

Description of the Proposed Action (DEIS Section 2.0)

2.1 Site Location and Description

Comment 2.1-1-GP14: Please note Table 2-1 and Figure 2-2 are inconsistent with respect to parcel number 860725 which appears on the map as agricultural lands and in the table as vacant/disturbed. This should be corrected. [Greenplan, Inc., Letter, April 6, 2008, Comment #14, page 4]

Response 2.1-1-GP14: Parcel 860725 has a New York State land use classification code of 120, “Agricultural – field crops” according to the Dutchess County Parcel Access property information card. However, this parcel is not currently in active agricultural production, and therefore its actual land use was identified in Table 2-1 as “vacant/disturbed.”

Comment 2.1-2-GP15: On page 2-14, the DEIS describes connections to the existing trail system in the western portion of the site. These connections are not shown on the overall plan and it is not described or mapped for the preferred alternative. The trail connecting to the proposed park at the former Amenia Landfill needs to be explained and mapped. Additional information including where parking will be located, who will be responsible for maintenance, will the trails be handicapped accessible and the width should be described in the FEIS. The applicant needs to clarify whether this is applicable to the preferred alternative as well and if these trails are being offered as a public benefit. [Greenplan, Inc., Letter, April 6, 2008, Comment #15, page 4]

Response 2.1-2-GP15: No trails are being designated for general public use. There are liability, safety and security issues associated with opening trails up on private property to the general public. Certain components of the resort are open to the general public, including the hotel restaurant and lounge, Village Green shops, and winery restaurant. As a guest of the hotel or a member of the public, reservations can be made through the resort operator for any of the available resort amenities, including golf and spa, with the exception of the private components of the Club facility. The golf course will also be available to the public on a limited basis.

Comment 2.1-3-GP16: The DEIS states that the western portion of the project site would remain wooded with trails available for public use. Page 2-14 describes the internal trail network, which links up to these trails. How will the project differentiate between public and private users/uses? [Greenplan, Inc., Letter, April 6, 2008, Comment #16, page 4]

Response 2.1-3-GP16: There are currently no plans for general public use trails nor is the Applicant seeking approval for general public use trails. There are liability, safety, and security issues associated with opening trails up on private property to the general public. Certain components of the resort are open to the general public and patrons of the resort would have resort amenities available for their use.

Comment 2.1-4-GP17: Page 2-15 describes a proposed shuttle connection between the resort and the Wassaic train station. This is not described for the preferred alternative. The applicant should explain if it this is applicable for the preferred alternative including the capacity of the shuttle, frequency of trips and whether it run weekday and weekend. The FEIS should include information on discussion with Metro North, if any, regarding the shuttle. [Greenplan, Inc., Letter, April 6, 2008, Comment #17, page 4]

Response 2.1-4-GP17: The Applicant is proposing to provide a shuttle, which will be privately operated by the resort operator. The resort operator will establish a private shuttle vehicle schedule based on needs of residents and guests. Metro North is identified as an Interested Agency in Section 1.3 of the DEIS and as such, they were sent a copy of the DEIS for review and comment. No formal comments from Metro North have been received. The Applicant contacted representatives of Metro North Transportation Authority (MTA) to inquire about any future plans to increase the frequency of trains. Vahak Khajekian of MTA responded that ridership is monitored almost daily and as demand increases, service will be increased. He also noted that the service increase may initially happen by adding cars to existing trains and could eventually lead to adding more trains.⁴ It is also noted that Metro North currently has plans to expand parking at the train station, although the timing and details of the expansion have not yet been established.

Comment 2.1-5-GP18: For the proposed action, the applicant was proposing to renovate the existing clubhouse. For the preferred alternative, the applicant is proposing to demolish the existing building. The applicant should explain why new vs. renovate and the impacts related to the demolition need to be detailed in the discussion of the preferred alternative. [Greenplan, Inc., Letter, April 6, 2008, Comment #18, page 4]

Response 2.1-5-GP18: An attempt was made to utilize the existing clubhouse building for the preferred alternative, but it did not fit into the design goals or program requirements that were established as the project advanced, and doing so would have required a complete overhaul. The footprint of the proposed clubhouse location was shifted slightly to the south, which allows for an open green space to the north with parking tucked below.

⁴ Conversation between Mike Dignacco and Vahak Khajekian of MTA on August 12, 2008.

Regarding the demolition impacts, building materials will be recycled to the greatest extent possible. The waste hauler for the project, Royal Carting, handles recyclable and non-recyclable solid waste removal. The construction waste will be handled by roll-off containers ranging in size from 12 cubic yard to 30 cubic yard boxes. The containers will be stored onsite in fenced-in areas near the buildings where construction is taking place. Stumps and wood chips can be placed in the same container. The final destination of this material is Greenway Environmental located in Poughkeepsie, New York.

The remaining construction debris can be placed in one container. This container would be transported to Royal Carting's licensed transfer station. Upon arrival, the materials would be sorted and recycled. Material that cannot be recovered would be ground up and used as fuel for the Dutchess County Waste-to-Energy plant. This facility produces steam and electricity that is sold to the local utility, Central Hudson, and is used in lieu of conventional fossil fuels. Royal's average recycling rate is between 80% and 90%, although it varies depending on the precise materials recovered during the collection process. Recycling efforts with respect to building materials are one of the aspects of the project that is anticipated to count toward the LEED (Leadership in Energy and Environmental Design) certification of the project.

Comment 2.1-6-GP19: Page 2-16 describes the condominium operation of the hotel. This is not described in the preferred alternative and the applicant should indicate if this is applicable as well to the preferred alternative. [Greenplan, Inc., Letter, April 6, 2008, Comment #19, page 5]

Response 2.1-6-GP19: Page 5-9 of the DEIS states that "as in the Proposed Action, the hotel [in the Traditional Neighborhood Alternative] will be operated as a condominium hotel."

Comment 2.1-7-GP20: The applicant should explain if the target market for the hotel units as described for the proposed action is the same for the preferred alternative. [Greenplan, Inc., Letter, April 6, 2008, Comment #20, page 5]

Response 2.1-7-GP20: Page 5-9 of the DEIS states that "This Alternative [the preferred alternative] is also intended to be built and heavily marketed as a second-home, resort style community, where the vast majority of residential unit owners are expected to be part-time residents who occupy their homes on weekends or for short vacation stays." This is the same description of the target market that was provided for the Proposed Action. The marketing study in Appendix D describes the target market for the project in more detail. Also see Response m-11-29A.

Comment 2.1-8-GP21: Page 2-17 described the size of the single family homes as ranging from 3,000 to 4,300 square feet. For the preferred alternative, they are described as ranging from 3,000 to 6,000 square feet. Why are the homes in the preferred alternative proposed to be bigger than the proposed action? Is there a possibility that all the single family homes can be 6,000 square feet? If so, has the visual impact analysis assumed a worse case scenario of 6,000 square foot homes? If not, the visual analysis will need to be revisited. [Greenplan, Inc., Letter, April 6, 2008, Comment #21, page 5]

Response 2.1-8-GP21: The preferred alternative (see Table 5-2 of the DEIS) and Sheet SP-4 of the MDP specifically identify the single-family home unit mix and range of sizes. The Applicant's market research indicates that it is advantageous to have a mix of unit sizes available, including several larger homes. The preferred alternative provides for 6 homes at 6,000 sf, and it is anticipated that no more than 6 of the homes would be 6,000 sf. Appendix G of this FEIS, "Visual Assessment and Simulations," included assessment of all of the single-family homes at the 6,000-sf size for a worst-case scenario.

Comment 2.1-9-GP22: Page 2-19 described the size of the townhomes as ranging from 2,000 to 2,800 square feet. The size of the townhomes is not described for the preferred alternative. This needs to be clarified. [Greenplan, Inc., Letter, April 6, 2008, Comment #22, page 5]

Response 2.1-9-GP22: Table 5-2 on Page 5-9 of the DEIS identifies the size of the townhome units as ranging between 2,000 and 2,700 SF.

Comment 2.1-10-GP23: The DEIS states that the project would be marketed to groups such as empty nesters. Will the units be designed for empty nesters to include items such as elevators in townhouses, one floor living, stacked closets, etc? How does the applicant intend to target this market? Where does this market exist? What other developments in this region will be competing for this same market? [Greenplan, Inc., Letter, April 6, 2008, Comment #23, page 5]

Response 2.1-10-GP23: Some units in the preferred alternative do have one-level living and some have elevators. In the Applicant's opinion, the marketing study included in Appendix D builds on the description of the target market discussed in the DEIS. Empty-nesters are one of the target demographics for the project but not the sole target. Also see Response m-11-29A.

Comment 2.1-11-GP24: The description of the preferred alternative does not contain the same level of detail as the description for the proposed action. For example, there is no discussion of utilities, purpose/objectives of the project sponsor, public need and benefits or affordability included for the preferred alternative. This

needs to be corrected for a full understanding of the preferred alternative. [Greenplan, Inc., Letter, April 6, 2008, Comment #24, page 5]

Response 2.1-11-GP24: Many of these details are similar to those of the Proposed Action. As with the Proposed Action, the preferred alternative includes a community water supply system consisting of groundwater wells, a water treatment facility, water storage tank, and water distribution system. An evaluation of the preferred alternative's anticipated water demand is provided in Section 5.2 of the DEIS. The overall water system layout plan is also provided in Section 5.2 (Figure 5-16). The proposed wastewater system is intended to serve the development with an on-site WWTP and collection system consisting of gravity sewers, low-pressure sewers, and force mains where necessary. The preferred alternative's wastewater system is fully described, evaluated, and illustrated in Section 5.2 of the DEIS (see Figure 5-17). The discussion of the preferred alternative's wastewater system also describes the Applicant's proposal to construct the WWTP with extra capacity designated for the hamlet of Amenia, such that when the hamlet ultimately installs sewers, as has been the Town's objective for many years, the treatment facility will be available for its use.

The objective of the Applicant with respect to the preferred alternative is to create a luxury resort on the project site consisting of a hotel, spa, residential units, championship golf course, golf clubhouse, winery and restaurant, and a public overlook allowing for enjoyment of views of the Harlem Valley. The Applicant has retained a team to design a project that will promote tourism and generate economic benefits to the Town. The WWTP is also a significant benefit to the Town in that it is the first step toward the Town achieving its long-time goal of providing sewers in the hamlet. Growth and vitality within the hamlet of Amenia has been limited by the lack of a sewer system. This prevents the kind of development density that would revitalize the downtown area. The provision of reserved capacity within the project's WWTP represents a significant cost savings to the Town.

The intended market and affordability of the preferred alternative are generally similar to those described for the Proposed Action. The target market is further described in Appendix D, the marketing study that was prepared for the alternative in response to public comments. Also see Response m-11-29A.

Comment 2.1-12-GP25: We note there is a provision for mandatory workforce housing in the new adopted Town of Amenia Zoning Code which is applicable to this project. The applicant needs to do an analysis indicating how this project conforms to §121-42 for the preferred action. [Greenplan, Inc., Letter, April 6, 2008, Comment #25, page 5]

Response 2.1-12-GP25: The applicant, by letter dated June 9, 2008, has offered the Town Board the WWTP with sufficient capacity to handle wastewater from the hamlet area. A WWTP is an integral component of a wastewater system, and with the project's proximity to the hamlet, the Town can make use of the WWTP that is being developed to serve the project. The provision of this facility by the Applicant removes the cost burden from the Town and allows the Town to focus on developing the sewer distribution system. Construction of a sewer system in the hamlet of Amenia will allow for increased density and infill development, which are key to the revitalization of the hamlet business center. This is consistent with goals of the Comprehensive Plan and the new hamlet plans being considered. Furthermore, in the Applicant's opinion, increased density and infill development will allow more lower-cost development to occur, providing a significant opportunity to develop workforce housing for Amenia's residents.

Comment 2.1-13-GP26: The applicant will need to revise the construction schedule to reflect realistic timeframes. For the preferred alternative, Figure 5-8 indicates approvals on 5/31/07. [Greenplan, Inc., Letter, April 6, 2008, Comment #26, page 5]

Response 2.1-13-GP26: The MDP includes a revised construction schedule that shows an approximate timeframe for construction of 5-1/2 years from approvals/permits.

Comment 2.1-14-41ZZ: The loss to the Town arising from the placement of the so-called "winery" at the curve on DeLavergne Hill (or the placement of the 19 townhouses north of Route 44) cannot be quantified. With respect to the "winery" and water plant, I respectfully submit that there is inadequate disclosure as to the placement of all of the elements related to the winery, and that a better characterization may be to denominate the facility as a bar. [Bart Wu, Letter, March 25, 2008, Comment ZZ, page 11]

Response 2.1-14-41ZZ: The Applicant provided detailed photosimulations of the winery/hillside area in the DEIS and has included updated simulations in this FEIS in response to comments (see Section 3.6 of this FEIS). Detailed elevations of the winery and vineyard cottage area are also provided in the MDP. The winery is intended to be a restaurant with a wine tasting room. The water storage tank will be buried and below ground except for needed maintenance access, which has been designed to be located within a retaining wall as part of the winery restaurant landscaping features. The intent is the have this access very discreet and screened.

Comment 2.1-15-41AAA: Where does the Sponsor plan to plant the grapes to process at the winery, and the processing equipment to press the grapes, bottle, label and store the wine? [Bart Wu, Letter, March 25, 2008, Comment AAA, page 11]

Response 2.1-15-41AAA: The winery is a “winery themed” restaurant. The applicant does not intend to manufacture wine but plans to have wine tasting events and a wine cellar. It is anticipated that the landscaping will include grapes planted to the south of the winery restaurant.

Comment 2.1-16-41EEE: If the winery or bar fails, how will the Sponsor ensure that the site won't become anything other than a dilapidated building or parking lot or wasteland? What contingencies exist, if any, to preserve the rural character of the location? Shouldn't the Sponsor be obligated to maintain the site, ensure that there is no deferred maintenance, or remove the building and lot and return the site to its original condition? If not, why not given the particularly visible location of the site? [Bart Wu, Letter, March 25, 2008, Comment EEE, pages 11-12]

Response 2.1-16-41EEE: Please see Response m-11-29A.

Comment 2.1-17-PHT: What long-term provisions have been made for maintenance and upkeep for the future, if for whatever reason the HOA fails and they don't have enough money? If these burdens for upkeep, roads, fire, police were to fall to the Town that would be a significant burden for the town. I think we need to know what's going to happen there. [Michael Peek, November 17, 2007 Public Hearing Transcript, page 86]

Response 2.1-17-PHT: All HOA Owners have the responsibility of paying Common Charges that include an amount for maintenance and upkeep of the Silo Ridge Facilities. The HOA will have a lien against the lots in the event of nonpayment of Common Charges. A lot cannot be sold without first satisfying all outstanding Common Charges. This will ensure that there is a continued provision that protects the priority of the maintenance and upkeep of the Silo Ridge Facilities. In the event that the funds collected from Common Charges by the HOA are insufficient, the Board of the HOA can assess HOA owners in an amount to pay the difference. In addition, the yearly budget can be revised to account for such shortfall.
