



Housatonic Valley Association

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September 4, 2014

Mr. Norman Fontaine, Chairman
Amenia Planning Board
Town of Amenia, New York
4988 Route 22, P.O. Box 126
Amenia, New York 12501

RE: Silo Ridge Resort Community

Dear Mr. Fontaine and Planning Board Members:

The Housatonic Valley Association (HVA), founded in 1941, is one of the oldest non-profit watershed conservation organizations in the nation, and is dedicated to preserving and protecting the natural character and environmental health of the Housatonic River and its 1,948 mile watershed, includes nearly 2,000 square miles within western Massachusetts, western Connecticut and eastern New York. We care for, and about the Housatonic River and have studied and continue to monitor the water quality of the Ten Mile River and its tributaries.

We reviewed the application and have several overall concerns, particularly about the management of stormwater and the siting of residential units on steep slopes.

Background

HVA does not object to this development conceptually. It could benefit the Town and help to stimulate economic opportunity and growth. The applicant should also be commended for agreeing to permanently conserve several hundreds of acres of forestland. However, we find that the proposed master development and site plans fail to adequately document the potential water quality impacts of the proposed project. Obviously, a major project such as this will have impacts which cannot be avoided, minimized or entirely mitigated. The Town of Amenia has enacted good, common-sense regulations that safeguard streams and rivers, protect the groundwater upon which most residents depend for their home use and encourage development in locations that will enhance, not degrade the beauty and natural health of the community.

The Silo Ridge project may be one of the largest land development proposals the Town of Amenia has faced. The land involved encompasses important wetlands, watercourses and forestlands in Dutchess County. Careful and serious consideration must be given to preserve the natural resource values of the land that provides important functions. Once lost, these resource values and functions cannot be recovered.

HVA believes the Planning Board should require the applicant to redesign specific portions of the plan that are inconsistent with local ordinances enacted to protect the community's water resources.

Specific Concerns

1. We urge the Planning Board to require design changes that would eliminate the siting of houses, driveways and roads on slopes greater than are permitted under Town regulations.

We are troubled by the number of waivers from local and state regulations that the applicant has been granted or is requesting.

One issue is the waiver from the New York Department of Environmental Conservation (DEC) Construction Activity Permit (GP-0-10-001), Part II. C. 2. 3, disturbing more than five acres of soil at any one time without prior written authorization. The applicant has disturbed the majority of the property where the golf course is sited, requiring the maintenance of extensive erosion control measures. Unfortunately, according to the report submitted to the Town Board by the Conservation Advisory Council, a portion of the erosion control structures failed during a thunderstorm earlier this summer and sediment-laden runoff entered Amenia/Cascade Brook just downstream from the Silo Ridge project. If less acreage was disturbed, perhaps the erosion controls would have been more closely monitored and maintained and the sediment release could have been prevented.

Other waivers are being sought to exempt the project from numerous local ordinances that regulate development on steep slopes. In a memo submitted to the Planning Board on August 6, 2014, the applicant asked for waivers that would permit residential units on slopes steeper than 30 percent, driveways and cul-de-sacs that exceed the maximum grade, road sections that would exceed 12 percent slope and road sections within 150 feet of an intersection exceeding maximum grade.

The Board's own consultants identified these problems in their analyses of this project. Development in the absence of sufficient stormwater controls, *especially when undertaken on steep slopes*, is known to increase transport of pollutants into wetlands, ground water and surface waters. Studies have shown that development in general can and may lead to increased levels of total suspended solids, phosphates, chemical oxygen demand, heavy metals, salt and other pollutants that often cause harmful effects. The presence of steep slopes multiplies the risks.

2. The Planning Board should require the applicant to provide a complete stormwater management plan.

The site plans do not include any designs for the single family Estate Houses on the steep slopes adjacent to the western portion of the golf course. The applicant has indicated, in responses to the Board's consultants, that the Estate Homes will be custom designed and that each property owner will have guidelines and latitude to plan for stormwater management on a case-by-case basis. This means that the Planning Board cannot determine what the cumulative stormwater impact will be because there is no comprehensive stormwater plan for the entire development. Furthermore, the applicant proposes that whenever an Estate House is designed, the application be exempt from a Planning Board minor site plan review, only that the Building Inspector sign off on the project. This is of particular concern; only a Planning Board review of each new house, with input from its consultants, will ensure that new stormwater impacts can be evaluated in the context of the entire development.

3. The Planning Board should require the applicant to hire an independent inspector to make sure buffers are respected, stormwater management functions properly and other environmental requirements in the zoning are enforced.

4. We ask the Planning Board to require the applicant to create and maintain a minimum 50 ft. to 100 ft. natural buffers on all golf holes, practice ranges or other parts of the golf course.

The current golf course design sites golf holes along several waterbodies and watercourses. We are aware that traditional golf course designs incorporate waterbodies and watercourses as features within golf holes. In nearly all cases all the natural vegetation is replaced by managed turf which has minimal ability to trap and absorb any pollutants in stormwater before it reaches a waterbody.

However, buffers are not incompatible with championship golf course designs. In Bradenton, Florida The Concession Golf Club, a finalist for the 2017 Solheim Cup, is a Jack Nicklaus Golf Course which incorporates buffers around waterbodies, as shown in in the following photograph:



There is every opportunity for the applicant to redesign the master development and site plans to incorporate natural buffers for all wetlands and waterbodies. We ask the Planning Board to consider all relevant facts and evidence in making its decision on this application to minimize the environmental impact of the proposed project, including the effects on the wetlands' and watercourses' capacities to facilitate drainage, prevent flooding, supply and protect surface and ground waters and support fish and wildlife.

5. The Planning Board should ask its consultants to review the stormwater management plan and consider their comments before closing this public hearing.

Stormwater management for this project will be incredibly difficult, particularly if development is permitted on steep slopes. The stormwater management plan was submitted to the Planning Board on August 20, 2014 but there has not been a Planning Board meeting before tonight's public hearing for the

engineering consultant to share her comments. The State Environmental Quality Review (SEQR) Handbook requires each involved agency to consider the reasonable alternatives and choose one which *minimizes or avoids* adverse environmental impacts to the maximum extent practicable. It is critically important that the Board and the public have the opportunity to hear from the engineer and understand how the applicant will ensure that adjacent waters will be protected.

Conclusion

This is a complex and complicated project and HVA would like to express our appreciation and gratitude to the Planning Board for its interest in hearing from all parties and the public to ensure that all relevant and important information is provided for your final review. We ask that this hearing be held open to ensure that citizens are informed about the project and can share comments. HVA appreciates the opportunity to comment on the proposed Silo Ridge Golf Club development.

Sincerely,

A handwritten signature in black ink, appearing to read "Elaine E. LaBella". The signature is fluid and cursive, with a large initial "E" and "L".

Elaine E. LaBella
Director of Land Protection