

### Section 3.12 Recreation, Open Space, and Tourism

**Comment 3.12-1-PHT:** Silo Ridge made it quite clear this will be an exclusive community, a gated community according to their DEIS. When asked by the Planning Board to Silo Ridge how someone would be able to get onto the property, say play golf or use the restaurant, the answer was they would have to be invited guests of property owners to get past the gatekeeper. Also, is there going to be public access to Silo Ridge's nature trails that were discussed in the DEIS? [Elizabeth Whaley, March 5, 2008 Public Hearing Transcript, page 72] I do have serious concerns about a gated community happening here with this kind of development and some of the other large developments that they do have. [Cheryl Morse, November 17, 2007 Public Hearing Transcript, page 146]

**Response 3.12-1-PHT:** The Silo Ridge Resort Community hotel including restaurants, Village Green shops and the Winery restaurant are all open to the public. Guests of the resort hotel have access to all resort amenities except the private components of the Club. The golf course will be available to the public on a limited basis. The Applicant believes that it is necessary for the Silo Ridge Resort Community to have controlled access points into the resort for safety and security reasons for residents and visitors alike. Each access point is addressed below:

Main Entrance: In order to log in guests and visitors of the resort, the intent is to have the main entry Welcome House manned with customer service/security personnel. The exact protocol has not been fully established but the main purpose is for the resort personnel at the Welcome House to know who is on the grounds of the resort.

The Hotel, including its restaurant and lounge, Village Green and Village Shops are all open to the general public. When someone from the general public is visiting the resort they would simply check in with the Welcome House and then be welcomed to visit the areas open to the general public. Reservations will be required for other facilities within the resort; therefore access to those facilities will be granted with the appropriate reservations. Again, the exact protocol has not been fully developed for these elements.

The current vision is a simple, attractively appointed, unobtrusive gate somewhere past the Welcome House to help the Welcome House personnel control access. A big gate system is not desired, as the intention is to maintain the country feel and welcome atmosphere with an underlying sense of safety and security.

Secondary Entrance: This entrance point, located south of the main entry on Route 22, would be unmanned and controlled via some sort of electronic

device for residents only. This is a private entry point. Again, this would be a simple, unobtrusive and attractively appointed gate with natural landscaping blending this area in with the surrounding habitats.

Winery Restaurant: This will have a landscaped entry drive that is fully open to the general public, including access to the Artisan's Park overview area, which is accessible from the parking area at the restaurant via a nicely landscaped path.

Vineyard Cottages: Both the east and west access points would be unmanned utilizing a simple, unobtrusive and attractively appointed gate with natural landscaping blending this area in with the surrounding habitats.

**Comment 3.12-2-PHT:** I'm wondering if there will be permitted use of ATVs and snowmobiles in winter on recreation trails that might be developed. I'm also wondering if the resort will offer corporate hunting parties to draw attendance. If the economy doesn't support your vision as it is, there is nothing to prevent such an endeavor from occurring to bring people into this locale. I have concerns about that. [Cheryl Morse, November 17, 2007 Public Hearing Transcript, page 140]

**Response 3.12-2-PHT:** Use of snowmobiles and ATVs on the property by residents and guests will be prohibited. ATVs will be used by Silo Ridge Resort Community personnel on an ongoing basis for maintenance, security, and transportation. Snowmobiles may be used by Silo Ridge Resort Community personnel for maintenance, security, and emergency transportation. During construction, ATVs will also be used for transportation and security.

Corporate events at the resort are anticipated; however, no on-site hunting would occur. The resort will have alliances with offsite hunting venues designed for this purpose.

**Comment 3.12-3-PHT:** The second issue I want to address is open space. I looked at the map that was presented in the MDP for open space. I sort of roughly overlaid it on another map that I found that had some topographical lines on it. It seems to me that a substantial part of the open spaces are steep slopes. Some of them are wetlands. Some of them include the golf course. My question to both the Planning Board and the Comprehensive Plan Committee is, what is the spirit of this open space requirement? When we talk about putting aside 80 percent open space, should that not be 80 percent of buildable land? Do you sort of get a free ride by buying all this ridgeline unbuildable land and including that in your calculation? It seems to me as if there's a lot of sort of jiggling of numbers here to qualify for the 80 percent open space by including things like unbuildable lands, such as wetlands and steep slopes. As I think about open space, I also would like the Planning Board

to be thinking about what is the purpose of preserving open space. Is it purely for viewshed preservation, in which case maybe a golf course is reasonable to qualify? I think these are all questions that need to be addressed in the basic decision as to whether or not the proposal really qualifies under the resort overlay. [Steven Benardete , March 5, 2008 Public Hearing Transcript, page 33]

**Response 3.12-3-PHT:** The project complies with the open space requirements as outlined in the RDO District regulations, which identify water resources, ridgelines, and golf courses as among those resources either to be protected or that may be included. The revised open space plan included in the April 2008 MDP recognizes the different functions of “open space” in response to comments by Dr. Klemens, the Town’s ecological consultant. The plan now differentiates between “natural” protected open space (approximately 320 acres), “fields/meadow/re-vegetated” protected open space (43 acres), and “golf course” protected open space (approximately 174 acres).

**Comment 3.12-4-38Q:** Row upon row, section upon section of Multi-story Townhouses (over 350) have no business being so condensed on our most revered Rural Hillside. Density incentives which include already developed space (170 acre golf course) as part of new open space credits are outrageous. Removing the golf course and un-buildable ridge-line areas from open space credits = Mitigation [Patrick J. Nelligan, Letter, March 24, 2008, Comment Q, page 6]

**Response 3.12-4-38Q:** Please see Response 3.8-2-PHT.

**Comment 3.12-5-41RR:** With respect to the increased number of children, how much does it cost to enlarge or build additional parks and playgrounds to service this segment of the population? [Bart Wu, Letter, March 25, 2008, Comment RR, page 10]

**Response 3.12-5-41RR:** Comment noted.

**Comment 3.12-6-34M:** Regarding DEIS Figure 5-9. The conceptual open space plan needs to be redrawn to indicate my previous comments. [Dr. Michael W. Klemens, LLC, Letter, March 18, 2008, Comment M, page 3]

**Response 3.12-6-34M:** Please see Response 3.12-3-PHT. A revised open space plan is included in the April 2008 MDP (see Appendix M).

**Comment 3.12-7-15E:** The economic impact of the clustered housing at Silo Ridge as well as the hotel will support many jobs as well as establishing Amenia as a travel/resort destination similar to those in Vermont, New Hampshire, and Maine. This is the first positive economic impact to the town since the decline of dairy farming which was the main economic source for many years. [Rudolph Eschbach, Letter, January 24, 2008, Comment E, page 1]

**Response 3.12-7-15E:** Comment noted.

**Comment 3.12-8-39B:** A presentation to potential investors by Millbrook Global Capital, (an affiliate of the Applicant), has been viewed by several individuals personally known to me. That presentation states that all amenities of the Project are designed for exclusive use by residents and their guests. Golf membership will be offered only to residents of the Project. There will be no outside membership in any amenities of the Project. Nowhere in the DEIS is there any statement by the Applicant that contradicts this representation. What representation will the Applicant or its affiliates make to prospective purchases regarding the amenities? If the existing facilities at Silo Ridge, including the golf course and restaurants are closed to the public, this will have an impact on the recreational resources in the Town and also negatively affect tourism. What facilities will be available to the public, if any, and on what terms and conditions? [Steven Benardete, Letter, March 24, 2008, Comment B]

**Response 3.12-8-39B:** The project will not include public trails, but other site amenities will be open to the public. The golf course will also be available to the public on a limited basis. The golf course will cease to operate if operate in the current state. Please see Responses m-11-29A and 2.1-2-15GP.

**Comment 3.12-9-25B:** The design team should be applauded for reducing the impacts on open space and the area covered by impervious surfaces. The 15% impervious surface limitation would allow approximately 100 acres of built surfaces, a very large area indeed. So a reduction to 6% is a great improvement in the TNA plan. Meeting the 80% open space requirement is also critical in light of the process that occurred with CPIC in which Silo Ridge appealed for the inclusion of not only the golf course, but also the blacktop golf cart paths in the open space calculation. [Mark Doyle, Letter, March 24, 2008, Comment B, page 1]

**Response 3.12-9-25B:** Comment noted.

**Comment 3.12-10-25H:** The applicant has indicated that access to the golf course will be very much restricted. The DEIS does not describe the impact of eliminating this recreational amenity for Amenia residents. The area calculations in the Recreation section include the golf course as if it is to remain open to the public. Beyond the raw numbers, this amenity is very important to many residents and the DEIS does not describe the impact of having to travel further a-field, not to mention the loss of community spirit should the course be closed to the annual golf days held by local cultural and educational institutions. [Mark Doyle, Letter, March 24, 2008, Comment H, page 2]

**Response 3.12-10-25H:** The Town's Zoning Law does not distinguish in its requirement for open space between public and private open space. Please see

Response 3.8-2-PHT. Golf courses are considered open space according to the Town, without respect to their ownership. Furthermore, although the golf course is currently open to the public, it is a privately owned course and as described in the “No Build Alternative” in the DEIS, the golf course may or may not continue to operate on the project site even if the proposed project were not implemented.

The Applicant anticipates that the resort will continue to be involved in community events in the future. The golf course will be available for public use on a limited basis.

**Comment 3.12-11-27D:** According to the DEIS, “There are no formal proposals at this time for creating conservation easements or for the formal dedication of onsite open space.” A distinction should be made between areas that will be used intensely by residents and visitors and those outlying areas of forested hillside and open fields that will be less intensely trafficked and would continue to persist in their more “natural” state. Despite the Applicant’s stated commitment to “protecting the site’s natural resources and recreational opportunities” permanent conservation easements would ensure the continued stewardship of the designated open space. Particularly, the outlying acreage, and allow public access to the trails in the area. [Noela Hooper, Dutchess County Department of Planning, Letter, March 25, 2008, Comment D]

**Response 3.12-11-27D:** The Applicant is required to create a conservation easement to include all open space areas within the 80% requirement. The easement will be created in a later review stage of the project, as more specific details are developed. Sheet SP-5 of the April 2008 MDP shows that there are three separate categories of open space, including natural, fields/meadow/re-vegetated, and golf course. There are currently no plans for general public use trails nor is the Applicant seeking approval for general public use trails. There are liability, safety and security issues associated with opening trails up on private property to the general public. However, as described in Response 2.1-2-15GP, several components of the resort will be open to the public.

**Comment 3.12-12-30A:** I think the relationship of this development to the town needs to be looked at and made as broad as possible so that once it is built it is not a closed community isolated within the town, and open only to resort residents and those who come to spend on shopping, eating, or the spa. As a property owner in Amenia, I am concerned that the conversion of the public golf course to a private one and planned construction of residences and facilities, and greater traffic volume, will subtract from what I now have as a resident of Amenia. The asset of a nice public golf course and easily accessible restaurant will be gone as will the

natural beauty of that hillside as it is today. [Tracy Salladay, Letter, March 25, 2008, Comment A]

**Response 3.12-12-30A:** Comment noted. For discussion of public access see Response m-11-29A. For discussion of traffic volumes see Section 3.7 of the DEIS and Response 3.7-23-31S.

**Comment 3.12-13-30B:** Could the hiking trails of open space # 1 be seen as not only a resort feature but something to share with town residents. The current plans don't show how to get to these trails, Perhaps a parking area for the trails could be created off the DeLavernge hill, and require a resident sticker, that could be obtained by residents either within the resort or within town limits? [Tracy Salladay, Letter, March 25, 2008, Comment B]

**Response 3.12-13-30B:** Please see Response 2.1-2-15GP.

**Comment 3.12-14-30C:** And could town residents have access to tennis courts and the skating pond (or maybe a bigger more featured skating area)? And could the lookout, instead of being the top of a water containment utility, be a design to function also as an amphitheater? (The location of this feature I would like to see moved from the horseshoe). [Tracy Salladay, Letter, March 25, 2008, Comment C]

**Response 3.12-14-30C:** The resort hotel is open to the public and patrons have access to the resort amenities such as the tennis courts. The Village Green area is open to the public where the skating pond is located. The water storage tank will be buried and below ground except for needed maintenance access, which has been designed to be located within a retaining wall as part of the winery restaurant landscaping features. The intent is the have this access very discreet and screened. The Applicant is not seeking approval for an amphitheater but does envision the winery restaurant's rear patio, lawn and gardens being able to handle small events. The winery restaurant has been shifted from the DEIS location over 145' to the north and is nestled into the hill. It cannot be shifted any further without compromising parking and design features.

**Comment 3.12-15-33G:** Under the RDO, 80% of the land is required to be kept open. The 230-acre wooded hillside should be placed in a conservation easement to keep it as open space. It's possible that, in the future, the zoning could be changed. That 230-acre area should receive additional protection. The impervious area could be reduced by using semi-permeable paving materials. [David Reagon, Letter, March 20, 2008, Comment G, page 7]

**Response 3.12-15-33G:** The Applicant is required, through provisions of the Zoning Law, to create a conservation easement for all open space areas

within the 80% requirement, which includes the 230-acre hillside. The Applicant will explore the use of semi-permeable paving materials where possible, including walkways and court parking areas.

**Comment 3.12-16-GP116:** In the section on Recreation, Open Space and Tourism (3.12) for the proposed action, the following statement appears on page 3.12-3: “There are no formal proposals at this time for creating conservation easements or for the formal dedication of onsite open space; however; the Applicant is committed to protecting the site's natural resources.” This statement needs to be clarified. A requirement of the RDO is to preserve 80% of the site as open space by **conservation easement**. [Emphasis added] The applicant needs to explain how they intend to comply with the Zoning requirements of the RDO. [Greenplan, Inc., Letter, April 6, 2008, Comment #116, page 21]

**Response 3.12-16-GP116:** The Applicant is required to create a conservation easement to include all open space areas within the 80% requirement. The easement will be created in a later review stage of the project, as more specific details are developed.

**Comment 3.12-17-GP117:** In the section on Recreation, Open Space and Tourism for the preferred alternative, we believe the applicant needs to clarify whether the public will have access to the recreation amenities onsite. For example, will the general public have access to the hiking paths? We are presuming the public will have the ability to play golf, but will they be able to use the spa, etc? What hours will the golf course be available and what will it cost? The applicant should provide a map of the publicly available recreation resources vs. those that are only private. If the recreation amenities are to be considered a public benefit as it relates to the RDO, then it needs to be very clear what the recreation opportunities are for the public and that the public can easily access these opportunities. [Greenplan, Inc., Letter, April 6, 2008, Comment #117, page 21]

**Response 3.12-17-GP117:** The general public will not have access to the hiking trails on the project site. The resort hotel, restaurants in the hotel, conference facilities and small retail shops will be open to the general public. The resort operator will determine what golf times are available for resort guests. The spa will be open to guests staying at the hotel and residents of the resort. All amenities will be available to guests staying at the hotel and the resort hotel will be open to the public. The only exclusively private component will be the main and upper level of the Clubhouse. The lower level of the clubhouse will be open to the hotel guests. Golf fees have yet to be determined, but will be based, in part, on the need to cover the overall cost of this amenity. The resort will promote tourism, which will be one of the many benefits to the Town of Amenia and the surrounding communities. The golf

course will be open to the public on a limited basis. The winery restaurant and Artisan's Park/overlook area will also be open to the public.

**Comment 3.12-18-35B:** Most of the taxpayers in Amenia are aware of my passion for Amenia Recreation and work force housing for permanent residents as compensation for services to the community. This has not been addressed to anyone's satisfaction. [Tom Werner, Letter, March 5, 2008]

**Response 3.12-18-35B:** Please see Response 3.12-5-41RR regarding recreational facilities and Response 3.8-15-GP104 regarding workforce housing.

**Comment 3.12-19-41PP:** What is the appropriate size library necessary to service the increased adult and student population? How much does it cost to enlarge the existing library? If space is not adequate in its current location, how much would it cost to build a new library? [Bart Wu, Letter, March 25, 2008, Comment PP, page 10]

**Response 3.12-19-41PP:** Given that the majority of the residences at the Silo Ridge resort are not likely to be utilized as permanent residences, the increase in demand for library services is expected to be minimal.