

Appendix E

Correspondence

CHAZEN ENGINEERING & LAND SURVEYING CO., P.C.

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Phone: (845) 454-3980

100 Glen Street, Suite 3C, Glens Falls, New York 12801
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Capital District Office
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Phone: (845) 567-1133

June 26, 2007

Mr. Brian Orzel
US Army Corps of Engineers
Regulatory Branch
Room 1937
26 Federal Plaza
New York, NY 10278-0090

Ms. Lee York
New York State Department of Environmental Conservation
Division of Permits
21 South Putt Corners Road
New Paltz, NY 12561-1696

Re: Pre-Application Meeting
Silo Ridge Resort Community – Traditional Neighborhood Alternative
Town of Amenia, Dutchess County, New York
TCC Job #: 10454.02

Dear Mr. Orzel and Ms. York:

The Chazen Companies (TCC) is writing to request a pre-application meeting for the Silo Ridge Resort Community - Traditional Neighborhood Alternative (the "project"), located in the Town of Amenia, Dutchess County, New York. The purpose of the meeting would be to review the proposed project plans and discuss any regulatory issues associated with those plans. As discussed below, guidance is requested on some particular issues. This letter provides information that may be useful as you prepare for this meeting.

Background

The Applicant, Higher Ground Country Club, LLC, is proposing the development of a resort community on a 670±-acre site to be known as the Silo Ridge Resort Community. The project site is located west of New York State (NYS) Route 22 in the Town of Amenia, Dutchess County, New York, and is comprised of six parcels identified as Parcel Numbers 7066-00-732810, 7066-00-860725, 7066-00-

742300, 7066-00-670717, 7067-00-709177, and 7067-00-628131 along with a 2.2±-acre parcel north of Route 44 and contiguous to the project site.

Approximately 170-acres of the project site is currently developed with an 18-hole golf course and club house with associated amenities. There is also an unoccupied residence on the 2.2-acre parcel north.

The proposed development creates a pedestrian-friendly environment by concentrating the hotel, spa, small-scale retail uses, and approximately 60% of the proposed units within a ¼-mile radius or “core area,” which facilitates and encourages comfortable pedestrian travel between the units and the golf course and other amenities. Within this radius, the development provides a hotel, spa, restaurant and retail uses, below-ground parking, 215 residential units, the golf clubhouse and pro-shop, and banquet facilities. Approximately 144 additional residential units are arranged outside the limits of the “core area”. The existing golf course will also be upgraded and improved. It is anticipated that construction will occur in three or more phases, and/or as the development market dictates.

The Town of Amenia Planning Board is the Lead Agency for this project under the New York State Environmental Quality Review (SEQRA). The Applicant submitted a Draft Environmental Impact Statement (DEIS) on September 7, 2006, which was subsequently revised on December 18, 2006, February 1 and February 15th, 2007. It is anticipated that a revised DEIS will again be submitted in late June 2007 to include some additional project modifications to address completeness comments of the Lead Agency.

Materials Attached to this Package

The following materials have been developed and are attached to this letter to assist in the pre-application review and conference:

- 11 X 17 Existing Conditions Map (Figure 3.2-1) illustrating the location of state and federally regulated waters and wetlands.
- 11 x 17 Overall Wetland Impact Map (Figure 5-10) illustrating the location and area of wetland impacts on the site (both temporary and permanent) for the Traditional Neighborhood Alternative.
- 11 x 17 Wetland Crossings Map (Figure 5-11) illustrating the locations of wetland crossings for cart paths and roadways. As will be discussed below, it is the goal of this project to have no regulated wetland or stream impacts from road or cart path crossings.

- 11 x 17 Stream, Pond and Wetland Enhancement Map (Figure 5-12) illustrating locations where habitat improvements will be undertaken at the site.
- Photographs illustrating various aspects of the site.

Delineation of Wetlands and Waters

The wetlands and waters on the main 668 acre parcel were delineated by TCC in May and November 2005. The wetlands were subsequently verified by the New York State Department of Environmental Conservation (NYSDEC) with a signed map from Heather Gierloff. The wetlands were field verified by the Brian Orzel of the US Army Corps of Engineers (ACOE) on September 12, 2006. It was determined in this site walk that four waters/wetlands were isolated. These included Pond A, and Wetlands I, R, and S.

The 2.2-acre parcel that was recently acquired has very minor areas of wetlands identified on it, all of which are part of Wetland S. TCC has communicated with Mr. Brian Orzel, who has indicated that he will not need to go back to Silo Ridge to review this area. Since the ACOE has already determined that Wetland S and Wetland R are isolated (these 2 wetlands/streams are part of the same overall wetland system, the wetland name only broken out because of Route 44), the additional wetlands flagged in the 2-acre parcel will also be isolated. Changes to the wetland survey map were completed two weeks ago, and the updated information has been sent to Mr. Orzel.

Impact to Wetland and Waters

State: There are two state-regulated wetland/water resources on the site. The first is NYSDEC Wetland AM-15 (Class II), located in the southeast corner of the site. The second is Amenia/Cascade Brook (Class Cts), located in the northeast portion of the project site.

Based on current development grading plans, there is no development proposed within the NYSDEC wetland or its 100-foot adjacent area. The NYSDEC adjacent area currently contains a portion of an existing paved golf cart path, dirt road and the edge of mowed fairways, along with areas of taller herbaceous vegetation. See Photograph 1. The current development plans propose mitigation, including the restoration of the golf cart path and enhancement of the 100 foot adjacent area in this area. This is discussed in greater detail below under "Stream, Pond and Wetland Enhancement Plan."

With regard to Amenia/Cascade Brook, there will be re-grading and re-development of a fairway within 50 feet of the brook in the vicinity of an existing golf course fairway. An Article 15 Stream Disturbance Permit will likely be required for this work. Wherever possible, existing riparian shrub vegetation has been retained, and the proposed work will not encroach further upon this riparian area. Photograph 2 and 3 are a series of photos illustrating the existing conditions with the riparian vegetation of Amenia/Cascade Brook in the farground with the existing golf course (the tee and fairway of the 3rd hole) in the foreground. Photo 3 illustrates Amenia Brook along Route 22 further south from Photos 2 and 3.

Federal: Overall Wetland Impact Map (Figure 5-10) illustrates the impacts to federally regulated waters and wetlands on the site. The following direct impacts to federal wetlands are proposed for the project:

- Wetland O. This will involve impacts to 1,136 square feet (0.03 acre) of wetlands for golf course fairway grading. (See Figure 5-10, Detail 1).
- Stream J. This 127 linear feet of stream disturbance impact (795 square feet or 0.003 acre) is associated with grading of the 17th fairway (See Figure 5-10, Detail 2). This impact was discussed with the golf course architect; the impact cannot be avoided due to the need for a landing area in front of the green.
- Stream J. This is a temporary impacts associated with utility line crossing of wetlands and waters, and will be approximately 118 square feet in size. (See Figure 5-10, Detail 3). This impact area will be completely restored.
- Wetland V. This is also a temporary impact associated with a utility line crossing of wetlands and waters, and will be approximately 140 square feet in size. (See Figure 5-10, Detail 5). This impact area will be completely restored.
- Wetland I. This impact involves 2,562 square feet for golf course fairway grading. Since this is an isolated wetland, this is technically not a regulated impact. (See Figure 5-10, Detail 4).
- Stream L & QQ. This involves cart path crossings, discussed below and three temporary utility crossings of wetlands and waters, at 122, 108 and 30 square feet, respectively. (See Figure 5-10, Detail 6). This impact area will be completely restored.

- Road and Cart Path Crossings. There will also be a number wetland and water crossings on the project site for golf cart paths and for roadways. These crossings will involve spans with complete avoidance of the resource (i.e., footings and/or abutments outside of wetlands or the ordinary high water marks) and/or structures on pilings, and as such, do not constitute a regulated activity under Section 404 of the Clean Water Act. These facilities are shown on Figure 5-11, Wetland Crossing Map.” Four crossings will be located within the same footprint of existing crossings on the site and will not result in any wetland impacts; these locations are not shown on the enclosed plans.
- Pond D. The existing Pond D, with a Class C water quality classification, currently contains an island green and significant areas of rip rap. See Photographs 5 through 8. The project proposes to install approximately 700 linear feet of marine seawall landward of the ordinary high water mark (as well as upslope of the existing riprap) around the island green. There are no plans to expand the area of the island green, so as to avoid filling any open waters of this pond. Once the marine seawall is installed, the riprap will be removed from around the island green. Approximately 800 linear feet of marine seawall will also be installed landward of the ordinary high water mark along a grassy slope on the west side of the island green pond (see Photo 7). The 10th fairway will be constructed landward of the seawall. Because the marine seawall will be installed landward of the ordinary high water mark, and excess riprap subsequently removed by excavation, it is TCC’s opinion that this activity is non-jurisdictional under Section 404 of the Clean Water Act. See Figure 5-10, Detail 3.
- Pond D. Similarly, 400 linear feet of seawall will be installed on the west side of Pond D, (Class C water quality standard) adjacent to the 3rd green and the 4th fairway. Because the marine seawall will be installed landward of the ordinary high water mark, it is TCC’s opinion that this activity is non-jurisdictional under Section 404 of the Clean Water Act. See Figure 5-10, Detail 3.

Overall, the project proposes 1,931 square feet (0.04 acre) of permanent wetland impacts to regulated wetlands, and 127 linear feet of impacts to intermittent streams. Based on these levels of impacts the project appears to qualify for a nationwide permit.

Stream, Pond and Wetland Enhancement Plan

Three types of stream and wetland enhancement activities are proposed. These include: Enhancement of NYSDEC Adjacent Area, Stream Restoration, and Pond Enhancement. These activities are illustrated on Figure 5-12, "Stream, Pond & Wetland Enhancement."

NYSDEC Adjacent Area Enhancement: Currently, a portion of the NYSDEC wetland buffer has been impacted by the presence of a golf cart path, and the presence of golf course fairways. This location is shown on Figure 5-12, Item 2. As mitigation for wetland impacts on the project site, the NYSDEC buffer area may be enhanced. Such activities may include the removal of the golf cart path and restoration of this area and plantings of additional vegetation as a visual and physical buffer. Photograph 1 illustrates this location. TCC would like to discuss with the NYSDEC the modifications they would like to see to this 100 foot adjacent area that would improve the overall function and value of the NYSDEC wetland.

Stream Restoration: Two areas of stream restoration have been identified. The first location is in the southwest corner of the project site (See Figure 5-12, Item 1), and is approximately 100 feet in length. The second location is in the northeast portion of the project site (See Figure 5-12, Item 7 as well as Photo 9) and is approximately 300 feet in length. In both of these locations, drainage is currently piped underground through a culvert pipe. The project proposes to daylight these sections of streams so as to allow them to flow at the ground surface. In the northeast location, the restored stream would be located across the 2nd fairway, and as such, incorporated into the playability of this hole. Finally, there is a drainage corridor along the 4th fairway that is proposed to be enhanced based on discussions with Dr. Bud Smart from Audubon International. TCC would like to discuss with the ACOE any recommendations regarding the restoration of these stream areas.

Pond Aquatic Bench Development: The project site currently has no formal NYSDEC phase 2 stormwater management facilities, but it is likely that some of the ponds are currently functioning to provide stormwater quality and quantity control. The ponds have limited fringe vegetation, and are maintained to the water's edge. The project proposes to enlarge three man-made ponds (one of which, Pond A, is identified as isolated, and thus not regulated, by the ACOE), in order to develop enhanced edges of these ponds. See Figure 5-12, Items 4, 5, and 6. See also Photos 11 through 14. The enlargement would involve excavation of mowed lawn upland areas around the ponds to create aquatic benches that could then be planted with aquatic vegetation. TCC would like to discuss with the ACOE and the NYSDEC whether these modified ponds could then be used for either stormwater

volume or quality control for the project. Given that this activity involves excavation of upland areas, this activity should not be regulated by the ACOE.

Conclusion

TCC has worked diligently with the golf course architect to arrive at a layout that minimizes impacts to wetlands and waters. TCC would like to discuss the proposed project with the ACOE and NYSDEC to ensure that the project is compliant with the regulatory programs of these two agencies and that the design does not cause any impediment or concerns for permitting.

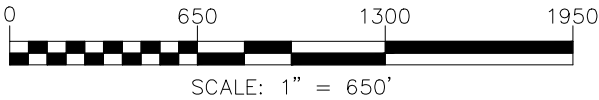
We will contact you in the next two weeks to schedule either a pre-application meeting or telephone conference call to discuss the proposed project. Thank you in advance for your review of this matter.

Sincerely,

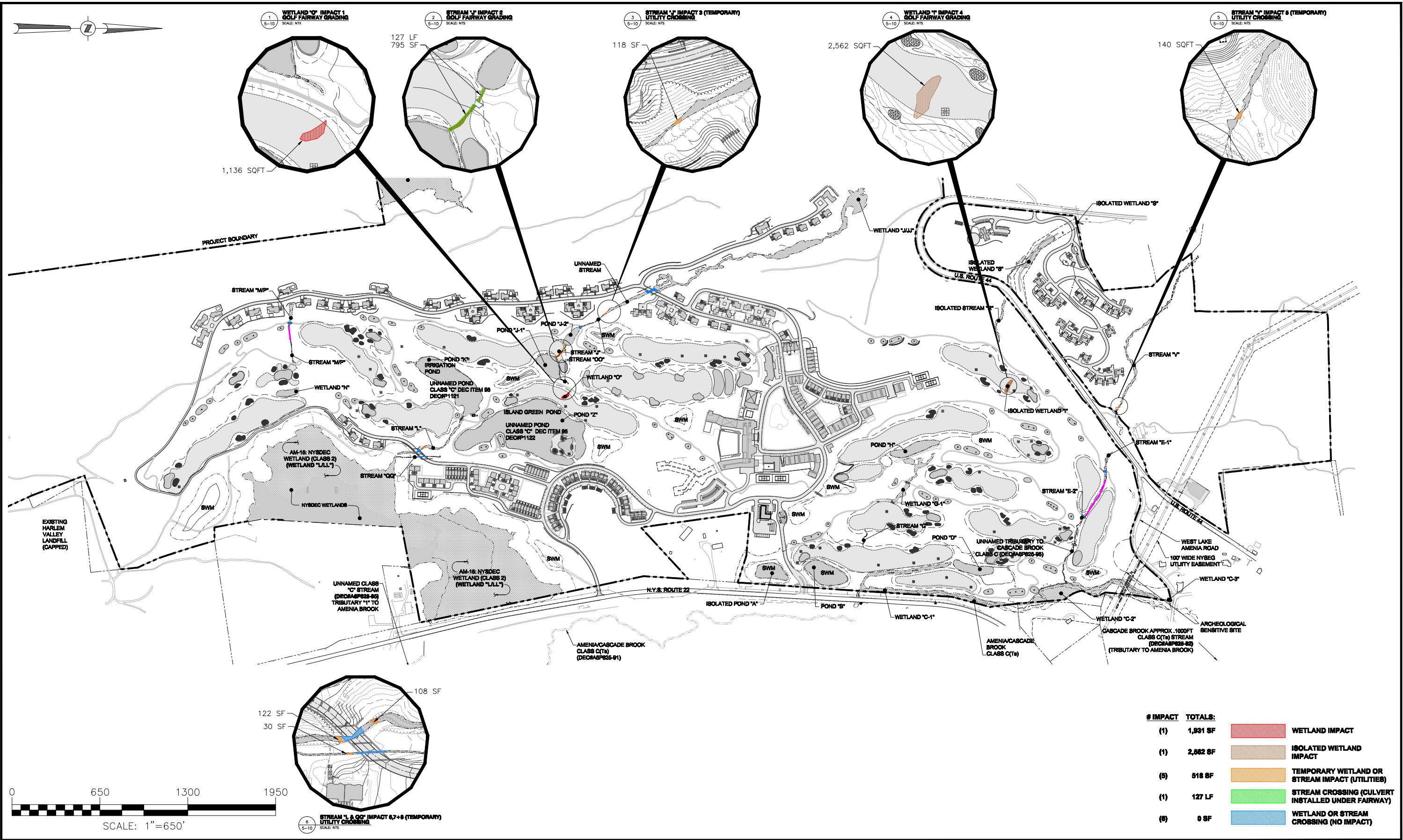
Barbara B. Beall
Manager, Wetland Services

BBB/bbb
Encl.

cc: Mr. Alec Ciesluk, NYSDEC Region 3
Michael Camann, TCC
Peter Romano, TCC
Michael Dignacco, Higher Ground Country Club, LLC



Drawing Name: S:\1\10400-10499\10454.00\ENG\DWG\310_TNA_FIG 5-10_10454-02_WETLANDS.dwg Date Printed: Jun 20, 2007, 11:58am



# IMPACT	TOTALS:		
(1)	1,831 SF		WETLAND IMPACT
(1)	2,562 SF		ISOLATED WETLAND IMPACT
(5)	518 SF		TEMPORARY WETLAND OR STREAM IMPACT (UTILITIES)
(1)	127 LF		STREAM CROSSING (CULVERT INSTALLED UNDER FAIRWAY)
(5)	0 SF		WETLAND OR STREAM CROSSING (NO IMPACT)

Silo Ridge Resort Community
Traditional Neighborhood Alternative

OVERALL WETLAND IMPACT MAP

Town of Amenia, Dutchess County, New York

SCALE: 1"=650'

Figure 5-10

JOB NUMBER: 10454.02



Town of Amenia, Dutchess County, New York

**Figure
5-11**



A cross-sectional diagram of a pond. On the left, a rectangular area is labeled 'AQUATIC BENCH' with a double-headed arrow indicating its width. This area contains a layer of vegetation. To the right of the bench, the pond bed slopes down and then levels out into a larger area labeled 'ENLARGED POND'. A label 'EXISTING POND' points to the area immediately to the right of the bench. A small triangle with a circle inside, representing a water level or marker, is shown in the 'EXISTING POND' area.

EXAMPLE STREAM RESTORATION

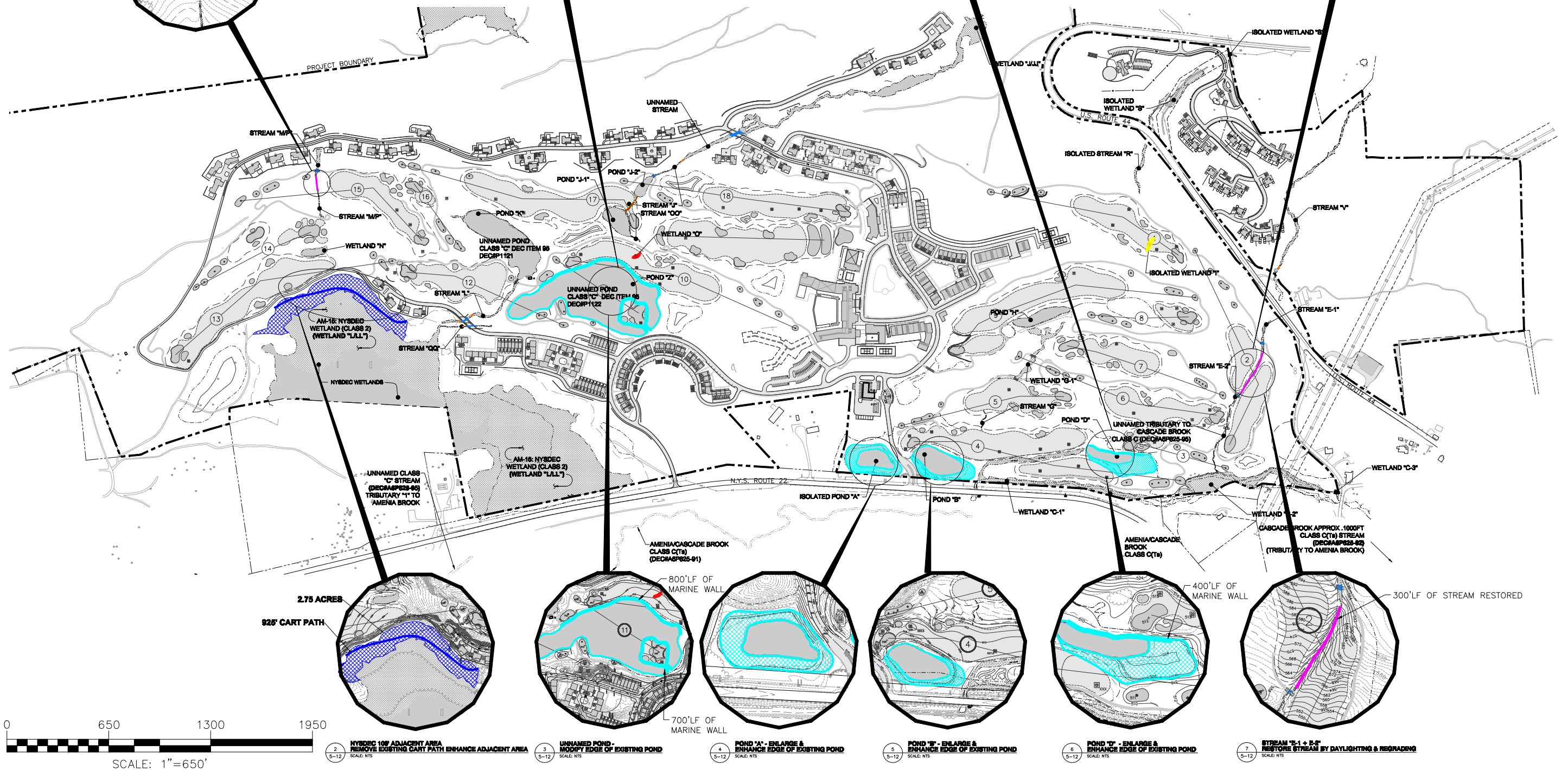




Photo #1: View north of cart path and adjacent area of NYSDEC Wetland AM 15 where ecological enhancement is proposed.



Photo #2: View east of Amenia/Cascade Brook with existing golf course in foreground. View is of Tee of 3rd Hole.



Photo #3: Continuation of pan view from Photo 2 with Amenia/Cascade Brook in farground and existing tee for 3rd Hole in foreground.



Photo #4: View north of Amenia/Cascade Brook along State Route 22. Taken from south of Photo 3.



Photo #5: View to the northwest of island green illustrating pond, island green with riprap and remainder of pond edge. Island green will have marine seawall installed landward of riprap and ordinary high water mark, and after installation, riprap will be removed.



Photo #6: View looking northeast of west side of pond. Island green with riprap is in right side of photograph.



Photo #7: View south of the west edge of the pond from same location as Photo 8. The proposed seawall will be installed landward of the ordinary high water in this location, and the 10th fairway created to the right (west) of the seawall.



Photo #8: View south along east side of pond from island green in foreground to tee in farground, also with riprap.



Photo #9: View towards the west illustrating the outlet of the buried culvert in the farground. The stream restoration will be from the culvert westward to the wetland (located within the treeline).

LEFT BLANK INTENTIONALLY

Photo #10:



Photo #11: View southwest of southern end of Pond D. Marine wall would be installed along far edge. Area below photographer location would become wetland aquatic bench.



Photo #12: View to northeast and photo location 15. Northern end of pond would become aquatic bench area. Marine wall would be installed along left (west) edge of pond.



Photo #13: View east of Pond B with Route 22 in farground. The mowed area beyond the pond would be converted to an aquatic bench around the pond.



Photo #14: Continuation of view from Photo 17, towards Route 22 and entrance to site. Aquatic bench would be expanded into lawn area.



Photo #15: View of Pond H from northern end looking south along east side of pond where cart path is located.



Photo #16: View to southeast of southern end of Pond H. Upland area behind pond will be excavated to create open water area around green.

THE CHAZEN COMPANIES

ENGINEERING AND LAND SURVEYING CO., P.C.

LETTER OF TRANSMITTAL

356 Meadow Avenue

Newburgh, NY 12550

PHONE: (845) 567-1133

FAX: (845) 567-1925

TO: Mr. Brian Orzel
Department of the Army
New York District
US Army Corps of Engineers
Jacob K. Javits Federal Building
New York, NY 10278-0090

DATE: 06/25/07
JOB NO.: 10454.00
RE: Silo Ridge - Revised ACOE wetland survey map

WE ARE SENDING YOU: ☐ Attached ☐ Under separate cover via _____ the following items:

☒ Prints ☐ Shop drawings ☐ Plans ☐ Specifications ☐ Samples
☐ Change orders ☐ Copy of letter ☐ Other: _____

COPIES	DATE	NO.	DESCRIPTION
1			Revised ACOE wetland survey map

THESE ARE TRANSMITTED as checked below:

☐ For your approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For bids due _____, 20__ ☐ PRINTS RETURNED AFTER LOAN TO US
☐ For your review and comment _____

REMARKS: Brian, attached is the revised mapping for Silo Ridge Country Club that includes a 2.2 acre parcel that was added. Several wetland flags were placed on an existing wetland /stream system (Wetland S) that has already been determined to be isolated. The additional wetland flags added approximately 15 linear feet of stream. Included are some pictures. Let me know if you need anything else.

SIGNED: _____

COPY TO:

Steven Finch

Melissa Kalvestrand

From: Orzel, Brian A NAN02 [Brian.A.Orzel@nan02.usace.army.mil]
Sent: Tuesday, September 18, 2007 5:17 PM
To: Barbara Beall
Subject: RE: 10454.02 - Silo Ridge - Pre-Application Meeting

In theory, it's a good idea to add the wetland area around the existing ponds. I would still want to see the actual grading plans to make sure that you would not be grading into the existing ponds. Grading into the existing jurisdictional waters would need to be included in any impact calculations.

Brian

-----Original Message-----

From: Barbara Beall [mailto:bbeall@chazencompanies.com]
Sent: Tuesday, September 18, 2007 4:03 PM
To: Orzel, Brian A NAN02; Orzel, Brian A NAN02
Subject: RE: 10454.02 - Silo Ridge - Pre-Application Meeting

Brian

I did not hear back from you on this.

If you could respond that would be very helpful.

Thanks.

Barb

Barbara B. Beall, PWS
Manager, Wetland Services
Environmental Scientist
The Chazen Companies
100 Glen Street, Suite 3D
Glens Falls, NY 12801
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(518) 812-0513
(518) 812-2205 (fax)
(518) 469-1302 (cell)
bbeall@chazencompanies.com
www.chazencompanies.com

-----Original Message-----

From: Barbara Beall
Sent: Wednesday, September 05, 2007 2:57 PM
To: 'Orzel, Brian A NAN02'
Subject: RE: 10454.02 - Silo Ridge - Pre-Application Meeting

Brian

What we very much want your opinion on is the excavation of uplands (within mowed fairways) around existing ponds in order to create additional stormwater treatment area and additional wetland habitat. This is detailed in the last paragraph on page 6 of that letter. It is illustrated in Figure 5-12 that was attached to the pre-application letter we submitted illustrated three ponds (Detail 4, Isolated Pond A; Detail 5, Pond B; and Detail 6, Pond D). The detail indicated that the upland area around the pond would be excavated to create more open water area as a littoral shelf for the ponds.

Are you comfortable with this particular aspect of the design?

Barb

Barbara B. Beall, PWS
Manager, Wetland Services
Environmental Scientist
The Chazen Companies
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Glens Falls, NY 12801
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(518) 469-1302 (cell)
bbeall@chazencompanies.com
www.chazencompanies.com

-----Original Message-----

From: Orzel, Brian A NAN02 [mailto:Brian.A.Orzel@nan02.usace.army.mil]
Sent: Thursday, August 30, 2007 9:43 AM
To: Barbara Beall
Cc: Eva Billeci; Peter Romano
Subject: RE: 10454.02 - Silo Ridge - Pre-Application Meeting

Barbara,

I just reviewed your submittal, and I don't think that I need to participate in the meeting. The impacts that you are showing appear to be minimal, so going over the proposal in person does not appear to be necessary.

When you get to the point of actually applying for the nationwide permit verification, you will need to submit three copies of all grading plans, so that it can be clearly seen whether an activity would encroach upon waters.

I would also want to see the height and span of each bridge or 3-sided culvert to prove that you would be avoiding impacts to streams or wetlands.

You will also need to provide ESA assessments for Indiana bat and bog turtle.

In your letter, you stated that you wanted to coordinate with us on the stream restorations of streams that are currently located within culverts.

My only comment would be to try to replicate the stream sections just upstream and downstream of the existing culverts.

Brian

-----Original Message-----

From: Barbara Beall [mailto:bbeall@chazencompanies.com]
Sent: Tuesday, August 28, 2007 1:30 PM
To: Orzel, Brian A NAN02
Cc: Eva Billeci; Peter Romano
Subject: 10454.02 - Silo Ridge - Pre-Application Meeting

Brian:

On June 26, 2007 I sent to you a request for a pre-application meeting and a package of materials in support of that meeting. I have attached a copy of the letter, which might help to refresh your memory on this letter.

We have tentatively scheduled a meeting with the NYSDEC on this project for Sept 24th at 1 pm. Because a significant portion of this meeting will involve discussing excavating areas adjacent to existing ponds in order to expand stormwater treatment, and how that might or might not be regulated by the ACOE and NYSDEC, it is hoped that you might be able to join us at the meeting with the NYSDEC Region 3 in New Paltz.

We would prefer not to meet separately. Please let me know if you can meet on September 24, 2007.

I will send to you a brief synopsis of the stormwater/wetland permitting questions for discussion later today.

Barb

Barbara B. Beall, PWS
Manager, Wetland Services
Environmental Scientist
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www.chazencompanies.com <http://www.chazencompanies.com/>

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New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com



Eliot Spitzer
Governor

Carol Ash
Commissioner

November 27, 2007

Melissa Mascali
Chazen Engineering & Land Surveying
21 Fox Street
Poughkeepsie, New York 12601

Re: DOS, DEC, DOH, DOT
Silo Ridge Resort Community (Formerly
03PR01764)
NY Route 22, Town of Amenia
Dutchess County
06PR02019

Dear Ms. Mascali:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP) concerning your project's potential impact/effect upon historic and/or prehistoric cultural resources. Our staff has reviewed the documentation that you provided on your project. Preliminary comments and/or requests for additional information are noted on separate enclosures accompanying this letter. A determination of impact/effect will be provided only after ALL documentation requirements noted on any enclosures have been met. Any questions concerning our preliminary comments and/or requests for additional information should be directed to the appropriate staff person identified on each enclosure.

In cases where a state agency is involved in this undertaking, it is appropriate for that agency to determine whether consultation should take place with OPRHP under Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. In addition, if there is any federal agency involvement, Advisory Council on Historic Preservation's regulations, "Protection of Historic and Cultural Properties" 36 CFR 800 requires that agency to initiate Section 106 consultation with the State Historic Preservation Officer (SHPO).

When responding, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont
Director

Enclosures

**REQUEST FOR ADDITIONAL INFORMATION
ARCHEOLOGY**

PROJECT NUMBER 06PR02019

**(Silo Ridge Resort Community (Formerly 03PR01764)/NY Route 22, Town of
Amenia/T/A
MENIA)**

In order for us to complete our evaluation of the Archaeological sensitivity of your project will need the following additional information

- ☐ Full project description showing area of potential effect.
- ☐ Clear, original photographs of the project area from all directions, keyed to a site plan.
- ☐ Brief history of property.
- ☐ Clear, original photographs of the following:
- ☒ Other:
The OPRHP reviewed the Phase I report and provided comments by letter dated 6/26/2006 to Chazen. To date the OPRHP has not completed our review.
- ☐ Other:
- ☐ Complete Set of Engineering Plans
- ☐ The boundaries of the project area should be clearly delineated on a United States Geological Survey (USGS) Quadrangle, or New York State Department of Transportation (DOT) 7.5-minute (scale 1=24,000) map. Original scale should be used if photocopying and a label providing map title should be included. There are several "on-line" resources for these maps. Some examples include: terraserver. com and topozone.com.

Please provide only the additional information checked above. for archaeological review. If you have any questions concerning this request for additional information, please call Cynthia Blakemore at 5182378643. ext 3288

**PLEASE BE SURE TO REFER TO THE PROJECT NUMBER NOTED ABOVE WHEN
RESPONDING TO THIS REQUEST**

**REQUEST FOR ADDITIONAL INFORMATION
BUILDINGS/STRUCTURES/DISTRICTS**

PROJECT NUMBER 06PR02019

**(Silo Ridge Resort Community (Formerly 03PR01764)/NY Route 22, Town of
Amenia/T/A
MENIA)**

In order for us to complete our evaluation of the historic signification of all buildings/structures/districts within or adjacent to your project area we will need the following additional information

- ☐ Full project description showing area of potential effect.
- ☐ Clear, original photographs of buildings/structures 50 years or older.
 - ☐ within or ☐ immediately adjacent to the project area

**** key all photographs to a site map**
- ☐ Clear, original photographs of the surroundings looking out from the project site in all direction,
keyed to a site map.
- ☐ Date of construction.
- ☐ Brief history of property.
- ☒ Clear, original photographs of the following:

A comprehensive photographic inventory of all buildings and structures 50 years old and older located within or adjacent to the project area still has not been received. We will be unable to complete our review of this project until that information has been received.
- ☐ Other:

Please provide only the additional information checked above. If you have any question concerning this request for additional information, please call William Krattinger at 5182378643. ext 3265

**PLEASE BE SURE TO REFER TO THE PROJECT NUMBER NOTED ABOVE WHEN
RESPONDING TO THIS REQUEST**



Chazen Engineering, Land Surveying & Landscape Architecture Co., P.C.
Chazen Environmental Services, Inc.
21 Fox Street Poughkeepsie, NY 12601
PHONE:(845) 454-3980 FAX:(845) 454-4026

LETTER OF TRANSMITTAL

TO: Mr. William Krattinger
New York State Office of Parks, Recreation and
Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island
PO Box 189
Waterford, NY 12188-0189

DATE: January 8, 2008
PROJECT # 10454.02
RE: **Silo Ridge Resort Community**
#06PR02019

WE ARE SENDING YOU: ☒ Attached ☐ Separate cover **VIA** ☐ Hand Delivery ☐ US Mail ☐ Pickup
☐ Courier: _____ airbill # _____ Delivery : **Overnight** / 2-Day / Other: _____

the following items:

☐ Prints/Plans ☐ Shop drawings ☐ Report ☐ Specifications ☐ Samples
☐ Change order ☐ Letter ☐ Application ☒ Other: Photos and CD

COPIES	DATE	DWG NO.	DESCRIPTION
1	Jan. 8, 2008		Hard copies of photos of properties adjacent to Silo Ridge project site
1	Jan. 8, 2008		Map showing location of all photographed properties
1	Jan. 8, 2008		CD containing photos and location map

THESE ARE TRANSMITTED as checked below:

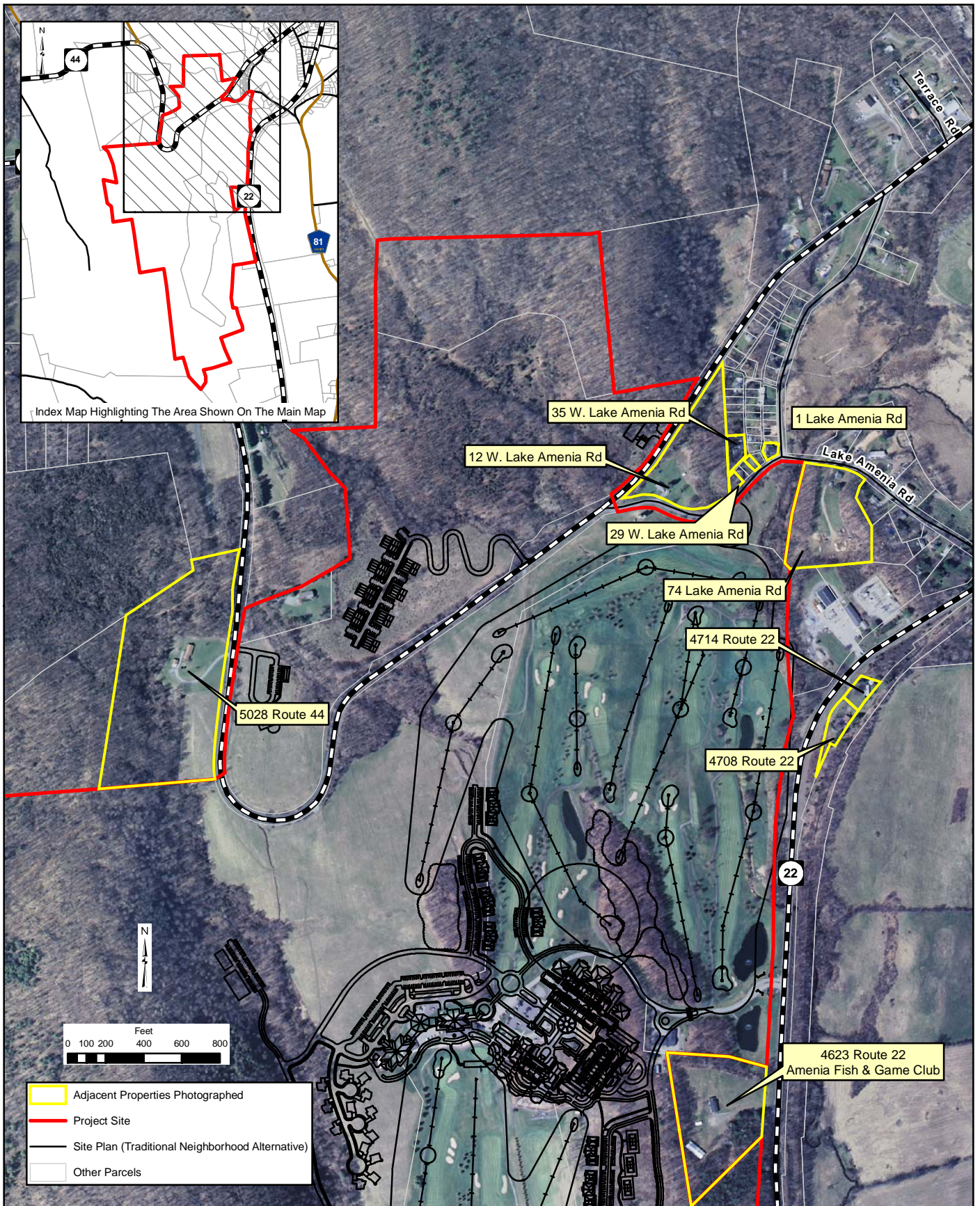
☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☒ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For bids due _____ ☐ Prints returned after loan to TCC
☐ For review and comment ☐ Other: _____

REMARKS: Enclosed is the information requested in your letter dated November 27, 2007. Please contact me if you have any questions on the submitted materials.

cc: _____

SIGNED: _____
Printed: Melissa Mascali, AICP
Title: Planner
Sent by (if different): _____

IF ENCLOSURES ARE NOT AS NOTED, KINDLY NOTIFY US AT ONCE



Silo Ridge Resort Community

Adjacent Property Photo Locations

Town of Amenia, Dutchess County, New York

Source: USDA Natural Resource Conservation Service, 2003.

Drawn by: CLC

1 inch equals 700 feet

**Figure
X**

THE
Chazen
COMPANIES



Photo 1
1 Lake Amenia Road.



Photo 2
12 West Lake Amenia Road.



Photo 3
29 West Lake Amenia Road front.



Photo 4
29 West Lake Amenia Road side.



Photo 5
35 West Lake Amenia Road.



Photo 6
74 Lake Amenia Road.



Photo 7
74 Lake Amenia Road 2.



Photo 8
4708 Route 22.



Photo 9
4708 Route 22 close.



Photo 10
4714 Route 22.



Photo 11
5028 Route 44 North.



Photo 12
5028 Route 44 North (2).



Photo 13
Gun Club building front.



Photo 14
Gun Club building rear.



Photo 15
Gun Club building side.

June 9, 2008

By Hand

Hon. George Fenn, Chairman,
and Members of the Planning Board of the Town of Amenia
Town Hall
PO Box 126
Mechanic Street
Amenia, New York 12501

Re: Silo Ridge Resort Community (SRRC)

Dear Chairman Fenn and Members of the Planning Board:

In furtherance of establishing that the Applicant's Wastewater Treatment Plant (WWTP) offer satisfies the applicable provision in the Town of Amenia Zoning Law (the "Zoning Law") regarding Workforce Housing (Section 121-42 P.), we respectfully submit the following information for your review and consideration

In the SRRC DEIS, dated October 4, 2007, on page 5-151, the Applicant offers to build a Wastewater Treatment Plant (WWTP) with capacity to accommodate the anticipated wastewater flow for the initial Hamlet of Amenia Sewer District. The Applicant also transmitted a "Letter of Intent", dated March 18, 2008 to the Amenia Town Board, further committing to this offer.

The Applicant is seeking to utilize the WWTP contribution to satisfy the Workforce Housing requirement in the Zoning Law. Specifically, Section 121-42.P.2 of the Zoning Law provides:

"The applicant may, instead of building the workforce units on-site, substitute one or more of the following alternative measures, if such measures are consistent with the Town of Amenia Comprehensive Plan and the purposes of this Section 121-42." One of the permitted alternatives measures, 121-42.P.2.d, allows an applicant to:

"Make a substantial contribution toward the cost of providing water and/or sewer infrastructure to the hamlet of Amenia or Wassaic. In order to allow this contribution to substitute for satisfying the workforce housing requirement, the Planning Board must find that (i) the contribution substantially advances the Town's goal of providing such

infrastructure and (ii) that the provision of such water and sewer infrastructure will result in an increase in the availability of housing for persons who are the intended beneficiaries of the workforce housing program as described in this Section 121-42."

In support of satisfying the above criteria, we offer the following information:

1. If the prospective hamlet sewer district undertakes to build a WWTP on its own, we believe the estimated cost is \$ 5,506,628. This estimate, provided to the Applicant by Delaware Operations, Inc., is based on a similar facility for another regional municipality, the Town of East Fishkill. Moreover, if the hamlet sewer district performs this work, it would involve public bidding, prevailing wage costs, bond financing costs and escalation increases. Delaware Operation's estimate is attached hereto in 2008 dollars.

With the Applicant's offer, the Hamlet of Amenia would not incur any cost for a WWTP. Therefore, we believe this is clearly a substantial contribution toward the cost of providing sewer infrastructure to the hamlet of Amenia, in satisfaction of Section 121-42 P.2 (d) of the Zoning Law.

2. Nevertheless, we understand that some Board or Wastewater Committee Members believe that the contribution value is only the cost of the capacity needed for the hamlet, and not the cost of the WWTP itself, since the Applicant would have to construct a WWTP, regardless of hamlet needs. While we do not necessarily agree with this position, we have obtained an estimate as if the hamlet needed to expand the WWTP at a later date, if the Applicant's offer to build the capacity at inception was rejected. The estimated cost is \$ 3,820,000. This estimate, dated June 3, 2008, has also been provided by Delaware Operations, Inc. As noted above, if the hamlet sewer district performs this work, it would be subject to public bidding, prevailing wage costs, bond financing costs and escalation increases. The estimate attached is in 2008 dollars.

Once again, the Applicant firmly believes that its offer constitutes a substantial and generous contribution toward the sewer infrastructure for the hamlet.

3. The projected out of pocket cost to the Applicant in providing for the initial hamlet capacity, beyond what the Applicant would have anticipated to spend on a "stand alone" WWTP (without hamlet capacity), is \$2,300,000 in 2008 dollars. Thus, the fact that the Applicant has offered to expend substantial monies during the initial construction of the plant, to provide future capacity for the hamlet, should be beyond dispute. As explained in 1 and 2 above, if the Applicant does not provide hamlet capacity at the outset, it will cost the hamlet significantly more in the future to do so on its own. Moreover, there are intangibles associated with the WWTP that will benefit the hamlet in ways that can not fully be quantified at the present time. These benefits (hamlet growth, improved water quality) are part of the intrinsic value that needs to be associated with the Applicant's offer.

4. The Amenia Comprehensive Plan states: "The single most important thing that has *not* happened in the last 15 years is the same one that has been talked about for at least 30 years: the need for a sewer system in the Hamlet of Amenia".

Additionally, as stated in the Final Report prepared by Dodson Associates, Ltd regarding envisioned Hamlet Plans: "Wastewater Treatment is Vital to the Future of both the Hamlet and the Town: Very little growth will occur in the hamlet unless a municipal wastewater treatment plant is built soon. In fact, the hamlet will continue to decline since many of the structures there may not meet strict interpretations of current health codes without adequate sewage treatment. Without wastewater treatment, new development will be forced to occur outside of the hamlet in farmland, forests and along the town's rural highways. Teaming up with the developers of Silo Ridge or another private entity offers a promising way to achieve wastewater treatment at the lowest cost to the town. State of the art tertiary wastewater treatment will also greatly improve the environmental quality of the hamlet and surrounding water bodies. Wastewater that is currently ineffectively treated in ageing on-site septic systems will be thoroughly treated in a modern facility, improving ground and surface water quality."

Therefore, the WWTP contribution being offered by the Applicant, which is being designed with tertiary treatment, substantially advances the Town's goal of providing sewer infrastructure.

5. The Final Report on the Hamlet Plans, by Dodson Associates, Ltd states: "Avoid gentrification of the hamlet, ensure that the mix of new and renovated housing in the hamlet includes an adequate supply of well-built homes within the range of young families, retirees, the elderly and average working people".

In furtherance of the above-quoted objective, the Applicant believes that the proposed offer will result in an increase in the availability of housing for persons who are the intended beneficiaries of the workforce housing program within the hamlet area.

In sum, the Applicant respectfully submits that its pending WWTP offer fully satisfies all of the criteria for the alternative measure within the Zoning Law which allows for a substantial contribution toward sewer infrastructure to substitute for workforce housing, as set forth in Section 121-42 P.2 (d).

However, if the Town Board, Planning Board or Wastewater Committee rejects the Applicant's WWTP offer, the Applicant is prepared to provide workforce housing in one of the following methods provided in the Workforce Housing section of the Zoning Law:

- Construct the required housing units in another location.
- Pay a fee in lieu of constructing the workforce housing units, as provided in Section 141-42N.
- Provide resort employee housing

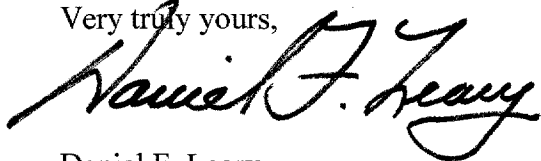
Still, the Applicant's internal review indicates the WWTP is by far the most generous offer, superior in value to any of the alternate methods. The WWTP offer greatly exceeds the alternates with respect to the actual and inherent value it provides to the hamlet area of Amenia. To support our position, a comparative analysis was performed to evaluate the possible alternatives. This analysis is attached hereto. It indicates that there is a substantial difference between the contribution being offered (\$2,300,000 minimum) and the subsidy (\$326,000) the Applicant would absorb if he were to build or pay a fee in lieu of providing workforce housing.

If the Applicant were to provide resort employee housing, the difference would be even higher, as there are no income parameters to deal with and therefore the revenue would increase. At a minimum, the Applicant believes it could build employee housing, and sell it at cost, which indicates the value of the offer for the hamlet capacity to be \$2,300,000 at a minimum, but more practically puts it at \$3,820,000.

In closing, we look forward to hearing from you soon on our pending offer to make a substantial contribution toward the hamlet sewer infrastructure, which we believe satisfies the criteria for the alternative measure to workforce housing set forth in Section 121-42 P. 2(d) of the Zoning Law.

Thank you for your consideration.

Very truly yours,



Daniel F. Leary

cc: Hon. Wayne Euvrard,
Supervisor, Town of Amenia
Town Board
Hon. Darlene Riemer, Chair,
and Members of Wastewater Committees
Michael G. Hayes, Esq.

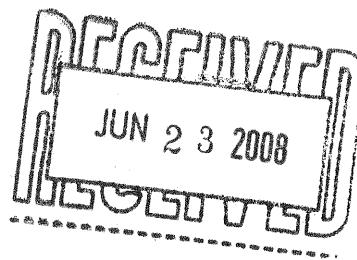


New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com



David A. Paterson
Governor

Carol Ash
Commissioner

June 18, 2008

Kevin Pulliam
Chazen Engineering & Land Surveying
21 Fox Street
Poughkeepsie, New York 12601

Re: DOS, DEC, DOH, DOT
Silo Ridge Resort Community (Formerly
03PR01764)
NY Route 22, Town of Amenia
Dutchess County
06PR02019

Dear Mr. Pulliam:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Parks, Recreation and Historic Preservation Law, Section 14.09.

The OPRHP has reviewed the Additional Phase I and Phase II for this project. Based on our review of the report and additional information relating to the early iron industry, it is our opinion that the *Silo Ridge Charcoal Hearths (A02701.000081)* are components of the *Peekskill Iron Company Archeological District* that included the entire property. The charcoal hearth features identified within the APE have been sampled and others are located in areas not to be impacted. Therefore our office is not recommending further excavations within the APE. The existing ponds and wetlands should be avoided as these may be former iron ore pits.

Regarding the *West Lake Amenia Road Historic Site (A02701.000082)*, the OPRHP recommends the site boundary be expanded to include all the shovel tests that included historic material, since the Phase II was never conducted. An Avoidance Plan should be developed as previously recommended.

Finally, additional unbound copies of the site forms (Phase I and Phase II) are required before we can complete our review.

For further correspondence regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above. If you have any questions, please call me at (518) 237-8643, extension 3288.

Sincerely,

Cynthia Blakemore
Historic Preservation Program Analyst

cc. Hope Luhman, Louis Berger Group, Inc.

Melissa Mascali

From: Michael Camann
Sent: Thursday, July 10, 2008 11:24 AM
To: Melissa Mascali
Subject: FW: Background growth factor

FYI

-----Original Message-----

From: Mike Hartman
Sent: Thursday, July 10, 2008 10:42 AM
To: Michael Camann
Subject: FW: Background growth factor

Mike - actual e-mail from NYSDOT if needed

-----Original Message-----

From: Thomas Weiner [mailto:tweiner@dot.state.ny.us]
Sent: Wednesday, April 02, 2008 10:52 AM
To: Mike Hartman
Subject: Re: Background growth factor

Mike

I am told we have been using growth rates in the range of 1.5% to 2%.
Using 2% in Amenia is probably safe for the reasons you state.

Tom

>>> "Mike Hartman" <mhartman@chazencompanies.com> 4/1/2008 1:55 PM >>>
GO METS

We did a TIS for Silo Ridge in Amenia and get comments back questioning our background growth factor.

We used 2% and indicated that that included other potential developments in the immediate area. Does that statement met with R8 approval? I image that the 2% is somewhat high for Amenia area if just background is considered, but should be ok is considering that plus other developments.

Thanks

Mike

Mike Hartman, PE

Senior Transportation Engineer

The Chazen Companies

547 River Street, Troy, NY 12180

518-266-7369

Fax: 518-273-8391

www.chazencompnies.com

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Melissa Mascali

From: Michael Camann
Sent: Thursday, July 10, 2008 11:24 AM
To: Melissa Mascali
Subject: FW: Background Growth Rate

FYI

-----Original Message-----

From: Mike Hartman
Sent: Thursday, July 10, 2008 10:43 AM
To: Michael Camann
Subject: FW: Background Growth Rate

[Ditto for Dutch Co.](#)

From: Bentley, Greg [<mailto:gbentley@co.dutchess.ny.us>]
Sent: Friday, April 04, 2008 6:03 PM
To: Mike Hartman
Subject: FW: Background Growth Rate

Mike: Hope you are well. 2% is appropriate.

Gregory V. Bentley, P. E.
Director of Engineering
Dutchess County DPW, Engineering Division
626 Dutchess Turnpike
Poughkeepsie, NY 12603
Office (845) 486-2925
Fax (845) 486-2940

From: Balkind, Robert
Sent: Friday, April 04, 2008 3:03 PM
To: Bentley, Greg; Gill, Stephen
Cc: Wrafter, Eoin; Hanlon, Laureen
Subject: RE: Background Growth Rate

[Yes. 2% is appropriate County-wide. I had this discussion with Eoin last year.](#)
[-bob](#)

From: Hanlon, Laureen **On Behalf Of** dpwadmin
Sent: Friday, April 04, 2008 1:04 PM
To: Bentley, Greg
Subject: FW: Background Growth Rate

Greg -
Would this be for your Division?

[Laureen \(Laurie\) Hanlon](#)

7/20/2008

Administrative Assistant
Dept. of Public Works Administration
(845) 486-2121

From: Mike Hartman [mailto:mhartman@chazencompanies.com]
Sent: Monday, March 31, 2008 2:06 PM
To: dpwadmin
Subject: Background Growth Rate

We are in the SEQRA process for the Silo Ridge project in Amenia. We are using a background growth rate of 2% per year, obtained from NYSDOT Region 8 Planning Group, for traffic projections for the TIS.

Would DCPDW consider this growth rate appropriate?

Thank you

Mike Hartman, PE
Senior Transportation Engineer
The Chazen Companies
547 River Street, Troy, NY 12180
518-266-7369
Fax: 518-273-8391
www.chazencompnies.com

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Amenia Fire Company #1

P. O. Box 166
36 Mechanic Street
Amenia, New York 12501

—
(845) 373-8467

July 31, 2008

Silo Ridge Resort Community
Route 22
Amenia, New York 12501

Re: Project Development

To whom it may concern:

Upon recent meetings with Silo Ridge and their developers on the project the fire company has determined that everything looks and appears to be good. Silo Ridge has been notified that we do not have an aerial device if something should happen. Therefore the Amenias Fire Company would depend on mutual aide assistance from Sharon, Ct. and the J.H. Ketchem Hose Company, Dover Plains, with their aerial devices. With the assistance from mutual aide and the Amenias Fire Company, there should be enough equipment and man power to fulfill the needs if anything should happen.

Chief Shawn Howard

A. MARTIN PETROVIC
62 East Seneca Road
Trumansburg, NY 14886

607 227-0310 (office)
607 387-6770 (home)
607 255-9998 (FAX)
amp4@cornell.edu (E mail)

July 31, 2008

To: Ted Fink, Greenplan, Inc.
(via email)

From: A. Martin Petrovic, Ph.D.

RE: Comments on Responses to DEIS: Revised July 24, 2008 along with the July 10, 2008 memo comments by Michael Hayes

I have been asked by Greenplan, Inc to provide comments (in italics) on the responses to comments in the revised July 24, 2008 DEIS for the Silo Ridge project. The comments are:

3.1.1-PHT
3.1.2-PHT
3.2-3-PHT
3.2-9-34CC
3.2-15-32D
3.2-16-32F
3.2-19-32E
3.2-20-33C
3.2-39-GP46
3.2-71-GP73

Response 3.1-1-PHT (p.123) Sufficiency/Planning Board Voice. The second paragraph of the Response addresses golf course and related chemical usage impacts. I defer to Marty Petrovic as to the adequacy and accuracy of this portion of the Response. (From Michael Hayes)

Comment by Petrovic: It is true that most studies done under research conditions and monitoring of actual golf courses have shown that pesticides are seldom found in either surface or ground water at levels above standards set by the US EPA. The turfgrass ecosystem does tie up and degrade most of the pesticide that has been applied. To date a one hundred per cent organic golf course is not

feasible do to several pests (mainly diseases and weeds) with no or poor control options. Dead or very thin turf has been shown to be much more prone to surface and groundwater contamination from nitrate and/or phosphorus than healthy dense turf.

Response 3.1-2-PHT (p. 124) Sufficiency/Planning Board Voice. This Response addresses golf course and related chemical usage impacts. I defer to Marty Petrovic as to the adequacy and accuracy of this portion of the Response, particularly with respect to the issue of the impacts associated with the release of chemicals that are stored in the soil of the existing golf course.

Comment by Petrovic: Based on my review of DEIS Appendix L: Soil Pesticide Assessment and Response A.9.11-6MP2, I do not at this point agree with the conclusion in Appendix L that “reconstruction of the golf course and other construction activity in 2009 will not result in the release of pesticides to the adjacent surface water resources for the reasons discussed above”. First the study itself may be flawed. Usually sampling of this nature follows a clear chain of custody protocol: all notes and information is signed and dated, overnight shipping receipts are provided, signature and date from the laboratory staff who receives the samples are provided. Second, is Brookside Laboratories, Inc a US EPA certified laboratory for pesticide analysis? Only certified labs should be used to ensure the accuracy of the results. Third, samples of this nature must be frozen or kept near freezing (4 C or less) during shipping and prior to analysis to ensure degradation did not occur prior to testing. Fourth, only 6 pesticides were tested for, and according to Response A.9.11-6MP2, four were applied the day before sampling, thus considered the worst case scenario. This brings up several questions, are these the only pesticides that were applied in the past 12 months? If not, do any of the pesticides applied in the past 12 months not tested for have long soil half-lives, longer than the 84 days listed for the ones that were tested for? Based on the above concerns and question, I can not conclude that the pesticides being used on the current golf course will not end up in the surface water resources.

Response 3.2-9-34CC (p. 65). Sufficiency/Planning Board Voice. The comment addresses golf course and related chemical usage impacts. I defer to Marty Petrovic as to the adequacy and accuracy of this portion of the Response, particularly with respect to the issue of the impacts associated with the release of chemicals that are stored in the soil of the existing golf course.

Comment by Petrovic: See comments to Response 3.1-2-PHT

Response 3.2-15-32D (p. 70). Sufficiency/Clarity/Planning Board Voice. This Response addresses golf course and related chemical usage impacts. I defer to Marty Petrovic as to the adequacy and accuracy of this portion of the Response, particularly with respect to

the issue of the impacts associated with the release of chemicals that are stored in the soil of the existing golf course. This response also states that the USGA had developed environmental guidelines for golf course management as part of an environmental stewardship program. However, the FEIS does not state that the applicant will comply with the USGA's environmental guidelines/programs. This should be clarified.

Comment by Petrovic: The NRMP is a sound conceptual plan to produce a viable golf course and to protect the environmental from contamination from fertilizer and pesticide applications. Golf courses managed in a responsible fashion, as outlined in the NRMP, have been shown not to pose an unreasonable risk to water quality. However, the previous NRMP lacked the site specific detail in many cases that is needed to assess or minimize the risk to water quality from application of fertilizer or pesticides. The concerns I had about NRMP have been addressed in responses to Comments A.9.11-4-MP0 to A.9.11-28-MP24 in the July 24, 2008 revised DEIS.

Response 3.2-15-32F (p. 70). Sufficiency/Planning Board Voice. This Response addresses golf course management and wetland buffers. I defer to Marty Petrovic in general as to the adequacy and accuracy of this portion of the Response. This Response also states that "the use of turfgrass maintenance chemicals on golf courses versus traditional agricultural uses, golf courses represent a significantly lower risk to the environment." I question whether this assertion is consistent with the Planning Board's assessment of the impact of golf courses on the environment as opposed to agriculture, and whether this assertion accurately reflects the Planning Board's voice.

Comment by Petrovic: Golf courses managed in a responsible fashion, as outlined in the NRMP, have been shown not to pose an unreasonable risk to water quality especially when buffers are used. However, to clearing show that there is little or no risk from this golf course I still believe a truly site-specific risk assessment analysis is needed and should be done on the parts of this site that has a high risk to runoff. These high risk sub-watersheds must be evaluated for phosphorus, nitrogen (nitrate and ammonium) and pesticides using site specific conditions to determine if the project poses an unreasonable risk. If an unreasonable risk is found, mitigation methods including buffers can be evaluated with a goal of reducing the risk to below the water quality standards (acute aquatic, chronic aquatic and human health).

Response 3.2-39-GP46 (p.84). Sufficiency/Planning Board Voice. This Response addresses golf course and related stormwater impacts. I defer to Marty Petrovic as to the adequacy and accuracy of this portion of the Response, particularly with respect to the issue of the impacts associated with the release of chemicals that are stored in the soil of the existing golf course.

Comment by Petrovic: Refer to my comments under Response 3.1-2-PHT

Response 3.2-71-GP73 (p.95) Sufficiency/Planning Board Voice. This Response addresses golf course and related drainage impacts. I defer to Marty Petrovic as to the adequacy and accuracy of this portion of the Response, particularly with respect to the issue of the impacts associated with the release of chemicals that are stored in the soil of the existing golf course.

Comment by Petrovic: Refer to my comments under Response 3.1-2-PHT