going to have. It  
18 wouldn't be guess work. It would be a  
19 true view. You could take it from any  
20 angle and prove whether it is  
21 something you want or you don't want.

22 Thank you.

23 MS. METCALFE: Michael Peek.

24 MR. MICHAEL PEEK: Michael  
Page 84

1 Peek, 610 Old Route 22 in Amenia.  
2 I share a number of the  
3 concerns that folks have mentioned so  
4 far. I am going to run down my list,  
5 and I may be a little redundant. It  
6 is brief, and it won't take long. I  
7 also want to say I'm not here to speak  
8 in favor or against the project. I  
9 think a successful project though  
10 would be a tremendous thing for this  
11 community, and I think we can all  
12 agree on that.

13 Regarding viability of the  
14 project, I'm curious to know if the  
15 developer has done marketing studies  
16 that support the viability of this  
17 project? And if so, are they willing  
18 to share that with the Town?

19 I think it's particularly  
20 important in light of other projects  
21 in the area that are on the slate as  
22 well. There are, as I understand,  
23 large golf and/or resort developments  
24 planned for Pine Plains and apparently

1 there is something new happening in

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
2 the Pawling-Dover area as well. So

3 you know, what has been done from a  
4 marketing perspective. I assume the  
5 work has been done, given the  
6 investments that have been made just  
7 to get to this stage, but what has  
8 been done?

9 Secondly, given that the  
10 project proceeds and is built and  
11 financed and all those things that  
12 were talked about before, what  
13 happens, what long-term provisions  
14 have been made for maintenance and  
15 upkeep for the future, if for whatever  
16 reason the homeowner's association  
17 fails and they don't have enough  
18 money? If these burdens for upkeep,  
19 roads, fire, police were to fall to  
20 the Town, that would be a significant  
21 burden on the Town. I think we need  
22 to know what's going to happen there.

23 My next comments are maybe  
24 addressed in the DEIS. I have to

101

1 confess, just looking at the thing  
2 makes my head spin, which is another  
3 point on my list. What has been done  
4 to communicate the information that's  
5 in the DEIS as well as the real-world  
6 impacts of this project to the

7 community in common terms that the  
8 average resident can understand? And  
9 beyond a wood frame or some balloons,  
10 what's really being done to  
11 communicate? I think a lot of people  
12 feel, well, there are a lot of good  
13 things happening here, but if you  
14 press them for details, nobody really  
15 seems to know exactly what's going on.

16           Anyhow, this may be  
17 addressed in the DEIS and apologies if  
18 it is. What has been done to measure  
19 and mitigate traffic impacts not only  
20 on Route 22 but on Old Route 22?  
21 which is where I live, and which is  
22 now kind of a nice country road.  
23 Assuming obviously, there will be  
24 major impacts on Route 22, what is

102

1 done there? And if this traffic is  
2 funneled to Old Route 22, what's being  
3 done there to measure and mitigate  
4 those impacts?

5           Also, obviously, the  
6 Metro-North station. What's been done  
7 to increase or augment parking at the  
8 station to accommodate what's sure to  
9 be a pretty significant increase in  
10 demand there? I know for myself, I'm

11 a full-time resident, and I don't  
12 commute every day, but I do hop on the  
13 train a couple of times a week. And I  
14 know for myself as a resident, if I  
15 don't get there for the first train, a  
16 lot of times I'm lucky if I can find a  
17 parking spot. So what's being done  
18 there? Also in terms of getting  
19 people to and from the station, will  
20 there be a shuttle bus? I assume so,  
21 but again some of this stuff may be  
22 covered in the DEIS. I just can't  
23 find it in there. I'm also curious to  
24 know what the developer, the builders

103

1 and the contractors, will they be  
2 observing and adhering to green  
3 building standards and practices? I  
4 think there's a tremendous opportunity  
5 there, and I think also in addition to  
6 controlling environmental factors and  
7 preserving the environment, this is a  
8 beautiful view that we are all looking  
9 out at. I think there are clear  
10 economic benefits to the project there  
11 as well. So I'm curious to know  
12 what's being done from that  
13 perspective.

14 And also what Mr. Benardete  
15 said about using local builders,

16 craftsman, labor, materials, staff at  
17 the hotel. How is this community  
18 going to benefit from this project  
19 exactly? And what is the commitment  
20 to that from the developer?

21 Again, I think a successful  
22 project here could be a great thing,  
23 and I just want to make sure that the  
24 developer is addressing all of the

104

1 Town's concerns, and that we're  
2 assured of the benefits that we all  
3 think we are going to get. Thank you.

4 MS. METCALFE: Bart Wu.

5 MR. BART WU: It is still  
6 morning, so I'll say good morning. My  
7 name is Bart Wu. I'm a part-time  
8 resident here. My mother has been  
9 here for almost 25 years.

10 You've heard quite a number  
11 of comments today, and I would echo  
12 those comments and will endeavor not  
13 to repeat them now. But I would like  
14 to summarize a couple aspects of this.

15 One is the fuzzy numbers  
16 that we are being asked to look at and  
17 the need for clarity in the draft  
18 statement. Even on a worst-case  
19 basis, whether you're looking at the

20 original plan or the traditional  
21 neighborhood alternative or some other  
22 aspect of it, it is suggested that  
23 there are on a worst-case basis 1,079  
24 people that are contemplated to be the

105

1 occupants of these new 359 units,  
2 excluding for a moment the condominium  
3 aspects of the hotel.

4 If you, however, assume one  
5 person per bedroom, except for the  
6 master bedroom that would have two,  
7 the number I come up with based on  
8 Table 1-1 is 1,318. Now, based on the  
9 demographic information that has been  
10 provided in the draft statement, it  
11 says that the total number of  
12 households is somewhere between 1,625  
13 and 1,814. What that really means is  
14 that you are almost effectively  
15 doubling the number of households in  
16 the Town of Amenia by enactment of  
17 this plan. Whether those are correct  
18 numbers, whether you supplement it  
19 with what the condominium aspects of  
20 the hotel would be, you know, needless  
21 to say, that would increase the  
22 numbers even more.

23 It suggests there are going  
24 to be 300 rooms in the hotel, a

1 reduction of 20 from the original  
2 plan, but the number of keys are going  
3 to be 393, so if you add two people  
4 per room, you've now got 786. I won't  
5 bore you with all the numbers, but my  
6 suggestion to you is that when  
7 somebody starts crunching numbers, as  
8 I suggested in the scoping session, it  
9 is very, very important not to  
10 understand the dream land, but to make  
11 sure it is not la-la land in terms of  
12 the numbers and how it works. I think  
13 a number of professionals here today  
14 have already suggested that there is  
15 some question, serious question as to  
16 the economics, and I would suggest the  
17 quantitative viability of this plan.

18 If we look at the numbers  
19 further, we see that there is supposed  
20 to be a wastewater treatment plant and  
21 a water treatment plant. We have some  
22 general articulation as to what the  
23 cost is that will be graciously  
24 assumed by the developer upon

1 enactment of this plan. What we don't

2 know is what happens if the management  
3 fails properly to operate the water  
4 and wastewater treatment plants.  
5 Unlike any other development, this is  
6 a clear burden which may or may not be  
7 assumed by the homeowner's  
8 association, if that fails, or by  
9 those who buy their properties  
10 outright. This would clearly be a  
11 cost that's more likely than not going  
12 to be assumed by the Town's budget and  
13 by corollary by the Town's occupants.

14 when I speak to the  
15 management, this is a glaring omission  
16 of the draft statement. We know that  
17 it is a limited liability corporation.  
18 We don't know very much more about it.  
19 We know that the entity is operating  
20 by its own admission in the draft  
21 statement a money-losing golf course  
22 and restaurant. So the question that  
23 immediately arises, if you were  
24 looking at this as an investment or

108

1 other type of commitment, is would you  
2 want to commit without further details  
3 to a management that is already  
4 operating a losing enterprise and  
5 entrust them to create an entity  
6 effectively doubling the size of the

7 Town and managing and operating a  
8 water and wastewater treatment plant  
9 for what I've already articulated is  
10 roughly 1,318 people plus 786  
11 additional if they condominize the  
12 entire hotel operation. As a few  
13 people have suggested today, I'm  
14 skeptical.

15 Another aspect of this which  
16 is really not clear and which I  
17 pleaded when the scoping session was  
18 held, is a greater delineation of  
19 costs. I've already identified the  
20 costs related to water and wastewater,  
21 which are omitted. But we have to  
22 deal with the general costs that  
23 continue on. One aspect of it is the  
24 idea of having a five-story hotel.

109

1 Laudable by itself, but the problem  
2 arises that we don't have a fire truck  
3 with a ladder that can reach five  
4 stories. So then you have to figure  
5 out what the cost of the fire truck  
6 is. And since we won't have anyplace  
7 to park the fire truck, the cost of  
8 garaging or building a new firehouse.  
9 Once you have that, then you have to  
10 figure out how you're going to have

11 the manpower to operate it. And if  
12 there aren't enough volunteers, then  
13 you have to hire them. So then you  
14 have all the labor costs associated  
15 with having a professional emergency  
16 force. This isn't limited to the fire  
17 department. This carries on to the  
18 police department. There are aspects  
19 in the appendices that suggested that  
20 the state and county sheriffs  
21 departments have somehow indicated  
22 that this will not have materially  
23 adverse impact on their ability to  
24 manage and operate, applying their

110

1 jobs. But the fact of the matter is  
2 they may or may not. In which case,  
3 at some point the bulb lights up and  
4 suggests do we need to hire or create  
5 a professional police force within the  
6 Town? Without belaboring the obvious,  
7 it means that there are other costs  
8 that have to be assumed.

9 The scenario continues onto  
10 the educational front. It's nice to  
11 think that these are going to be  
12 part-time residents, they aren't going  
13 to have any children, and they are  
14 going to be retired and that rather  
15 than going to Scottsdale, they'd

16 rather come to the delightful Town of  
17 Amenia for playing golf four months  
18 out of the year. Bu, as someone else  
19 suggested here very eloquently, there  
20 is no assurance that will be the case.  
21 So at the end of the day you have  
22 people who come in with a half dozen  
23 children, on a worst-case basis,  
24 because they can have up to six

111

1 bedrooms. Five bedrooms in the case  
2 of single-family villas. And you're  
3 going to have all of these people who  
4 are going to be flooding the school.  
5 Do we have the capacity within the  
6 existing school structure A) in terms  
7 of physical capability B) in terms of  
8 educational capability or teachers.  
9 And is there going to be an  
10 exponential increase in the school  
11 budget? As Mr. Benardete has already  
12 suggested, this is the biggest tax nut  
13 that every resident in the Town has to  
14 address. Needless to say, if you  
15 double that nut, you don't just get  
16 two nuts, you have a real problem.

17 MS. MIGNOLA: Mr. Wu, would  
18 you agree it is not just the number of  
19 residents that we are talking about

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
20 that will affect all of these areas,

21 it is also the number of people who  
22 will be employed at this resort.

23 Because if won't just be Amenia  
24 residents, it will be people who will

112

1 be brought in to work, who will come,  
2 be attracted to the resort, come here  
3 to work, we'll be increasing the towns  
4 population by not only the residents  
5 but by the employees. That's a  
6 critical number as well. Do you agree  
7 with that as well?

8 MR. WU: I would say your  
9 question is probably more rhetorical  
10 than inquisitive. The likelihood is  
11 we have to address all of the numbers  
12 related to this. And the numbers that  
13 have been presented do not provide  
14 that same degree of clarity that you  
15 would expect if you were going to be  
16 making an investment at the 600 or 700  
17 million dollar level.

18 I think the comment has  
19 already been made with respect to the  
20 winery and restaurant. The photo  
21 simulations are wonderful. The images  
22 are great. The problem arises in at  
23 least two areas. One of which is I  
24 don't see where the vineyards are

1 going to go, so I think of it more as  
2 a bar and restaurant than I do as a  
3 winery and restaurant. Second, it is  
4 going to have 80 seats, which means  
5 you're going to have at least space  
6 for 40 cars, that's assuming they are  
7 all going to sit down in the  
8 restaurant. Where are those cars  
9 going to be parked? Are they going to  
10 be parked in the vineyard or are they  
11 just all going take over the entire  
12 hairpin, formerly known as devils  
13 elbow curve? Who knows, it would be  
14 helpful for the draft statement to  
15 articulate where are you going to park  
16 all of these cars? And how you're  
17 going to manage this?

18 The transmittal letter from  
19 the developer's representative  
20 suggests there are going to be three  
21 access points; the notice indicates  
22 there are going to be two access  
23 points. I think when you're either a  
24 resident or visiting and you go up and

1 down Delaverne Hill during the

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
wintertime, it doesn't really matter

2  
3 how many entrances and exits there  
4 are, it is dangerous no matter how you  
5 look at it. Thinking of it as a  
6 winery that's going to be on the  
7 corner, as somebody said drunks coming  
8 out of there, then you have the  
9 problem dealing with people coming up  
10 the hill who can't see them or people  
11 going down the hill too fast. We have  
12 a problem with having that type of  
13 operation in that location.

14           Somebody else has already  
15 mentioned the 19 townhouses that are  
16 contemplated to be built north of 44.  
17 That is a huge number. It may not  
18 have a serious visual impact when you  
19 are looking south. But it will have  
20 an enormous impact, in my opinion,  
21 when you are looking north from either  
22 22 or virtually any other aspect of  
23 the Town.

24           Getting back for just a

115

1 moment on the delightful car front.  
2 Let's suppose that ten percent of the  
3 people who are in this place happen to  
4 get mail here. They want to go to the  
5 Post Office. They want to go to the  
6 train station. They need to buy food.

7 Or they just want to go out. Where  
8 are they going to park? You can  
9 barely find a parking place at the  
10 train station now. You really can't  
11 find a parking place at the Post  
12 Office. And heaven forbid you run out  
13 of milk or bread and you want to go  
14 and try to park at the local store.  
15 So at some point the nickel has to  
16 drop as to where do all these cars go?

17 Now, we've heard previous  
18 developers -- one of whom is now  
19 incarcerated, suggest well, all of  
20 this parking will be handled  
21 throughout the Town. Or they were  
22 going to introduce bus service, by the  
23 way which is not guaranteed you have  
24 to take the bus service, just that it

116

1 would be there. Where are these cars  
2 going to go? Somebody suggested they  
3 are going to put them underground in  
4 this project, which is fine, if they  
5 can. But they can't park them in  
6 their pocket or underground anywhere  
7 else. So you have not only a massive  
8 traffic problem, but you have  
9 basically an unfeasible ability to  
10 manage the life as we know it now.

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
That brings up my last point.

11  
12           My last point is the concept  
13 that is mentioned more on a  
14 lip-service basis is the rural  
15 character of the Town of Amenia. It  
16 shouldn't be just lip service. Rural  
17 is not just an adjective. It is  
18 effectively a state of mind, which is  
19 not addressed how it is going to be  
20 retained in this project. When you  
21 think of rural, you think of being  
22 able to go somewhere with relative  
23 ease in a not densely populated  
24 environment. You think where you

117

1 might know a couple of the people. I  
2 actually can say after 25 years I know  
3 many of the people here and appreciate  
4 that aspect of it. It means at night,  
5 it doesn't matter whether it is a  
6 candle or whether it is a strobe  
7 light, it means you can actually see  
8 the stars, that it's actually dark and  
9 it's actually relatively quiet. The  
10 question I have is whether this plan  
11 and whether the Town board or the  
12 Planning Board can effectively ensure  
13 that that rural quality remains.  
14 Thank you very much.

15

16

(Applause.)

17

18

MS. METCALFE: Michael

19

Chamberlain.

20

MR. MICHAEL CHAMBERLAIN:

21

Good morning. Michael Chamberlain

22

from Amenia Union.

23

I share many of the concerns

24

that have been expressed, and I'll try

118

1

not to repeat too many of them. But I

2

think in a nutshell this is a big nut

3

for a small town. I think potentially

4

there's a lot to gain, but equally so

5

potentially there's a lot to lose. I

6

think this is a difficult thing for

7

the Town to absorb over the longer

8

term, economically, culturally,

9

etcetera. I think it's also very

10

difficult for the Town to process. It

11

is difficult for you all; it's

12

difficult for the community to process

13

the implications of this.

14

So I'm concerned about size;

15

I'm concerned about secondary and

16

tertiary figures. I'm not concerned

17

about size because I dislike the

18

project. I actually like many aspects

19

of the project. Particularly if you

20 consider that development is  
21 inevitable. It sounds like a good one  
22 to work with. But the problem is the  
23 size of the project amplifies the  
24 benefits and the risks to the

119

1 community. And I think that the size  
2 of it makes it all the more important  
3 that the risks be identified and that  
4 they be analyzed.

5 The DEIS is prepared on the  
6 basis of various assumptions that are  
7 stated to be conservative. But saying  
8 so doesn't make it so. The DEIS is  
9 not a prospectus. I'm more familiar  
10 with prospectuses than I am with  
11 DEISS. A prospectus describes the  
12 project, and it also identifies and  
13 describes risk factors that form the  
14 basis of an ongoing liability if the  
15 issue were of a securities described  
16 in the prospectus. The DEIS doesn't  
17 work that way. Therefore, it is all  
18 the more necessary that the analyses  
19 and assumptions that are contained in  
20 it are verified independently.

21 I think in addition to  
22 finding a mechanism to verify these  
23 various assumptions and implications  
24 independently, that then beyond that

1       assurances will need to be built to  
2       ensure that the expectations that  
3       underlie the project and its  
4       assumptions continue to be protected  
5       over an extended period of time. And  
6       we don't have independent  
7       verification. The Town probably  
8       doesn't have the resources to do that  
9       at this point in time. We have no  
10      assurances that these various  
11      assumptions and expectations will be  
12      protected on an ongoing basis.

13               Specifically, previous  
14      commenters have talked about the  
15      commercial viability. There is no  
16      independent verification of the  
17      business viability of the sales  
18      assumptions, of the assessment  
19      assumptions, the tax revenue, fiscal  
20      assumptions, etcetera. As far as the  
21      applicant's track record and credit  
22      worthiness goes, I haven't seen  
23      financial statements. Someone talked  
24      about whether there would be adequate

1       performance bonds. I start with

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
financial statements and track record

2  
3 before I get to performance bonds. I  
4 don't know anything about the strength  
5 of the financing that underlies the  
6 Applicant. I would like to know more  
7 about prior project history. I would  
8 like to know more about the  
9 qualifications of the principals  
10 behind the -- principals, P-A-L-S,  
11 that underlie the Applicant of the  
12 project.

13 As far as verification of  
14 the project economics and fiscal  
15 analysis goes, it is stated to be  
16 very, very conservative. Well, it's  
17 based on various assumptions, and  
18 those range from market values,  
19 assessed value, taxes, population,  
20 cost per population, etcetera. I  
21 would like to know what the Town will  
22 be able to do to provide independent  
23 verification of these various  
24 assumptions and their implications?

122

1 If the Town is not going to be able to  
2 independently verify them from their  
3 own resources, I would like to know  
4 what resources the Applicant would be  
5 willing to commit to the Town to  
6 enable it to engage consultants that

7 will provide this kind of independent  
8 verification.

9           Beyond that, I would like to  
10 know what indemnities or assurances  
11 can be provided on an ongoing basis  
12 that the expectations that the Town  
13 has as it enters into this can be met  
14 over time. Previous speakers have  
15 talked about flipping; they have  
16 talked about what would happen if  
17 homeowner's associations can't keep up  
18 maintenance, etcetera. I would like  
19 to know what sort of contractual  
20 obligations can be constructed, what  
21 sort of creditworthy vehicles can be  
22 constructed to give those kind of  
23 assurances, so that whatever  
24 expectations the Town or the community

123

1 has in entering into this can in fact  
2 be delivered on.

3           Previous people have spoken  
4 about fiscal impacts. I share many of  
5 those concerns. Is the assessed value  
6 assumptions consistent with the  
7 current basis on which the Town  
8 calculates its taxes? No, they are  
9 not. Will that be redone? Have  
10 assessed values been confirmed by

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
discussions with the Town assessor?

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

Have service costs been confirmed with  
representatives of the school  
district?

As far as wastewater goes, I  
think it's -- I would not characterize  
necessarily as gracious that the  
Applicant has offered to provide  
certain wastewater treatment  
facilities to the Town in connection  
with this. I wouldn't sniff my nose  
at it either. This is a negotiation.  
We are in a negotiation. There is a  
quid pro quo. The wastewater

124

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15

implications of this have to be  
factored into that. At what point  
will a contract be negotiated? At  
what point will that contract be  
enforceable? Against whom will that  
contract be enforceable? That's the  
kind of questions I have about the  
wastewater treatment implications.

I have concerns about some  
of the secondary and tertiary effects  
of the project. The previous speaker  
just mentioned in terms of jobs  
creation. I would like to know what  
studies have been done to generate the  
number of 228 permanent jobs? And

16 what will be the ancillary costs  
17 associated with the 228 people who  
18 hold those jobs? I don't know whether  
19 those will be local people, whether  
20 new local people. What costs will  
21 those employees, workers and their  
22 families impose upon the school  
23 district and to the town? The DEIS  
24 does not speak to that.

125

1 I'm concerned about  
2 affordability of housing, affordable  
3 housing implications of the plan. I  
4 don't know what is intended. I must  
5 say I wasn't able to crack through the  
6 entire DEIS; it may be stated there.  
7 But I would vastly prefer, rather than  
8 for the project to create affordable  
9 housing externalities or things that  
10 the Town is going to have to deal with  
11 itself in the limited housing that the  
12 Town currently has, I would rather see  
13 those affordable housing implications  
14 integrated inside the community  
15 itself. If anything, that would make  
16 it less of a gated community, which I  
17 think many people are concerned about.  
18 The worst thing I think, as far as  
19 affordable housing would be, if we

20 were to create a worker class and  
21 families of those workers that would  
22 be in effect compete with existing  
23 town residents for what's obviously a  
24 very limited pool of affordable

126

1 housing in the Town generally. Much  
2 better and more affordable housing can  
3 be built within the community.

4 Above all, I think that  
5 additional time is needed to study  
6 this plan and its implications. The  
7 plan itself is confusing in its  
8 presentation in that the proposed  
9 action is not really the preferred  
10 course of action at this point. I  
11 think it should be restated so what  
12 really is the preferred course of  
13 action, the neighborhood alternative,  
14 is set out first. And then I think  
15 residents would be better able to  
16 appraise it.

17 I think this hearing should  
18 be kept open. It should be kept open  
19 until such time as responsive  
20 information to the concerns expressed  
21 by people has been presented, and then  
22 adequate time has been provided for  
23 people to absorb that information and  
24 react to it.

1                   And I quite agree with the  
2 speaker who said that this is not a  
3 project that's going to be evaluated  
4 quickly. It's not one that's going to  
5 be started quickly, and I don't think  
6 it should be started quickly. It is  
7 too big and its implications are too  
8 complex. So I would like to see this  
9 process kept open for quite a bit  
10 longer. Thank you.

11                   MS. METCALFE: Leo Blackman.

12                   MR. LEO BLACKMAN: Hi. Leo  
13 Blackman, 74 Old Route 22, Wassaic.

14                   I have to things I wanted to  
15 comment on. Again, I had some  
16 difficulty with the document. My  
17 computer crashed twice trying to print  
18 it. So it would be nice if it was in  
19 a format that was a little bit easier  
20 to access. Kind of put maybe the  
21 primary impacts in laymen's terms, or  
22 if it had some sort of a summary that  
23 was more than a summary that exists.

24                   I know that the issue of how

1                   visible the new construction is going

2 to be is something that the Board has  
3 addressed; that there have been  
4 balloons put up, and there is now  
5 framing. But I think that obviously  
6 this million dollar view is very  
7 important to everyone who lives in  
8 Amenia, and I just think it is really  
9 important that the developers satisfy  
10 kind of all the residents of the Town  
11 what the impact is going to be. I  
12 mean the sections that show trees as  
13 well as buildings in these boards are  
14 not terribly helpful in terms of not  
15 showing the topography well and not  
16 giving you any sense of scale. And  
17 the model doesn't have trees on it  
18 obviously. It is harder than it  
19 should be to understand. I'm an  
20 architect, so I am probably already  
21 more familiar with this than most  
22 people. But it is very hard to get a  
23 sense of how visible this is going to  
24 be from Delaverne Hill from across the

129

1 valley, from wherever you are. And it  
2 is an enormous amount of construction.  
3 So I think we really need to be  
4 reassured it is as minimally visible  
5 as you've been hearing.

7 what do you want them to do?

8 MR. BLACKMAN: I think the  
9 idea of doing CAD drawings to make it  
10 very clear from any angle. What the  
11 bulk of these buildings will be, how  
12 it relates to the topography and how  
13 it relates to tree line. That would  
14 be very helpful. Clear sections  
15 through the steeper parts of the site  
16 showing what the land is like above  
17 and below the hotel. Those sorts of  
18 things would help. But I think that  
19 it seems to me that's the first thing  
20 that has to be proved.

21 And then the other issue  
22 that I was concerned about was just  
23 retail. I mean people have talked  
24 about the scale of this project in

130

1 terms of the number of families. And  
2 actually I hadn't realized quite how  
3 close it was in size to the Town at  
4 present. I think that what is  
5 potentially good about the resort  
6 overlay and traditional neighborhood  
7 development is the idea of you're  
8 creating a new hamlet in effect.  
9 That's the way it is supposed to work.  
10 But it adds another hamlet to a town

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
that's defined by its hamlets right

11  
12 now. I think we really need to know  
13 whether that's a positive or negative  
14 thing. I think it is better than  
15 covering the whole site with suburban  
16 houses. But there is an issue that  
17 this redevelopment I think will  
18 compete with the other hamlets. If a  
19 business was interested in moving to  
20 the main intersection in Amenia, would  
21 it be more appealing for them to open  
22 here where they have kind of a --  
23 where they have already -- where the  
24 residents are kind of self selected to

131

1 be kind of upper middle class I think  
2 like at worst, as opposed to opening  
3 on the intersection of 22 and 44. And  
4 I know just because the Town I grew up  
5 in, that whenever it seemed to be on  
6 the verge of a commercial renaissance,  
7 there was a new development just  
8 outside of it, and that sort of sucked  
9 all the new business there. So I'm  
10 particularly concerned about what the  
11 commercial impact of this will be on  
12 the hamlet of Amenia and the hamlet of  
13 Wassaic. Because I'm afraid it could  
14 just sort of suck the energy out of  
15 those places rather than contribute to

16 them.

17 MS. MIGNOLA: How do you  
18 assess that? What specific questions  
19 do you ask? How do you go about  
20 finding the answer to that question?

21 MR. BLACKMAN: Well, I think  
22 you need to know what kind of retail  
23 is planned to be in this development?  
24 Is it just a pro shop for the golf

132

1 club, or is it going to be -- I don't  
2 really know. Is it going to be  
3 clothing stores and various other  
4 things? I mean I know that people  
5 have talked about wanting a small  
6 department store and stuff. But I  
7 think it is important to have a really  
8 clear sense of what the developers  
9 intend and some of that you would want  
10 to know how many square feet are  
11 allocated to retail. It may be again  
12 because it is going to be a high-end  
13 development, it is not really  
14 providing retail resources that are  
15 going to be of interest to people in  
16 the Town. It may be just its own  
17 world. But I think that needs to be  
18 thought about. Because I think that  
19 would be a real problem if it ended up

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
20 competing with the center of Amenia,  
21 which is so close and where there an  
22 awful lot of empty retail spaces right  
23 now. So just something else I thought  
24 the Board should think about. Thanks.

133

1 MS. METCALFE: Darlene  
2 Riemer.

3 MS. DARLENE RIEMER: I'm  
4 Darlene Riemer. I live on Smith Hill  
5 Valley Road, but I also have an  
6 architectural practice right in  
7 Amenia, and I've been there for  
8 fifteen years. So I've seen the Town  
9 evolve, and actually it's been quite  
10 depressed. So this is a good thing  
11 for the Town. But I do have some  
12 concerns.

13 I have three points. One is  
14 Dutchess County Wastewater Authority  
15 has not been listed as an interested  
16 party. And as Chairman of Wastewater  
17 Committee I think it is really very  
18 important to involve them early on, as  
19 we talk about traditional systems,  
20 sustainable systems. And as Patty  
21 O'Neil mentioned, she hit all the  
22 points that I was going to talk about,  
23 but I do want to make sure they get --

24 CHAIRMAN FENN: They have  
Page 114

1           been added.

2                       MR. FLOOD: They have been  
3           sent it.

4                       MS. RIEMER: Okay. The  
5           second point, as far as the retail,  
6           having worked on the Comprehensive  
7           Plan, we allowed five percent of the  
8           footprint of a particular building to  
9           have retail space. I think it should  
10          be more clearly defined what that  
11          footprint is, and what businesses  
12          would be identified.

13                      The rendering is beautiful,  
14          but it has book shops and other things  
15          going on. And I think as Leo said, we  
16          don't want to compete with Silo Ridge  
17          for the hamlet. The hamlet should  
18          have, in my estimation, precedence  
19          over Silo Ridge. It's really that  
20          Silo Ridge is supporting the hamlet.  
21          And it should be mutually supportable  
22          with each other. I think it is  
23          important to have a symbiotic  
24          relationship.

1                      My third point is the

2 framework on Delaverne Hill. As other  
3 people have said, it is framework that  
4 you can see through. You didn't get a  
5 sense of the mass. The visual in the  
6 DEIS has a stonework building. It is  
7 in a cruciform shape. It has really  
8 an impact on that view. And also the  
9 people of Amenia are not going to take  
10 advantage of that. They are not going  
11 to be the ones to go there and sit on  
12 the patio and have a glass of wine.  
13 The people in Amenia are going to take  
14 a short break and take photographs,  
15 watch the moon come up, watch the  
16 sunrise. They are going to be doing  
17 paintings. We see people very often  
18 on Delaverne Hill, painting, someone  
19 coming in in the summertime doing  
20 something like that. The building  
21 obstructs all of that. It is very  
22 tunnel like. I come down the hill  
23 every day to work, and my view is a  
24 sweeping view. You see the view

136

1 straight ahead. But also, as you're  
2 going down the hill, it just opens up  
3 to you. And oftentimes I'll come down  
4 at night, you can see the stars. If  
5 there were a building there with  
6 parking, it would just necessitate

7 lighting. It would necessitate  
8 controlled access. It really cuts off  
9 the people who live in this town from  
10 enjoying that view. And I think as  
11 Patty mentioned and a lot of other  
12 people, if that building -- I'm not  
13 against having that kind of facility,  
14 I think it's great. I think it's a  
15 tourist destination, but not for those  
16 of us who live here. We don't enjoy  
17 it. It would be outside people coming  
18 in. If it were moved to the Miller  
19 property, I think it could still have  
20 the same impact if not more. Because  
21 the approach to the Miller property is  
22 a downward winding lane that opens up  
23 to the view. And in my estimation, it  
24 is the anticipation of that view which

137

1 makes that building more special. If  
2 it is right in front of you and  
3 obstructs the everyday view, it has  
4 less importance. So I think moving it  
5 but keeping the facility I think is a  
6 great idea as a destination and  
7 certainly will create a lot of tourism  
8 for the Town. For some of us, it is  
9 as close to Tuscany as we will every  
10 get. So we don't want to lose that.

11 It will never come back to us. Thank  
12 you.

13 MS. METCALFE: Matthew  
14 Anderson.

15 MR. MATTHEW ANDERSON: Good  
16 morning. Matthew Anderson. I live at  
17 315 Old Route 22.

18 I was born in the Town of  
19 Amenia. I grew up here till I was  
20 about fifteen years old, and I lived  
21 in Westchester County; I lived in  
22 Fairfield; I lived in Tucson for a  
23 couple of years. And my wife and I  
24 about four years ago now started a

138

1 family. My family has remained  
2 involved in this community since about  
3 1948. I brought my family back here  
4 to raise them because of a certain  
5 lifestyle. I work out of Manhattan;  
6 my wife works out of Manhattan. We  
7 both have the opportunity. I own my  
8 own business, and I have the  
9 opportunity to work from my home  
10 sometimes, but I am often traveling to  
11 Manhattan. My wife has the same  
12 luxury.

13 My concerns are not that the  
14 project isn't good for the Town. I  
15 think it is good for the Town. I

16 think the Town needs some  
17 revitalization. But I think much of  
18 what I've heard this morning echoes my  
19 own sentiments. The scale and the  
20 scope, the one-phase approach to this  
21 in essence more or less is of real  
22 concern.

23 The I think Mr. Wu had a  
24 couple of points that I strongly agree

139

1 with, and that is that the rural  
2 character cannot be taken for granted  
3 and cannot be taken lightly. I think  
4 the integration into the Town is  
5 absolutely integral as to what needs  
6 to be looked at. The sustainability  
7 of the Town itself around what could  
8 in essence develop into a gated  
9 community is of a concern.

10 As an entrepreneur I came  
11 back here -- I'm in advertising and  
12 marketing, so most of my business is  
13 obviously based out of Manhattan as  
14 such. But my family operated  
15 businesses in this area my entire  
16 life. And my long-term goal is to  
17 reinvest into this community and to  
18 reestablish my own roots. So I am  
19 looking at this and thinking, well, as

20 a person who is looking to grow their  
21 own family roots again, and as a  
22 person who has deep family roots in  
23 this area, you know, how does this  
24 impact or impede other developments

140

1 that people like myself may want to  
2 bring to the Town? So that's a  
3 concern.

4 A couple of specific points  
5 that I just wanted to bring up.  
6 Again, I think it was Mr. Wu that  
7 mentioned light pollution. Living in  
8 Tucson, Arizona, it was a very unique  
9 opportunity to live out there for a  
10 couple of years. I was out there for  
11 a couple of years, and I had never run  
12 into the issue of light pollution, but  
13 I came to appreciate the importance of  
14 that issue, because it was, other than  
15 living here, it was the first time  
16 that I'd ever gotten a true view of  
17 the Milky Way. And I don't know if  
18 anyone can appreciate that if you  
19 haven't actually seen it. But it is  
20 spectacular. And living in  
21 westchester, for many years and living  
22 in Fairfield county, my wife and I  
23 would often comment, my grandmother  
24 lived up here and we'd see her often.

1 we would often comment how much we  
2 enjoyed being back up in the area  
3 because we could see the night sky.  
4 That is a concern and an issue that  
5 you should be aware of. Because it  
6 detracts significantly. My property  
7 is next to the train station. The  
8 train station sits on what used to be  
9 our property. So the lights from the  
10 train station alone are a detraction.  
11 I already see an impact of that, and  
12 I'm not thrilled with it. My future  
13 plans are to block that out some way.  
14 But as a town when you're sitting with  
15 developments up on the hill that are  
16 the focal point of this area, you  
17 don't have that luxury.

18 In regards to the hill,  
19 Delaverne Hill was something that when  
20 my wife and I first started dating I  
21 couldn't wait to bring her back to  
22 see. She was from Dutchess, I grew up  
23 in Wappingers and never really been  
24 over to this area. When we came back,

1 scheming a bit as I might, I planned

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
2 to bring her back at a point in time

3 in the year when I knew it would be  
4 really be beautiful. When I brought  
5 her over here to see it I specifically  
6 drove her down Delaverne Hill because  
7 of that sweeping vista. What I  
8 significantly appreciated about it is  
9 that where I live, I can see Delaverne  
10 Hill. So whether I'm driving down  
11 Delaverne Hill or whether I'm sitting  
12 on the deck in the back of my house, I  
13 can see it. And I don't really  
14 support the placement of that winery  
15 as it is now. I think it is a  
16 significant detraction.

17 I was sitting here this  
18 morning thinking about a book that we  
19 have that dates back to the turn of  
20 the century in the house and it is  
21 about the Town of Amenia. I'm going  
22 to dig it out, because I'm pretty sure  
23 there are references in there at that  
24 point in time to specific views, and I

143

1 believe this hill is referenced. I  
2 just wanted to point out that it is a  
3 really important part of this Town's  
4 character. It is a large attraction  
5 for area visitors. I think it is  
6 critical that we protect that view.

7 Not only in terms of the structure  
8 being proposed, which I think is  
9 incredibly deceiving because you do  
10 see through it, but I also think it is  
11 very important that we take into  
12 account the other operational issues  
13 regarding traffic flow, lighting, and  
14 other visual impacts of that proposed  
15 part of the plan.

16 Now, all of that said, I do  
17 want to see development happen here.  
18 I think the Town needs some  
19 revitalization. Scale is the primary  
20 issue. The height restriction is also  
21 a significant concern. As somebody  
22 mentioned earlier, and I don't  
23 necessarily disagree, architectural  
24 design can enhance beauty.

144

1 Absolutely. But I think we have a  
2 particularly gifted location here. I  
3 think nature has already given us a  
4 substantial architectural gift in this  
5 valley. I think we need to be  
6 concerned about how we go enhancing  
7 it. Height is a definite concern.

8 The water treatment plant  
9 and the water usage, somewhat tied  
10 together, are of somewhat of a

11 personal impact as well. Some of  
12 those wetlands south of here are my  
13 land now. And that stream that flows  
14 through on part of my land. I'm  
15 concerned about that. Again, that is  
16 a healthy vibrant stream. Its levels  
17 vary. It is seasonal to some degree.  
18 It is always there, but the levels  
19 vary. It is also been a very healthy  
20 stream.

21 Raising children back here,  
22 I try to ingrain upon them how the  
23 generational aspect of part of my  
24 decision to move my family back here,

145

1 and part of that are these great 8  
2 millimeter family films we converted  
3 to DVDs a few years ago. In that are  
4 pictures of that stream, with my mom  
5 who was young and my brothers and  
6 sisters who are in their late 40s now,  
7 when we were three and four-year-old  
8 kids, and I want to make sure that my  
9 kids are playing in that stream too.

10 On the integration, I just  
11 want to make a couple of other  
12 comments. I strongly support the  
13 issue of parking. It is an issue  
14 around here. I've become more  
15 appreciative of how scarce it is since

16 I've moved back. That is definitely  
17 an issue. The train station currently  
18 sits on about a quarter if not maybe  
19 less of the land that was claimed for  
20 the train station. So in terms of  
21 expanding there, that's fine. But I  
22 think there have been some real issues  
23 raised this morning that deserve  
24 comment. Two of those are the issue

146

1 of traffic through town and also  
2 through Old Route 22.

3 Like some of the other  
4 speakers, I live on Old Route 22. I  
5 appreciate the quiet nature of that,  
6 and I don't necessarily want to see  
7 that significantly changed. So I  
8 think I would like to know more about  
9 how we are going to address that.

10 The marketing data. I  
11 haven't seen any of that, and I would  
12 like to. I would definitely like to  
13 understand what market analysis has  
14 been done in terms of the draw. There  
15 are other developments that are  
16 planned and are ongoing. I would  
17 definitely like to see and have a  
18 better understanding of what analysis  
19 has been done. As a significant

20 investment, there obviously is a  
21 long-term benefit to this financially,  
22 and I would like to understand more  
23 what the assumptions are that under  
24 pin that.

147

1 I also wanted to just say I  
2 know the Town has been going through  
3 this for a number of years. I moved  
4 back to the Town about a year ago.  
5 Having moved back to the Town, I am  
6 catching up. This is incredibly  
7 voluminous itself. It is very  
8 difficult for someone who maintains a  
9 full-time job and with any degree of  
10 traveling to be able to cover this in  
11 any substantive manner in this time  
12 period. So I really would ask that  
13 the Board to keep this meeting open  
14 for further comment. I would like to  
15 go through it. There are some other  
16 people I would like to engage to go  
17 through this as well.

18 Just in summary real quick,  
19 I do support development in the area.  
20 I think the term SMART development is  
21 a great catchy phrases. And I have no  
22 idea who coined that politically, so I  
23 have no affiliation. But part of that  
24 acronym SMART, starts with scale, and

1 I want to make sure that we do this in  
2 an intelligent manner that we can all  
3 adopt in a way that that does not  
4 change the reasons that we live here.  
5 Thank you.

6 MS. METCALFE: Elizabeth  
7 Whaley.

8 MS. ELIZABETH WHALEY:  
9 Hello. I'm Elizabeth Whaley, and I  
10 live in Wassaic. I'm also a member of  
11 the CAC, but I'm not making comments  
12 here as a CAC member. We will give  
13 that to the Board in writing. I am  
14 just making comments as a resident of  
15 the Town of Amenia. And we will have  
16 written comments from the CAC.

17 The DEIS is daunting. I sat  
18 down in front of it. I'm a short  
19 person sitting at the table, it came  
20 up to here. It's really big. It is  
21 very hard for anybody to get through.

22 For the general public, I  
23 really feel that also this hearing  
24 should have been videotaped. There's

1 a lot of people that aren't here.

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
2 which is also disappointing. There

3 should have been more town members  
4 here. I don't know why the Town board  
5 didn't videotape it for future use on  
6 the public access channel.

7 I'm not saying I'm against  
8 development here, but I'm just against  
9 the massive scope of this plan here.  
10 359 units I think is ridiculous for  
11 the size. And just as any tentative  
12 budget of the Town, everything is  
13 thrown into it, the DEIS is a  
14 tentative plan for the developer.  
15 They are going to throw everything  
16 into it. I'm not saying this  
17 developer will do it, but every  
18 developer usually puts a lot in  
19 because it is going to be whittled  
20 away to what they really want. That's  
21 the important thing.

22 The fact that we have the  
23 Master Plan now is a real important  
24 aspect, because we can actually say

150

1 here it is, this is what we want to  
2 do. And everyone -- it is so  
3 important to keep the public informed,  
4 and everyone has a right to their  
5 opinion, but it is so important to  
6 make it in a formed opinion. And I

7 urge everybody here to look at the  
8 DEIS. Yes, it is daunting. But try  
9 to sit there, look at it online. Try  
10 to look at it in the Town Hall. It's  
11 important not to just hear comments  
12 and innuendo from your neighbors. You  
13 have to look at it for yourself.

14 I have to admit I have not  
15 looked through the whole document. I  
16 have looked at it over the last four  
17 years. I have seen a few of the  
18 DEISEs for this project. I've  
19 commented orally, and I've written  
20 comments during previous public  
21 hearings on this. I ask the Planning  
22 Board to make sure all of those  
23 previous written and oral comments  
24 that were done in the last four to

151

1 five years are included in this too.  
2 Because it's important.

3 I asked the question earlier  
4 this week and no one knew what had  
5 happened to those previous comments,  
6 written and oral. They should be  
7 included. They are still viable  
8 comments for the plan in general.

9 I also urge the Planning  
10 Board to really take a hard look at

11 this DEIS. I understand it is the  
12 holidays, and we all have a lot to do.  
13 That's why I think this meeting should  
14 be kept open. There are many  
15 inconsistencies in the DEIS. One part  
16 I can point to at this time is the  
17 scenic resources section. Please look  
18 through that again, the public too.  
19 The main things I want to comment on  
20 this is the viewshed and the self  
21 contained hamlet and the hotel.

22 First about the hotel.

23 Five-story, 300 rooms. I think it is  
24 way too big. My personal experience,

152

1 I've worked in the restaurant business  
2 for over twelve years in three  
3 different states, Maryland, Delaware,  
4 New York. I've worked in high-end  
5 resorts, up-scale to small-scale range  
6 style resorts in the Catskills. I've  
7 worked \$60,000 weddings up to 250  
8 people to weddings of less than 50  
9 people. And every time rooms were  
10 needed for a wedding ten to twelve  
11 rooms max were ever used from the  
12 largest down to the smallest weddings.  
13 So even if a place were holding two  
14 functions at the same time, I only see  
15 a possible maximum of 50 rooms needed.

16 This is my personal experience that  
17 I've witnessed myself.

18 Do I think a hotel is needed  
19 in Amenia? Most definitely. Do I  
20 think a five-story 300-room hotel is  
21 needed? Absolutely not. 100 to 150  
22 room hotel should suffice in this area  
23 and should be looked into more  
24 carefully.

153

1 Self contained hamlet.  
2 Local people say much needed jobs will  
3 be had for locals from this  
4 development. This is so not true.  
5 I've been to many Pace land use  
6 seminars. I even went to the one in  
7 Hyde Park that actually showed a self  
8 contained hamlet and its impacts. And  
9 the truth of the matter is the  
10 developer will use their own  
11 construction companies, their own  
12 architects, their own design  
13 companies, and that's their privilege.  
14 Possible jobs for locals will be  
15 maintenance workers, housekeepers,  
16 grounds keepers, wait staff, kitchen  
17 help, etcetera. which are all very  
18 noble and hard-working jobs. I've  
19 done them all myself. I've worked all

20 of those jobs. And guess what, they  
21 don't pay much higher than minimum  
22 wage. Besides the teenagers needing  
23 those jobs, and not all the teenagers  
24 are going to want to work in those

154

1 jobs, when the local citizens realize  
2 these jobs will not meet their needs  
3 financially, who do you think will end  
4 up being hired and where will these  
5 people live? something to think about  
6 in regards to that.

7 I certainly can't work in  
8 that kind of job. I'm married and  
9 have a family. \$8 an hour doesn't cut  
10 it and pay your mortgage. And that's  
11 on maintenance workers or even higher  
12 or housekeepers. The average in New  
13 York State for New York State  
14 waitresses is \$4.65 an hour.

15 Back to the self-contained  
16 hamlet. If the resources are going to  
17 be here for the residences, such as  
18 general store, post office, etcetera,  
19 why would the residents need to  
20 venture into Amenia? They will not  
21 add to the town's business economy.  
22 The only way I can see local  
23 businesses seeing an increase in their  
24 business, might be -- I say might

1 because I personally experienced this  
2 myself, will be during the actual  
3 construction phase when the  
4 construction workers will have to go  
5 out for their meals. As a person  
6 whose worked in a restaurant business,  
7 I can attest when there were  
8 construction workers in the area and  
9 the places that I worked in, our  
10 business did temporarily increase  
11 during the lunch and dinner times, and  
12 it went right back down when the jobs  
13 were completed. So locals still  
14 stayed; the people that came in  
15 temporarily didn't come back.

16 Now onto the viewshed.  
17 Others have commented on this  
18 beautiful scenery right now, and yes,  
19 enjoy it now, because this is not  
20 going to be here when they start  
21 construction. All this will change.  
22 I'm extremely concerned about  
23 Delaverne Hill. I've seen the  
24 temporary structures, the balloons,

1 etcetera. It would be a devastation

2 to the Town to let anything happen to  
3 that hill. As a self-proclaimed  
4 environmentalist, any homes or winery  
5 would damage significant habitat and  
6 migratory range up there. I've  
7 stopped many times up on that hill to  
8 watch the Peregrine falcons, red tail  
9 hawks and flocks of wild turkeys that  
10 travel through there. The light  
11 especially during sunset and sunrise  
12 is amazing. I've stopped there too.

13 Wintertime is another  
14 concern for that hill. I've lived in  
15 the Harlem Valley for 27 years, 18 of  
16 which I've spent in Amenia and  
17 wassaic. The hill does get shut down  
18 in the wintertime by the local police  
19 when it is deemed dangerous. When the  
20 weather, all the ice and snow gets too  
21 bad, that's what they do. I've had to  
22 be rerouted through different areas  
23 because I couldn't either get up the  
24 hill or get back down it. Putting

157

1 homes and a winery on this hill would  
2 be a nightmare, especially in the  
3 wintertime.

4 I've worked in Poughkeepsie,  
5 and I've heard from other county  
6 residents during seminars and

7 workshops I've attended out of our  
8 valley. The comments I've heard over  
9 and over when people found out I live  
10 in Amenia is always about the view on  
11 Route 44. Every year the Poughkeepsie  
12 Journal has a best of the Hudson  
13 Valley, and they always list Delaverne  
14 Hill in the top five best views.  
15 which leads me to a couple of  
16 documents I've researched. I have a  
17 couple of quotes from them briefly.

18 Our new Comprehensive Plan  
19 lists scenic roads in there. And one  
20 of them, number one listed is Route 44  
21 Delaverne as a scenic road. The  
22 favorite view of Amenia is from  
23 Delaverne Hill. As Route 44 curves  
24 around the hillside (inaudible) is

158

1 visible, so from this high point  
2 hills, farms, fields and forests  
3 stretch east to Connecticut and south  
4 to the hamlet of Wassaic. The grand  
5 scale of the view is made more  
6 impressive by seasonal color and  
7 atmospheric conditions. Sometimes the  
8 hillside is so beautiful that a local  
9 church will hold their Easter sunrise  
10 services there. Visitors are always

11 struck by the beauty of the foothills  
12 and the valley as they enter the  
13 gateway to the Berkshires. Built in  
14 1805, this road as originally called  
15 the Dutchess Turnpike. It connected  
16 Poughkeepsie with Sharon, Connecticut.  
17 The house at the junction of Route 83  
18 and 44 at the top of the hill was the  
19 original toll house. The old turnpike  
20 cut more sharply down the hill and did  
21 not swing out in a wide curve as this  
22 present highway does now. Just below  
23 the curve in the road is a squabble  
24 hole which is an iron ore pit and has

159

1 been enlarged for the golf course  
2 lake.

3 As well as being scenically  
4 beautiful, this valley is critical  
5 environmentally with a major aquifer  
6 under most of it.

7 I have an excerpt also from  
8 a book written in 1877 called "The  
9 General History of Dutchess County"  
10 written by Philip H. Smith. He  
11 writes: A gentleman who has traveled  
12 extensively in Europe said he never  
13 saw a lovelier valley than that of  
14 Amenia. No country affords finer  
15 contacts with of mountains, hills,

16 ravines, woods and cultivated plains.  
17 All its approaches from the west are  
18 through side streams, through gorges,  
19 up and down steep declivities as wild  
20 and varied as those of far famed  
21 Switzerland. The contrast between the  
22 fairest and clear summer afternoon and  
23 a ragged thunderstorm in the night is  
24 not greater than that of the fair

160

1 fields of Lithgow and the stern dark  
2 mountains and fearful ruggedness of  
3 Deep Hollow.

4 1877 was over 130 years ago.  
5 why would we do anything to destroy  
6 our viewshed that has been talked  
7 about for over 130 years? Please,  
8 please reconsider any development on  
9 Delaverne Hill. I urge everyone,  
10 Amenia residents, Planning Board  
11 members to really and truly do their  
12 research on this and many issues  
13 regarding this DEIS. And to please  
14 keep this process open, because it is  
15 way too big. Take the good hard looks  
16 needed in such a short time. Thank  
17 you for hearing me out.

18

19 (Applause.)

20

21 MS. METCALFE: Cheryl Morse.

22 MS. CHERYL MORSE: Good

23 morning, everyone. My name is Cheryl

24 Morse. I'm a local resident. I'm

161

1 also a member of the CAC. Many of you  
2 know me, but you may not know my  
3 professional background. So I'm just  
4 going to give you a little detail, and  
5 then I'll go on with my comments.

6 I've worked and been  
7 educated as an environmental designer.  
8 I've worked on some rather impressive  
9 projects, some rather large projects,  
10 particularly the Ziff [phonetical]  
11 estate down in Pawling, which some of  
12 you are familiar with. I was the  
13 assistant to the Director of  
14 Horticulture there, and I had some  
15 rather awesome duties and  
16 responsibilities. I also did a  
17 lengthy internship with the Student  
18 Conservation Association in state  
19 parks and at the Mills Mansion out in  
20 Hyde Park. And through that tenure I  
21 mapped the park for a major  
22 restoration project that they are  
23 doing in their landscape. So I am  
24 really familiar with the kind of scope

1 that this project is bringing to this  
2 town. I have a lot of reservations  
3 and concerns, as others in town do.

4 We are not a four-season  
5 resort area, so I think this project  
6 almost seems more pie in the sky than  
7 something that would be reality here.  
8 We do have ski areas in the area,  
9 which sometimes draw people, but if we  
10 don't get snow, there is no skiing.  
11 Playing golf four months out of the  
12 year to me doesn't justify such an  
13 awesome endeavor. And I don't think  
14 it is going to bring the draw,  
15 unfortunately, that the developers  
16 think it will bring.

17 My brother was the fire  
18 chief of the Darien, Connecticut  
19 volunteer fire department for five  
20 years, and he remains on the Board of  
21 Trustees there. And I used to do  
22 their forensic photography, so I  
23 understand the implications also of  
24 emergency access and the cost of fire

1 equipment. Because with the influx of

2 development over the years during the  
3 '60s, '70s and '80s of the sprawl of  
4 Manhattan they have had to obtain more  
5 expensive equipment to fit the needs  
6 of higher story buildings. So I'll  
7 start with my comments and just read  
8 through my list.

9 I'm wondering, in part of  
10 the marketing scope of this to bring a  
11 draw here, if there will be permitted  
12 use of ATVs and snowmobiles in winter  
13 on recreation trails that might be  
14 developed. Also I'm wondering,  
15 because some resorts offer corporate  
16 hunting parties to draw attendance.  
17 If the economy doesn't support your  
18 vision as it is, there is nothing to  
19 prevent such an endeavor from  
20 occurring to bring people into this  
21 locale. And I have concerns about  
22 that.

23 I don't see that there is  
24 necessarily a guaranty that there will

164

1 be jobs for local residents.  
2 Employees, particularly in the higher  
3 paying jobs, will probably have to  
4 have hospitality industry experience.  
5 If you don't, you're not going to get  
6 those higher paying jobs. More likely

7 they will be menial labor.

8           The traffic volume issues  
9 have already been addressed, but there  
10 are serious considerations about that.  
11 I think due to the volume of the  
12 document and how tedious it is and how  
13 large it is, that we're moving too  
14 quickly. And this open hearing  
15 process should remain open for a  
16 longer period of time so that it can  
17 really be examined thoroughly.

18           I'm very familiar with  
19 agricultural chemicals, particularly  
20 those used for golf course turf  
21 maintenance, and they are extremely  
22 injurious to wetlands, lakes and  
23 aquatic life and habitats. If they  
24 expand the golf course, there are more

165

1 issues related to that. This is not  
2 the actual Master Plan. It's only a  
3 proposed plan. I'm actually quite  
4 surprised that with the effort that's  
5 been put into the document that more  
6 effort was not put into a more  
7 accurate scale model depicting the  
8 landscape material along with the  
9 topographical features. It would  
10 certainly give us a better picture of

11 what we can expect. But my other  
12 concern is that given that this is  
13 only a proposed document, what we  
14 might actually end up with if the  
15 process keeps changing throughout the  
16 construction of the project. This is  
17 a serious implication for the Town.

18 I would like to see, as  
19 mentioned earlier by Mr. Werner, a 3D  
20 vector view of the project in CAD.  
21 Certainly the people who have done the  
22 design must have the capability. I'm  
23 quite familiar with CAD design as I  
24 have experience in doing CAD design.

166

1 I have commuted by train; on  
2 Fridays trying to get a seat on the  
3 train coming up from Manhattan is a  
4 nightmare. There is almost no seating  
5 room. Certainly there will be more  
6 demand to run more trains by the MTA,  
7 not to mention trying to find adequate  
8 seating and related safety issues  
9 regarding that.

10 It's difficult at best now,  
11 if we doubled the population of the  
12 Town and half those people are riding  
13 the train, and again, the figures, we  
14 don't know how totally factual they  
15 are, it could be more people impacting

16 this project. We have that to look at  
17 as well.

18 with regard to fire  
19 equipment. My brother's fire company  
20 is purchasing new trucks as we speak.  
21 And because this issue came up, I  
22 discussed it with him. A ladder  
23 truck, brand new will cost in excess  
24 of \$2 million, not to mention that you

167

1 have to have a dedicated pumper truck  
2 in order to provide the water that  
3 that ladder truck by itself will need  
4 to fight a fire in a high structure.  
5 I don't see up front how the taxpayers  
6 in town, without some sort of help  
7 from the developers of this project  
8 can justify laying out the money or  
9 running a bond to purchase that  
10 equipment. That's going to be a  
11 tremendous burden on the taxpayers. A  
12 pumper truck is going to cost about \$1  
13 million. So we are looking at \$3  
14 million just for those two pieces of  
15 equipment. Now, you can purchase used  
16 equipment on the market, but used  
17 equipment isn't going to save you a  
18 significant amount of money.

19 The work force will compete

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
20 for local housing. I've seen it

21 happen. I've moved around from

22 Darien, Connecticut up to this area.

23 My former husband was from Litchfield.

24 I've been priced out of those

168

1 communities. I'm a middle class

2 working person, and it will affect us.

3 If we don't have more affordable

4 housing, and I'm not talking low

5 income, I'm talking for the average

6 person who works every day as a trades

7 person, people are going to be pushed

8 out of town.

9 One of the things that

10 concerns me with the new Master Plan

11 and whatnot, and it's easy for towns

12 to take money and fees in lieu of

13 having a developer provide that

14 housing. Developers would rather not

15 provide that housing, and I've seen

16 it.

17 Another issue that I am

18 concerned with is the wastewater

19 treatment facility. Dutchess County

20 Wastewater Treatment, I believe, does

21 not have to take that on. And if they

22 don't, then the burden falls to the

23 Town and the taxpayers. Now, it is a

24 nice carrot for them to dangle in

1 front of the Town to get this project  
2 built, but if Dutchess County  
3 wastewater does not take on  
4 responsibility, is it going to be  
5 worth it to the Town? We do need it;  
6 there is no question about that. The  
7 hamlets, particularly the hamlet of  
8 Amenia, can't do any further  
9 development. And I know there are  
10 properties here in the hamlet of  
11 Amenia that can't be sold because they  
12 can't put septic, new septic, once  
13 they change hands where existing  
14 septic already are. And that's a  
15 major concern. There are several  
16 properties I know that aren't being  
17 sold and can't be sold until this  
18 issue is resolved.

19 The aesthetic appeal for  
20 having a winery up on Delaverne Hill  
21 is something else that bothers me. I  
22 agree also, even though other people  
23 have spoken about this, that it would  
24 be better to move that to where the

1 Miller house exists. I know a lot

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
2 about landscape history, particularly  
3 the landscape architectural history of  
4 the Hudson Valley, as I studied it  
5 extensively when I worked at state  
6 parks. The driveway --

7 CHAIRMAN FENN: Excuse me,  
8 we are getting very close to 12:00  
9 o'clock.

10 MS. MORSE: Well, I'll be  
11 done. I only have one or two other  
12 short comments. The winding lane  
13 lends itself to an historic aesthetic  
14 appeal that is not unlike how some of  
15 the large country estates here were  
16 constructed and would lend itself  
17 better and I think more safely to  
18 commerce there in that particular  
19 area.

20 Having grown up in Darien,  
21 Connecticut, where there are many  
22 gated communities, I do have serious  
23 concerns about that happening here  
24 with this kind of development and some

171

1 of the other large developments that  
2 they do have.

3 My other concern is the  
4 rewording of the Master Plan and some  
5 of the changes that have been made  
6 with regard to the environmental

7 impact. I think more consideration  
8 should be lent to environmental  
9 impact, especially with a project of  
10 this size and scope.

11 And the Town, if they let  
12 this go through too quickly, the  
13 Planning Board would be remiss in  
14 their duties if we don't spend more  
15 time really examining this first  
16 large-scale project. Because it is  
17 the first of its kind, and it sets the  
18 tone for anything for the future  
19 impact upon this town and the existing  
20 residents, we have no choice.

21 And I would hope  
22 respectfully that you would all  
23 reconsider keeping these hearings open  
24 longer. And also that we be submitted

172

1 updated, more accurate documents of  
2 what's really going to take place  
3 here. Otherwise, I can tell you quite  
4 honestly, I will work actively, go  
5 door to door and bring this to people  
6 who may not otherwise be able to  
7 understand and see the documents that  
8 have been presented to us. Because  
9 this is just too big and too important  
10 for the future of this town.

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

Thank you for your time.

DR. CLEMENS: Could you be more specific when you're asked about more consideration -- it is a very broad statement -- of environmental impacts. Would you specifically --

MS. MORSE: Well, Dr. Clemens --

MS. PEEK: That is Dr. Clemens.

MS. MORSE: I'm sorry. I don't know your face. I know your reputation. But there were some things you addressed in your comments

173

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15

where you felt there should be a little more scrutiny regarding some of the work that has been done. So I would like to see some of those issues looked at a little more.

MS. MIGNOLA: Name one. Name one thing.

MS. MORSE: I haven't gotten all the way through that part of the document. It is so heady and wordy, and I'm going through it piecemeal. But I plan to be spending the next couple of weeks, particularly on the environmental sections which have been excerpted out.

16 MS. MIGNOLA: So in the  
17 future, in the next couple of weeks  
18 why don't you submit a letter to us  
19 that tell us specifically --

20 MS. MORSE: Well, I'm  
21 actually planning on that.

22 MR. FLOOD: Well, his  
23 updates are in there. If you keep  
24 reading, you'll find them.

174

1 MS. MORSE: There were a  
2 couple of sections that I noticed for  
3 some reason I couldn't download. So  
4 I'm going to try to get those  
5 downloaded on a bigger, faster  
6 computer.

7 MS. METCALFE: Dean Kaye.

8 MR. DEAN KAYE: Good  
9 morning. I think my contribution here  
10 is more procedural than substantive.  
11 I think the question is where do we go  
12 from here? The idea that we keep this  
13 open for an extended period of time is  
14 very good.

15 The problem with downloading  
16 it is very severe. Because the way it  
17 is set up, a great deal of the meat is  
18 in the appendix. And the appendix is  
19 what, four or five volumes. But the

20 Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
appendix is not indexed, so you don't  
21 know where you're going to download.  
22 And you're looking for something to  
23 download which is referenced in the  
24 first section -- there is no way of

175

1 doing it. In fact, it is totally  
2 impossible unless you download the  
3 entire thing. So the only way of  
4 reviewing this DEIS is by going to the  
5 library or the Town Hall. Therefore,  
6 there are additionally two copies  
7 available to the public. Downloading  
8 simply doesn't work. So if you'd take  
9 note of that. Then the public just  
10 needs more time to digest this rather  
11 extensive document.

12 The second point is what can  
13 I recommend that you actually do with  
14 all this material? What has been said  
15 here, everyone who spoke here had  
16 really very good comments. I think a  
17 lot of them, you know, most of the  
18 comments have already been raised. My  
19 now question is what approach can the  
20 Town take? My best judgment is that  
21 keep this meeting open; identify the  
22 areas that need more work; have the  
23 developer produce more sophisticated  
24 traffic studies and alternative plans;

1 taking away most of the development on  
2 the hillside; removing the winery to  
3 someplace else; addressing the impacts  
4 that have been identified by not  
5 denying them, by changing the plan to  
6 accommodate them.

7 I thought phasing of the  
8 DEIS very confusing. The first phase  
9 should be much clearer in terms of  
10 maps. You know, what is the first  
11 phase? what it will look like after  
12 completion of the first phase? And  
13 then what are the impacts after the  
14 first phase? Is there some  
15 possibility that only the first phase  
16 will ever get done? It could be  
17 that's exactly what should happen. It  
18 could be if you only do the first  
19 phase a lot of the other impacts might  
20 be mitigated. So if you consider it  
21 after the first phase is built, I  
22 think that is probably where you want  
23 to know where the first impacts are.  
24 All the impacts that have been judged

1 is as if it was completed. That's in

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
the year 2000 -- no one knows, it is

2  
3 too far off. So to measure the  
4 impacts in the first phase makes  
5 sense. I don't even know what the  
6 size of the hotel is in the first  
7 phase. But certainly a 50-room or  
8 35-room hotel has a lot less impact  
9 than a 300-room hotel. Why don't we  
10 look at it from the point of view  
11 where it is more practical. Look at  
12 it from the first phase with a much  
13 smaller hotel.

14                   And of course, many fewer  
15 dwellings. I do think you have to  
16 consider the likelihood that all the  
17 dwellings will be year round  
18 dwellings. I think there's simply no  
19 other alternative. The idea of a  
20 resort here makes very little sense.  
21 There are so many golf resorts out  
22 there to be looked at, that I think we  
23 should get some experience behind us  
24 by having somebody, a professional go

178

1 out and look at these other resorts  
2 and see what impacts they have had and  
3 how different communities have dealt  
4 with them. I don't know how many,  
5 there are just dozens of them.

6                   The New York Times yesterday  
                    Page 152

7 had a description of about eight of  
8 them. And it's a shifting bit of  
9 information, knowledge about these  
10 resorts. Some of the original ones  
11 are going out of style, have gotten  
12 quite stale and so now they are  
13 sprucing them up with all kinds of  
14 stuff, some of them which has been  
15 described in the DEIS with saunas and  
16 all the other stuff. It's not clear  
17 in the developer's mind what he's  
18 really trying to do here. And I think  
19 that has to be refined. I think you  
20 can make him do it or get to the next  
21 stage.

22 On the specifics, traffic  
23 certainly is a big problem on Route  
24 44. I go up and down Route 44

179

1 probably two to four times a day. I  
2 live in Millbrook and have a farm over  
3 here just over the hill. And I am  
4 concerned about hugely heavy trucks,  
5 50,000, 60,000, 80,000 pound trucks  
6 coming down Route 44 and having people  
7 cross, making left-hand turns. I just  
8 can't see how that could possibly  
9 happen without accidents. So this is  
10 a terrific safety problem that has to

11 be looked at very carefully before  
12 roads should be cut in off of Route  
13 44.

14 And finally, just another  
15 very specific point, it has been made,  
16 though I'm going to make it again, the  
17 possibility of having to have a local  
18 police force to deal with the safety  
19 problems, the traffic problems. If  
20 the hotel here -- assuming it was even  
21 a 50-room hotel -- has an event,  
22 aren't you going to have to have some  
23 local police on site directing  
24 traffic, parking, especially with

180

1 traffic problems, and maintaining  
2 safety, having a presence here of  
3 uniformed personnel. It seems  
4 unlikely that you can get away without  
5 it. But I think that's a very  
6 specific area that should require some  
7 study. And of course, that has impact  
8 on the fiscal part of the Town.

9 Finally, I think we have to  
10 have independent experts hired by the  
11 Town to look into some of these  
12 questions, fiscal questions in  
13 particular. It's too much speculation  
14 in the DEIS about school impacts,  
15 about traffic, about cost to the Town.

16 The general wisdom is that these  
17 developments do not pay for  
18 themselves. They only pay for  
19 themselves by bringing enough business  
20 into the Town so that your sales tax  
21 from that activity is in your benefit.  
22 Because the costs to the Town are  
23 going to be probably equal to the  
24 increase in taxes.

181

1 As I say again, I'm going to  
2 repeat, I think we need independent  
3 experts working for the Town to review  
4 some of the materials that we have  
5 here to make better sense of it. You  
6 may be able to get away by making him  
7 do his first phase over again so you  
8 really know the impacts after the  
9 first phase and maybe look at it then  
10 and see where we are. Thank you.

11 CHAIRMAN FENN: I think we  
12 should -- we want to wind this up, but  
13 we do have a few things.

14 MS. MIGNOLA: There's only  
15 one more person.

16 MS. METCALFE: Laurence  
17 Levin.

18 MS. LEVIN: My name is  
19 Laurence Levin. I've been a resident

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
20 for 21 years here, and I really don't

21 have much more to add. I think  
22 everybody -- I agree with almost  
23 everything everybody has said this  
24 morning, so I won't repeat it. But

182

1 basically, I would hope that even  
2 though I know you've done an enormous  
3 amount of work on this, that as a  
4 board you would share our concerns  
5 about both the feasibility and the  
6 viability of this project. I would  
7 hope that you would share our concerns  
8 about our doubts, even about some of  
9 the assumptions that the developer has  
10 been making based on their marketing  
11 studies.

12 I would hope that you would  
13 obtain assurances for the Town that we  
14 would get what they are being  
15 proposed, whatever happens, whether  
16 it's not developed the way it's  
17 supposed to be developed, whether  
18 property is flipped, that we do not  
19 have a different architect and not the  
20 fancy architect that's proposed and  
21 things like that.

22 I would hope that there  
23 would be a better way of integrating  
24 the project into the Town,

1 particularly into the Town's center.  
2 And that it would help the Town center  
3 commercially as well.

4 I am concerned, as many  
5 others are, with the scale of the  
6 project and why it needs to be this  
7 big of a scale for a town that states  
8 in its Master Plan that it would like  
9 to keep its rural character. And I  
10 think that this scale is just too big  
11 for this town. Whether it's the  
12 number of housing units or the size of  
13 the hotel, I am concerned of course,  
14 as is many others, with the impact.  
15 And I hope that this will be studied  
16 further.

17 The impact on traffic, on  
18 housing, whether it is affordable  
19 housing or other types of housing, the  
20 impact on taxes in the town and the  
21 tax burden that the Town might have to  
22 bear, on the schools, the library,  
23 etcetera.

24 I am particularly concerned,

1 because it is most visible right now,

2 and myself not having gone through the  
3 DEIS, I have to admit, with the impact  
4 on the viewshed, I agree with many  
5 others. And I would even extend it to  
6 saying that not only does this winery,  
7 which exists even though there is no  
8 vineyard, is not -- is placed in an  
9 area that would impede the viewshed  
10 that we all I think admire, and many  
11 of us even come to this town because  
12 of this, this viewshed, but I also  
13 suggest that this whole area up here  
14 (pointing to map) is part of that  
15 viewshed that would be impacted. This  
16 area would impact the viewshed, and  
17 that it's also in an area that is  
18 starting to be quite steep. Here, the  
19 winery, if it were placed there, would  
20 be a nice view on all this  
21 development. So I'm not sure why  
22 anybody would sit on the terrace and  
23 look at another seven or eight homes.  
24 So I would suggest that that whole

185

1 area be reviewed, and that it not be  
2 developed the way it is. Both the  
3 winery not be placed where it is and  
4 that part of the housing on the north  
5 side of 44 be reviewed. In fact, I  
6 think it should be basically

7 eliminated.

8                   And I urge you, as have  
9 others, to keep this public session  
10 open much longer. I think the timing  
11 is a little straining with all the  
12 holidays coming up and the difficulty  
13 of reviewing of the document.

14                   I also, as Steven has said,  
15 urge the Planning Board to perhaps  
16 consult with some experts on various  
17 of these topics. That's all I have to  
18 say. Thank you.

19                   CHAIRMAN FENN: well, to the  
20 extent that a number of people have  
21 questioned that the hearing be kept  
22 open for a period of time, I should  
23 add that we have already been there  
24 and wanted to do that ourselves for a

186

1 reason that is above and beyond what  
2 other people have mentioned already.  
3 The Applicant is going to produce a  
4 master development plan over the next  
5 month or so. They anticipate having  
6 it completed sometime in January. And  
7 that is an integral part of the  
8 material that needs to be reviewed,  
9 and it should be in the DEIS, but it  
10 isn't at the present time. In any

11 case, we want to keep the hearing open  
12 at least until such time as the master  
13 development plan can be subjected to  
14 the same kind of review that this  
15 meeting, this hearing has offered for  
16 other aspects of the DEIS and the  
17 project as a whole.

18 I understand that we don't  
19 need to fix a date for that.

20 MR. HAYES: Right, I think  
21 what you'll do is make a motion to  
22 keep the public hearing open, with a  
23 new date to be established once you  
24 get the materials you're waiting for.

187

1 And what would happen is the same way  
2 that this hearing was noticed, it was  
3 put in the DEC Environmental Notice  
4 Bulletin and all the other  
5 advertisements that occurred to allow  
6 people plenty of advance notice to  
7 denote the hearing was coming, that  
8 same procedure will be used to let  
9 people know about the new hearing as  
10 well as to let people know that the  
11 master development plan is now on file  
12 and part of the application.

13 MS. MIGNOLA: So I move to  
14 keep the public hearing open until  
15 such time as the Applicant submits a

16 completed master development plan.

17 MR. WALSH: And I'll second  
18 that motion.

19 CHAIRMAN FENN: All in  
20 favor?

21  
22 (Board members vote aye.)

23  
24 CHAIRMAN FENN: Any opposed?

188

1 (None).

2

3 MR. FLOOD: I think the  
4 public should know it is the Board's  
5 opinion to keep the public hearing  
6 open to get as much input from the  
7 public as possible. Obviously, this  
8 is the first part, to keep this  
9 process going.

10 MR. WU: Point of  
11 information please. You have the  
12 20-day clock for written comments.

13 MR. HAYES: The 20-day clock  
14 is not ticking. It doesn't start to  
15 tick until the hearing is closed, and  
16 it is open right now. But to pick up  
17 on George's comment, you can still  
18 submit comments. There is nothing  
19 that now prohibits you. You can still

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
submit comments.

20

21 MR. FLOOD: Get the comments  
22 to us as quick as you can so we can  
23 read it.

24 AUDIENCE MEMBER: We are

189

1 waiting for a master plan from you.  
2 This is plan number three. Is that  
3 going to be the final and accepted  
4 plan if it is approved, or is it going  
5 to be switched again back to this plan  
6 one or plan two again?

7 CHAIRMAN FENN: well, the  
8 master development plan that we are  
9 talking about is sort of a word of art  
10 that describes something that's in the  
11 zoning law, and it consists of a  
12 detailed description with figures and  
13 colors and so forth.

14 AUDIENCE MEMBER: Sure. But  
15 my question is: Is this going to be  
16 the accepted plan that will be built,  
17 or they can revert back to previous  
18 plans?

19 MS. MIGNOLA: I think the  
20 master development, they are going to  
21 take what they propose now and now  
22 they are going to flesh it out in what  
23 is called a master development plan.  
24 so basically it is going to be the

1 concepts they propose right now and  
2 flesh it out in a master development  
3 plan, submit that to us, make it  
4 available to the public for review.  
5 Then once everybody reviews it, you  
6 know, it may be that the ultimate plan  
7 that is passed is not exactly like  
8 that. Because we say for example,  
9 that we don't want as many residents,  
10 or we want more residents or whatever  
11 it is. Or there will be adjustments  
12 and the Board will vote on it.

13 AUDIENCE MEMBER: Okay,  
14 after the adjustments, you'll finally  
15 accept the plan, is this what will be  
16 built, or they have the right to go  
17 back and do whatever they want?

18 MS. PEEK: If they come back  
19 and want to change something about the  
20 plan and it is a significant change  
21 from what they proposed, then they  
22 need to re-go through the process and  
23 have public hearings and everybody  
24 will come and talk about that.

1 MR. WALSH: One of the

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
2 purposes of having a public hearing is

3 to hear from the residents of the Town  
4 so that they can hear what the  
5 concerns are, so if they need to make  
6 any adjustments, they can resubmit.

7 AUDIENCE MEMBER: I accept  
8 all that. That's what we are going  
9 through now. My question basically is  
10 when you finally show us what's going  
11 to be built here, is that what's going  
12 to be built there? Period.

13 MR. WALSH: When we get to  
14 that point, yes.

15 MS. PEEK: The answer is  
16 yes. And if they change something  
17 substantially, they need to re-go  
18 through the process again.

19 AUDIENCE MEMBER: Okay,  
20 thank you.

21 MR. ROBUSTELLI: You can  
22 share the process with us by coming to  
23 the meetings. You don't have to have  
24 a public hearing. That would be good

192

1 too.

2 MS. MIGNOLA: And when you  
3 submit written comments, it doesn't  
4 mean make it longer, but make it more  
5 specific. To generally tell us to  
6 take a hard look at something doesn't

7 give us specific guidance in terms of  
8 I want you to look at this by  
9 conducting this kind of study or doing  
10 it in a specific way. The more  
11 specific your comments are, the more  
12 likely we will be able to do exactly  
13 that.

14 AUDIENCE MEMBER: I just  
15 want to reiterate that I think these  
16 meetings really need to be televised.  
17 There are a lot of people in my  
18 community that are elderly and infirm  
19 and rely on TV. Public hearings like  
20 this, it is really important, and this  
21 should be on our channel 22.

22 CHAIRMAN FENN: Good point.

23 AUDIENCE MEMBER: There are  
24 a few people that could really give

193

1 you adequate input, but I think they  
2 are few. That's why I do think the  
3 comment by the last person or the one  
4 before to possibly hire independent  
5 experts to assist us with how to  
6 conduct the studies of the impact.  
7 You know, I mean we have a few people  
8 who have a very strong background that  
9 spoke today. I don't have any  
10 background in any of this. I talk to

11 friends of mine who are engineers, but  
12 I don't know, our background, do we  
13 have a varied background, very  
14 specific?

15 AUDIENCE MEMBER: And I  
16 would suggest if it is a financial  
17 issue for the Town, since we are in  
18 partnership in the interest of trying  
19 to create economic development for  
20 this town, that it becomes a budgetary  
21 issue as a government body. That's  
22 obviously a more difficult issue to  
23 tackle on an annual basis, that in  
24 partnership there should be some

194

1 discussion between the parties in  
2 regard to the developer helping to  
3 provide funds for an outside  
4 independent authority of the Board's  
5 choosing.

6 AUDIENCE MEMBER: Or adding  
7 to that, because there are a number of  
8 people who volunteer in the community  
9 on various committees, that maybe some  
10 of the residents who have expertise in  
11 these areas could perhaps be called  
12 upon to volunteer to kind of look at  
13 things and make more in-depth comments  
14 on a voluntary status, which would  
15 relieve some of the burden financially

16 upon the Town to provide us with this  
17 information.

18 MR. FLOOD: It doesn't cost  
19 the Town a thing. The developers pay  
20 the cost of everything. He's paying  
21 Dr. Clemens' fees.

22 MS. MIGNOLA: For example,  
23 we have hired Dr. Clemens.

24 AUDIENCE MEMBER: well, that  
195

1 isn't necessarily something we are  
2 aware of. If that's the case, great.  
3 Let's ask them to do that. Because  
4 really the numbers they have been  
5 providing us with don't cut the  
6 mustard. They don't seem accurate  
7 enough. This is too big a deal.  
8 Being that it is the first one, we  
9 could be setting ourselves up for some  
10 serious problems here down the road.  
11 We need to avert that now, and it is  
12 better to try and mitigate some of  
13 those issues, rather than end up with  
14 a big mess down the line and then the  
15 next developer that comes along with  
16 such a project says well, they got to  
17 do this, why can't I? Why can't we?  
18 Because that's what will happen.

19 MS. PEEK: Also, given the

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
20 amount of comments that were made

21 about how it is really tough to  
22 download the documents, do you guys  
23 think you could break it up a little  
24 more? They are like 50 mg files and

196

1 it is tough. Is there anyway you can  
2 save them to smaller files or separate  
3 out the graphics or something so that  
4 it is more easily --

5 AUDIENCE MEMBER: Or do a  
6 part A, part B. Break them in half.

7 MS. MASCALI: The  
8 consequence of that is you're going to  
9 have a hundred different files.

10 AUDIENCE MEMBER: If we  
11 can't download them, what's the  
12 difference?

13 MR. FLOOD: Is it easier to  
14 get more hard copies?

15 MS. MASCALI: We can give  
16 you more copies. I mean the  
17 appendices are very large, and you had  
18 agreed that you didn't want hard  
19 copies originally.

20 MS. PEEK: Individually we  
21 agreed for our Board members. But for  
22 the library and town --

23 MR. ROBUSTELLI: I've filled  
24 up a small bedroom of all my copies in  
Page 168

1 the process.

2 AUDIENCE MEMBER: I think  
3 particularly for like the CAC because  
4 we are going to be making  
5 recommendations too, it would be nice  
6 if we each could have a copy, the  
7 sitting appointed members on the CAC.

8 AUDIENCE MEMBER: I wouldn't  
9 go that far, Sharon.

10 MS. PEEK: What if you broke  
11 up the appendices into individual  
12 sections, and then labeled each of the  
13 chapters?

14 MS. MASCALI: We can make 19  
15 separate --

16 MS. PEEK: Yeah, then the  
17 people that want a separate chapter  
18 can just download that and separate  
19 out the graphics or something to make  
20 it easier for people to take a look at  
21 it. It would be great.

22 AUDIENCE MEMBER: The cost  
23 effective way of doing that would be  
24 maybe to make more DVD copies

1 available. That way people could use

Silo\_Public\_Hearing\_Transcript\_11\_17\_07.txt  
2 the search functions available through  
3 Acrobat and otherwise. On a cost  
4 effective business it is relatively  
5 inexpensive versus generating the  
6 paper of a hard copy.

7 CHAIRMAN FENN: Okay, should  
8 we close the meeting. We'll keep the  
9 hearing open.

10 MS. MIGNOLA: Move to close  
11 the meeting.

12 CHAIRMAN FENN: No, no, no  
13 we want to keep the hearing open.

14 MS. PEEK: No, no, we are  
15 keeping it open.

16  
17 (Whereupon, the  
18 above-captioned proceedings concluded  
19 at 12:26 p.m.)  
20  
21  
22  
23  
24

□

199

1 C E R T I F I C A T I O N  
2  
3

4 I, Karen Schmieder, a  
5 Certified Shorthand Reporter,  
6 Certificate No. 768, and Notary  
Page 170

7 Public, do hereby certify that I  
8 recorded stenographically the  
9 proceedings herein at the time and  
10 place noted in the heading hereof, and  
11 that the foregoing transcript is true  
12 and accurate to the best of my  
13 knowledge, skill and ability.

14  
15 IN WITNESS WHEREOF, I have  
16 hereunto set my hand this 19th day of  
17 November 2007.

18  
19  
20 KAREN SCHMIEDER, CSR, RMR  
Registered Diplomat Reporter

21  
22  
23  
24

□