



TOWN OF AMENIA

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TOWN OF AMENIA PLANNING BOARD

Resolution # 6 for 2023

RESOLUTION GRANTING A SPECIAL PERMIT FOR THE TROUTBECK ADAPTIVE REUSE PLAN

July 12, 2023

WHEREAS, pursuant to Town of Amenia Zoning Law (“Zoning Law”) § 121-14.2(I)¹, Troutbeck Holdings, LLP (the “Applicant”) has applied to the Town of Amenia Planning Board (“Planning Board”) for a Special Permit for an adaptive reuse plan to preserve the historic character and to reuse and expand the use of buildings and property (the “Project”) located at 515 Leedsville Road in the Town of Amenia, Dutchess County, New York (Tax Parcel # 132000-7267-00-227675) (the “Project Site”); and

WHEREAS, the Project Site is located in the Zoning Law’s Rural Residential Zoning District and Historic Preservation Overlay (“HPO”) District and also includes lands in the following overlay districts: Floodplain Overlay District; Stream Corridor Overlay (“SCO”) District; and Scenic Protection Overlay (“SPO”) District. Under the Zoning Law’s regulations for the adaptive reuse of historic properties in the HPO District set forth in Zoning Law § 121-14.2(I), a Special Permit is required from the Planning Board for the Project. After approval of a Special Permit, each of the eight (8) separate phases of development included in the Project requires individual Site Plan review and approval by the Planning Board. Site Plan review is also required for certain phases of the Project proposed to be undertaken in the SPO and SCO districts;² and

WHEREAS, the Applicant has submitted information to the Planning Board in support of the Project including: (1) a land use application; (2) the “Troutbeck Adaptive Reuse Plan and Phase 1 Site Plan SEQR Documentation” prepared by Rennia Engineering Design, PLLC, dated August 29, 2022, last revised April 10, 2023; (3) the “Troutbeck Adaptive Reuse Plan Set” prepared by Rennia Engineering Design, PLLC, dated December 1, 2021, last revised June 22, 2023; (4) the “Troutbeck Phase 1 Site Plan” prepared by Rennia Engineering Design, PLLC, dated August 29, 2022, last revised June 26, 2023; (5) the “Troutbeck Inn Adaptive Reuse Plan, Historic

¹ “The Town wishes to preserve the historic character and economic viability of important historic properties by allowing opportunities for flexible adaptive reuse and expansion while protecting the historic character of the property and the surrounding area. The Planning Board may, by special permit, allow an adaptive reuse development of land and buildings on a parcel of at least five acres within the HP Overlay District.” Zoning Law § 121-14.2(I).

² The Site is located within and contributes to the National Register eligible Webatuck Agricultural Valley Historic District but the Project Site itself is not listed on the national or state registers of historic places

Preservation & Conservation Analysis,” prepared by Rennia Engineering Design, PLLC, last revised February 8, 2022; (6) a letter dated July 11, 2023 from Troutbeck Holdings, LP; and (7) related documents (collectively, the “Application”); and

WHEREAS, because the Project includes the proposed expansion of the existing Lodging and Conference Facility uses on the Project Site³, the Applicant prepared the Historic Preservation & Conservation Analysis of the Project Site, which included an analysis of the historic and architectural character of the Site and its immediate surroundings, for review by the Planning Board pursuant to Zoning Law §§ 121-14.2(I)(3) and 121-20(A); and

WHEREAS, on February 9, 2022, the Planning Board adopted findings (“Conservation Findings”) based on the Historic Preservation & Conservation Analysis identifying over 50% of the lands on the Project Site as having the most conservation value and that should be permanently protected from development by conservation easement. These lands on the Site specifically include:

- An open water pond;
- Wetlands and wetland buffers;
- Stream corridors including Webatuck Creek, which lies in the SCO District;
- Existing vegetative buffers along the Project Site perimeter, together with scenic areas highly visible to the public or from offsite, including, but not limited to lands in the SPO District, and other lands on the Site which exhibit attractive rural and historic qualities;
- Existing agricultural land and prime agricultural soils;
- Steep slope areas; and
- Forested areas, including numerous mature tree species and specimen trees; and

WHEREAS, the Conservation Findings recognized that preservation of these lands by conservation easement will permanently protect important scenic, natural resource and other values that are integral to the historic character of Troutbeck and the surrounding area; and

WHEREAS, based on the Historic Preservation & Conservation Analysis, the Planning Board’s Conservation Findings also identified the need for preservation of three historic buildings on the Project Site, namely the Manor House, Century Lodge (also known as “Benton Cottage”) and Delamater House and indicated such measures would be addressed as part of any Special Permit approved for the Project. The Applicant has not objected to this finding, which provides the basis for a reasonable condition to further ensure preservation of these buildings consistent with the historic character of the Project Site; and

³ Lodging and conference facilities are not allowed uses in the RR Zoning District where the Project Site is located. Accordingly, because the Project in the HPO District involves uses other than those allowed in the underlying district, the applicant is required to prepare a Conservation Analysis pursuant to Zoning Law § 121-20(A) as well as an Adaptive Reuse Plan that is consistent with the Comprehensive Plan. See Zoning Law § 121-14.2(I)(3) & (4). Pursuant to the Adaptive Reuse Regulations, an Adaptive Reuse Plan must include a conceptual site plan showing existing and proposed development, including “existing and proposed buildings...proposed recreational facilities, proposed utilities...proposed architectural standards and a phasing plan if the project is to be built in phases.” Zoning Law § 121-14.2(I)(4). The Plan must also provide for the preservation of a “minimum of 50% of the total land area of the parcel...by a conservation and/or a historic preservation easement based on the conservation and historic preservation analyses.” Zoning Law § 121-14.2(I)(5).

WHEREAS, consistent with Zoning Law § 121-14.2(I)(4), the Application includes the Troutbeck Adaptive Reuse Plan based on the Planning Board’s Conservation Findings and provides a conceptual Troutbeck Adaptive Reuse Plan Set showing existing and proposed development, including “existing and proposed buildings....proposed recreational facilities, proposed utilities....proposed architectural standards and a phasing plan....” Zoning Law § 121-14.2(I)(4).

WHEREAS, as required by Zoning Law § 121-14.2(I)(5), the Application also includes a draft conservation easement for the preservation of 54.2% “of the total land area of the parcel...by a conservation and/or a historic preservation easement based on the conservation and historic preservation analyses.” The lands included in the easement were identified by the Planning Board in the Conservation Findings made pursuant to Zoning Law § 121-20 based on the Applicant’s Historic Preservation & Conservation Analysis. Additional lands have been included in the proposed conservation easement to avoid any impacts to an archaeologically sensitive area of the Project Site that was identified based on review of the Project by the New York Historic Preservation Office (“SHPO”). Finally, consistent with the Conservation Findings, a Special Permit condition will further ensure the preservation of the three historic buildings on the Project Site, namely the Manor House, Century Lodge, and Delamater House; and

WHEREAS, pursuant to Zoning Law § 121-14.2(I) the Application proposes allowable uses for the Project and dimensional standards including those specified in Zoning Law § 121-14.2(I)(6), (7) and (8). The Application also provides “[o]ther dimensional and density standards” for approval by the Planning Board as part of the Project, “based upon the physical characteristics of the site, the character of the proposed development, and the requirements of the SEQR process.” Zoning Law § 121-14.2(I)(6); and

WHEREAS, on November 9, 2022 the Planning Board held a duly-noticed public hearing on the Project as required by the Zoning Law and Town Law. Due to the significant public interest in the Project, the Planning Board continued the public hearing twice, to December 14, 2022 and then to February 8, 2023. Even after closing the public hearing, the Planning Board formally allowed additional time for written public comment and has continued to receive public comment on the Project since the hearing was closed; and

WHEREAS, the Planning Board referred the Application to the Dutchess County Planning Department (“DCPD”) in April 2023 for a recommendation as required by NYS General Municipal Law § 239-m and the DCPD has responded that the Project is a matter of local concern and provided no additional comments for the Planning Board’s consideration; and

WHEREAS, in April 2023 the Planning Board also referred the Application to the Town of Amenia Zoning Board of Appeals (“ZBA”) pursuant to Zoning Law § 121-62(E)(4) for comments, which the ZBA has provided and the Planning Board has considered. ZBA comments were generally supportive of the Project; and

WHEREAS, as required by Zoning Law § 121-14.2(H)(1), in April 2023 the Planning Board also referred the Application to the Town of Amenia and Dutchess County historical

societies and to SHPO for advisory comments on the historic significance of the Garden House, which is proposed for demolition as part of the Project. No objection to or comments on the proposed demolition of the Garden House was made by either of the historical societies. SHPO responded by letter dated June 7, 2023, indicating no concern with the proposed demolition of the Garden House because it is not considered to be a contributing building to the “National Register eligible Webatuck Agricultural Valley Historic District;” SHPO had previously advised that the Project as a whole would not have any significant effect on cultural or historic resources, based on a plan prepared by the Applicant to avoid an archaeologically sensitive area on the Project Site (that will be included in the conservation easement) and the Applicant’s commitment to undertake renovations to the Delamater House in a manner that is consistent with SHPO recommendations. No exterior alterations to the two other historic buildings on the Project Site are proposed as part of the Project⁴; and

WHEREAS, the Planning Board has reviewed and considered all of the information in the Application submitted in support of the Project, as well as all of the input received from other agencies and the public. Extensive public comment was provided regarding the Project and, while many public comments included generalized concerns about issues like noise, overuse of the aquifer and overdevelopment, those comments have led to changes by the Applicant to the Project to reduce the potential for noise impacts and to eliminate some of the originally proposed development. Based on public comments, the Applicant voluntarily reduced the scope of the Project by eliminating a proposed two-story, 32-room hotel in an effort to minimize impacts. As mitigation measures for concerns expressed about potential noise impacts during construction, the Applicant will primarily do construction from November through March when neighbors are not outdoors and do not have windows open. To address concerns from the public about existing and potential noise during operations, the Applicant has also committed to installing acoustical barriers on the fences of both the existing tennis courts and the proposed platform tennis court and to no longer having fireworks displays at events. Public comments also resulted in the Applicant providing additional hydrogeological information about the minimal impact the Project will have on the aquifers and nearby wells. With respect to more technical comments on the Project provided by consultants on behalf of members of the public, the Planning Board is satisfied that the Applicant has provided a sufficient response. Overall, input received from the public on the Application has focused on many of the same questions about potential impacts identified by the Planning Board and its consultants, and the Planning Board is satisfied that the Applicant has adequately responded to those issues with changes to the Project and/or by explanations based on additional competent information; and

WHEREAS, the State Environmental Quality Review Act and its implementing regulations in 6 NYCRR Part 617 (collectively, “SEQRA”) require the Planning Board to evaluate the potential environmental impacts of the Project prior to taking any action on the Application; and

WHEREAS, the Planning Board determined that the Project is a Type 1 action pursuant to SEQRA and stated its intention to serve as the lead agency for purposes of conducting and

⁴ Improvements to a portion of the Manor House constructed in the 1980’s will not affect the historic portion of the Manor House. SHPO had indicated no concerns about those improvements .

coordinating the environmental review of the Project on behalf of all involved and interested agencies as required by 6 NYCRR § 617.6 of the SEQRA regulations; and

WHEREAS, no involved or interested agencies objected to the Planning Board serving as the SEQRA lead agency for the Project; and

WHEREAS, on November 10, 2021, the Planning Board established itself as the lead agency for conducting and coordinating the environmental review of the Project under SEQRA; and

WHEREAS, on July 12, 2023, the Planning Board completed its comprehensive, coordinated review of the Project's potential environmental impacts under SEQRA and adopted a Negative Declaration concluding that the Project will not have any significant adverse impacts on the environment. This Negative Declaration includes consideration of all of the information provided by the Applicant, including information that has been provided by the Applicant in response to public comments during and after the public hearing on the Project, as well as comments received from the public and other agencies during the course of the Planning Board's review of the Project; and

WHEREAS, pursuant to the Zoning Law, the Planning Board has reviewed the Project for compliance with the standards for Special Permits provided by Zoning Law §§ 120-63 and 120-65(D) and makes and adopts the specific findings for Special Permits set forth in the attached "Special Permit Findings," concluding that the Project complies with those standards; and

WHEREAS, the Project is consistent with the Town of Amenia Zoning Law and its undertaking subject to the conditions provided below "will preserve the historic character of the site and be in harmony with surrounding land uses and the purposes of the HP Overlay District" as required by Zoning Law § 121-14.2(I)(4).

NOW, THEREFORE, BE IT RESOLVED, that based on the Application made pursuant to Article IX of the Zoning Law and NYS Town Law § 274-b, the Planning Board hereby grants a Special Permit for the Project; and

BE IT FURTHER RESOLVED, that pursuant to Zoning Law § 121-14.2(I)(2), uses allowed on the Project Site are established by this Special Permit as set forth on the "Troutbeck Adaptive Reuse, Overall Master Plan" (Sheet 2 of 6) prepared by Renna Engineering Design, PLLC, dated September 15, 2021 and last revised on June 22, 2023; and

BE IT FURTHER RESOLVED, that the Project complies with and shall be undertaken in compliance with the bulk and dimensional standards provided in Zoning Law § 121-14.2(I)(6)-(8) and other bulk and dimensional standards shown on the "Troutbeck Adaptive Reuse, Overall Master Plan" (Sheet 2 of 6) prepared by Renna Engineering Design, PLLC, dated September 15, 2021 and last revised on June 22, 2023 and the "Troutbeck Adaptive Reuse, Vehicle Circulation/Parking Improvement Plan" (Sheet 6 of 6) prepared by Renna Engineering Design, PLLC, dated October 10, 2022 and last revised on February 3, 2023; and

BE IT FURTHER RESOLVED, that the Project shall be undertaken as approved, including all mitigation measures contained in the Troutbeck Adaptive Reuse Plan and Phase 1 Site Plan SEQR Documentation prepared by Rennia Engineering Design, PLLC, dated August 29, 2022, last revised April 10, 2023 and the SEQRA Negative Declaration for the Project, dated ~~June 28, 2023~~ ^{July 12, 2023}. These mitigation measures are incorporated by reference into this approval; and

BE IT FURTHER RESOLVED, that each proposed phase of the Project shall require Site Plan approval granted by the Planning Board after issuance of this Special Permit. Such Site Plan review for a phase of the Project shall also include any Site Plan review required for activities proposed in the SPO and SCO districts; and

BE IT FURTHER RESOLVED, that prior to issuance of any building permit for any phase of the Project the Applicant shall provide proof that: (1) a conservation easement; and (2) a historic easement/declaration with respect to the three historic buildings on the Project Site, both of which are based on the Conservation Findings and have been determined to be acceptable to the Planning Board's Chairman and the Planning Board's Attorney, has been filed in the Dutchess County Clerk's Office; and

BE IT FURTHER RESOLVED, that within sixty (60) days of the effective date of this resolution the Applicant shall be required to pay any outstanding invoices of the Planning Board's consultants incurred in connection with reviewing and processing this Application; and

BE IT FURTHER RESOLVED, that the Town may enforce any requirements of law related to or conditions of these approvals against the Applicant and their successors and assigns, as the property owners; and

BE IT FURTHER RESOLVED, that any change of use from the uses approved herein shall require an amended Special Permit; and

BE IT FURTHER RESOLVED, that in accordance with Section 121-62(H) of the Town's Zoning Code: (1) this Special Permit shall expire if (a) the Special Permit use ceases for more than 24 consecutive months for any reason or (b) the Applicant fails to comply with the conditions of the Special Permit within 12 months of its issuance; (2) this Special Permit may be revoked by the Planning Board if the Applicant violates the Special Permit or its conditions or engages in any construction or alteration not authorized by the Special Permit; and (3) any violation of the Special Permit or its conditions shall be deemed a violation of the Town's Zoning Code and shall be subject to enforcement action; and

BE IT FURTHER RESOLVED, that any violation of the conditions of this Special Permit shall be deemed a violation of this chapter and shall be subject to enforcement action as provided in Zoning Law § 121-57; and

BE IT FURTHER RESOLVED, that as required by NYS Town Law § 274-b, a copy of this resolution shall be filed in the Town of Amenia Clerk's office within 5 days after this resolution has been adopted and a copy of this resolution shall also be sent to the Applicant; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Motion by: *Tomy Robustelli*

Second by: *Matt Deister*

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

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Robert Boyles, Jr., Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Stefanopoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
James Walsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neal Kusnetz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Matthew Deister	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nina Peek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Robustelli	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: July 12, 2023
Amenia, New York

VOTE IS CERTIFIED BY:

Judy Westfall

Judy Westfall, Planning Board Clerk

THE RESOLUTION IS HEREBY APPROVED AND ORDERED TO THE RECORD BY:

Robert Boyles, Jr.

Robert Boyles, Jr., Chairperson

7/12/23

Date



TOWN OF AMENIA

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TOWN OF AMENIA PLANNING BOARD

SPECIAL PERMIT FINDINGS FOR TROUTBECK ADAPTIVE REUSE PLAN

July 12, 2023

- Project:** Adaptive reuse of a historic property used as a Lodging/Conference Facility and Restaurant with accessory uses. The Project consists of eight (8) phases of development or redevelopment that will result in the expansion of the existing uses. Each phase of the Project will require separate Site Plan approval by the Planning Board.
- Project Site:** A 43.5± acre parcel owned by the Applicant located at 515 Leedsville Road in the Town of Amenia, Dutchess County, New York (Tax Parcel # 132000-7267-00-227675)).
- Applicant:** Troutbeck Holdings, LLP
- Application:** (1) Land use application; (2) the “Troutbeck Adaptive Reuse Plan and Phase 1 Site Plan SEQR Documentation” prepared by Rennia Engineering Design, PLLC, dated August 29, 2022, last revised April 10, 2023; (3) the “Troutbeck Adaptive Reuse Plan Set” prepared by Rennia Engineering Design, PLLC, dated December 1, 2021, last revised June 22, 2023; (4) the “Troutbeck Phase 1 Site Plan” prepared by Rennia Engineering Design, PLLC, dated August 29, 2022, last revised June 26, 2023; (5) the “Troutbeck Inn Adaptive Reuse Plan, Historic Preservation & Conservation Analysis,” prepared by Rennia Engineering Design, PLLC, last revised February 8, 2022; (6) a letter dated July 11, 2023 from Troutbeck Holdings, LP; and (7) related documents (collectively, the “Application”).
- Jurisdiction:** The Project Site is entirely located in the Zoning Law’s Rural Residential (“RR”) Zoning District and Historic Preservation Overlay District and also includes lands in the following overlay districts: Floodplain Overlay District; Stream Corridor Overlay District; Scenic Protection Overlay District and Aquifer Overlay District. Under the regulations for the adaptive reuse of historic properties set forth in Zoning Law § 121-14.2(I), the Plan requires a Special Permit issued by the Planning Board. After approval of a Special Permit, each of the eight (8) separate phases of development included in the Plan requires Site Plan approval by the Planning Board.

THE PLANNING BOARD HEREBY FINDS THAT THE PROJECT COMPLIES WITH THE STANDARDS FOR SPECIAL PERMIT APPROVAL SET FORTH IN ZONING LAW §§ 121-63(B) AND 121-14.2(I) AS FOLLOWS¹:

Finding: For the following reasons., the Project will comply with all applicable requirements of the Zoning Law and other chapters of the Town of Amenia Code, particularly those requirements that apply to the Historic Preservation Overlay (“HPO”) District. The Project will also comply with the requirements for projects undertaken in the Scenic Protection Overlay District, Stream Corridor Overlay District and Floodplain Overlay District.

HPO District

The proposed expansion of the existing uses on the Project Site is allowable by Special Permit issued by the Planning Board for an Adaptive Reuse Plan pursuant to Zoning Law §§ 121-14.2(I) and 121-62(G). While the existing uses on the Project Site are lawful, Lodging and Conference Facilities are not allowed uses in the underlying Rural Residential Zoning District absent a Special Permit issued for an Adaptive Reuse Plan. Accordingly, in September 2021, the Applicant submitted an application to the Planning Board for a Special Permit for the Project that included a Conservation Analysis and an Adaptive Reuse Plan as required by Zoning Law § 121-14.2(I)(3) and (4).

The Planning Board reviewed the Conservation Analysis provided by the Applicant pursuant to the requirements of Zoning Law §§ 121-20(A) and 121-14.2(I). In February 2022, the Planning Board adopted Conservation Findings as required by the Zoning Law that identified the lands on the Project Site that have the most historic and conservation value. The lands to be preserved comprise 54.2% of the Project Site, thereby complying with the minimum of 50% lands that the Zoning Law requires to be preserved as part of an Adaptive Reuse Plan. They include:

- An open water pond,
- Wetlands and wetland buffers,
- Stream corridors,
- Existing vegetative buffers along the property perimeter, together with any scenic areas highly visible to the public or from offsite, including, but not limited to land in the SPO District, and other lands on the Site which exhibit attractive rural and historic qualities;
- Existing agricultural land and prime agricultural soils;
- Steep slope areas; and
- Forested areas, including numerous mature tree species and specimen trees.

¹ These findings are supported by other findings made by the Planning Board with respect to the Project, including the Conservation Findings made in February 2022 which identified the lands on the Project Site and in the various overlay districts to be permanently preserved (See Zoning Law § 121-14.2(I)(5) and the SEQRA Negative Declaration adopted by the Planning Board on this date, copies of both of which are attached hereto as Appendix A and made a part of these findings.

These lands will be permanently preserved by a conservation easement as required by Zoning Law § 121-14.2(I)(5).

As required by the Zoning Law, the Project's Adaptive Reuse Plan also includes a conceptual site plan showing existing and proposed development and uses, including "existing and proposed buildings...proposed recreational facilities, proposed utilities...proposed architectural standards and a phasing plan if the project is to be built in phases." Zoning Law § 121-14.2(I)(4). Additionally, the conceptual site plan includes a map of the areas of the Project Site to be preserved by conservation easement based on the Planning Board's Conservation Findings. A proposed conservation easement has been submitted to the Planning Board by the Applicant. Finally, the Adaptive Reuse Plan and conceptual plan also provide a phasing plan for the Project, including for the planting of landscaping.

The proposed expansion of the existing uses on the Project Site is allowable by Special Permit issued for the Project's Adaptive Reuse Plan by the Planning Board. Zoning Law § 121-14.2(I)(2) and (4). The uses on the Project Site as proposed in the Project's Adaptive Reuse Plan and shown on the conceptual plan include:

Principal uses: Lodging facilities; Conference (Including Event and Meeting) Facilities; and Restaurants (Including Bars)

Accessory uses: Retail businesses (Art Gallery, Gift Shop, Boutique, Bakery); Recreational businesses (Pools, Courts, Camping, Fishing, Hiking, Lawn Sports, Tennis, Equestrian, Swimming/Water Sports, Cross Country Skiing/Snowshoeing, And Other General Outdoors Activities not including Shooting Ranges or any form of Motorized Recreation); Service Businesses (Catering, Gym, Health & Wellness, Membership, Electric Vehicle Charging); Administrative Services and Staff Housing (Single & Multifamily Residential); Agricultural (Including botanical garden)

Pursuant to Zoning Law § 121-14.2(I)(2) and (4), the Planning Board may authorize the proposed expansion of these uses as part of the Project's Adaptive Reuse Plan through its issuance of a Special Permit for the Plan.

For dimensional requirements, the Project proposes setbacks and other standards for the Plan that are consistent with the underlying requirements of the Zoning Law, except that the proposed footprint limit for non-residential structures, where 4,000 SF feet is allowed by zoning for the RR district. The Project includes the proposed expansion of the footprint of the Manor House from 14,264 SF to 15,091 SF and the new construction of the Garden Hall (6,250 SF footprint) and the Garden Hotel (10,396 SF footprint). The Project will also include expansion of the footprint of the existing pool facilities, including for an indoor pool structure, from 7,600 SF to 13,440 SF.

In the HPO District, the Zoning Law expressly contemplates the "flexible adaptive reuse and expansion" of uses on historic properties that protect "the historic character of the property and the surrounding area." Zoning Law § 121-14.2(I). Based on the design, centralized layout, and sensitive architecture of the Project, together with topography and existing and proposed landscaping, the Project will not conflict with the existing natural, built and historic character of

the surrounding area and will protect “the historic character of the property and the surrounding area” consistent with the goals of the Zoning Law for the HPO District. This finding is supported by the Conservation Findings adopted by the Planning Board in February 2022, which identified 54.2% of lands comprising the Project Site for permanent preservation as part of the Project.

Floodplain Overlay (FPO) District

The Project will not involve any construction in a designated floodway, the 100-year floodplain, or the 500-year floodplain. Accordingly, the Project complies with the requirements for the FPO District.

Stream Corridor Overlay (SCO) District

The Project will also comply with the requirements for projects undertaken in the SCO District, where the regulated stream corridor extends 150 feet laterally from the top of bank of Webatuck Creek as it runs through the Project Site. As noted above, each phase of the Project will require separate Site Plan approval by the Planning Board pursuant to HPO District requirements provided in Zoning Law § 121-14.2(I). Certain elements of the Project will also require Site Plan approval because of at least partial construction proposed within the SCO District, including the Garden Hotel, several Garden Cabins and proposed improvements to the Delamater House. All of these structures will be outside any required SCO setbacks (Zoning Law § 121-14(D) and will comply with all other requirements of the Zoning Law.

Further, based on the design of the Project and the SEQRA Negative Declaration for the Project, the Planning Board finds that if the Project is undertaken consistent with the Negative Declaration and the Special Permit, the elements of the Project constructed within the SCO District will comply with the SCO District regulations for the following reasons:

- (1) The Project will not result in degradation of scenic character and will be aesthetically compatible with its surroundings.*

The Project will not significantly impair scenic character and will be aesthetically compatible with its surroundings for the following reasons:

- (a) The Troutbeck Adaptive Reuse Plan – Visual Impact Analysis (“Visual Analysis”) prepared by Stonehill Taylor (“Stonehill”), revised February 15, 2023, concluded that:

- i. “The Project will be partially visible from Yellow City Road, Route 343 and Leedsville Road corridors during leaf-off conditions and will be minimal during times of the year when trees have foliage due to distance, topography, the density of existing vegetation, and proposed landscaping.”

- ii. “The proposed north parking area will be greatly obscured by distance, its lowered topography (requiring a retaining wall), and the density of existing and proposed vegetation.”

iii. "All newly constructed structures are designed in keeping with existing material and architectural precedents. All structures will be clad or constructed using natural materials, namely wood and stone."

(b) Simulated views of the proposed Project from the stretch of NYS Route 343 and between Leedsville and Yellow City Roads included in the Visual Analysis support the conclusions made by Stonehill with respect to those vantage points. The proposed Staff Housing, Tractor Shed and Administration buildings in the northwestern portion of the Project Site will be visible to varying degrees until proposed landscaping along NYS Route 343 reaches maturity after 10 years. However, the proposed architectural design of the buildings in an agricultural style, with natural wood vertical siding will lessen the visual impacts of those structures until the landscaping reaches full growth. Further, the elevation of the parking area for the proposed Garden Hall and Hotel is proposed to be lowered in order to minimize views of vehicles in the lot from NYS Route 343 until proposed landscaping reaches maturity.

(c) The proposed Garden Hotel will be partially screened from view from NYS Route 343, Yellow City Road and Leedsville Road due to topography, distance from property boundaries and existing and mature tree cover. Garden Hall, a one-story building with a proposed 6,250 SF footprint that will replace the existing 1,931 SF footprint, two-story Garden House, will be partially visible from Yellow City Road, particularly during leaf-off-conditions. Topography and existing vegetation, together with a proposed architectural design that is consistent with existing architecture, will reduce the visual impacts of Garden Hall from Yellow City Road. Further, after 10 years, proposed landscaping intended to screen views of proposed Project buildings from Yellow City Road will lessen any visual impacts resulting from the construction of Garden Hall.

(d) The Project Site's topography and existing vegetation, together with the Project's proposed landscaping, support the conclusions of the Visual Analysis from other vantage points to the south along Yellow City Road, both in and outside of the SCO district.

(e) Existing vegetation and proposed architecture support the conclusions of the Visual Analysis from relevant vantage points the along Leedsville Road including from Vantage Point 2.

(2) *The Project will not result in erosion or stream pollution from surface or subsurface runoff'*

Avoidance of erosion and stream pollution will occur through the Project's implementation of a Stormwater Pollution Prevention Plan ("SWPPP") for the Project as part of it the project design. The SWPPP requires the implementation of modern stormwater management controls designed to ensure that any stormwater discharged will comply with NYSDEC water quality standards, both during and after construction, resulting in minimal impacts to surface waters. The SWPPP includes specific temporary and permanent measures for erosion and sediment control. The SWPPP and its elements are in compliance with the requirements of SPDES General Permit for Stormwater Discharges from Construction Activity, permit No. GP-0-20-001. Further, the total

acreage to be disturbed as a result of all phases of the Project over 6 +/- years is 14.03± acres out of a total project acreage of 43.5± acres. Phase 1, for example, involves a total disturbance of 2.96± acres. The small amount of acreage involved, broken up into phases, will allow for better implementation and required maintenance of erosion and sediment control measures, lessening the potential for impacts. Furthermore, the 54.2% of the lands comprising the Project Site that will be permanently preserved through a conservation easement include wetlands and Webatuck Creek in the SCO District surrounded by vegetative buffers that will be maintained, further reducing the potential for impacts due to erosion.

Scenic Protection Overlay (SPO) District

Several buildings including the Gatehouse, Garden Hall, Garden Hotel, Garden Cabins and the administrative buildings will also require Site Plan review because of their location in the SPO District. Based on the design of the Project and the SEQRA Negative Declaration for the Project, the Planning Board finds that if the Project is undertaken consistent with the Negative Declaration and the Special Permit, these elements of the Project will comply with the SPO District regulations as follows:

Zoning Law § 121-14(1)(F)

- (1) *The Project will not significantly impair scenic character and will be aesthetically compatible with its surroundings.*

It is not anticipated that the newly-constructed elements of the Project within the SPO District will be visible from a designated scenic outlook along NYS Route 44 that is approximately 4.2 miles from the Project Site, due to intervening topography and vegetation. The Project will not significantly impair scenic character and will be aesthetically compatible with its surroundings for the following reasons:

(a) The Troutbeck Adaptive Reuse Plan – Visual Impact Analysis (“Visual Analysis”) prepared by Stonehill Taylor (“Stonehill”), revised February 15, 2023, concluded that:

- i. “The Project will be partially visible from Yellow City Road, Route 343 and Leedsville Road corridors during leaf-off conditions and will be minimal during times of the year when trees have foliage due to distance, topography, the density of existing vegetation, and proposed landscaping.”
- ii. “The proposed north parking area will be greatly obscured by distance, its lowered topography (requiring a retaining wall), and the density of existing and proposed vegetation.”
- iii. “All newly constructed structures are designed in keeping with existing material and architectural precedents. All structures will be clad or constructed using natural materials, namely wood and stone.”

(b) Simulated views of the proposed Project from the stretch of NYS Route 343 and between Leedsville and Yellow City Roads included in the Visual Analysis support the conclusions made by Stonehill with respect to those vantage points. The proposed Staff Housing, Tractor Shed and Administration Building in the northwestern portion of the Project Site will be visible to varying degrees until proposed landscaping along NYS Route 343 reaches maturity after 10 years. However, the proposed architectural design of the buildings in an agricultural style, with natural wood vertical siding will lessen the visual impacts of those structures until the landscaping reaches full growth. Further, the elevation of the parking area for the proposed Garden Hall and Hotel is proposed to be lowered in order to minimize views of vehicles in the lot from NYS Route 343 until proposed landscaping reaches maturity.

(c) The proposed Garden Hotel will be partially screened from view from NYS Route 343, Yellow City Road and Leedsville Road due to topography, distance from property boundaries and existing and mature tree cover. Garden Hall, a one-story building with a proposed 6,250 SF footprint that will replace the existing 1,931 SF footprint, two-story Garden House, will be partially visible from Yellow City Road, particularly during leaf-off-conditions. Topography and existing vegetation, together with a proposed architectural design that is consistent with existing architecture, will reduce the visual impacts of Garden Hall from Yellow City Road. Further, after 10 years, proposed landscaping intended to screen views of proposed Project buildings from Yellow City Road will lessen any visual impacts resulting from the construction of Garden Hall.

(d) The Project Site's topography and existing vegetation, together with the Project's proposed landscaping, support the conclusions of the Visual Analysis from other vantage points to the south along Yellow City Road, both in and outside of the SPO district.

(e) Existing vegetation and proposed architecture support the conclusions of the Visual Analysis from relevant vantage points the along Leedsville Road including from Vantage Point 2.

- (2) *Will minimize the removal of native vegetation, except where such removal may be necessary to open up or prevent the blockage of scenic views and panoramas from publicly accessible places.*

The Project as designed will minimize the removal of native vegetation to only that which is required for construction of the elements of the Project. Of the 43.5 acres comprising the Project Site, 54.2% will be permanently preserved by a conservation easement. While the Project involves the overall disturbance of 14.03± acres of land, most of the disturbance will be temporary as only 1.52± acres of forested lands and 2.00± acres of meadows or grasslands will be permanently affected. No wetlands or surface waters will be affected, and other temporarily disturbed areas (e.g., for septic systems) will be restored with native vegetation upon the completion of any construction work.

- (3) *Will locate and cluster buildings and other structures in a manner that minimizes their visibility from public places.*

Project development will be primarily centralized within the 43.5-acre parcel, minimizing the potential for visual impacts from public places. Buffers including distance, topography and existing and proposed landscaping between development or redevelopment and Yellow City Road, NYS Route 343, will minimize the visibility of the Project from those public places.

- (4) *Will be at least 40 feet below the crest line of any ridge and will not disturb the continuity of the treeline when viewed from a publicly accessible place. As used herein, "crest line" means the natural ground elevation of the land. The only portions of a structure that may project higher than 40 feet below the crest line shall be a chimney, satellite dish, antenna, or cupola, which shall not be higher than 30 feet below the crest line.*

No element of the Project is proposed for construction on or within 40 feet of a ridge.

- (5) *Will not result in clearing a building site area, including accessory structures and parking areas (excluding the area required for driveway and utility access), greater than 30,000 square feet in area for a single-family residence. This building site area shall be designated on the approved plan by a "building envelope," and all buildings and parking areas shall be located within the building envelope, except where additional clearing is required by the County Health Department for siting a subsurface sewage disposal system. Clearing for such disposal systems shall occur, to the maximum extent practical, where it will not detract from the visual protection purposes of this section.*

The Project does not propose development involving a single-family residence so this standard does not apply to the Project.

- (6) *A continuous green buffer, at least 100 feet deep along Routes 44, 22, and 343 and 50 feet deep along the other scenic roads or trails, shall be maintained. This buffer shall consist of native trees and shrubs, as well as fields, meadows, and lawn areas. Bike paths and/or sidewalks may be constructed within this landscaped buffer. This buffer requirement shall not apply in the immediate area around existing residences located within the buffer area.*

An existing buffer along NYS Route 343 of more than 100 feet will be maintained and enhanced through proposed landscaping as part of the Project as shown on the Project's landscaping plan included in the "Troutbeck Adaptive Reuse Plan Set" prepared by Rennia Engineering Design, PLLC, dated December 1, 2021, last revised April 10, 2023.

- (7) *Shade trees at intervals averaging every 50 feet, or other plantings consistent with the aesthetic character of the landscape, shall be provided within 25 feet of the right-of-way. Such trees or other plantings shall not be required where they would block scenic views. An applicant for site plan or special permit approval shall not be required to plant more than one shade tree per 1,000 square feet of floor area proposed to be developed on the parcel.*

Existing shade and other trees are provided within 25 feet of the Yellow City Road, NYS Route 343 and Leedsville Road rights-of-way. Compliance with this standard will be enhanced by the proposed planting of trees for the Project as shown on the Project's

landscaping plan included in the “Troutbeck Adaptive Reuse Plan Set” prepared by Rennia Engineering Design, PLLC, dated December 1, 2021, last revised June 22, 2023.

- (8) *To the maximum extent practical, existing trees, lawns, and shrubs shall be preserved, unless they are proposed to be replaced by native trees or other native vegetation deemed appropriate by the Planning Board.*

The Project as designed will minimize the removal of native vegetation to only that which is required for construction of the elements of the Project. Of the 43.5 acres comprising the Project Site, over 50% will be permanently preserved by easement. While the Project involves the overall disturbance of 14.03± acres of land, most of the disturbance will be temporary as only 1.52± acres of forested lands and 2.00± acres of meadows or grasslands will be permanently affected. No wetlands or surface waters will be affected, and other temporarily disturbed areas (e.g., for septic systems) will be restored with native vegetation upon the completion of any construction work.

- (9) *Trees shall be planted as deemed necessary by the Planning Board to reduce visibility of new structures from public roads or trails.*

Landscaping is proposed for compliance with this standard as shown on the Project’s landscaping plan included in the “Troutbeck Adaptive Reuse Plan Set” prepared by Rennia Engineering Design, PLLC, dated December 1, 2021, last revised June 22, 2023.

- (10) *Clear-cutting of trees shall be prohibited in any location where such clear-cutting would alter the crest line of a ridge when that crest line is viewed from any publicly accessible place.*

No clear cutting of trees is proposed for the Project along any ridge line that is visible from a publicly accessible place.

- (11) *Existing structures with historic or architectural significance shall be retained to the extent practical. Alterations to such structures shall be compatible with the architecture of the existing structure. New structures shall be compatible with the historic structures in their vicinity.*

All existing structures on the Project Site are proposed to be retained with the exception of the Garden House, which is proposed for demolition. As required by the Zoning Law, the Applicant consulted with SHPO regarding the proposed demolition of the building and that agency determined that the Garden House had no historic significance. Proposed alterations to the Delamater House, a historic structure on the Project Site, have been reviewed by SHPO and the Applicant has committed to comply with SHPO’s recommendations with respect to those alterations. New buildings proposed as part of the Project will be consistent with the architecture of existing buildings on the Project Site.

- (12) *Buildings visible from public roads or trails, including canopies for accessory facilities, shall have peaked roofs with a slope of at least 8:12, except that hip roofs with a slope of at least 4:12 and flat roofs that are hidden by a raised cornice shall also be permitted.*

All new buildings within the SPO District proposed for the Project will comply with these roof standards.

- (13) *Windows shall be vertically proportioned and balanced on facades, with width to height ratios ranging from 1:2 to 3:5. Horizontal windows may be used just below roof eaves ("eyebrow" windows) and as first-floor display windows.*

All new buildings within the SPO District will comply with these standards for windows.

- (14) *Chain link fences and stockade or other fence designs that block visual access to land in a scenic road corridor shall be prohibited, unless such fences are necessary to screen a preexisting use that does not conform to the requirements of this section.*

No fences are proposed for the Project.

- (15) *Rural siting principles. New development in the SPO District shall comply with the rural siting principles in Zoning Law § 121-31.*

The Project will comply with the Rural Siting Principles set forth in the Zoning Law as follows:

- (a) *Wherever feasible, retain and reuse existing old farm roads and lanes rather than constructing new roads or driveways.*

- i. The Project Site has five existing roads/drives which will be retained and/or improved as part of the Project.
- ii. Springarn Road will be rerouted to improve internal traffic circulation, but former roadbeds will be reused to provide access to new development (i.e., Garden Cabins, Event Hall), reducing overall Site disturbance.

- (b) *Preserve stonewalls and hedgerows.*

- i. The Project Site contains ±1,720 linear feet of stonewalls, which are found along the perimeter of the Site. Existing stonewalls are proposed to remain, with most permanently preserved by easement.
- ii. As with the stonewalls, the Project Site contains hedgerows along its ±6316' perimeter. Proposed development will occur on interior lands of the Site, and existing hedgerows will remain and many will be permanently maintained and preserved under the easement that is part of the Project.

- (c) *Avoid placing buildings in the middle of open fields.*

The Project Site has two existing fields, one in the north along NYS Route 343 and in the southern portion of the Site along Yellow City Road. Proposed Staff Housing (2,654 SF), Tractor Shed (1,050 SF) and Central Administration (3,150 SF) buildings are proposed to be built along the southwestern edge of the field along NYS Route 343. The buildings' architecture will be consistent with typical agricultural-style buildings and proposed landscaping will be planted along the northern side of the

building. In addition, the Applicant has proposed to plant trees along NYS Route 343 to further reduce the visibility of those buildings from offsite vantage points. Six one-story cabins of approximately 700 SF each (Meadow Cabins) will be constructed along the southeastern edge of the field on the southern portion of the Project Site, more than 500 feet away from Yellow City Road. Views of the cabins from Yellow City Road will be limited due to distance, topography and existing vegetation.

- (d) *Use existing vegetation and topography to buffer and screen new buildings if possible, unless there are designed and located close to the road in the manner historically found in the Town.*

The Project uses existing vegetation and screen new buildings where possible, limiting visual impacts for the following reasons:

- i. The Troutbeck Adaptive Reuse Plan – Visual Impact Analysis (“Visual Analysis”) prepared by Stonehill Taylor (“Stonehill”), revised February 15, 2023, concluded that:
 1. “The Project will be partially visible from Yellow City Road, Route 343 and Leedsville Road corridors during leaf-off conditions and will be minimal during times of the year when trees have foliage due to distance, topography, the density of existing vegetation, and proposed landscaping.”
 2. “The proposed north parking area will be greatly obscured by distance, its lowered topography (requiring a retaining wall), and the density of existing and proposed vegetation.”
 3. “All newly constructed structures are designed in keeping with existing material and architectural precedents. All structures will be clad or constructed using natural materials, namely wood and stone.”
- ii. Simulated views of the proposed Project from the stretch of NYS Route 343 and between Leedsville and Yellow City Roads included in the Visual Analysis support the conclusions made by Stonehill with respect to those vantage points. The proposed Staff Housing, Tractor Shed and Administration Building in the northwestern portion of the Project Site will be visible to varying degrees until proposed landscaping along NYS Route 343 reaches maturity after 10 years. However, the proposed architectural design of the buildings in an agricultural style, with natural wood vertical siding will lessen the visual impacts of those structures until the landscaping reaches full growth. Further, the elevation of the parking area for the proposed Garden Hall and Hotel is proposed to be lowered in order to minimize views of vehicles in the lot from NYS Route 343 until proposed landscaping reaches maturity.
- iii. The proposed Garden Hotel will be partially screened from view from NYS Route 343, Yellow City Road and Leedsville Road due to topography, distance from property boundaries and existing and mature tree cover. Garden Hall, a one-story building with a proposed 6,250 SF footprint that will replace the existing 1,931 SF footprint, two-story Garden House, will be partially visible from Yellow City Road, particularly during leaf-off-conditions. Topography and existing vegetation, together with a proposed architectural design that is consistent with existing

architecture, will reduce the visual impacts of Garden Hall from Yellow City Road. Further, after 10 years, proposed landscaping intended to screen views of proposed Project buildings from Yellow City Road will lessen any visual impacts resulting from the construction of Garden Hall.

- iv. The Project Site's topography and existing vegetation, together with distance and the Project's proposed landscaping, support the conclusions of the Visual Analysis from other vantage points to the south along Yellow City Road, both in and outside of the SPO district.
- v. Existing vegetation and proposed architecture support the conclusions of the Visual Analysis from relevant vantage points the along Leedsville Road including from Vantage Point 2.

(e) *Minimize clearing of vegetation at the edge of the road, clearing only as much as is necessary to create a driveway entrance with adequate sight lines.*

No new driveway entrances to the Project Site are proposed and no clearing of existing vegetation along roadways is proposed except for vegetative clearing along Project Site driveway intersections with Yellow City Road and Leedsville Road for sight distance purposes as recommended by the Traffic Impact Assessment performed by the Applicant's consultant that is included in the Application.

(f) *Site buildings so that they do not protrude above treetops and crestlines of hill as seen from public places and roads.*

- i. Proposed buildings have been sited towards the interior of the Project Site where their visibility will be limited by distance, topography and existing and proposed landscaping. Most new development will be below the existing treeline of surrounding topography.
- ii. The Garden Hotel and Garden Hall will likely protrude above the hill where they will be constructed. However, based on the Visual Analysis, any views of the proposed Garden Hotel will be screened from view from NYS Route 343, Yellow City Road and Leedsville Road due to topography, distance from property boundaries and existing and mature tree cover. Garden Hall, a one-story building with a proposed 6,250 SF footprint that will replace the existing 1,931 SF footprint, two-story Garden House, will be partially visible from Yellow City Road, particularly during leaf-off-conditions. Topography and existing vegetation, together with a proposed architectural design that is consistent with existing architecture, will reduce the visual impacts of Garden Hall from Yellow City Road. Further, after 10 years, proposed landscaping intended to screen views of proposed Project buildings from Yellow City Road will lessen any visual impacts resulting from the construction of Garden Hall.

(g) *Minimize crossing of steep slopes with roads and driveways.*

The Project will not involve any new crossings of steep slopes with roads or driveways. The SWPPP required for the Project will ensure that erosion from any roads or driveways is minimized.

Finding: The Project will not result in excessive off-premises noise, dust, odors, solid waste, or glare or create any public or private nuisances for the following reasons:

- (1) The Project involves the expansion of existing uses located on a 43.5-acre Project Site with most existing and proposed development to be constructed in the interior of the Site separated by distance, topography, architecture and proposed and existing vegetation from surrounding roads and nearby residential uses.
- (2) The existing uses on the Project Site already result in the types of noises, odors and lighting included in the proposed design of the Project. See EAF Narrative, Pages 44-46.
- (3) Zoning Law § 121-40(C)(2) prohibits noise levels at a property line of more than 60 dbA between 7:00 a.m. and 8:00 p.m. or more than 50 dbA between 8:00 p.m. and 7:00 a.m. Town Code § 80-2 generally prohibits: "The creation of any unreasonably loud, disturbing and unnecessary noise is prohibited. Said noise shall be prohibited when it is of such character, intensity and duration or of any type or volume that a reasonable person would not tolerate under the circumstances and that is detrimental to the life, health or welfare of any individual or would cause or create a risk of public inconvenience, annoyance or alarm." No formal complaints have been lodged against Troutbeck alleging "unreasonable" or "unnecessary" noise based on existing conditions and, based on the Project design, noise from the Project will be minimized and/or reduced as compared to existing conditions.
- (4) Noise: The design of the Project includes measures intended to minimize and/or to reduce noise impacts as compared to existing conditions, including acoustical improvements in new buildings and increasing the distance of some uses from nearby residents. Operational noise impacts will be minimized by the continued practice of generally limiting the hours of events to between 3 pm and 10 pm, by no longer conducting fireworks/pyrotechnic displays, and by installing acoustical barriers on existing and proposed court facilities. Construction noise will be limited by primarily focusing construction activities from November through March and limiting construction to weekdays and daytime hours (8 am – 6 pm).
- (5) Dust: The Project will not result in an increase in dust generated during operations. Dust generated from typical construction activities will be minimized through implementation of provisions provided in the Stormwater Pollution Prevention and Erosion & Sediment Control Plans to reduce the potential for dust.
- (6) Odors: Existing restaurant and bakery facilities on the Project Site produce odors associated with those uses during certain times of the day. Proposed new restaurant and bakery facilities will generate similar odors during the same times of day. As such, no new or significantly increased odors will be generated by the Project. Further, any impacts associated with odors will be minimized by the distance between the sources on the Project Site and neighboring residential properties.
- (7) Solid waste generated by the Project will be managed through private solid waste management services. Currently the site's lodging and food and beverage operations produce approximately 1.6 tons of solid waste / single stream recycling a week, which is collected and removed by Welsh Sanitation Services 2 times per week. Once the buildout of the Project is completed, the Project Site is expected to generate a total of 2.8 tons of solid waste/single stream recycling a week. The increase will mostly be produced by the anticipated increase in food and beverage consumption from the additional guest staying

at the site, as the increase in administration and lodging waste is generally lighter and less bulky compared to food/beverage waste. In response to the anticipated increase in waste, additional pickups and dumpsters will be provided. Phase 1 is anticipated to create a negligible increase in operational waste due to its limited scope. In order to reduce the amount of waste generated, the site has already implemented a zero plastic service policy, eliminating single use cutlery and other guest supplies. Recycling and composting through local partner organizations will continue to be utilized to dispose of organic waste on site during operation and trucking to Dutchess County Resource Recovery will be provided for other nonhazardous solid waste. All waste management and recycling service are anticipated to continue and be scaled accordingly to accommodate the additional waste. During construction, solid waste generation disposal is anticipated to temporarily increase during the course of construction. It is anticipated that construction activities, especially during particularly active construction periods, will produce ± 8 tons of solid waste weekly. This waste will consist of construction debris and will vary significantly depending on the construction activity (i.e: site work, framing, finishing, etc.) taking place that week. During construction, said waste will be placed in a roll off dumpster and, when filled to capacity, taken off site and disposed of by the contractor/waste disposal company. Similar levels of construction waste are anticipated for all phases, but the duration of said waste generation will vary depending on the length of construction.

- (8) Lighting: As part of the design of the Project, lighting will be provided for internal access drives, parking areas, pedestrian pathways, and security lighting around buildings and will be designed to comply with the guiding principles of the International Dark-sky Association. Those principles include: (1) Using light only if it is needed, including consideration of how the use of light will impact the area, including wildlife and their habitats; (2) Directing light so it falls only where it is needed by using shielding and careful aiming to target the direction of the light beam so that it points downward and does not spill beyond where it is needed; (3) Using the lowest light level required, being mindful of surface conditions, as some surfaces may reflect more light into the night sky; (4) Using light only when it is needed by using controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when not needed; and (5) Using warmer color lights where possible in order to limit the amount of shorter wavelength (blue-violet) light to the least amount needed. Further, the lighting proposed for Phase 1 of the Project as part of the Project includes full cut-off, downward-directed fixtures with limited light spillage and no impact to neighboring properties.

Key additional information supporting this overall assessment of no excessive impacts from the Project on noise, odor and lighting includes:

- (1) The layout of the Project Site generally provides for distance between elements that may generate noise or odors or require lighting and property boundaries or nearby residences; and
- (2) Existing topography and vegetation, along with proposed landscaping, will further contribute to the minimization of any noise, odor or lighting impacts resulting from the proposed Action.

Finding: The Project will not cause significant traffic congestion, impair pedestrian safety, or overload existing roads, considering their current width, surfacing, and condition, and any improvements proposed to be made to them by the Applicant for the following reasons:

- (1) The Applicant submitted a Traffic Assessment prepared by Creighton Manning Engineering, LLP, dated October 3, 2022 (the Assessment”) to analyze potential Traffic/Transportation impacts from the Project. The Assessment and supporting information from the Application provides the basis for these findings.
- (2) The primary network for Project-generated traffic includes NYS Route 343 and Leedsville Road (Dutchess County Road 2), both of which have adequate capacity to accommodate the projected worst-case scenario of 62 vehicle trips (including existing traffic) during the PM peak hour and 97 vehicle trips (including existing traffic) during the Saturday peak hour.
- (3) The Project, together with other projected traffic increases over time, will result in no measurable change in traffic delays at affected intersections under almost all conditions.
- (4) During the worst-case scenario of traffic associated with a wedding, additional delays at the Leedsville Road and NYS Route 343 intersection will result in an additional estimated delay of 2.4 seconds compared to the projected delay over time.
- (5) The Project will include 283 parking spaces at full build-out, well below the 500 referenced in the FEAF Part 2.
- (6) Stormwater from the parking areas will be managed in accordance with a SWPPP and all lighting will be dark-sky compliant.
- (7) Further, visual impacts will be minimized by lowering the elevation of one of the parking lots and providing existing and proposed landscaping between the lot and NYS Route 343.
- (8) The Project will not degrade existing transit access as no transit services currently exist in the area.
- (9) There are no existing public accommodations for pedestrians or bicyclists in the vicinity of the Project Site that will be impacted by the Project as the Site is bounded on the north, east and west by existing roads and adjoins private lands to the south. Pedestrians and bicyclists in the area, including Troutbeck guests, use the existing road system and its shoulders for access and are subject to the same traffic rules as generally apply on public roads.
- (10) No modification of existing roads, creation of new roads, or changes in existing access are proposed as part of the Project that would result in an alteration of the present pattern of movement of people or goods on the roads surrounding the Project Site.
- (11) Based on the Traffic Assessment, the only recommend improvements included providing for 2-way access and improving site distances for the Leedsville Road access driveways on the Project Site.

Finding: The Project will be accessible to fire, police, and other emergency vehicles.

The Applicant has consulted with the Fire District and the Project incorporates measures to accommodate Fire District concerns.

Finding: The Project will not overload any public water, drainage, or sewer system or any other municipal facility.

The Project will obtain its water supply from existing onsite wells and will provide wastewater treatment services through existing and proposed systems on the Project Site as follows:

- (1) Two existing, private groundwater wells are proposed to serve the Project's water supply needs, which are anticipated to increase from an existing use of 10,972 gallons per day (gpd) to 20,580 gpd. Based on the permits issued for those wells by Dutchess County Department of Behavioral and Community Health ("DCBCH"), those two wells produce sufficient water to serve the daily needs of the Project. In response to concerns about the potential impacts of the increased use of water for the Project on nearby wells, the Applicant submitted "The Hydrogeologic Assessment – SEQRA Study, prepared by WSP – USA dated February 15, 2023, Revised March 7, 2023 together with a supplemental analysis dated March 7 2023." This Assessment provided an analysis which concluded that Project's increased use of water from the two wells will have no discernible impact on the regional aquifer from which water is drawn. The Planning Board's engineer reviewed the Assessment and provided his own opinion "that that the proposed Project will have no significant direct or indirect effect (either short term or long term) on the regional aquifer or neighboring wells."
- (2) Existing and new private wastewater treatment systems consisting of conventional collection, settling and leaching components will serve the Project, which has the potential to discharge 20,580 gpd of wastewater. The Applicant provided an "Engineering Report for Troutbeck Adaptive Reuse Plan Wastewater Treatment Systems," dated January 6, 2023 last revised February 15, 2023, which concluded that the sanitary sewage treatment systems proposed will meet or exceed all state and local design requirements and will have no measurable impact on ground water resources or surface water resources. Specifically, there are suitable soils in the locations identified for the proposed systems and sufficient separation distances from groundwater and wetlands or surface waters to provide sufficient treatment and to avoid the potential for impacts to those resources. All systems are designed to meet DCBCH and NYSDEC design requirements, including meeting minimum size requirements based on anticipated flow rates and the use of conventional application rates. All systems have been designed and located to meet or exceed the minimum vertical and horizontal separation distances required by DCBCH and NYSDEC.

Finding: The Project will not materially degrade any watercourse or other natural resource or ecosystem or endanger the water quality of an aquifer for the following reasons:

- (1) As part of the Project, based on the requirements of the Town of Amenia's Zoning Law, Troutbeck is required to preserve a "minimum of 50% of the total land area of the parcel. See Zoning Law 121-14.2(I)(5). Accordingly, Troutbeck proposes to conserve 54.2% (approximately 24 acres) of the Project Site by an easement that will permanently protect flora and fauna on the Project Site, including surface waters, wetlands and vegetative buffers around those resources. The easement will protect from development and provide a natural vegetative buffer along surface waters, including, Webatuck Creek, and wetlands on the Project Site, protecting flora and fauna within those areas.
- (2) There are no stormwater controls presently on the Site, so the Project will improve control of stormwater on the Site through the implementation of an approved SWPPP during and after construction of the Project. The implementation of the SWPPP will prevent impacts

to surface waters and natural resources from the Project. No discharge of stormwater to wetlands or surface waters is proposed and the SWPPP will require the development, implementation and maintenance of erosion controls to prevent the indirect discharge of sediment or stormwater to wetlands or surface waters that may affect resources on-site or off-site.

- (3) In response to concerns about the potential impacts of the increased use of water for the Project on nearby wells, the Applicant submitted “The Hydrogeologic Assessment – SEQRA Study, prepared by WSP – USA dated February 15, 2023, Revised March 7, 2023 together with a supplemental analysis dated March 7 2023.” This Assessment provided an analysis which concluded that Project’s increased use of water from the two wells will have no discernible impact on the regional aquifer from which water is drawn. The Planning Board’s engineer reviewed the Assessment and provided his own opinion “that that the proposed Project will have no significant direct or indirect effect (either short term or long term) on the regional aquifer or neighboring wells.”

Finding: The Project will be suitable for the property on which it is proposed, considering the property's size, location, topography, vegetation, soils, natural habitat, and hydrology and its ability to be buffered or screened from neighboring properties and public roads for the following reasons:

- (1) The Project involves the permitted expansion of an existing use on a historic 43.5-acre Project Site in the HPO District.
- (2) The topography of the Project Site, together with Project’s centralized layout, proposed architecture, and existing and proposed vegetation, provide for buffering and screening of the Project from neighboring properties and public roads and make it suitable for the Project as proposed. Based on the design, centralized layout, and sensitive architecture of the Project, together with topography and existing and proposed landscaping, the Project will not conflict with the existing natural, built and historic character of the surrounding area and will protect “the historic character of the property and the surrounding area” as contemplated by the Zoning Law.
- (3) A SWPPP undertaken for the Project will provide for the development, implementation and maintenance of stormwater managements measures that will ensure that stormwater is properly managed on the Site, including using infiltration to control any off-site runoff. A hydrogeological assessment undertaken by the Applicant demonstrates that the Project will not have any adverse effect on the underlying aquifer or nearby wells.
- (4) The permanent preservation of 54.2% of the Project Site by conservation easement through the Project will protect soils, vegetation and natural habitat on nearly 24 acres of the Site including an open water pond, wetlands and wetland buffers, stream corridors, and existing vegetative buffers, agricultural lands (including prime agricultural soils), steep slope areas and forested areas.

Finding: The Project will be subject to such conditions on operation, design and layout of structures, and provision of buffer areas as may be necessary to ensure compatibility with surrounding uses and to protect the natural, historic, and scenic resources of the Town.

Design and layout of the Project, including required lighting and landscaping, based on the approved site plans will ensure compatibility with and minimize impacts on surrounding uses. Special Permit conditions, including for the timing of planting of proposed landscaping and to ensure that Project operations are consistent with the Application as proposed and discussed in the “Troutbeck Adaptive Reuse Plan Set” prepared by Rennia Engineering Design, PLLC, dated December 1, 2021, last revised April 10, 2023, these findings and the Negative Declaration will further ensure compatibility with surrounding uses and to protect the natural, historic, and scenic resources of the Town. Finally, additional site plan approval conditions based on Planning Board review of each of the separate phases of the Project provide another layer of potential protection for the Town’s resources.

Finding: The Project will be consistent with the goal of concentrating retail uses in hamlets, will avoid strip commercial development, and will provide buffering of the Project from nearby residential uses.

No retail uses are proposed as part of the Project other than the accessory uses that are existing. The Project is intended to bring visitors to the Town of Amenia, who are likely to also frequent retail, restaurant and other uses in the Town’s hamlets. The Project Site is located in the Rural Residential Zoning District where most commercial development is not allowed, minimizing the potential for any nearby strip development. Moreover, commercial uses that are allowed in the RR zoning district are generally small-scale and must be associated with either an agricultural use or an existing residential use. As discussed above, because of the layout of the Project on the 43.5-acre Project Site, topography, architecture, and existing and proposed vegetation, buffering of the Project from nearby residential uses will be provided.

Finding: The Project will have no impact on the availability of affordable housing in the Town.

The Project involves uses intended to serve visitors to the Town and community members and is not expected to have any impact on the availability of affordable housing in the Town. The Project will provide some on-site workforce housing for employees but is expected to have no or minimal impact on the need for affordable housing in the Town.

Finding: The Project will comply with applicable site plan criteria in § 121-65D, including requirements for layout and design, lighting, landscaping, roads, parking, loading and circulation.

Site Plan approval under Zoning Law § 121-65D is required for each separate phase of the Project, which will ensure compliance with the site plan criteria required by that section of the Zoning Law. This Special Permit approves the Troutbeck Adaptive Reuse Plan, including the conceptual site plan provided as part of that Plan, so site plan findings based on the conceptual site plan would be premature. Each phase of the Project will be required to demonstrate compliance with those criteria and the Planning Board will need to make findings for each phase based on more detailed site plans as allowed by the Zoning Law.

Finding: The Project will have no greater overall off-site impact than would full development of the property with uses permitted by right, considering relevant environmental, social, and economic impacts.

As discussed above and in the SEQRA Negative Declaration, the Project's off-site impacts will be limited due to the nature of the use, the centralized nature of most of the Project's development on the 43.5-acre Project Site and the requirement of an easement to permanently protect 54.2% of the lands comprising the Site. In comparison, for example, an eight-lot conventional subdivision of the Project Site would fragment the conserved wetlands, streams and other resources on the Site and could result in residential development (including pools and tennis courts) that is spread out over a greater portion of the Project Site with potential off-site visual, noise and lighting impacts. Development of the property allowed by right would potentially destroy the historic character of Troutbeck as compared to the proposed adaptive reuse of the entire property consistent with the requirements of the Zoning Law. Given the importance of the historic and environmental protection of the property involved in the Project Site that is provided through the permanent preservation of 54.2% of the lands involved in the Project Site, together with the design and layout of the Project to meet the required standards for an adaptive reuse project, the Project complies with this standard.