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Andrew Durbridge
37 Clark Hill
Wassaic, NY 12592

PUBLIC COMMENT

September 14th 2014.

To: Town of Amenia Planning Board.

Ref: Silo Ridge Resort Application for Site Plan Review and Subdivision Approval.

Dear Members of the Planning Board,

Please consider the following comments in their entirety, as a matter of record pertaining to the current Site Plan Application by Silo Ridge.

Firstly, let me say that I am not opposed to *appropriate* and *well planned* development at the Silo Ridge resort.

However, this plan review is obliged to receive all the scrutiny and attention required by SEQRA, and it must meet all the requirements of current zoning laws. Anything less is unacceptable.

If this site plan is modified from the current iteration, Amenia has a chance to grow and prosper, but there are still many questions to be explored and answered by you the Amenia Planning Board, and critical changes to be made.

If this current version is approved as proposed, it will be less than this community deserves, and will destroy the landscape characteristics, and values and zoning regulations of the town.

The current application before you is large and complex, and has the potential to create a town-wide change. Its importance in the overall scale of events cannot be diminished, nor can the responsibility of Planning Board members be underestimated in evaluating ALL the factors involved within the application.

Not only is it a large important project, but the members reviewing it must be highly conversant with every legally required detail, and be sure to get it right!

There has been much hurry in this process at the behest of the applicant, but I respectfully suggest the Planning Board has had little time to review this thoroughly, nor the full information and advice. In fact much of this application content was only received hours before the public hearing on September 4th.

So because of the importance and the need for members to understand all aspects fully, please take time to do so, follow and understand all aspects, seek advice where necessary, and do not be pressured by any commercial needs of the applicant. This has to be a quality review for the town, and the people you represent.

Not a fast one, because the applicant wants to meet sales targets!

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I also ask everyone to consider carefully all requests that are presented as 'discretionary', which might be misinterpreted as 'free choices' to be made by the Planning Board. These are not open choices, and while a discretionary option is there, it must not be read as an invitation to waive existing zoning, without well founded expert reasoning. Waiving existing zoning needs absolute justification! It also, by law, requires complete documented reasoning to support any decision.

When the town consultants advise you that a Planning Board determination is discretionary, it should not be interpreted as an option to express personal views. The discretionary decisions before the Board must be thoroughly investigated, and the advice of consultants relied on.

There is much information within the technical aspect of this application which raises concern, and questions need to be asked as to whether all the criteria were met satisfactorily, and the full requirements of SEQRA were met. I do not believe they were, and the Planning Board needs to satisfy this point.

But my focus here is to highlight a couple of other specifics:

1. The current work being conducted and described as 'Golf Course Renovations':
Was permitted by the Planning Board. I found very little to review on this topic within the meeting minutes, but can see that the Board awarded Silo Ridge permissions to implement the plan before all details were in place, particularly reclamation bonds. So the work was underway before this important element was in place, or possibly other things were considered?

Also, the Planning Board was requested to waive the zoning requirement that Silo Ridge should follow existing ordinances within the SPOD regarding these so-called 'golf course renovations'.

There seems to be little recorded discussion regarding whether Silo Ridge might meet the requirements/criteria of such a requested waiver, but they were granted it anyway. Who determined this and why?

So, if there was lack of review in deciding on the granting of this waiver, there may also have been a lack of oversight to waiving other requirements, such as site plan review for the 'golf course renovations'?

Why was no site plan review and SEQRA review required for the current ongoing 'golf course renovations'?

It is now clear for all to see the grand extent of work currently underway, and the beginnings of the loss of our valuable scenic views.

The current work is not "renovations" and is more closely likened to moving mountains! and the degradation of DeLaVergne Hill.

This is important as a contributing factor now, because we now have a clearly illustrated example of what happens when you waive the developer's obligation to follow the rules of zoning, without adequate reasons. A mess!

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What methodology and reasoning said that complete ignorance of existing zoning was to be the model for the Planning Board decision making?.....

Because we now have a whole new bunch of waivers up for consideration, [in the current application] from the same developer, who is asking for more exemptions in the same general location, on the same site, this example is all the more relevant.

I suggest that the current example of what can happen makes it absolutely clear that more of the same is going to potentially and irrevocably destroy the DeLaVergne Hill character and quality, thus destroying our environment, cultural values and identity. This must not happen.

The existing zoning was carefully reviewed by many experts, and put into law for all to follow in 2008, and it was not intended for the discretionary waiver to become the tool of choice in avoiding the rules of planning.

2. New Waiver Applications:

The new waivers requested are all related in some manner to DeLaVergne Hill. The applicant wants additional waivers, and is asking to be exempted from the rules so they can build more homes on slopes steeper than advisable or allowed, and on non-conforming lot sizes, in the DeLaVergne Hill view-shed.

They want exemptions to ignore some zoning requirements for the layout of roads.

They want exemption to the size of the "green buffer" on DeLaVergne Hill in order to build within it, which was set up intentionally to prevent specific activity in the "green buffer". A "green buffer" is supposed to stay green!

They also seek special permits or permissions to allow a maintenance facility and other structures in the same general area.

The applicant also wishes to locate their wastewater treatment plant close to DeLaVergne Hill, along with the maintenance facility. This, along with the future additional building planned for the horseshoe area of the hill, all suggests they wish to use DeLaVergne Hill as their 'service entrance' with total insensitive disregard for the community.

Additionally much design and engineering detail is absent from this application, particularly with regard to buildings, and passing this application as-is would be presumptuous if not illegal.

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3. Construction Monitoring and Quality Assurance:

There appears to be no contingency built-in to this application for monitoring of the project, nor is there any independent professional monitoring being conducted in the current 'golf course renovations'.

Whereas some might suggest that the local building inspector might fill this role.

This would be ill advised as a route for this project. The project size, technicalities, and time commitments alone would make this an impossible task.

With respects to Mr. Fenton, he is also not qualified.

In addition, projects of this dimension and characteristics typically require a certified engineer proficient in contract supervision. I suggest this is the only means by which the town can proceed and be assured of project quality and satisfactory outcomes.

As an example; a comparatively small project currently ongoing at Cumberland Farms in Amenia, has continuous professional monitoring and a reporting program.

Conclusion:

The Town of Amenia Planning Board has the opportunity and obligation to give a full and fair review to this project, but is also representing the residents, and taxpayers, and must respect the zoning laws to protect our values and environment.

The current application does not respect these, so I strongly suggest that revisions be made, and a more thorough review be given to a complete application, only after it is actually complete, and after it is revised.

In consideration there are many details to scrutinize within this application, but one of the overarching questions within SEQRA is:

Does this project affect the environment?.....

Environment means the physical conditions that will be affected by a proposed action, including land, air, water, minerals, flora, fauna, noise, resources of agricultural, archeological, historic or aesthetic significance, existing patterns of population concentration, distribution or growth, existing community or neighborhood character, and human health.

Please understand there is no maximum limit to the amount of scrutiny you can offer here, and it needs far more than has currently been given.

Yours sincerely,
Andy Durbridge.

September 18, 2014, 7 PM

STATEMENT FOR SILO RIDGE PUBLIC HEARING

By Norman Benson

(Former Manager of Dutchess Soil and Water Conservation District)
(Planner/Director, Town of Pawling over 15 years, now retired.)

As a resident of the Town of Amenia for over 85 years, still living in a home built on the old farmstead in 1954, I think it has become appalling to view the activity of the silo Ridge development from the overlook at the top of De Lavergne Hill, the most scenic road view of any entry into the Harlem Valley. Here is an authentic original rural Amenia view, overlooking the Culver farm, the Old Murphy Farm and the wooded ridge above Wassaic, extending off into the Berkshires. Apparently this is being replaced by uncontrolled suburban sprawl, without careful enough attention from the Amenia Town Board and the Amenia Planning Board.

- 1) Both Amenia Boards should take better command of the development process in order to protect the Town and its taxpayers.
- 2) Winter is very near and vegetation does not grow in frozen ground. The entire steep slope area, which is stripped of vegetation, should be fully stabilized immediately by hydro-seeding or other method approved by the Town's engineer.
- 3) The Town engineering consultant, paid by the Town, should review and comment on all aspects of soil erosion, control plans, stormwater systems, steep slopes construction as well as all planned roads, driveways, and other infrastructure. There should also be attention to proper Project Phasing, SEQRA, Site Plan, and Overlay issues. After review and any changes made, these should be incorporated into the written Plans prior to approval by the Planning Board.
- 4) If the Town does not have a paid engineer, it is suggested Dutchess County Soil and Water, in Millbrook, do a full plan review and comment.
- 5) The Town's engineer should make regular site visits during construction in order to check that the approved plans are being followed, with a report back to the Planning and Town Boards on progress.
- 6) If the Town's engineering consultant cannot do the continuing inspections, it is suggested that the Dutchess County Soil and Water Conservation District in Millbrook be consulted to do this. They are expert and trained in steep slope, erosion and stormwater plan development and implementation while independent of both Town and developer.
- 7) This is no small subdivision. It is the largest development project ever considered by the Town of Amenia and it should be managed with great care in order to protect the integrity of the Town and its taxpayers, as well as its famous viewshed.
- 8) The entire Infrastructure Plan, Erosion Control Plan, and Stormwater Control Plan should be approved through the SEQRA Process with time lines for specific implementation prior to site disturbance, especially on the steep slopes.

9) There are thousands of square feet of impervious surfaces in this development, which generate huge volume amounts of stormwater runoff in a storm. This must be calculated, controlled and safely managed so that the water can be properly retained to maintain our watershed and its aquifer. The uniquely steep slopes only add to this storm water volume and intensity.

10) Ownership of all project infrastructure should remain with the developer under easement. The Town should not take over ownership or maintenance of this infrastructure, as it is on private land that is very expensive to repair and keep up. This should not become a burden on the Town and taxpayers for the benefit of a few.

11) All the work should be fully bonded so that, in the case of a site failure on the part of the developer who later refuses to restore a failed condition, that bond can be forfeit and the town can hire an independent contractor to stabilize and restore the site.

An excellent example of planned soil erosion and stormwater implementation is south of Route 22 at the Old Amenia Landfill Site. It is expensive and labor intensive and even with a plan and best efforts following most every storm, that site had to be re-stabilized or restored somewhere. I do not think you realize the seriousness of what the Town has allowed to happen. I sincerely hope and pray that the Town of Amenia is already in the process of taking steps to gain better control of this project development.

Moreover, I fear that what is taking place does not match the new Amenia Comprehensive Master Plan which so many people worked so hard to create and which has received a good deal of praise from both professional and regional planners.

NORMAN BENSON
(Certified Soil Erosion Control Specialist)

(Note: these comments were written based on personal observation of conditions at the Silo ridge construction site, as well as available newspaper coverage. I have not, at this point, reviewed the full plans and documents.)

Thursday, September 18, 2014
630 Smithfield Valley Road
Amenia, NY 12501

Town of Amenia Planning Board
Amenia, NY 12501

To Whom it May Concern:

I have a number of concerns with the proposed changes to the Silo Ridge project that the Planning Board is now considering.

The View from Route 44 – This project is in the process of erasing forever the most beautiful view in our town. Already a berm of earth has been built up near W. Lake Amenia Road obstructing the view of Delavergne Hill. The berm has also been planted with large trees further obstructing our view. Vegetation along the ox-bow near the top of the hill now obstructs the view. The pull-off near the top of the hill has also been blocked off. So, when coming down Delavrgne Hill, the view that we have had for centuries is now gone. The view down the valley is being obstructed not protected. I wonder if the view is being removed on purpose so that the destruction of the hill won't be seen.

Housing Density on the Upper Slope – On the hillside a number of houses would be constructed on 114 acres with a slope greater than 15% and on 22 acres with a slope greater than 30%. The developer is asking for a waiver to build houses closer together and on a steeper slope than is permitted in the towns master plan. More houses on steeper slopes aggravate water run off problems always encountered with buildings on hillsides. In addition more, higher and closer building on Delavergne Hill has a much more suburban feel and is hardly in keeping with the rural feel that is Amenia.

Placement of the Waste Water Facility – The developer is proposing that the waste water treatment facility be sited part way up Delavergne Hill within the 100 foot wide green buffer zone. A buffer zone by definition should have no construction in it. The facility would be better sited, as it was in earlier plans, across route 22 in an area zoned for commercial use.

Respectfully,


Walter Brett

Larissa DeLango

From: Town of Amenia <noreply@ameniany.gov>
Sent: Thursday, September 18, 2014 4:12 PM
To: Larissa DeLango
Subject: Town of Amenia: Silo Ridge plan

This is an enquiry email via <http://www.ameniany.gov/> from:
James and Elizabeth Park <sharehuntersall@mymailstation.com>

To the Planning Board:

We attended the Planning Board Meeting on September 4th, and found that we shared the viewpoints of many of those who spoke. Our concerns include, but are not limited to, the following:

- * We are skeptical of the viability of a luxury Golf resort in our town.
- * We feel that our town is not the place for a 'gated community' of luxury housing.
- * We are distressed by the heavy construction on the steep slopes of delaVergne Hill, which has already changed the nature of that viewshed, and is in opposition to the precepts of our Master Plan.
- * We worry about the inevitable seepage of golf course pesticides, herbicides and fungicides into the Cascade/Amenia Brook, and hence into the waters of the Tenmile River and the Housatonic watershed.
- * The development of the 'Winery' and Restaurant, plus houses, above the horseshoe bend on Route 44 is not only unrealistic in terms of density and impermeable surfaces.... it will complete the destruction of the view from the top of the hill. The site is, in itself, another steep slope.

We have the following questions of the developer:

- * Silo Ridge states that job creation will help the community. How many of these jobs will be 'service' jobs, how many will be seasonal, will they offer a decent wage, and HOW will the workforce housing issue be settled. The Town gets less, and less.
- * There is a lot of construction on the site. How many local people have been hired to do this work?
- * What will the 'estate' lots cost? There was much talk of the wonderful 'family' ambiance, but this is setting up to be a very pricey and exclusive development.
- * Nina Peek was critical of the Planning Board at the September 4th public meeting. Will you address her concerns? How, and when?

It has been clear since that land, (in our memory a dairy farm) was sold, that development would occur upon it. This project is perhaps better than the last (which was ridiculous) but it still is the responsibility of the Planning Board to safeguard the integrity of the Master Plan, listen carefully to the consultants hired by the Town, and avoid the possibility that an enormous corporation will trash our biggest asset. Thanks for your time, which I understand has been extensive!

Building Department

From: Will Gawel <wgaweljr@yahoo.com>
Sent: Thursday, September 18, 2014 2:06 PM
To: Building Department
Subject: Fwd: Silo Ridge project

Limited Construction Services

William Gawel Jr.
208 Kent-Cornwall Rd.
Kent, CT 06757
860-671-0377

Begin forwarded message:

From: Will Gawel <wgaweljr@yahoo.com>
Date: September 18, 2014 at 2:04:31 PM EDT
To: "smetcalfe@ameniany.gov" <smetcalfe@ameniany.gov>
Subject: Silo Ridge project

To whom it may concern,

I am writing this email in favor of the Silo Ridge project. I am a full time resident of Kent , CT but still own real property at 360 Bog Hollow Rd. This project can bring a positive change to the greater Amenia area. Jobs, local small business stimulus, and most of all massive tax revenue just to name a few.

I have worked on and off at the project playing a small part as a sub-contractor. During those times I visit the local Chiropractor, shop at tractor supply, purchase my wine at Cascade on Rt 22 and buy gas locally on my way home. My experience is just one of possibly hundreds due to the start of the project and hopefully it's eventual completion.

Please consider the positive impact Silo Ridge will certainly have on our area. Sincerely,

William Gawel Jr.
208 Kent-Cornwall Rd.
Kent, CT 06757
860-671-0377