

Section 3.19 Community Character

Comment 3.19-1-PHT: Rural isn't just an adjective, it is a state of mind. The DEIS has not addressed this project will retain the rural character of the town. When you think of rural, you think of being able to go somewhere with relative ease in a not densely populated environment. The rural character of the town cannot be taken lightly. [Bart Wu, November 17, 2007 Public Hearing Transcript, page 117; Matthew Anderson, November 17, 2007 Public Hearing Transcript, page 119]

Response 3.19-1-PHT: Comment noted. The project is consistent with the Town's Comprehensive Plan Update, which recommends the concentration of development in certain locations in order to preserve large areas of open space in other places. The Town's Zoning Law allows for the development of a resort community on the project site and the site plan has been carefully modified throughout the planning process to respond to the Town's and its consultants' concerns. The Applicant believes that the current site plan respects the rural character of the community and will not adversely affect it.

Comment 3.19-2-PHT: How is it going to impact the hamlet financially, commercially? Will there be any viable commercial there? Will the people in town even have to go up there? We have given them all the commercial they need here. I think that is a bad move. I think that of course they want the TND model because then they can have all of their commercial and neighborhood shops here. They don't even have to go to town. I think you're killing the hamlet with that TND development. I hope the town does not become like the neglected child if Silo Ridge is developed. The Town center should remain a bustling place. The energy at Silo Ridge shouldn't suck away the core of the Town. [Patrick J. Nelligan, November 17, 2007 Public Hearing Transcript, page 46; Liz Faulkner, March 5, 2008 Public Hearing Transcript, page 51]

Response 3.19-2-PHT: The project is consistent with the Town's Comprehensive Plan Update, which recommends the concentration of development in certain locations in order to preserve large areas of open space in other places. The Comprehensive Plan Update also specifically recommends the use of Traditional Neighborhood Development (herein referenced as "TND") as "...*the best way to achieve a compact pedestrian oriented layout that preserves open spaces...*" The Town subsequently adopted a revised zoning ordinance implementing the policies and land use related goals of the Comprehensive Plan Update. The Town established the Resort Overlay District (RDO) as a part of the new land use regulations and designated the site as RDO. The RDO district calls for the use of TND.

The TND and compact design practices were developed (in part) as a means of minimizing impacts on the rural landscape. The project incorporates these

principles as a method of minimizing impacts to the landscape and community character. The RDO district specifies allowable uses including the mix of non-residential (uses). The project is generally consistent with the local zoning, with the following exceptions:

- Waiver from Section 121-18 C 5. – Resort Development Overlay District (RDO) Maximum building height of 35’ for the Hotel (R-1), Spa (R-2), Banquet (R-3), Clubhouse, CR-1, CR-2, C-3, C-4, C-5, C-6, C-7, C-8, C-16, CR-17, S-2 and S-6.
- Waiver from Section 121-18 C 6. – Resort Development Overlay District (RDO) 100’ Buffer to adjacent Residential Use for proposed Cabana on former Miller property.
- Waiver from Section 121-12.1 F Traditional Neighborhood Development (TND) Standards for ‘gated streets’ for main resort entry, south entrance, vineyard cottages entry. It is also noted that the WWTP access points (2) have gates.

The adoption of the Comprehensive Plan and the Zoning Ordinance by the Town were subject to a SEQRA review process conducted by the Town. The evaluation of the new zoning designations and the resultant land development that could occur within the framework of the new land use scheme was completed (albeit at a townwide level) at that time.

The project provides the hamlet with a large potential market. The Town’s consultant acknowledges this potential (The Hudson Group correspondence dated February 14, 2008 and included in Appendix C). While the TND model does incorporate commercial uses, not all of the project residents’ needs will be served on site. It is incumbent upon the existing businesses to capitalize on this market. The project and the hamlet should have a symbiotic, mutually supportive relationship. The amount of allowable retail space within the RDO, and hence on the project site, is limited to only 5% of total building footprint area. Therefore, the amount of space within the proposed development that could be occupied by retail uses is very limited. Furthermore, the retail uses that are envisioned for the Silo Ridge site are those that directly support a resort development, such as sundry shop within the hotel, a store specializing in spa products, a convenience store, a country bistro, an art gallery or outdoor activity/clothing shop. Residents and visitors of the Silo Ridge Resort Community will still need to look outside in the greater community for many goods and services, and there will remain a strong market for businesses outside of the project. It is expected that residents and visitors will venture out and have a positive effect on the region as a whole.

Comment 3.19-3-PHT: I think the project will benefit the hamlets. If you look at the hamlet Stowe, which is the base of a resort community, there are resort amenities in the Town Green. If you go to any resort hotel you'll find a little mini grocery store, operated by locals, who can provide a can of soup or whatever that you might need for your condo. [Dan Brown, November 17, 2007 Public Hearing Transcript, page 49]

Response 3.19-3-PHT: Comment noted.

Comment 3.19-4-PHT: I am concerned about retail. I hadn't realized how close the project was in size to the town at present. I think what is potentially good about the resort overlay and the traditional neighborhood development is the idea that you're creating a new hamlet in effect. That's the way it's supposed to work. However, it adds another hamlet to a town that's defined by its hamlets right now. I think we really need to know whether that's a positive or negative thing. I think it is better than covering the whole site with suburban houses. But I think this redevelopment will compete with the hamlets. If a business was interested in moving to the main intersection in Amenia, would it be more appealing for them to open here where the residents are kind of self-selected to be upper middle class, as opposed to opening on the intersection of 22 and 44. I am afraid it could just sort of suck the energy of the hamlet rather than contribute to them. [Leo Blackman, November 17, 2007 Public Hearing Transcript, page 112]

Response 3.19-4-PHT: Please see Response 3.19-2-PHT.

Comment 3.19-5-PHT: Back to the self-contained hamlet. If the resources are going to be here for the residences, such as general store, post office, etc., why would the residents need to venture into Amenia? They will not add to the town's business economy. The only way I can see local businesses seeing an increase in their business might be during the actual construction phase when the construction workers will have to go out for their meals. [Elizabeth Whaley, November 17, 2007 Public Hearing Transcript, page 132]

Response 3.19-5-PHT: Please see Response 3.19-2-PHT. The local economy is expected to benefit during the construction phase of the project. However, as described in Response 3.19-2-PHT, the amount and type of retail uses that will be provided on the Silo Ridge site will be very limited and residents and visitors of the development will still need to look outside of the project into the greater community for many other goods and services.

Comment 3.19-6-PHT: As far as the retail, having worked on the Comprehensive Plan, we allowed five percent of the footprint of a particular building to have retail space. I think it should be more clearly defined what that footprint is, and what businesses would be identified. The rendering is beautiful, but it has book shops

and other things going on. We don't want to compete with Silo Ridge for the hamlet. The hamlet should have precedence over Silo Ridge. It's really that Silo Ridge is supporting the hamlet. And it should be mutually supportable with each other. I think it is important to have a symbiotic relationship. [Darlene Riemer, November 17, 2007 Public Hearing Transcript, page 115]

Response 3.19-6-PHT: The MDP calls for 26,127 SF of retail development on the Silo Ridge site, which represents 4.57% of the total building footprint area. As the project moves through the development review process additional details regarding specific uses will be available. The types of retail uses are expected to be those that will directly supplement the resort use, such as convenience shops, gift shops, cafes, etc. Residents and visitors within Silo Ridge will still have to look outside of the site for many other goods and services. See also Response 3.19-2-PHT.

Comment 3.19-7-PHT: I think you need to know what kind of retail is planned to be in this development. Is it just a pro shop for the golf club? Is it going to be clothing stores and various other things? I think it is important to have a really clear sense of what the developers intend and you would want to know how many square feet are allocated to retail. It may be again b/c it is going to be a high-end development, it is not really providing retail resources that are going to be of interest to people in the town. It may be just in its own world. But I think that needs to be thought about. I think that would be a real problem if it ended up competing with the center of Amenia, which is so close. There are an awful lot of empty retail spaces in Amenia right now. [Leo Blackman, November 17, 2007 Public Hearing Transcript, page 113]

Response 3.19-7-PHT: See Responses 3.19-2-PHT and 3.19-6-PHT. The total square footage allocated to retail on the Silo Ridge site is outlined in the table below:

Table 3.19-1, "Allowable Retail Calculation"

Building Footprint +/- for Retail Zoning Calculation	571,287 SF
Zoning % Allowed	5.00%
% Retail in MDP	4.57%
Allowable Retail SF per Zoning	28,564 SF
MDP retail:	
Shops on green in CR-1, CR-2, CR-17	18,627 SF
Sundry/Gift shop(s) in hotel	2,000
Spa products sales area	1,500
Pro shop at Clubhouse	4,000
Retail SF In MDP	26,127 SF

Comment 3.19-8-PHT: It is nice here. The problem is, when this project is done, it won't be nice here. For the rest of the town, there is no integration of this into the character of the town. There is no attempt in any of this to somehow include this project in a very nearby hamlet and the impacts on it. [Patrick J. Nelligan, November 17, 2007 Public Hearing Transcript, page 40]

Response 3.19-8-PHT: Comment noted. See Response 3.19-2-PHT above regarding community character and impacts on hamlet.

Comment 3.19-9-PHT: This project even half the size doesn't fit the character of this community. I think the negative impacts on both hamlets from these types of developments was not looked at, certainly wasn't looked at by the town in the zoning law, and I think it should be required to be looked at by each applicant, globally met, and not just in here but what's it going to do to that little village up there. [Patrick J. Nelligan, November 17, 2007 Public Hearing Transcript, page 45]

Response 3.19-9-PHT: Comment noted. The SEQRA process by definition requires the evaluation of the potential impacts of a project on the community, both positive and negative as defined in the SEQRA Scoping document. The process exists to gather information about these impacts and allow the lead agency (Planning Board) to decide whether the positive impacts outweigh the negative. The relationship between the project and hamlet was carefully studied in the DEIS and refinements to the design have been incorporated to minimize negative impacts on the environment, including impacts to community character and on the existing hamlet.

Comment 3.19-10-PHT: I just wanted to really ask the question -- I've heard some opposition or tension around the idea of people who live in certain parts of the Town versus other people in other parts of the Town. I mean if we are really concerned about our core town essentially what we are as a town, how does a gated community size up to that? I don't quite get if we are promoting a development that's a gated community, are they going to care about the firehouse? Are they going to care about the Town Hall? I think that's something that should really be thought out carefully [Liz Faulkner, March 5, 2008 Public Hearing Transcript, page 85]

Response 3.19-10-PHT: See Responses 3.12-1-PHT and 3.19-2-PHT.

Comment 3.19-11-PHT/38A/38D: I believe the scoping document this EIS is based on is fatally flawed and out of date. I think it should have been updated after the zoning law was passed. The DEIS has sort of evolved in sequences that the original scoping document doesn't even bring out. For instance, in the original scoping document there was nothing about other commercial in the traditional neighborhood development idea where new commercial, other than the hotel and conference center and spa. So they aren't looking at how it's going to impact the

commercial areas of downtown Amenia. [Patrick J. Nelligan, November 17, 2007 Public Hearing Transcript, page 40; Letter, March 24, 2008, Comments A and D]

Response 3.19-11-PHT/38A/38D: The scoping document was developed and approved by the Planning Board. The DEIS describes the project's consistency with the newly adopted zoning, and any discussion of the project with respect to the outdated zoning is unnecessary. Section 5.2 of the Scoping Document, which describes the "Traditional Neighborhood Alternative," directed the Applicant to "consider the possible introduction of neighborhood retail, such as a small convenience grocer, cafe, or restaurant at a scale that would not compete with hamlet businesses." See also Response 3.19-2-PHT.

Comment 3.19-12-GP130: In our opinion, the preferred alternative will dramatically impact the character of Amenia. As stated in this DEIS, the proposed project will increase the population, alter the visual character (as noted above in comments 32-44) and change the socio-economic conditions. The Hudson Group has indentified serious concerns regarding the anticipated fiscal benefits of the proposed project. Until these have been addressed, the full implications of the change to the socio-economic conditions can not be evaluated. Closely related to the fiscal impact issues is the anticipated growth in population. [Greenplan, Inc., Letter, April 6, 2008, Comment #130, page 23]

Response 3.19-12-GP130: When defining a community's character, planning professionals often cite the unique qualities of a community's built, natural, social, cultural, and economic environment, which collectively, define its character.

The built environment may include historic building, development and land-use patterns, architectural landscape, roads, sidewalks, and visual character. The natural, or "un-built," environment often encompasses stream corridors, open spaces, farms, geographical features, critical habitats, and air and water quality. The social and cultural characteristics of a community can include those attributes that reflect its overall quality of life (i.e., quality of schools, poverty and crime rates, demographics, etc.) and represent its cultural resources (i.e. museums, social gatherings, local arts, community activities, etc.). Finally, a community's economic environment may include the number and quality of jobs, unemployment rates, type of business, and presence and/or vitality of a downtown area.

Compatibility with the Elements of Community Character

The following summarizes the individual elements of community character, as analyzed in the Silo Ridge Resort Community EIS.

1. *The Built Environment.* As fully described in the MDP and FEIS Response 3.19-14-GP132, the layout, design and architecture of the Silo Ridge project have been designed to be compatible with the Town's built environment. Specifically, as described by project architect, Robert A. M. Stern, "Silo Ridge has been designed as a series of buildings grouped around green spaces which tuck into the natural topography in a manner of historic towns, farmsteads and villages in the surrounding Dutchess County countryside, where small pockets of development preserve open space. The proposed landscape plan builds on goals outlined by Audubon International to create a community that integrates seamlessly with its natural surroundings. This harmony of building siting and landscape design will create the sense of having arisen organically over time." However, the project also includes a welcome house and other controlled access points to the all entrances to the site with the exception of the winery/restaurant. While these access points will be used to track usage of the property rather than to restrict access, this is not typical of existing residential developments within Amenia.

2. *Open Space.* Open Space is an important component of the Town's character. In keeping with this consideration, 80% of the Silo Ridge project will be protected as permanent open space by the use of conservation easements. Moreover, impervious area will be less than the 15% maximum allowed per the Zoning Law (Current MDP has estimated 5.6% impervious area) and sensitive natural resources will be avoided, as discussed below.

3. *Natural Resources.* Amenia's natural resources are important to its character. The Silo Ridge project preserves, protects and enhances the important natural resources on the site. The project's layout makes use of only a limited part of the site for development, that being the relatively level area between Amenia Cascade Brook and the steep hillside located to the west. The project will impact less than 0.15 acres of wetland. The project will also impact 19.7 acres of steep slopes (30%+). Although some reduction in development on steep slopes can be achieved by reconfiguring the project to move a number of single family homes from the western and northern portions of the property to the southern end of the property, this reconfiguration would increase the visual and biodiversity impacts of the project. The project has been designed to make use of natural topography so that its visibility is limited. A Habitat Management Plan has been developed that protects and enhances the sites natural resources, for example by increasing buffers along the Amenia/Cascade Brook over those presently in place.

4. *Economic Base.* The project will have a positive impact on the town and school tax bases, resulting in potentially positive impacts to the Town's character. Increased revenues will allow the Town to invest in community

services and facilities, such parks and recreational programs and highway programs. It is anticipated an increased population will provide opportunities for merchants to provide goods and services. The school district will similarly benefit through increased tax revenues.

5. *Community Revitalization.* The population and economic base of the Town of Amenia have been in slow decline for many years, particularly since the downsizing of the Taconic Developmental Disabilities Services Office (DDSO) in Wassaic. The project will contribute to the revitalization of the community in several ways.

- a. The project will result in increased local spending, creating opportunities for local merchants and tradespeople, It is estimate by the Town fiscal consultants that secondary home scenario could generate demand for additional 14,500 square feet of retail space.
- b. The project will result in wastewater treatment capacity being made available in the Town of Amenia.
- c. The project will create new jobs that will allow current residents of the Town to continue to live and work in the community.

6. *Cultural Resources.* The Silo Ridge project will not adversely impact cultural or historical resources. Archeological resources identified on the site during the course of this environmental review have been avoided.

In addition to the elements described above one can also look at community character by examining the collective descriptions, goals and policy recommendations contained in a community's comprehensive plan.

Town of Amenia Comprehensive Plan & Community Character

According to New York State Town Law §272-a, one of the "most important powers and duties granted by the legislature to a town government is the authority and responsibility to undertake town comprehensive planning." A town's comprehensive plan serves as its blueprint for both the preservation and future development of the community. A comprehensive plan is also a statement of a community's future vision for itself. Equally as important, a community's comprehensive plan serves as the backbone for local land use decisions and grounds its zoning regulations. In *Udell v. Haas*, the Court of Appeals maintained:

Where a community, after a careful and deliberate review of 'the present and reasonably foreseeable needs of the community', adopts a general developmental policy for the community as a whole and amends its zoning law in accordance with that plan,

*courts can have some confidence that the public interest is being served.*¹⁶

Finally, a community's comprehensive plan is a summary of those attributes that represent its community character.

In 2007, the Town of Amenia adopted a Comprehensive Plan Update. Amenia's Comprehensive Plan Update paints the picture of a community in transition. According to the Comprehensive Plan Update, "Amenia is at risk of losing its historic identity," which can partially be attributed to job loss, decline in affordable housing, and changes in the nature of agriculture. Simultaneously, Amenia has seen an increase in the number of second-home owners, commuters, and telecommuters. The Comprehensive Plan Update notes:

The new population (year-round and weekend residents included) coming into Amenia tends to be more affluent families with fewer or no children. The changing demographics affect the kinds of stores and services the town attracts as well as the sense of community and types of activities that occur. (pg. 8)

The Amenia Comprehensive Plan Update recognizes that it is not a question of *whether* this transition will impact the community's character, but rather, *how* it will impact the community's character. As such, the Comprehensive Plan Update outlines both a vision and strategy to offset the economic hardships that long-term residents now face while encouraging economic growth in a manner that ensures all members of the community prosper and mutually benefit from one another.

The following goals and recommendations from the Comprehensive Plan Update are relevant to the proposed project. A discussion of the project's compatibility with each goal or recommendation follows.

Goals:

1. [page 5] *To achieve a broad-based balance between the rural, historic, and agricultural beauty of the town as it is and the need for appropriate and smart economic growth and development.*

The proposed project includes the development of a resort at a site that is already developed with a golf course. The proposed project preserves 80% of the site as open space. The site plan also takes advantage of the site's topography and existing natural features to screen many buildings from

¹⁶ 21 N.Y.2d 463, 470 (1968).

view and reduce the project's visual impact. With respect to economic development, the proposed project will generate tax revenues for local taxing jurisdictions and will generate new jobs both during construction and on a permanent basis. . The project will create new jobs that will allow current residents of the Town to continue to live and work in the community, while also attracting new residents who move to the Town upon joining the project workforce.

2. [page 5] *To establish a business-friendly attitude and commitment that:*

a. *Will create employment opportunities (especially for young people)*

The project will add to Amenia's economy and will increase the number of job opportunities in the Town and region. The jobs will range from construction-related employment during the build out of the project to resort management positions and marketing and finance jobs, food service, facilities, and customer service jobs. The resort community will also support local and regional businesses through the purchase of goods and services that they provide.

b. *Will increase tax revenue*

The tax revenues that the project will contribute to relevant Town taxing entities will allow the Town to use surplus monies to improve services to Town residents. With the estimated surplus in project-generated tax revenue to the Town, the project will offset any increases in community services costs that its residents and occupants would demand as noted in Appendix H.

3. [page 5] *To encourage more housing – low, affordable, moderate-income, high-end, and rental – to create a genuinely multigenerational community*

The project is intended to be a luxury second-home resort community.. The project does not remove any existing housing, would not adversely affect any existing housing in the hamlet or elsewhere in the Town. Moreover, by reserving capacity at the Silo Ridge wastewater treatment facility for the Town's use and helping the Town come one step closer to providing sewers in the hamlet of Amenia, the project provides an opportunity for more diverse housing types in the hamlet than is currently possible, such as workforce housing, mixed-use retail and housing development, and multi-family housing.

4. [page 6] *To maximize our strengths and attract tourist, shoppers, athletes, lovers of good food and wine, historians, and other money-spenders.*

The creation of a destination resort with associated amenities is consistent with this goal. The proposed project will attract tourists, diners, and other money-spenders to the Town and region. The proposed winery will provide a new opportunity for dining and wine-tasting, with a particular emphasis on local wines. The winery, along with the Artisan's Park, will also provide a safe place for the public to enjoy the view from DeLavernne Hill. The increase in tourism generated by the proposed project will have significant economic benefits in Amenia and throughout Dutchess County and the region, as people staying at the resort will spend money while out shopping, dining, and sight-seeing in the greater area. The Town's fiscal consultants estimated, under a secondary home scenario, residents could spend approximately \$2.9 million annually.

Priority Action Recommendations:

1. [page 25] ***Sewers in Amenia Hamlet.*** *There is nothing more important to the future of Amenia than the instillation of a sewer system in the hamlet of Amenia.*

The installation of a sewer system in the hamlet of Amenia has been one of the Town's major goals for many years. The Silo Ridge project will provide the first step in the provision of a Town sewer system through the construction of the project's on-site wastewater treatment plant with excess capacity to serve the hamlet. The excess capacity will be reserved so that if the hamlet ultimately installs sewers, the treatment facility will be available for its use, representing a considerable cost-savings to the Town by eliminating the need to construct its own treatment plant. While the Town's wastewater committee has expressed reservations regarding the Town's ability to finance the construction of a sewer system connecting the Hamlet to the wastewater treatment plant, these reservations confirm that, without the provision of this excess wastewater treatment capacity, it is highly unlikely that a sewer system could be economically constructed to serve the Hamlet.

Natural Resource Protection Recommendations:

1. [page 31] ***Steep Slopes.*** *Due to the steep topography covering portions of the Town, and the risk of soil erosion and habitat destruction from excessive disturbance to steep slopes, the Town should consider adopting regulations governing land use on steep slopes.*

The Town Zoning Law contains regulations regarding development on steep slopes (Section 121-36). The regulations, in part, prohibit

disturbance on slopes of 30% or greater, unless one of several criteria are met. The project proposes to disturb 19.7 acres of slopes greater than 30% on the site. Although some reduction in development on steep slopes can be achieved by reconfiguring the project to move a number of single family homes from the western and northern portions of the property to the southern end of the property, this reconfiguration would increase the visual and biodiversity impacts of the project. The Executive Summary of the Silo Ridge FEIS (see Section VIII, "Compliance with Zoning Requirements") contains a detailed discussion of the basis for the project's compliance with the criterion listed in Section 121-36(B)(6), which allows such disturbance.

2. [page 31] **Scenic Preservation.** *Amenia's extraordinary scenic resources are a major factor in making the Town a popular location for second homes and tourists. In order to allow growth that does not compromise the Town's scenic character, this Plan update recommends that the Town adopt a Scenic Overlay District, encompassing highly visible hilltops, hillsides, rolling terrain with farms and fields, and other scenic gestures of the Town.*

The Town Zoning Law contains a "Scenic Protection Overlay" District (Section 121-14.1), in which the Silo Ridge project site is located. In particular, the project site lies within the DeLavernge Hill viewshed, one of Amenia's most valued scenic resources. The Executive Summary of the Silo Ridge FEIS (see Section VIII, "Compliance with Zoning Requirements") contains a detailed discussion of the basis for the project's compliance with the six criteria listed in Section 121-14.1(F), which are required for site plan approval of developments within the Scenic Protection Overlay District. Numerous studies have been prepared to identify and describe the project's potential visual impacts, as described in Section 3.6 of the FEIS and Appendix G.

3. [page 32] **Biodiversity and Forestland.** *Protection of biodiversity and the forest that contain much of the Town's biodiversity should be a major consideration in all development review decisions.*

The Silo Ridge Resort Community preserves 80% of the site as open space, including approximately 320 acres of natural woodlands. The woodlands to be preserved include a contiguous 230 acres of the forested hillside in the western part of the project site. Additionally, a Habitat Management Plan (see Appendix F of the FEIS) has been prepared for the Silo Ridge Resort Community with the objective of addressing "specific efforts to provide quality habitat for populations and assemblages of animal species

that utilize the site for critical habitat throughout all or a portion of their annual life cycle”.

Economic Development Goals:

1. [page 34] *The economic development goals of the Town of Amenia have been and still are:*

a. *To maintain diversity in economic opportunities by increasing the diversity of the economic base*

The proposed Silo Ridge Resort Community will generate tax revenues for the Town of Amenia as more fully described in Appendix H. The potential increase in tourism generated by the proposed project will have significant economic benefits in Amenia and throughout Dutchess County and the region, as people staying at the resort will spend money while out shopping, dining, and sight-seeing in the greater area.

b. *To encourage those sectors of the economy that do the most to support local agriculture and forestry, produce a range of jobs for the local population, provide needed local services, offer shopping and entertainment opportunities for local people, and take advantage of the Town’s scenic and rural character to attract second-homeowners and tourist businesses.*

The project will add to Amenia’s economy and will increase the number of job opportunities in the Town and region. The jobs will range from resort management positions and marketing and finance jobs to food service, facilities, and customer service jobs. The resort community will also support local and regional businesses through the purchase of goods and services that they provide. The proposed project will attract tourists, diners, and other money-spenders to the Town and region.

Economic Development Recommendations:

1. [page 34] *Revising the zoning law so that it is both business-friendly and protective of the Town’s natural environment. More specifically:*

a. *Create a resort development overlay zone to give added flexibility for businesses that contribute to the second-home and tourist economy, while protecting significant scenic, agricultural, and environmental resources and provide specific public benefits including sewers for the hamlet and public access to open land and recreational resources*

As recommended by the Comprehensive Plan, the town adopted a “Resort Development Overlay” district. The proposed Silo Ridge Resort Community is entirely within this overlay, and is intended to be primarily a second-home resort community. The increase in tourism generated by the proposed project will have significant economic benefits in Amenia and throughout Dutchess County and the region, as people staying at the resort will spend money while out shopping, dining, and sight-seeing in the greater area. The Silo Ridge Resort Community preserves 80% of the site as open space, including approximately 320 acres of natural woodlands. The woodlands to be preserved include a contiguous 230 acres of the forested hillside in the western part of the project site. Finally, the Silo Ridge project will provide the first step in the provision of a sewer system in the hamlet of Amenia through the construction of the project’s on-site wastewater treatment plant with excess capacity to serve the hamlet. However, the project will not provide public access to its open land and recreational resources, other than limited opportunities for members of the public to play golf at a significant cost .

2. [page 35] *Providing adequate water and sewer services to places designated for growth, especially the hamlet of Amenia. The granting of special zoning privileges such as the resort development overlay should be done in conjunction with a public-private partnership to accomplish this top priority.*

As noted above, the installation of a sewer system in the hamlet of Amenia has been one of the Town’s major goals for many years. The Silo Ridge project will provide the first step in the provision of a Town sewer system through the construction of the project’s on-site wastewater treatment plant with excess capacity to serve the hamlet. The excess capacity will be reserved so that if the hamlet ultimately installs sewers, the treatment facility will be available for its use, representing a considerable cost-savings to the Town by eliminating the need to construct its own treatment plant.

Comment 3.19-13-GP131: There appears to be a "gated" welcome house. If this is a gated access, then the applicant should explain how this welcome house will function. Will it be staffed? If so, will it be staffed 24 hours a day? Will homeowners have cards, etc? How will deliveries work? How will the public access the facilities? The secondary access appears to be gated as well. To our knowledge, there are no other gated communities within the Town nor do we fully understand the purpose of the gates. However, if this is proposed as a gated community, we believe the Planning Board should consider several issues. Gated communities symbolize

exclusiveness, segregation of socioeconomic classes, and isolation from the community at large. The fear of crime or the perception of crime is often a reason for a gate. However, research shows that if the community itself is safe (like Amenia), then the gated community tends to be safe. Studies have not found a conclusive connection that shows there is less crime just because of a gate. We encourage the Board to fully understand why the applicant has proposed a gate and whether or not the concept of a gated community fits with the rural character of Amenia. [Greenplan, Inc., Letter, April 6, 2008, Comment #131, page 23]

Response 3.19-13-GP131: The Welcome House at the front entry provides a place for visitors to be greeted and given any direction they may need. It also provides a control point for security and safety purposes. Please see Response 3.12-1-PHT. The hotel, hotel restaurants, hotel lounge and retail shops are open to the public. However, it is in the best interest of residents, guests, visitors, and employees of the resort that a record of persons entering the resort be catalogued. Therefore, if a visitor wants to go into the resort they would simply check in at the Welcome House and they would be provided direction from there. Additional operational protocols will be established by the Resort Operator.

The project will need a waiver from Section 121-12.1(F) of the Town's Zoning Law for the gated access. Please see Section 1.0 and Section 3.8 of this FEIS.

Comment 3.19-14-GP132: The Community Character section on the preferred alternative offers little comparison between the proposed action and the existing conditions. There is no explanation of how the proposed architecture relates to the architecture of the hamlet area. Obviously, there are different architectural characteristics of the hamlet, but does the project intend to complement the historic architecture? If so, how? Are there architectural examples from the Town that the project has incorporated? Examples of the proposed architecture in the DEIS reference places outside of the area. This should be explained more fully. Additionally, there should be an indication of the number of townhomes currently existing in the Town. This should be compared to how many the project proposes and the impact of this should be explained. How many housing units are there in the hamlet area and how does that compare to this proposal? If the hotel units will be utilized more like condominium units (part-time residents) rather than transient hotel guests, how does that relate to the existing number of seasonal units? [Greenplan, Inc., Letter, April 6, 2008, Comment #132, page 23]

Response 3.19-14-GP132: According to the Town Assessor, Ron Gazzoli,¹⁷ there are an estimated 800-900 housing units in the hamlet of Amenia. According to the 2000 US Census, there are 1,814 housing units in the Town of Amenia, of which 1,177 are single-family detached units. The 2000 Census

¹⁷ Phone conversation with Nancy Vlahos of The Chazen Companies on August 6, 2008.

identifies 14 single-family attached units and 96 units in two-unit buildings. Seventy-three units are in three- or four-unit buildings and 77 units are in buildings containing five to nine units. There are 40 units in buildings containing 10 to 19 units and eight units in buildings containing 20 to 49 units. There are no units in buildings containing 50 or more units, and there are 329 mobile homes in the Town. Thus, there are a total of 294 multi-family units in the Town (those units other than single-family detached and attached units and mobile homes).

The project proposes a total of 338 residential units, consisting of 60 single-family detached units and 278 attached units. The project also includes a 300-unit hotel. The Applicant anticipates that 75 of the hotel units will be available for sale as condominium units and 225 units would be available for overnight use, much like a “typical” hotel. Under this anticipated scenario, the project would contain 353 condominium units. However, as noted in Response 5.3-13-PHT, the hotel is not a residential use and it will not be possible for the hotel units to be occupied by the same occupant on a permanent basis.

The MDP shows and describes more closely how the proposed architecture relates to the region. Specifically, the existing view of the site from above includes a large area of prior disturbance where the 18-hole golf course was developed, situated between the wetlands and watercourses to the east, the steep slopes, un-fragmented forest land and vernal pools to the west, and the Route 44 vantage point to the north.

The development proposal for a Mixed-use Residential Golf-Course Development calls for an upgraded golf-course lengthened for championship play. The most logical location for the championship course expansion was to develop it roughly in the same location as the existing course. The hotel, residential and commercial components of the project were then inserted in the interstitial space between the wetland complex and the steep slope complex, and behind and around the intervening wooded hills that separate the golf-course’s front 9 from the back 9. The intent of this approach is to protect by avoidance the archaeological site, the major contiguous portions of the wetland/water course and steep slopes/un-fragmented forest complexes, and to use the existing natural topography and vegetation as a screen/buffer to reduce the visual affect of the development from the hairpin turn vantage point.

The final architectural plan responds to this conceptual arrangement with the following strategies: taller buildings are located where there is the greatest visual buffer; roads and development are aligned along edge conditions between wooded areas and open land to allow backdrop and

shadowing for structures; site specific building types are developed that respond to topographic conditions; articulated building masses, facades, roof lines and fenestration are contextual and in scale; and the color and materials palette are selected to integrate and harmonize with the natural conditions of the site.

Robert A. M. Stern Architects describes the design approach as follows, “Silo Ridge has been designed as a series of buildings grouped around green spaces which tuck into the natural topography in a manner of historic towns, farmsteads, and villages in the surrounding Dutchess County countryside, where small pockets of development preserve open space. The proposed landscape plan builds on goals outlined by Audubon International to create a community that integrates seamlessly with its natural surroundings. This harmony of building siting and landscape design will create the sense of having arisen organically over time.”

Comment 3.19-15-GP133: The Reduced Scale alternative discussion provides a number of assertions regarding the potential benefits and detriments. These must be substantiated. For example, section 5.3 notes the Reduced Scale alternative does not diversify the housing stock as much as the proposed action or the preferred alternative. This seems self evident since there would be fewer units proposed, but it does not clarify what the differences are. This section states there would be a smaller WWTP, but the cost of building it would be higher. This should be quantitatively defined. The same is true of the HOA fees, although there is likely to be some tradeoffs in expenses related to the HOA such as fewer roadways to be maintained. Most importantly, the visual impact should be evaluated. [Greenplan, Inc., Letter, April 6, 2008, Comment #133, page 24]

Response 3.19-15-GP133: The Applicant was asked to remove these assertions regarding the potential benefits and detriments from the DEIS by the Planning Board. The reduced scale alternative is not being pursued.

Comment 3.19-16-7A: By this memorandum, I am sharing with you the e-mail dated February 8, 2008 from James Sheldon, together with several printouts from www.littletownviews.com, the website which Mr. Sheldon runs. Mr. Sheldon is a well-respected planning authority. While the enclosures do not directly address the Silo Ridge Resort Community, they raise issues which must be addressed by the Town of Amenia Planning Board in assessing the proposal for the Silo Ridge Resort Community. [G.A. Mudge, Letter, March 19, 2008]

Response 3.19-16-7A: Comment noted. Comments that specifically address the Silo Ridge project and its DEIS are addressed in this FEIS.

Comment 3.19-17-GP5: The fiscal impacts of the project need to be addressed more fully. We understand the Town's desire to participate in the creation of a sewer district for the hamlet area. It is imperative for the Town to fully understand the costs and benefits associated with this project and the creation of such a district. Additionally, the costs associated with municipal services and the implications of a significant number of potential new residents should be fully understood. [Greenplan, Inc., Letter, April 6, 2008, Comment #5, pages 2-3]

Response 3.19-17-GP5: The project has been evaluated in terms of its direct potential impacts. The Applicant is not proposing to establish a sewer district in the hamlet and therefore is not responsible for the evaluation of any potential impacts relating from such an action. Please see Response 3.8-15-GP104 and Response 3.14-33-38C.

Comment 3.19-18-38E: Even though your Environmental Review was initiated prior to the enactment of the New Zoning Ordinance, you must look at ALL of the potentially significant adverse impacts of those ongoing SEQRA reviews, including what I call global impacts: I. What are the potential impacts on overall community character -- the essential feel of what we are as a community -- of introducing what are unquestionably *suburban and urban housing paradigms* into our most Rural Zones? [Patrick J. Nelligan, Letter, March 24, 2008, Comment E, pages 4-5]

Response 3.19-18-38E: Please see Response 3.19-14-GP132.

Comment 3.19-19-46A: Silo Ridge has submitted its DEIS. Let me say that I understand one aspect of "environmental impact" to be *community character*. The Comprehensive Plan says Amenia residents want a town that is rural in character, and one that preserves its great natural beauty. This goal would seem to me to preclude sprawl. The density -- the number of residences -- proposed by Silo Ridge seems to me to be at odds with the goals set forth in our Comprehensive Plan. A smaller hotel and fewer residences would seem to me to be more in keeping with the goals of Amenia's Comprehensive Plan. The open space required to be preserved by our Comprehensive Plan should be land that is of value to our community, not steep slopes or wetlands unbuildable under any zoning. [Jerry Thompson, Letter, March 7, 2008]

Response 3.19-19-46A: Please see Response 3.12-3-PHT and Response 5.1-5-25C.