

Section 3.9 Local and Regional Plan Consistency

Comment 3.9-1-PHT: The zoning document, specifically the RDO, speaks of the RDO being a Master Plan development process. At this point we are looking at a large plan and a very significant DEIS, but we don't have in front of us a master development plan. I think that it is a key component in this process. Without that plan, the town has no commitment to the design. It has no commitment to the materials. It really has no commitment to the operational aspects of this project. I think a Master Plan would answer a lot of questions for the public. The public hearing process should remain open until the public has had a really good chance to scrutinize the master development plan. [Mark Doyle, November 17, 2007 Public Hearing Transcript, pgs. 79-80]

Response 3.9-1-PHT: A Preliminary MDP was submitted to the Planning Board for review in December 2007 and was made available for public review during the remainder of the public comment period on the DEIS. A more detailed MDP was submitted subsequently in April 2008. The MDP sets forth the architectural styles and details that are proposed for the development. The details may be refined throughout the Special Permit and Site Plan approval process, but once final approval is given, any future development on the project site will have to be in conformance with the MDP.

Comment 3.9-2-GP110: Much of the comment regarding consistency with the Town of Amenia 2007 Comprehensive Plan relies upon the results of the fiscal analysis. We refer the Planning Board to comments prepared by the Hudson Group. It is likely that this section (and the discussion of fiscal impacts for the preferred alternative) will require revision as the issues related to fiscal and demographics are addressed. [Greenplan, Inc., Letter, April 6, 2008, Comment #110, page 20]

Response 3.9-2-GP110: Comment noted.

Comment 3.9-3-GP111: We note the Town of Amenia 2007 Comprehensive Plan includes a discussion of "Large-scale resort and second home developments" (page 10). This section specifically mentions the Silo Ridge and Depot Hill projects. We include the following text from the Plan because it emphasizes the concern for protecting the viewshed from DeLavergne Hill:

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

most important viewshed, i.e., the views from the top of DeLavergne Hill, down the Harlem Valley, and across the Valley to Depot Hill.”

For the preferred alternative, we believe it is appropriate to discuss consistency with the Plan in terms of how the physical design relates to the stated goals of the Plan. We believe there will be a significant impact on the views from the top of DeLavergne Hill. In one example, the DEIS mentions the winery at the top of DeLavergne Hill as providing tourism benefits (in the *Local and Regional Plan Consistency* section, page 5-139, for the preferred alternative). In our opinion, this is a clear example of how this plan is not consistent with the goals of the Comprehensive Plan. The viewshed and the impact this project will have from the top of DeLavergne Hill and across the Valley has not been fully evaluated and/or mitigated as noted in our comments above on the visual analysis. [Greenplan, Inc., Letter, April 6, 2008, Comment #111, page 20]

Response 3.9-3-GP111: As required by the RDO District, the project protects the majority (80%) of the project site's landscape as open space in the form of golf, recreation, grasslands and forest, which, as noted in the second sentence of the quoted paragraph above, the Comprehensive Plan specifically identifies as one of the design features that would help maintain the scenic character of the important viewshed from DeLavergne Hill. Furthermore, the site's physical design and the architectural details of the project have been developed with the sensitivity of the landscape in mind. For example, the Applicant has had continuing dialogue with the Town and its consultants regarding the location of the winery building. As a result of those discussions, as well as public comment received on the DEIS, the Applicant has moved the winery building 145' from its original position, and as the visual analysis of the winery shows (see Section 3.6 for a discussion of the analysis), the building does not block or significantly detract from the view from the hill. It is the Applicant's opinion that the project as a whole will not detract from the scenic character of the community, but will, in fact, enhance it.

It is also noted that the project site exists as a golf course in the current condition. The Amenia Town Board chose to include the Silo Ridge golf course in the RDO designation in order to ensure that the open space character of the landscape would be preserved by conservation easement in these areas, while presumably acknowledging that the site is privately owned and has significant development potential.

With respect to consistency with the Town of Amenia Comprehensive Plan, the Comprehensive Plan does not set out specific design parameters, but rather establishes specific goals of the Town against which proposed development must be balanced. The Comprehensive Plan identifies the potential for increased tourism as a significant benefit of the proposed resort

development, which is in keeping with Goal #5 of the Plan: “to maximize our strengths and attract tourists, shoppers, athletes, lovers of good food and wine, historians, and other money-spenders” (Comprehensive Plan Update 2007, page 6). The project is consistent with this goal and the Applicant believes there has been a thorough analysis of potential visual impacts, which shows that the project is consistent with the Town’s desire to protect the view from DeLavergne Hill. It is the Applicant’s opinion that the DEIS, in conjunction with the additional analysis summarized in this FEIS, presents a thorough analysis of visual impacts and illustrates that the development will not significantly and adversely affect the view from DeLavergne Hill or the scenic character of the site.

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