

Please note a correction to Dr. Klemens comment memo regarding Silo Ridge.

First paragraph on page 9, heading Attachments-phase one site plan comparisons dated 9/23/14.

-Update- Date on all submissions were August 11th. There were not any missing hard copy submissions from the applicant to the town.

Michael W. Klemens, LLC
POB 432
Falls Village, CT 06031

October 13, 2014

Mr. Norman Fontaine, Chairman and
Members of the Town of Amenia Planning Board
4988 Rte. 22
Amenia, NY 12501

Dear Mr. Fontaine and Members of the Amenia Planning Board:

At your request I have conducted a detailed review of various documents related to environmental matters concerning the submission of August 11, 2014 by the Applicant "Silo Ridge" to the Planning Board, including their supporting documentation, as well as comparisons against previous plans submitted earlier this year (March 3rd), as well as comparisons with the approvals granted by the Planning Board in 2009. This is not a *de novo* application but a modification of previous approvals granted in 2009. Therefore the standard for my review was whether this current submission before the Planning Board has impacts equal to or less than the project that you approved in 2009.

Overall, this project has further reduced impacts to the wetlands, increased wetland buffers, and has made some progress in reduction of construction on forested steep slopes. The project has not increased impacts to wildlife, and the current Habitat Management Plan has taken a more conservative and realistic approach as to the benefits of the habitats to be created from the previously disturbed areas of the site. A clear distinction is now made between ecologically valuable natural wetlands and mature second growth forest, and the important, but less ecologically intact, constructed wetlands and previously cleared habitats. These constructed habitats have important functions in maintaining water quality and metering water flows, however their habitat value is significantly less than the natural systems on the site.

Despite overall improvements in the ecological aspects of the site, and mindful of the SWPP that has extremely high East of Hudson water standards to protect Hill's Pondweed as determined in your 2009 findings, there is still room for some improvement on this submission as pertains to the protection of natural habitats and their wildlife. This has become even more important as the forests on the site are habitat for the Northern Long-Eared Bat (*Myotis septentrionalis*) which is proposed for listing as "endangered" by the US Fish and Wildlife Service under the Endangered Species Act. It is my opinion and that of the other consultants reviewing this application on behalf of the Town that the Applicant should be encouraged to make a greater effort to reduce the impacts to steep forested slopes at the southern end of the property and to reduce tree cutting in the areas of contiguous natural forest on the site. This is supported in the original findings and approvals, which directed the Applicant to further reduce impacts to steep slopes in the design process.

The process that we are engaged is somewhat cumbersome as pertains to the forested slopes. We are reviewing site plans for Phase 1 of the project. Many of the estate homes that have the greatest impact to forested steep slopes are in Phase 2. However, the Planning Board is simultaneously reviewing and approving an MDP for the entire project. This MDP has estate homes placed in this sensitive area. While the Applicant has stated their willingness to refine these estate home designs and placement in

Phase 2 of the project, the current arrangement of these estate homes in the MDP is problematic, as once approved in this ecologically sensitive area, it may be difficult for the Planning Board to request redesign or removal during Phase 2. While the Applicant has made significant progress in reducing impacts to naturally forested slopes, protection of the ecologically sensitive mature second growth forested steep slopes at the southern end of the property has not been adequately addressed. There is also excessive clearing proposed in the Demolition Plan of trees in Phase 1. These estate homes (some in Phase 1 and many in Phase 2) have the distinct potential to create significant impacts (including reduction of habitat used by endangered bats) by the loss of mature second growth forest. This clearing will also have collateral visual, engineering, and storm water management impacts that are detailed in memos provided by my colleagues. Site design guidelines, which are the subject of a separate memo from the consultants, maybe be helpful in further mitigating these impacts.

My comments fall into several categories, many are general editing comments designed to ensure consistent discussion and presentation of data throughout the various documents cross-referenced throughout the submission. Others are comments concerning key items of information that still need to be submitted by the Applicant to complete the record, and finally, a series of policy decisions that the Planning Board is encouraged to discuss and reach consensus on.

ADDENDUM TO THE EAF

Table 4: Wildlife. The rationale for modifying the stream crossing with a design equal to or better than the square box culverts needs to be placed under additional mitigation measures for the MDP.

Table 4: After the end of “Transportation” in the Resource column, insert “Landscape & Zoning” into what is now a blank box.

Comparison Sheets: RC-0: It appears as three additional houses have been added into the southern area of estate homes. This appears to be an increased impact over the 2009 approval.

RC-1: An unidentified outline/shape along the north side of the road near the stream. Label it or remove it? This is possibly a storm water basin?

RC-2: One estate home is moved much higher up the slope. This appears to be an increased impact over the 2009 approval.

RC-3: Five additional estate homes are identified in the southern area. This appears to be an increased impact over the 2009 approval.

Policy Question for the Planning Board: I recommend a reduction in number of estate homes in the southern area to comport with the original approvals, and to reduce the loss of naturally forested slopes, and avoid excessive construction of roads and infrastructure, as well as potential visual impacts. In addition, I would recommend that the Planning Board require design guidelines on the estate lots to minimize the loss of forest and reduce clearing, grading and development-related disturbance on steep slopes. These design guidelines could also address the incidental take of wildlife by drowning in swimming pools adjacent to steep forested slopes and provide guidance for tree removal and mitigation for lost habitat for the Indiana and North Long-Eared bats.

HABITAT MANAGEMENT PLAN

The HMP (which goes hand in hand with the Natural Resources Management Plan) was totally revised and edited as a collaborative effort between VHB and the Town of Amenia's ecological consultant (Klemens). I wrote an explanatory foreword for the HMP which I hope will bring some clarity to this document. I circulated the memo to all of the team, and no one had objections to it so it has now been integrated into the current version of the HMP by VHB. The current version of the HMP comports with the current MDP and Phase One Site Plan in regard to classifying wetlands as either natural or constructed, and distinguishing natural second growth forested steep slopes from steep slopes that have been previously disturbed by agriculture and/or the old golf course. The vegetated wetland buffers around the constructed wetlands were put into their proper ecological perspective. These buffers have far more utility as part of the overall SWPP, than creating *de novo* valuable habitat for biodiversity. Additional data collected on the site since the 2008 HMP prepared by The Chazen Company (TCC) were added to the report and cross-referenced to the various tables in the HMP. A new appendix (E) was added to accommodate the 2014 VHB breeding bird study conducted on the adjacent Harlem Valley Landfill site.

Missing Information: The Natural Resources Management Plan (NRMP) has not been updated for the current revised application. Recommend that this plan, authored by Audubon International, be updated, and submitted, much in the way the HMP was done. When this revised NRMP is submitted, it should be reviewed against the current application materials particularly to ensure that its procedures and recommendations complement those of the HMP.

ACOE (Army Corps of Engineers) JURISDICTIONAL DETERMINATION (JD)

Missing Information: The JD expired on July 25, 2013. The attached email response (in yellow highlight) from Brian Orzel, USACE (US Army Corps of Engineers) was given to the Applicant when they submitted the application for the SPO waiver for the golf course work that has been conducted over the last months. **"Under Application Number NAN-2006-00216, the New York District issued a jurisdictional determination (JD) on July 25, 2008, which expired on July 25, 2013. Even though the JD just expired, I would still rely on it being pretty accurate, unless they have since performed work on the site."**

Now that the Applicant has since performed work on the site under the SPO waiver, I recommend that the Planning Board request that the Applicant obtain a formal determination from the ACOE stating that the expired JD is still valid and for what specific period of time. If the ACOE cannot confirm in a formal letter (as opposed to an email communication) that the current JD is valid, I would recommend that the Applicant be required to obtain a new JD. The present JD is a pre-Rapanos determination and therefore a new JD may have additional requirements for mitigation and possibly expanded jurisdictional wetlands on site. *In my professional opinion, the Planning Board would be ill-advised to render a decision on a project that doesn't have a documented current JD from the ACOE.*

CONSULTANT COMMENTS/ RESPONSE SPREADSHEET

I limited my review to comments attributed to me. The following numbered comments needs additional attention as follows:

3: There are still too many estate homes on the naturally forested slopes at the southern end of the site.

7: The Applicant needs to discuss how the stream crossings proposed are equal to or superior to those that are part of the previous approved MDP and included in the Findings Statement. Also cross reference this with the revised language in the HMP and the EAF addendum, check for consistency.

11. Add that “the trade-off was protecting an additional 11.5 acres of naturally forested slopes versus grassland to be created on previously disturbed slopes.”

15: Response inadequate, expand.

28: Add “incorporated as Appendix E of the HMP.”

29: Add “disturbed area has been reduced when compared with the 2009 MDP.”

37: Again, this need to be consistently treated as a change that was equal to or better than the crossings approved in the 2009 MDP and the Findings Statement.

41. Conifers have been planted along side Route 44 on the lower portions of DeLavernge Hill therefore the response statement is not longer correct.

LANDSCAPE PLANS

My review of the landscape plans has been multi-layered and is an ongoing process. In the initial sets of discussions and comments, the locations of plant palettes and species were harmonized with the original approvals, to ensure that only native plants were used in the transitional areas between natural forested habitats and along waterways. In consultation with the Applicant’s team and their landscape consultant Matt Rollins, I removed various plants from the palettes that had the potential to be invasive, including various Eurasian *Viburnum* species. These were replaced with appropriate native species in the palette. We also developed a palette of low growing native species to be placed in the hairpin turn on De Lavernge Hill to facilitate long views down the valley. Having reviewed the landscape plans and the arrangement of plant species divided into three categories, native to NY, native the eastern USA but not NY, and not native, I can report to the Planning Board that all sensitive ecological areas have been planted with a palette of plants that are native to New York State in accordance with your original approvals. *Policy Question for the Planning Board: I recommend that the Planning Board allow an ongoing system of consultation between myself and Mr. Rollins as it is anticipated that there will be occasion to have to substitute certain plants because of stock availability or size. This is a very standard procedure in large installations and it is critical that any substitutions carry forward the commitments to native planting around all natural areas and waterways. This will avoid the Applicant having to present*

each size change/substitution of plant material to the Planning Board. When these changes are made I will send an email to the Planning Board Chair and Secretary, so that the Town has a written record of any changes made.

The current plan includes Rocky Mountain White Fir (*Abies concolor*) as part of the palette in the DeLavernge Hill SPO buffer alongside Rte 44 and several Colorado Blue Spruce (*Picea pungens*) proposed to be planted in the SPO buffer at the Wastewater Treatment Plant. I have discussed these issues with the Applicant and these will be removed for several reasons. First, only native species can be used in the first 100 feet of the 800 foot SPO buffer alongside Rt. 44. Both of these species are native to the western USA, and therefore planting them violates zoning as they are currently specified for installation within the first 100 feet of the SPO buffer. Additionally, blue spruce in New England and New York are dying from a particularly virulent pathogen and the species is not even commercially available. The planting plan around the WWTP was designed by the WWTP architect, and the Applicant has informed me that Mr. Rollins will be reworking that plan to bring it into compliance in both the species used and in the quality of design and detail that has been illustrated on the rest of the site.

VEGETATIVE SCREENING

Policy Question for the Planning Board: I believe that the Planning Board needs to carefully review what these planting plans are going to result in over time, and reconcile that both with the SPO zoning as well as the comments concerning the view shed received at the two public hearings.

Vegetative screening has its genesis both in the zoning (SPO) as well as what may be a mis-directed attempt to hide most of the development from the public eye, which will result in blocking large sections of the view shed from DeLavernge Hill.

The Applicant has proceeded to implement portions of Landscape Plan contained within the Phase 1 Site Plan. Specifically the Applicant moved 13 large white pines (*Pinus strobus*) to recently graded areas adjacent to the golf course. While some of this grading was included in the approved golf SPO waiver, apparently there is at least one area on the Phase 1 Site Plans where the Planning Board is being asked to approve more grading as part of Phase 1. These issues were covered in two memos that I sent to the consulting team concerning a comparison of the March 3rd and August 11th Phase 1 Site Plan and MDP sheets. These memos are attached at the end of this memorandum.

From my standpoint placing those pine trees as the Applicant did has sparked an important conversation about what the site ultimately will look like. Driving up DeLavernge Hill, a long view down the valley unfolds framed by the lower branches of some of the pine trees; those views could be further opened up by removing some lower branches once these trees are established. But at present, an attractively-framed long view down through the valley is quite transitory. The current Phase 1 Site Plan calls for a dense forest of trees to be planted within that buffer area, almost up to the hairpin turn, which effectively means a large part of the view will be lost forever.

The Planning Board is advised to reach a decision on this critical issue—and evaluate carefully if the current Phase One Landscaping Plans are the outcome they wish as it pertains with views into and across

the valley from DeLaverqne Hill. While this screening may have been appropriate for the former approved 2009 MDP, which contained many height waivers and much greater building bulk (*and even then I questioned whether this was prudent at that time*), it certainly needs to be critically re-evaluated for the much lower profile development envisioned in the current MDP and Phase One Site Plan and in response to the public comments about the long views down the valley.

I also examined the vegetative palette for the proposed overlook area. All species seem appropriate for that site. However, I would suggest that in lieu of planting three red maples (which are not elegant specimen trees) behind the benches, the Applicant consider a stately specimen tree in that location, such as a Burr Oak (*Quercus macrocarpa*), which would over time add shade, importance, and dignity to the overlook seating area. Alternatively, one could eliminate any tree(s) there as they may over time impede the views of the valley from certain points on Rte. 44. The Planning Board is advised to carefully review the tree planting plan for the overlook and provide guidance as to what size plantings they wish to see on that area and whether they want any trees at all at the overlook area.

Vegetative screening is also question at the Wastewater Treatment Plant (WWTP). A much more diverse palette needs to be established for the overall site (which I believe Matt Rollins has been tasked to do on behalf of the Applicant), however, there is the issue of screening the side of the building, specifically the south elevation that will be partially visible as one descends DeLaverqne Hill toward the hamlet of Amenia. The problem here is that the WWTP sits right up along the NYSEG Right of Way (ROW), grading for the WWTP plant extends onto the ROW, and NYSEG may well be reluctant to allow establishment of anything tall (i.e., trees) on their ROW. Possibly some tall growing shrubs such as bayberry may help break up the building profile a bit, these can be, maintained at the desired height and may be more palatable to NYSEG than trees. So even with some shrub screening, it is quite likely that a portion of the south side of the building may be visible as one drives under the NYSEG power line easement eastward toward the hamlet. Common sense would dictate that this portion of Rte. 44 that is near the junction of West Lake Amenia Road is a transitional zone from the rural area of De Laverqne Hill toward the hamlet of Amenia. There are a variety of structures that are within the 100 foot SPO buffer, including residences and a restaurant (Serevan), and it may make sense for the Planning Board to focus on ensuring the compatible physical appearance (e.g. clapboard barn-like structure) of the WWTP, as opposed to trying to screen its entire southern elevation from eastward bound traffic on Rte 44, which is impossible without NYSEG's concurrence. Another alternative that has been suggested is using large retaining walls around the WWTP. This will reduce the loss of trees through cuts and fills as currently proposed, but also will camouflage apart of the building by having it hidden below grade.

A third area of vegetative screening is around the Golf Maintenance Facility as the southern end of the site alongside Rte. 22. There is not an SPO buffer in that area of Rte. 22, but according to the OC zoning, the structure and its appurtenant activities must be completely screened from Rte. 22. The facility is well planted with many trees but there is an area to the north of the facility where additional screen of eastern red cedars and white pines will be needed to block the view of this facility from Rte. 22. This already has been discussed with the Applicant. The area of overflow parking is going to be maintained as lawn. If it is to be used more than a few times a year, a type of pervious paver may make more sense for that area. I leave that determination for the Town's Engineer.

DEMOLITION PLAN

Sheet C3.10 shows the total number of trees to be slated for removal equaling 1551, but only 577 of these are 12 inches or less DBH. The remainder 12-14 inches (899) and greater than 24 inches (75). I reviewed the list of trees to be removed, eliminating non-native trees such as Norway maples, and early successional species such as aspens and birch, as well as ash which are undergoing severe disease induced declines in our area. The results are that a significant number of large trees (119) representing climax second growth forest will be removed under the current plan. These are all hardwoods except for a single large hemlock. Most of these trees are 20 inches or more in diameter, and some are more than twice that: 32 sugar maples, 23 hickories, 22 red oaks, 13 black oaks, 8 white oaks, 8 maples (unidentified species), 4 black cherry, 3 tulip trees, 2 red maples, 2 oaks (unidentified species), 1 scarlet oak, and 1 hemlock. Many of these large trees must be originating from the steep forested slopes and are likely primarily being impacted by the estate home construction. In addition, several of the shagbark hickories proposed to be removed could serve as maternal (summertime) roosts for two Federally-protected ESA/Candidate ESA bat species (Indiana and Long-eared). I would suggest that the Planning Board require that the Applicant further refine the layout of the estate lots and the clearing/grading plan to avoid taking so many aged trees. The use of design guidelines for the estate lots will help achieve these goals. Also the timing of forest clearing must take place in the late fall-winter in order to incidental take of roosting bats. Missing Information: The tree survey/demolition plans are also incomplete. Some areas of forest to be cleared are not accounted for in the tree removal plan (see C3.08).

LIGHTING PLAN

The lighting plan is contained on Sheets SL 1.00-1.06. There were no previous landscape lighting plans, however, the discussion of landscape lighting was present in both the approved 2009 MDP (page 44) and the new revised MDP (page 62). While the style and wattage (50 watts versus 20 watts) have changed, the output remains consistent at 1000 lumens. According to the applicant, Discovery Land has replaced many of the pole lights with up-lit trees, which is their preference for lighting. Does this comply with zoning? As far as ecological impacts are concerned, according to the lighting plan sheets, the proposed tree lights will not be adjacent to any natural areas with a single exception, at the entrance area. It is unclear from the plans submitted what the lighting situation will be at the entrance. This is the area adjacent to SWM 6 which was formerly Pond A and Pond B. As a general rule, up-lighting near natural habitats (wetland and forested slopes) should be avoided.

ENLARGEMENT OF EASEMENT

In my earlier memos I discussed the possibility that the easement area has expanded to accommodate the drainage pipe and the overflow parking. The applicant (informally) estimated this at about an acre. I discussed this with the Planning Board's counsel as long as the new disturbance numbers are reflected somewhere in the record, the EAF does not need to be reworked to accommodate this small increase overall project area. Missing Information: I would suggest that the Planning Board request that the

Applicant clearly show/add to the record (or point out where it is if it is already in the record) the discussion of this increased area of disturbance.

CONSERVATION BUFFER/EASEMENT BOUNDARY MARKERS

I have examined the conservation buffer markers illustrated on C14.01. The accurately reflect the two types of markers I have discussed with the Applicant. A post mounted marker to delineate the boundary between the homeowner use area and the preserved area that will be installed at the interface between the forested areas and the estate homes, as well as between the golf course and the protected wetland buffers around AM15 and Amenia Cascade Brook. The ground level discs are to be used in areas that are mowed or otherwise managed. These indicate the areas to be protected and the boundaries of the now spray and fertilizer zones. Missing Information: Dutchess Land Conservancy (DLC) and Audubon International (AI) will both be using these markers to monitor the easement and manage the golf course. Therefore, the Applicant should consult with both parties to ensure that the design of these markers are in accordance with their management plans, what should be written on the markers, and also the number and placement of these boundary markers. The written responses from the easement holder (DLC) and the golf course manager (AI) should be incorporated as part of the record of these proceedings.

NORTHERN LONGEARED AND INDIANA BATS

The Indiana Bat and Long-Eared Bat are both endangered species that potentially occur on site. Both species hibernate in caves and mines, but during the spring, summer, and fall they disperse and use a variety of mature trees (both living and dead) with hollows and exfoliating bark for roosting. Many of the larger trees discussed in the demolition plan (especially shag bark hickories and mature sugar maples) are texturally conducive to serve as roosting habitat for these species. Conservation strategies for these species follow the following sequence: avoidance, minimization, and mitigation. Avoidance is reducing further the loss of mature second growth forest, minimization is reducing the loss of mature specimen trees, especially shag bark hickories and sugar maples, mitigation is avoiding take of these species by restricting clearing activities between November 1 and March 1 (unless another clearing window is provided by the USFWS). The installation of bat roosting boxes can also help offset the loss of tree habitat. Bat boxes are not a substitute for tree preservation.

This concludes my comments on the submission. I am reviewing the Draft Design Guidelines and will coordinate my responses with the Town's consultant team.

Sincerely,



ATTACHMENTS

PHASE ONE SITE PLAN COMPARISONS

To: Silo Ridge Town Consultants, September 23, 2014

Fr: Michael W. Klemens

Re: Phase 1 Site Plans

Comments/responses by Julie Mangarillo (JSM) are in red text. 9/27/2014.

I have spent a good part of today wading through the Phase 1 Site Plan sheets (the Town's file submission copy) that were received by the Town on August 1st (Issue Date August 11, 2014). If this is the only roll of sheets that the Town received as hard copy submission for the Phase 1 Site Plan there is a lot missing (see my earlier exchange of emails with Larissa). Is it acceptable to have everything on line but not a single complete hard copy in the town offices....if that is indeed the case??

I have tried to go through these plans, sheet by sheet, to compare if the changes that Julie, Mary Ann, and I annotated on the smaller scale set dated March 3rd were integrated in this submission. In general, most of the comments we made were either incorporated, or explained buy additional annotations on the plans. In some instances, entire new sheets were created in response to our questions (e.g., signs). The pagination I am using follows the latest submitted plans, therefore there is some deviance from the pagination of the March 3rd set that we annotated. With a blue pen I annotated this set (March 3) again, with a check mark when I verified these changes were made, or some other remark in blue if things were not apparently done. I tried to cover most of the comments, but each consultant should make sure their questions were fully addressed. For example, Julie requested a lot of signs. These are now in a new section devoted to signage, C6.01-05. I did not check that page by page all the signs were cross-referenced with that section for example.

C2. 01: Add **WEST** to Lake Amenia Road.

JSM – I have this same comment and will include it in my comment memo.

C3.02: There are areas of grading proposed along Route 44 at the hairpin turn and below the hairpin turn down to West Amenia Lake Road (see C7.01 + C7.02). These were part of the SPO waiver. So why are they again being shown on the Phase 1 Site Plans? George is going to compare these against the grading on the SPO waiver, possibly they are proposing additional grading (over and above the SPO waiver) of these areas as part of Phase 1. If that's not the case these should not be shown on the Phase 1 plans, as they are existing conditions. There is work on DOT land in the hairpin without any explanation (note), US 44 is not labeled, and the edge of pavement is still missing. Part of Phase 1 extends onto the Miller property, but that 2.2 acre parcel is included in the overall project area according to the plans, which I believe is correct.

JSM – C3.02 still has the 6/19 revision date, instead of the 8/11 revision date. The base drawing wasn't updated, but it needs to be. (You can tell it wasn't updated because the limits of disturbance line doesn't match the one shown on C5.02 and C7.02 which have 8/11 rev date.) They are proposing additional changes to the grading, (beyond that included in the SPO waiver). They have made an application to NYS DOT. There is a note regarding NYS DOT permit on C5.02.

One of my comments is to include this note on all drawings that reference this work (C3.02, C7.02). NYS Route 44 is labeled ever so lightly. It's easier to see on the computer. And my copy of C3.02 has the edge of pavement, although some other drawings are still missing it.

C3.09: Phase 1 work for the Wastewater Treatment Facility extends onto the NYSEG ROW and the DOT ROW, and in the case of the Golf Maintenance Facility beyond easement areas. No explanatory notes appear on the plans for these incursions off site onto properties of others.

JSM: I've noted that as well and will be including in my comment memo regarding the WWTP. There is a note for the Golf Maintenance Facility "All work outside proposed easement shall be coordinated with and permitted by owner". I don't know if that note is sufficient, but it's there.

C5.02: The requested entrance sign from Rte. 44 to the Artisans Park overlook is included in the new signage details section C6.05.

C5.06: There is no reference to detail for the bridge [L 93] spanning the stream/wetland crossed by Road E. Does [L 93] refer to a detail?

JSM: L93 is the segment of road, used as a reference to find that particular section of road in the road profile. There is a note written above the L93 text - "Road E Crossing Bridge – See Detail on Sheet C14.03".

C5.07: The easement area associated with the golf maintenance facility has expanded in two areas 1. An easement area for the drainage pipe that we had identified in our review as crossing through the un-eased portion of the lot has been added AND 2. Overflow parking is now added to the easement north of the Maintenance Facility parallel to Route 22. So I pose the question: Has the easement increased to the point where all the area calculations that form the foundation of the EAF are no longer accurate?? Or are these areas small enough not to make a difference??

JSM: This is an excellent question, which I have myself. I don't know the answer to it.

C5.08: The existing pathway in the adjacent area of AM-15 is being abandoned, not removed, yet it is only partially shown.

JSM: I have this same comment. It also repeats on C7.08 and C12.08.

C5.10: Pond A and B are now labeled SWM 6. I understand that these two ponds are connected and now have stormwater functions ascribed to them, but is this the best way to label this?? Possibly a footnote explaining this is warranted??

JSM: The SWM 6 goes along with the labeling in the SWPPP. They should have separate designations though.

C5.10: Julie needs to carefully compare this against the old C5.11. It's hard to see what has happened here and some of the questions she asked, such as square footage, have not been reflected on the Wastewater Treatment Facility plans.

JSM: It looks like they've improved labeling. I don't remember what my question about square footage was. I didn't copy it onto my set of plans.

C7.01 and 02: See C3.02 – reciprocal issues about the grading (SPO waiver versus Phase 1 Site Plan)—is it additional grading or grading provided for in the SPO golf course waiver?? George confirms that there is no planting shown in the SPO waiver sheets, though the narrative talks about it. Here is the latest from George about this issue: Michael: Sorry I had to run, but I'm back and I was able to answer

your question on the difference between the grading planned for 44: The SPO grading and the grading plan (Sheet C7) is different only near the middle of the hairpin turn. The grading on 44 east of the hairpin turn is identical in the grading plan (C7) and the SPO plan. So it's a mixed bag! They need to be consistent. Great catch. George

JSM: See response to C3.02 above.

C7.02: Historic Road Bed. This issue crops up on at least two different sheets. We asked for a note placed on the sheets "clarifying the status of the historic road bed" as per Dave Everett's request. Nothing is shown on the plans as requested.

JSM: Based on Silo's response to Dave's comment, they still haven't fully answered this. Their response states "The applicant is investigating. Initial research indicates that the applicant owns insured title to the bed of the former road." I think Dave should follow up on this one, as he commented on it first.

C7.03: The culvert from the outflow of SWM 6 under Rte. 22 is not labeled., there is another culvert crossing under Rte. 22 labeled slightly to the south(near the entrance to the site) but this large culvert is not labeled.

JSM: I noted this as well. I think the arrow is just pointing to the wrong place.

C7.05 Wetland QQ ID block label has been dropped from the plans. We asked that the ID block be turned 90 degrees for ease of reading but it appears to have been inadvertently deleted.

JSM: I noted this as well. Also missing on C5.05. It is labeled on C2.05 and C3.05, so at least it is somewhere.

This concludes my review of the Phase 1 Site Plan sheets that were submitted on August 1. If there is another roll in the Planning Office for subsequent sheets I can review those in this manner. I do have information on planting plans which I will review that was sent to me directly by Silo. I intend to return all materials to the Planning Office on Friday when I meet with Amanda at Town Hall to rework the HMP.

MDP SHEET COMPARISONS

To: Silo Ridge Town Consultants, September 24, 2014

Fr: Michael W. Klemens

Re: MDP plan sheets

Comments/responses by Julie Mangarillo (JSM) are in red text. 9/27/2014.

Today I reviewed the two MDP plan sets for consistency with what we requested to be changed on the March 3rd set and what has been done on the August 11th set.

SP3: I noted in my review of the layout of these tables, which the applicant did in accordance with our comment, that the estimated combined building footprint square footage of the structures in the vineyard cottage section of the development (as per the table) has increased to 60,800 square feet from

33,250 square feet on the March 3rd table, without any corresponding increase in number of units. *This needs to be checked with the Applicant.*

SP3: I also noted that the number of units in Phase 1 is down to 172 from 188 on the March 3rd plan set, with a corresponding decrease in building square footage and other metrics.

SP8: There are 17 homes on the Road I cul de sac...it was noted on the sheet that this was contrary to zoning which allows 15 units per cul de sac. This was not revised nor was there an explanation. Is this possibly one of the waivers they will pursue??

JSM: They have requested a waiver for this.

SP9: Building envelopes were requested but are not on the plan, and the 15% driveway way slope in the detail remains despite comments that this should not be shown as typical.

JSM: They provided better notes and the representative maximum 30,000 SF line in the site plan set, L3.31 – L3.33. I will be including in my comments that they incorporate more of this info into MDP SP-9.

SP10: This is a Chazen plan for the vineyard cottages. However, the house numbers have been turned off between the March 3 and August 11 versions. They should be turned back on to comport with the rest of the plans. Also requests for labeling Route 44 and modifying the end of the roads to comport with the rest of the plans has not been done.

JSM: Silo's explanation to me was that the AutoCAD version of the Chazen drawings that they have is not the final version. Therefore, they can't manipulate or edit the final Chazen drawings from 2009. The compromise is that they put the big note "APPROVED 2009 MDP DRAWING: SP-14 VINEYARD COTTAGES" in the title block. (The "SP" number and drawing title changes for the individual drawings.) This is to show the drawing already has approval. They will make modifications when they get to site plan approval for that phase.

SP-11: None of the requested corrections have been made including: show stormwater management, label grape arbors, remove "existing" from wetland, define four squares at entrance to winery, label winery, provide turn-around, label culvert under entrance driveway, label overflow parking.

JSM: Same as for SP-10. They can't make the requested changes because they do not have the AutoCAD drawings.

A4: E is not on the key plan as requested.

JSM: They added a 2nd key plan in the lower right corner which includes "E".

P1: Trellis not labeled as requested.

JSM: The trellis is now clearly labeled on SP-6 "Site Plan-Village Green." I'm inclined to let this one go, as the focus of this drawing is parking.

U1 and U2: Rte. 44 not labeled, Rte. 22 not labeled, edge of pavement missing from both roads, the northern set of wetlands should be marked vernal pools, not vernal pool. These were all requested changes. **JSM – I have the same comments and will include them in my comment memo.**

U1 and U2: Also, we requested that there should be a note at the golf course maintenance building on U1 indicating it was served by septic, and on U2 indicating it had its own well.

JSM – The golf maintenance building is now being served by the community water supply and wastewater treatment system. Notes regarding well and septic are no longer needed.

LA-5 This is an example of where there is dialogue on the sheets..I recommended wildlife excluders built in to the swimming pool fences of those pools abutting forested areas..the response there is they disagree but will recommend but not be a requirement. I will add this to my comment letter to the Planning Board, but it's interesting to see that some of the comments we have made or changes we have requested are annotated on these sheets but this may be the only "formal" response to our requests that we received, as these did not make it I believe onto the spreadsheets of comments and responses, because we (or at least I) had assumed that this had already been done?? It would be wise for the others who made comments to check the file copy which is has been returned to the Planning Office.