

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.

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CHAIRMAN FENN: Good

morning. We would like to open this public hearing in connection with the Silo Ridge Project. The exits are all marked on two sides of the room here.

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

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

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

So if you would like to do that.

MR. HAYES: George, actually
Page 2

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

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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

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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.

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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

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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

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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.

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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

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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

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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

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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

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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

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point there's an optional hearing.

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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

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1 why we are here today.

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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

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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

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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

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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

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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

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time.

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Yes.

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

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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

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

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

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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

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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

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will be treated exactly the same way

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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,

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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

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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

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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?

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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

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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.

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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

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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

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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
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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

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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

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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

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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.

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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

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for several years.

20
21 I would welcome after this
22 to meet with the developer and their
23 advisors and share my particular
24 expertise in that area, which I think

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

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

20 MR. FLEXNER: Well,
21 obviously, if the first scenario, if a
22 large-scale development were
23 undertaken and failed, you know I
24 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

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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

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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?

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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

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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,

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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

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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

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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

11 size doesn't fit the character of this
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?

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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

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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

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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

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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

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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.

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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.

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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

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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

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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.

□

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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

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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,

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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

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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

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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

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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

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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

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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.

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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

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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

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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.

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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

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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

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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.

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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

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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

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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

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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

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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
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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

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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

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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

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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

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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

Silo_Public_Hearing_Transcript_11_17_07.txt
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

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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

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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.

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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

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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

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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

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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

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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

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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

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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

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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.

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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

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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

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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

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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

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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

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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?

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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

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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?

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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

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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.

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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

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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

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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

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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

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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

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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

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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.

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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
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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

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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

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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

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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

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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

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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

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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

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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.

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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,

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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

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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.

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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.

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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

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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

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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,

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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.

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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

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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

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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

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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

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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

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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

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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

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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

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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.

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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

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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

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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

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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

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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

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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.

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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

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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.

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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

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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

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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

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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

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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

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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.

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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

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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

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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

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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

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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.

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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?

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1 (None).

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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

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submit comments.

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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

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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

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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

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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

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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

Silo_Public_Hearing_Transcript_11_17_07.txt
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

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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

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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

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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
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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.)
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23
24

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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
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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

□