



Memorandum

To: Chairman Fontaine,
Planning Board Members,
and Town Consultants

Date: June 17, 2014

Project No.: 29011.00

From: DeCesare, Amanda
Edited by MAJ per request from
Norm Fontaine on 8/14/14

Re: Silo Ridge Project – Local and Regional
Plan Consistency

Local and Regional Plan Consistency

Town of Amenia Comprehensive Plan

The Town's consultants have raised concerns that the proposed amended MDP may be inconsistent with the Town of Amenia Comprehensive Plan (2007), particularly in relation to the reduction of the commercial and hotel components and the anticipated contribution of the project to local economic activity. However, as proposed to be modified, the project would generate economic activity, and advance several of the Town's other goals and objectives, including:

- *Goal 2. To establish a business-friendly attitude and commitment that:*
 - a) *Will attract and support the development of retail, small business, service businesses and even light industry.*
 - b) *Will create employment opportunities (especially for young people), and*
 - c) *Will increase tax revenues.*
- *Goal 4. To encourage more housing – low, affordable, moderate-income, high-end, and rental – to create a genuinely multigenerational community.*
- *Goal 5. To maximize our strengths and attract tourists, shoppers, athletes, lovers of good food and wine, historians, and other money-spenders.*
- *Goal 6. To forge a strong positive public consensus about the future of Amenia so that we will live up to the commitments we make, enforce the laws/regulations we have, and consistently support community pride.*

Under the proposed MDP, the project will continue to be a world-class, primarily second-home, resort community nestled within an extraordinary framework of natural features and the existing golf course. Like the approved project, the Modified Project will introduce a new type of housing opportunity within the Town, thereby advancing Goal 4. This unique, high-end housing would bring new residents and significant discretionary spending potential to the Town. Given the close proximity to the hamlet and smaller on-site commercial component, these residents will likely patronize local service providers, shops and restaurants, and would help provide a stable customer base for local

businesses. Since the residences will primarily be second homes, most residents will be “vacationing” when at the resort community, and therefore likely to also partake of the area’s tourism, shopping, recreation, food and historic destination opportunities. This will generate economic activity that will support Goal 2a, 2b, and Goal 5 and serve, in the words of the Comprehensive Plan, to

“enhance the Town’s reputation as a location for vacationing and for country homes that are easily accessible to New York City. It will provide needed local employment opportunities and a boost to the community’s tax base. With the right mix of uses and with sewers in the Hamlet of Amenia, it will also add economic synergy between the existing population and businesses in the Hamlet of Amenia and the new residents and businesses that will locate on the golf course property. This synergy will be good for business in Amenia.”

The operation of the resort community would also generate direct employment opportunities, advancing Goal 2.b. The applicant estimates that the resort community would employ approximately 125 people in full time positions and approximately 75 people in part time positions ranging from management, marketing and finance, to grounds and facilities maintenance. In addition, certain maintenance and repair services would be expected to be contracted out to local firms, supporting additional local employment.

As detailed in the fiscal impact analysis, the Modified Project would also generate substantial surplus tax revenue for both the Town and the Webutuck Central School District, advancing another key component of Goal 2. The Comprehensive Plan specifically notes the positive fiscal and economic contribution from second-home owners:

“While the Town needs to keep its middle-class families, it also benefits from the presence of a large number of second-home owners and retirees, who pay taxes but do not send children to school. These residents generally contribute more in taxes than they consume in municipal services. They also employ many local service workers and spend money in the community.”

In addition to advancing Town economic development objectives, the Modified Project responds to the recommendations of the Comprehensive Plan related to natural resources protection. The Comprehensive Plan notes:

“It is important to the other goals of Amenia’s Comprehensive Plan that these developments be designed in a way that does not detract from the scenic character of the community. Protection of most of the landscape as open space, either as recreational land for golf, or forest lands, or for farming and equestrian activities, will help maintain the scenic character of what is widely regarded as the Town’s most important viewshed.”

Under the proposed MDP, over 541+ acres of land would be preserved (including forest and golf course/recreation area), helping to preserve the scenic character of Amenia. This is another significant benefit, since, as the Comprehensive Plan notes, the Town’s role in open space preservation is limited by fiscal constraints. The Comprehensive Plan therefore encourages the kind of private preservation of open space resources that the Modified Project represents.

The proposed MDP, although not consistent with all traditional neighborhood development (TND) design principles, has been designed

“to achieve a compact pedestrian-oriented layout that preserves open space and reduces driving. With such a layout, residents would be able to arrive by train from New York City and take shuttles to the new developments and to the revitalized Hamlet, where they could meet most of their needs on foot.”

As discussed in the accompanying memorandum on TND, the Special Use Permit and Master Development Plan Findings Statement (the “Approved Special Permit Findings”) adopted for the project by the Planning Board on June 25, 2009, specifically identifies the resort core area as a “major component” of the project that is consistent with TND principles, primarily due to walkability. In the Modified Project, the pedestrian-oriented nature of the community core is not proposed to substantially change. In the Modified Project, the majority of the residences (60%) are located in the core area within ¼ mile (often used as approximation of a 5-minute walk) of the Village Green. The project site’s proximity to the Wassaic Metro North station promotes travel by train.

There is no proposal at this time to link the Rail Trail to the project site.

Reduction in Commercial Component

The reduction in the on-site retail component is expected to have a positive benefit by encouraging greater patronage of local businesses by residents, instead of capturing resident discretionary spending on-site. In fact, concern about on-site retail competing with hamlet businesses was noted during the EIS process, and the retail use eventually approved was limited so that the vitality of the hamlet would not be compromised. The proposed reduction in on-site commercial space will further limit the potential competitive impacts and encourage additional patronage of hamlet businesses, creating the type of synergy between the new residents and existing hamlet businesses described in the Comprehensive Plan.

An associated comment was also made regarding Special Use Permit condition #3, which stipulates that building permits for the Vineyard Cottages cannot be issued until after construction of the Village Green area buildings commences. The intent of that condition is to ensure that construction starts in the core of the resort community. Under the proposed MDP, the Vineyard Cottages will not be constructed in the first phase of the project, which will encompass the core area, consistent with the current Special Use Permit condition. The change to the commercial component will not contravene this condition.

The number of lodging units will be significantly reduced, but this will not contravene the Town Zoning Law or Comprehensive Plan. The lodging will still be hotel-condominium units, and be available for public accommodation subject to the limitations of the Town Zoning Law.

Public Access

The lodging units will continue to be available for use by visitors to the resort community, and the Winery Restaurant and Artisan’s Park Overlook will continue to be available to the general public. Access to the site is restricted under the current approved plan and the Approved Special Permit Findings of the Planning Board recognize the largely private nature of the resort, noting that the “project is providing limited on-site recreational amenities which will be largely unavailable to the public.” The proposed change in public access will not change the overall character of the project as a private resort community centered on the enjoyment and appreciation of the site’s scenic, natural and recreation resources. The extent of public access now proposed is typical of private resort communities.

Sewer in the Hamlet of Amenia

The Comprehensive Plan discusses opportunities for change, including the need for a sewer system in the hamlet of Amenia.

As a result of discussions with the Town Board and the Town’s determination that connection to the project wastewater treatment plant would be cost prohibitive, the applicant no longer proposes to provide extra capacity at the plant to serve the hamlet of Amenia. Instead of providing treatment

capacity, the applicant will pay a fee in lieu of providing workforce housing into a dedicated Town workforce housing trust fund. In addition, the owner of the project site continues to work closely with the Town to help it achieve the goal of sewer service for the hamlet.

Dutchess County Master Plan

The Dutchess County Planning Department prepared a Master Plan in 1987, entitled *Directions: The Plan for Dutchess County*. The Plan identifies 14 areas for which specific goals have been identified, each with specific policies to help achieve a balance between economic growth and environmental responsibility.

1. Community Values Goal: To create strong, healthy communities that facilitate supportive interpersonal communications, enhance an individual's sense of wellbeing, support and encourage strong families, and provide an environment wherein people can understand and respect one another.

The SEQRA process guarantees that concerns of residents regarding the Silo Ridge Resort Community will be addressed. This was achieved through public hearings and comment periods, which allowed for these concerns to be addressed in the Environmental Impact Statement. A public hearing will be held for the Modified Project.

2. Demography Goal: To provide for anticipated population growth, while allowing for the orderly and reasonably-timed expansion of community services to accommodate this growth.

In support of this goal, the Applicant utilized nationally recognized demographic multipliers to estimate population and employment that will be generated by the Silo Ridge Resort Community. This information was used throughout the SEQRA process to safely and efficiently plan for potential impacts on land use resources, such as open space and wetlands, and community services, such as the surrounding transportation infrastructure and police, fire, and EMS resources, which may result from the proposed development. All of the above-mentioned impacts have all been reanalyzed for the Modified Project.

3. Regional Perspective Goals: 1) to foster Mid-Hudson regional identity and cooperative activity; and 2) to maintain and improve the beauty of the Hudson River shoreline.

The development of a high-quality resort community will attract tourists and visitors to Amenia and increase the economic strength of the tourism industry in Amenia and the County as a whole.

4. Economic Base Goal: To preserve and strengthen the economy of Dutchess County, and to encourage a growing and increasingly diversified economic base.

The proposed project will generate considerable economic benefits through its impact on tourism. The project will enhance the tourism industry in Amenia and Dutchess County via the golf course and the development of a luxury residential community. Direct and indirect benefits of this increased economic activity will be felt throughout the region. As per the revised Fiscal Impact Analysis the project is expected to generate a considerable tax surplus for the County, the town and the school district. In addition to generating income from local expenditures, the project will generate a

substantial number of direct and indirect jobs during and after construction is finalized throughout Dutchess County.

5. Natural Resources Goals: 1) The water resources goal is to preserve and maintain the quantity and quality of the County's surface and groundwater resources; and 2) the land resources goal is to protect the County's soils, prime and important agricultural lands, steep slopes, and significant natural areas, and to preserve the health and usefulness of the County's forests.

Dutchess County advocates local measures that prevent increases in stormwater runoff volumes and rates as development occurs:

Through the use of Best Management Practices and an efficient on-site drainage design, the Silo Ridge Resort Community will not result in an increase to stormwater runoff volume or rate. Furthermore, the Modified Project is designed to be in compliance with NYS SPDES General Permit, GP-0-10-001.

Dutchess County advocates vigorous enforcement of the NYS Freshwater Wetlands Act by state, and where appropriate, local or county government:

The Proposed Action will comply with all applicable local, State, and Federal wetland regulations.

Dutchess County advocates the protection of wetlands and their buffers from development activities:

The layout of the Silo Ridge Resort Community is designed to maximize preservation of wetlands and wetland buffer areas. The proposed project will affect a total of approximately 0.02± acres of onsite natural wetlands and 0.18± acres of onsite constructed wetlands.

6. Water Supply and Waste Disposal Goal: To ensure adequate long-term supplies of clean, reasonably priced water and environmentally sound disposal of wastes.

Dutchess County encourages development in those areas supported by central water and sewer services, commensurate with the compatibility of existing land uses and the capacity of roads and other services to accommodate the development:

The Applicant proposes to serve the Silo Ridge Resort Community with onsite water and wastewater systems. The project site is located in an area of existing residential and recreational uses and will therefore serve to reinforce existing land development patterns by maintaining large portions of the site as open space.

The proposed internal road system has been designed in accordance with the Town Code, as applicable, and with input from local emergency service providers to ensure the safe movement of traffic on-site and that site access connections are located at areas that provide adequate site distance for entering and exiting vehicles.

Dutchess County supports conscientious enforcement of the State Pollution Elimination Discharge Elimination System (SPDES) to maintain and restore the quality of our water resources:

Through the use of Best Management Practices and an efficient stormwater and drainage design, the Silo Ridge Resort Community will maintain the quality of Dutchess County's water resources. Furthermore, the Modified Project is designed to be in compliance with NYS SPDES General Permit, GP-0-10-001.

Dutchess County encourages the recycling of waste materials:

The Silo Ridge Resort Community will be in compliance with applicable Town of Amenia regulations and requirements for the recycling and/or hauling of waste materials.

Dutchess County supports the protection of all surface and groundwater resources regardless of present usage.

The Silo Ridge Resort Community will maintain the quality of surface and groundwater resources on the project site.

7. Land Use Goal: To promote a land use pattern that strengthens existing centers, protects important natural resources, maintains an efficient transportation network, provides for economical services and facilities, fosters an orderly pattern of growth and development, and helps each community protect its community values and maintain its distinct identity.

Dutchess County encourages the maintenance and strengthening of the traditional community centers within the county.

The proposed resort community will encourage economic growth in the nearby Hamlet of Amenia as a result of project-related employment and spending. It is anticipated that the additional population from the project will help sustain local businesses.

Dutchess County supports the meaningful use of the State Environmental Quality Review Act (SEQRA) in the review of all development proposals. Municipalities should clearly outline the conditions for review in their local plans and regulations.

The Proposed Action will comply with the SEQRA process and regulations.

8. Transportation Goal: To maintain and enhance the existing transportation system, to encourage alternative means of transportation, to maintain a coordinated, effective, efficient and comprehensive public transportation system, and to ensure that future improvements are a positive force in shaping the physical, social, and economic environments.

Dutchess County supports the establishment of transportation system management techniques to conserve energy, improve air quality and preserve the traffic volume capacities of existing transportation systems.

The Applicant is proposing to provide a shuttle connection between the resort and the Wassaic train station and potentially to a location within the hamlet of Amenia.

The shuttle would be owned and operated by the proposed project and would allow people from the New York City area who either wish to stay at the hotel or who own residential units at the resort to travel to their destination without the use of a personal vehicle. It could also allow project occupants to travel to the Hamlet without use of a car.

9. Housing Goals: To provide housing alternatives for all residents, which ensure in construction and environment, variety affordability, and accessibility.

Dutchess County encourages municipalities to locate new housing within easy access to services and employment.

The Silo Ridge Resort Community will be located off of NYS Route 22 and US Route 44 approximately 1-mile from the hamlet of Amenia, allowing easy access to a variety of service and employment opportunities.

Dutchess County advocates housing design that is visually compatible with its environment.

The Silo Ridge Resort Community will feature a design and layout that will reduce the visual impact of the project and preserve existing vistas and open space areas to the greatest extent possible. Proposed buildings will generally be situated along the edges of the golf course and at the base of hillsides, and will incorporate natural building materials and earth-tone colors to enhance the development's compatibility with the natural environment. Onsite landscaping will feature a combination of deciduous and evergreen trees and shrubs, including a mixture of vegetation types of varying heights along the roadways and near most proposed structures to add interest and diversity to the landscape. Likewise, streetscapes will be supplemented with a variety of deciduous trees to enhance the area's aesthetic appeal and maintain the region's rural character.

10. Community Facilities Goal: To promote the maintenance, enhancement and development of community facilities and services that meet the needs of as many people as practicable in the most cost-effective way.

The Project will provide approximately \$1 million (conservative estimate) in net revenue to the Town of Amenia, including for police and fire services, which could be used to cover the cost of increasing staff and/or purchasing new equipment to adequately service the project.

11. Recreation and Open Space Goal: 1) To meet the recreational needs of all of the county's residents in a way that fulfills community goals, maximizes accessibility, and minimizes public costs; and 2) to preserve an interconnected system of permanent open space that protects significant cultural, scenic and natural features and provides physical separations between adjacent communities within urban and suburban areas and to maintain the open, forested and agricultural atmosphere in rural communities.

Dutchess County encourages the maintenance of open space as a technique for preserving unique ecological features, such as floodplains, wetlands, steep slopes and major aquifers.

The layout and design for the proposed project allows for the preservation of approximately 541± acres, or 80% of the site, as open space and recreational lands, which will maintain the integrity of sensitive environmental features. The Proposed Action will disturb approximately 0.02± acres of onsite natural wetlands. Although a small section of the existing boulevard entrance and golf course is located within a floodplain, no future development is proposed for this area; there is a net increase in storage capacity within the floodplain. Furthermore, the Modified Project has reduced disturbance within the floodplain by approximately +/- 3.3 acres.

Further, the Applicant proposes to cluster single-family units along the edges of the golf course, both in order to preserve the golf course and to minimize the environmental and visual impact of the residential development by following the site's topography. In addition, the use of a community water system will prevent potential impacts to aquifers, and the sewage treatment system will not affect groundwater quality or the wetlands, as it will be designed and approved to meet the criteria established by the Dutchess County Health Department and the New York Sanitary Code.

12. Historic and Cultural Resources Goal: To promote the historic and cultural heritage of Dutchess County and to preserve significant artifacts, records, landscapes, structures, and sites.

Dutchess County supports the identification of all historic sites and the development of historic place inventories.

Dutchess County encourages research into this area's historic and cultural heritage.

The Applicant commissioned a Phase 1A and 1B Archaeological Survey of the site to assess the historical and archaeological resources, as described in Section 3.5, "Cultural Resources." The investigation revealed two historic archaeological sites within the project area: Temporary Site 3662-01 and Temporary Site 3662-02. Phase 2 testing of NY SHPO Site A02701.000082 (aka Site 3662-2) was conducted in September 2013. The applicant determined that the archaeological site can be avoided; a 25' buffer is established for the site. The Island Green Pond and Quarry Pond have no historical significance regarding or as iron ore so perimeters can be changed as needed to connect and for other golf and drainage improvements.

13. Energy Goal: To promote conservation and the efficient use of existing energy supplies while encouraging the development and use of less polluting, less costly, and locally produced renewable energy resources.

Dutchess County encourages energy-efficient land use patterns, site designs and building construction.

The Silo Ridge Resort Community will use new energy-saving features and will incorporate designs to maximize energy efficiency and reduce energy usage, where possible. Some of the features that may be included in the project design include:

- *Use of solar energy to heat water in south-facing walls;*
- *Use of low-albedo roofing materials to reduce heat gain on roofs; and*
- *Optimization of building siting to take advantage of natural ventilation and maximize sunlight on southern exposures, where possible.*

The Applicant also intends to pursue the use of ENERGY STAR-rated Home Building Contractors and Hospitality Partners. Facilities that earn the ENERGY STAR must meet guidelines for energy efficiency set by the U.S. Environmental Protection Agency (EPA). ENERGY STAR-qualified homes are at least 15% more energy efficient than homes built to the 2006 International Energy Conservation Code. ENERGY STAR qualified facilities can include a variety of energy-efficient features, such as effective insulation, high performance windows, tight construction and ducts, efficient heating and cooling equipment, and ENERGY STAR-qualified lighting and appliances. These features have been proven to contribute to improved home quality and comfort, and to lower energy demand and reduce air pollution.

14. Site Planning Goal: To achieve consistent high-quality site planning in Dutchess County in order to promote beauty, order and harmony, to ensure compatibility with surrounding land uses, and to provide a visual and natural environment that will encourage economic stability and growth.

Dutchess County supports site designs which compliment neighboring land uses, emphasizing functional connections whenever possible. Specific design considerations have been proposed to help reduce the visual impact of the proposed resort community, such as making use of existing topography and vegetation to screen buildings and the addition of decorative landscaping.

Large portions of the project site will be landscaped, converted into recreational lands and amenities, or left undeveloped. For example, the ridgeline in the western portion of the project site has been kept free of development for both visual and environmental protection and to provide opportunities for recreational uses and hiking trails. In addition, the Applicant proposes to cluster single-family units along the edges of the golf course, both in order to preserve the golf course and to minimize the environmental and visual impact of the residential development by following the site's topography.

Off-site pedestrian circulation systems in proximity to Silo Ridge include sidewalks in the Amenia Hamlet and the Harlem Valley Rail Trail, which runs northeasterly through an area nearby the eastern sections of the project site. As the only route between Silo Ridge and these systems would require crossings and travel along US Route 44 and NYS Route 22, where there are no pedestrian facilities, it is outside the Client's control to provide direct pedestrian links to them. At present, the nearest access point for the Harlem Valley Rail Trail is in the Hamlet of Amenia, which Silo Ridge residents and visitors could access with provision of a shuttle service, which is being considered for the project site. There is sufficient road width along these roads to support both pedestrian and bicycle use if the State Department of Transportation were to develop the necessary facilities. The Dutchess County and New York State Departments of Transportation have been establishing bike routes and walking paths along many roadways, with bicyclist sharing the rights-of-way with motor vehicles. NYS Route 343 is a designated bicycle route, and US Route 44 and NYS Route 22 are under consideration for future bicycle and pedestrian routes.

Dutchess County supports the conscientious use of the State Environmental Quality Review Act (SEQRA) to gain a full understanding of economic and environmental issues and to make potential concerns open to public involvement and comment.

The Applicant is in compliance with SEQRA regulations and the timeline designated by SEQRA requirements.

Dutchess County advocates use of scoping sessions as a preliminary step in the environmental impact evaluation process.

The Applicant is in compliance with SEQRA regulations and the timeline designated by SEQRA requirements.

Dutchess County supports the implementation of specific erosion control measures in site plans as outlined in the Dutchess County Erosion and Sedimentation Control Manual.

The Applicant will implement erosion control measures through the use of Best Management Practices (BMPs) and in compliance with the "NYS Standards and Specifications for Erosion and Sediment Control".

Dutchess County supports the limitation of stormwater runoff from all commercial, high density residential, industrial and office park areas so that natural runoff characteristics can be maintained.

Through the use of a Stormwater Pollution Prevention Plan, the development will maintain the overall destination of stormwater runoff from the site's watershed.

Dutchess County encourages the siting of residential buildings on lots that front on low-volume roads that are specifically designed for residential access.

Residential buildings will be sited along internal roadways, which will be designed in accordance with the Town Code, as applicable, to ensure safe movement of traffic onsite, and site access connections are located at areas that provide adequate site distance for entering and exiting vehicles.

Dutchess County supports subdivision road widths that are appropriate to the scale of the development.

Onsite roadways will be privately owned and therefore do not need to meet Town roadway specifications. However, the interior roadways will be designed to meet the needs of emergency providers.

The policies established for the County's goals for Community Facilities are not applicable to the proposed project. Finally, although the proposed project will comply with all Federal, State, and Local environmental protection laws, it does not meet the County's complete statement of objectives of the policies for the Natural Resource, Land Use, and Site Planning Goals.