



TOWN OF AMENIA

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TOWN OF AMENIA TOWN BOARD

Resolution # 49 of 2015

Resolution Approving Form of Stormwater Management System Maintenance and Easement Agreement for Silo Ridge Project and Authorizing Town Supervisor to Execute said Maintenance and Easement Subject to Town Attorney's Approval of Exhibits and Insertion of Necessary Information

WHEREAS, Silo Ridge Ventures Property A, LLC ("Silo") is the owner of 670+/- acres of real property located in the Town of Amenia (the "Silo Property"); and

WHEREAS, Silo intends to develop the Silo Property as a mixed-use resort community to be known as the "Silo Ridge Field Club" (the "Project"); and

WHEREAS, the Harlem Valley Landfill Corp. ("HVLC") is the owner of real property located adjacent to the Silo Property and identified as parcel number 7066-00-870350 on the town of Amenia Tax Map ("the HVLC Property"), and HVLC and Silo intend to enter into an easement agreement granting Silo a permanent easement over a portion of the HVLC Property to construct and operate a golf maintenance building, wastewater treatment plant, access road and other improvements related to the Project; and

WHEREAS, in 2013, Silo applied to the Town of Amenia Planning Board for, among other things: (1) an amended Special Permit/Master Development Plan approval for the Project; (2) Special Permit approvals for the golf maintenance facility, golf course improvements and waste water plant; (3) Site Plan approval for the first phase of the Project; (4) Preliminary Subdivision approval and lot line adjustment to incorporate a portion of the HVLC Property into the Project Site; (5) Special Permit approval for storage at the golf maintenance facility of more than 500 pounds of fertilizers and pesticides; and (6) certain waivers and supplementary approvals under the Zoning Code and Subdivision Code (collectively the "Applications"); and

WHEREAS, on March 25, 2014, the Planning Board circulated a Full Environmental Assessment Form ("EAF") for the Project to all involved agencies, including the Town Board of the Town of Amenia (the "Town Board"). On May 15, 2014, the Planning Board designated itself as Lead Agency under the State Environmental Quality Review Act ("SEQRA") for review of the Applications for the Project; and

WHEREAS, as part of the Applications, Silo submitted an Addendum to the EAF containing numerous detailed and thorough plans, reports, studies and other documents evaluating the Project's potential impacts on environmental and other resources (collectively, the "Supplemental SEQRA Materials"); and

WHEREAS, on August 21, 2014, the Planning Board determined the Applications complete for purposes of public review and on September 4, 2014, September 18, 2014, and May 5, 2015, the Planning Board held duly noticed public hearings on the Applications and Supplemental SEQRA Materials; and

WHEREAS, the Planning Board, with the assistance of its ecological, planning, engineering, visual and legal consultants thoroughly reviewed the EAF, the Applications, and revised Supplemental SEQRA Materials to identify the relevant areas of environmental concern and thoroughly analyzed the identified areas of environmental concerns to determine if the Project may have a significant adverse impact on the environment; and

WHEREAS, on July 29, 2015, the Planning Board adopted Resolution No. 8 of 2015 entitled "Resolution Adopting an Amended and Restated Findings Statement Under SEQRA for the Silo Ridge Field Club" (the "Amended SEQRA Findings"); and

WHEREAS, on July 29, 2015, the Planning Board also adopted the following resolutions, among others, in connection with the Project: (1) Resolution No. 9 of 2015 titled "Resolution Approving the Amended Special Permit and Amended Master Development Plan for the Silo Ridge Field Club"; (2) Resolution No. 11 titled "Resolution Approving Lot Line Adjustment and Preliminary Subdivision Plat for the Silo Ridge Field Club;" and (3) Resolution No. 12 of 2015 titled "Resolution Approving Site Plans for Phase 1 of the Silo Ridge Field Club;" (collectively the "July 2015 Approvals"); and

WHEREAS, the Planning Board approved the construction and installation of a stormwater management system serving the Project ("the Stormwater Management System") and coverage for the Project under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities; and

WHEREAS, the Town and Silo desire that the Stormwater Management System be built and installed in accordance with the approved Project Documents and all applicable New York State Department of Environmental Conservation ("NYSDEC") regulations, standards, and guidelines for the Project and that the same thereafter be maintained, cleaned, repaired, replaced, and continued in perpetuity in order to ensure optimum performance of the components of the Stormwater Management System; and

WHEREAS, the Town Board of the Town of Amenia (the "Town Board") is an involved agency for the Project under SEQRA because the Board has jurisdiction by law to approve certain aspects of the Project including, among other things, the formation of transportation corporations, the execution of a public access easement and agreement for Artisan's Park Overlook, and the approval of various project bonds and financial guarantees; and

WHEREAS, 6 NYCRR § 617.11(c) provides that no involved agency may make a decision to approve an action until the agency has made a written findings statement under SEQRA; and

WHEREAS, on November 19, 2015, after careful review of the Amended SEQRA Findings prepared by the Planning Board, the Town Board adopted Resolution No. 44 of 2015 Adopting the SEQRA Findings Statement for the Silo Ridge Field Club; and

WHEREAS, Silo Ridge Ventures Property A, LLC, HVLC, and the Town Board are desirous of proceeding with the execution of a Stormwater Management System Maintenance and Easement Agreement;

NOW, THEREFORE, BE IT RESOLVED, that, after due consideration, the Town Board hereby approves the form of the Stormwater Management System Maintenance and Easement Agreement as attached to this Resolution and hereby authorizes the Town Supervisor to execute said Easement, such approval and authorization being subject to the Town Attorney's approval of all necessary exhibits thereto and the insertion of all necessary information which is currently not inserted therein.

Motion made by V. Doyle, and seconded by S. Perotti.

The foregoing resolution was voted upon with all members of the Town Board voting and signing as follows:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	<u>Signature</u>
Supervisor Perotti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Stefano Perotti</u>
Councilwoman Doyle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Walter Doyle</u>
Councilman DeLango	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>[Signature]</u>
Councilwoman Hitselberger	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Absent</u>
Councilman Perotti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>[Signature]</u>

Dated: November 19, 2015
Amenia, New York

[Signature]
Dawn Marie Klingner, Town Clerk