

To The Amenia Planning Board
Re: Silo Ridge - Public Hearing, Sept. 11-18, 20014

In the Comprehensive Plan for Amenia, the Town advanced a "Resort Development Overlay" district at the Silo Ridge site. A development at this site will hopefully be a plus for the Town, but it need not be, nor should it be, at the expense of the protections offered in the Comprehensive Plan or the existing zoning laws. The Planning Board is accountable to respect and follow the Plan and the law, as well as to comply with SEQRA requirements.

Recently a new plan for this development was submitted, including requests for substantial waivers and special permits. It is imperative that the Board take a substantive, well-documented, and "hard look" at each. To date, however, one feels a lack of proper procedure as required under SEQRA; an apparent disregard of the input and recommendations of the Town's own expert consultants; and ready accommodations for the developer - even while the Site Plan is still under review. Such behaviors are causing the community a level of distrust of your actions, and could well lead to an "Article 78" challenge.

As a businessman, I appreciate the potential for development of this site into a resort area, and the possible benefits for the Town. Yet given the large proposed investment, we believe the developer must accommodate the many real concerns expressed at the Public Hearings, and we exhort you to take these alarms seriously. I urge the Board to pay particular attention to the importance of the provisions of the Scenic Protection Overlay District and the Resort Development Overlay District.

I may not be an expert in the many complex issues on the table, but others more knowledgeable than I have spoken out with similar warnings. So please note my concern over the following special issues:

- Need for an overall storm water plan and future monitoring audit (see HVA letter),
- Water use plan; with protection of streams, wetlands and aquifer,
- Scenic view-shed maintenance from DeLaVergne Hill (note, mitigation not possible),
- Negative impact of the increasing number of homes proposed on decreasingly appropriate steep slopes,
- Impact of a "gated" resort, closed to the community,
- Unsubstantiated assumptions in the Fiscal Impact analysis.

You are aware SEQRA requires that adverse environmental impacts be (1) avoided, (2) minimized, or (3) mitigated ---mitigation being a last resort. Furthermore Amenia zoning laws require that any waiver or special permit be granted only for substantiated reasons. Given the importance of this approval process, any decisions should be backed up by expert counsel, not just by Board notions. It is your responsibility to assure the current application complies with town, state and federal laws.

It is our responsibility as residents of this town to make sure that you do so.

Sincerely yours,
Michael Levin
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