

TOWN OF PHILIPSTOWN PLANNING BOARD
Public Hearing for GGC/HVSF
Phillipstown Town Hall, 238 Main St., Cold Spring, NY 10516 and
Virtually Via Zoom
February 17th, 2022

The Planning Board held a special meeting on Thursday, February 17th, 2022.

Present:

Neal Zuckerman (Chair)
Kim Conner
Dennis Gagnon
Peter Lewis
Laura O'Connell
Neal Tomann
Heidi Wendel
Ronald J. Gainer, PE, Town Engineer
Stephen Gaba, Counsel

Absent:

Please note that these minutes were abstracted in summary from the meeting and a taped recording. Chair Zuckerman opened the meeting at 7:30 pm. Chair Zuckerman led the Pledge of Allegiance. Roll call was taken by Ms. Rockett. She then read the public hearing notice.

Chair Zuckerman opened the meeting and stated that this is the Philipstown Planning Board usual meeting, unlike the last gathering which was a special meeting to discuss the Shakespeare Festival application and conduct the public hearing. He then asked for a motion to approve the December minutes. Neal Tomann made the motion, Peter Lewis seconded the motion. The vote went as follows:

Kim Conner: Aye

Dennis Gagnon: Aye

Peter Lewis: Aye

Laura O'Connell: Aye

Neal Tomann: Aye

Heidi Wendel: Aye

Chair Neal Zuckerman: Aye

Chair Zuckerman asked – any opposed, Abstentions? Being none the vote passes.

Chair Zuckerman stated that they have some correspondence, a referral of a local law. He will ask Mr. Gaba just to walk them through what that proposal is and the Board members can comment. It's entitled "Energy Conservation" to update the revisions.

Mr. Gaba stated that what's happening with this Local Law 1-2022, entitled Energy Conservation to update the revisions is that the Town presently has the NYS energy conservation code incorporated into the Town Code, and the state has updated the energy conservation code. So, all that the Town Board is doing now is updating the provisions in the code so that the Town's energy conservation code matches what the state has. One would expect that the Planning Board would either be in favor of this or would have no position on it. He can't imagine why they would be against updating the Town Code to match what the state has enacted to supersede the code, but there it is.

Chair Zuckerman asked if Board members any comments on this that you want to share back to the Town Board.

Mr. Tomann asked what's the scope of the comments are they looking for?

Chair Zuckerman replied any comments he has relative to the Planning Board.

Mr. Tomann stated that he's going to wait. They have a public hearing on this next week. He just thinks it's more appropriate venue for him to comment there.

Mr. Gagnon stated that he did not see it but would like to read it before commenting.

Chair Zuckerman stated let's assume that for now there are no comments to the Town Board, but if Mr. Gagnon reads it and has anything else they can revisit it.

Sadlon & Wenske, 825 Route 9D, Garrison, NY 10524 TM#71.-1-13.111

Chair Zuckerman stated that he's going to suggest that the Board reschedule the site visit and simultaneously schedule the public hearing just to keep this moving forward. He asked if any of the Board members are opposed to that approach? He then stated that they would reschedule the site visit for Sunday, March 6th at 9:30am. He continued - let's schedule the public hearing for the next Planning Board meeting, which would be on the 17th. He then asked for a motion to schedule the public hearing for March 17th. Kim Conner made the motion, Neal Tomann seconded the motion. The vote went as follows:

- Kim Conner: Aye
- Dennis Gagnon: Aye
- Peter Lewis: Aye
- Laura O'Connell: Aye
- Neal Tomann: Aye
- Heidi Wendel: Aye
- Chair Neal Zuckerman: Aye

Chair Zuckerman asked – any opposed, Abstentions? Being none the vote passes.

Cedar Hill Landscaping- Depaolls, 18 East Mtn. Rd. North, Cold Spring, NY 10516 TM#17.-1-42

Mr. Gainer stated that the Board has his technical memo that summarized the comments offered during the field inspection. For the most part, the Board well understood the intent of the project. They identified some improvements that were necessary to the site's access to improve sight distances and vehicle maneuverability. There was some desire for some additional landscaping concerning the abutting residential properties to the east, and then there was a bit of a discussion as to whether the existing lot, which is in the shape of a flag lot, has to meet the flag lot requirements of the zoning code.

He's made referral to Mr. Gaba to see if he would opine on it. The applicant's engineer has likewise submitted information to the Building Inspector should he wish to comment. So, hopefully they'll get that resolved shortly and then it can move forward.

Mr. Gaba stated that he's looking into the legal issue that Mr. Gainer raised. He thinks they're prepared to set a public hearing on this, though.

Chair Zuckerman stated that it may be premature with the public hearing set for the next meeting but they just received a letter from Bettina Utz. It wasn't about this particular project but it was about a topic we as a Board have talked many times about, which is the ever-increasing traffic on Route 9 and the volume of projects that are adding to the traffic on Route 9. He thinks they do need to spend some time with the Town Board on this topic because this project is another example. Right in its backyard is a project the Board approved that's going to be building a relatively large physical complex right behind it on Route 9. There is a volume of traffic occurring and that is not an insignificant topic. This is not blaming any one applicant. It is the very nature of increased building in this region and so he thinks they're going to have to talk about that. That is outside their ability as a Planning Board to adjust, and every time they have a project everyone says, hey, the state law says you can have as much traffic basically as possible, and Route 9 can handle it. But there is a point where the community is raising this issue frequently and he thinks it's time they have a thoughtful conversation, maybe with the Town Board, to figure out what they can or should consider at least. That's just an open comment without action.

He then asked for a motion to schedule the public hearing for Cedar Hill for the next Board meeting. Heidi Wendel made the motion, Neal Tomann seconded the motion. The vote went as follows:

Kim Conner: Aye

Dennis Gagnon: Aye

Peter Lewis: Aye

Laura O'Connell: Aye

Neal Tomann: Aye

Heidi Wendel: Aye

Chair Neal Zuckerman: Aye

Chair Zuckerman asked – any opposed, Abstentions? Being none the vote passes.

Ms. McManus stated that this is an existing business in the village so it technically isn't really adding traffic because they're already on Route 9. It's a relocation of a business.

Chair Zuckerman asked if Ms. Rockett could send the letter from Ms. Utz to Ms. McManus.

Golinczak, Crest Road, Cold Spring, NY 10516 TM#17.-2-39

Ms. Rockett read the public hearing notice.

The Planning Board of the Town of Phillipstown, New York will hold a public hearing on Thursday, February 17th, 2022 starting at 7:30 p.m. in person at the Phillipstown Town Hall, 238 Main St., Cold Spring, NY and via Zoom to consider the following application: Golinczak, Crest Road, Cold Spring, NY 10516 TM#17.-2-39. Project: Minor Project: Development of a new single-family dwelling and in-ground

swimming pool to be served by a new septic system and water well, and related site improvements including new access from private Crest Road.

Mr. Golinczak shared his plans on screen. This is the location of the project off the south side of Crest Road. The red outline here, that's the 12 acres of the property. In reference to that you can see in red position of the house in relation to the site. This overall map shows the same thing with adjacencies. For reference, here in the blue is Crest Road, this is our property here. The gray is the proposed road. The dark location here is the position of the house, the septic is indicated in green, the pool is indicated here a little bit off north to the house and this is the proposed art studio. This drawing submitted is the existing conditions of the site with the cloud of the bubble that follows the approximate area of disturbance, which then indicates the trees to be removed and the general locations of the site work. This drawing is the proposed improvements to the site. In the north east is the entry to the site. The project is working with existing topography contours so we're pretty much picking the flattest part between what you can see here are slopes, so it's making its way through an existing flatter part of the site, turning at the bottom here around the new septic fields that are proposed and approved by the Department of Health. And, again, we land at the house. The back of it here is the arrival point. Front towards the west looks towards the river here. This drawing is just an analysis of the road just to ensure that we are code compliant. As far as slope of the road, most of it is two percent. There is a spot where we need to go a little higher, efforts will be made to make that as least steep as possible. The proposed road itself is a gravel road with required drainage on the sides. Here are the views of the house. So this is the front of the house. This is the north elevation looking from the pool site. This is the south elevation. The house itself is a "green" house, so it's going to be a sustainable house. It's oriented towards sun. It will have integrated solar panels on the roof. This is the arrival point. I mentioned in the back, under the cantilever of a little bit of a roof deck. That's where the cars are parked. This is the grand room and sun deck. The finishes, which is light wood typically, light gray metal finishes on the house to blend well with the surroundings. This is the letter from the Conservation Board, as they visited the site early in the year. They walked the site and there were no concerns and no comments. This is the last drawing. This is the Putnam County Department of Health approved plan for the septic as well as the water well and that that was approved end of last year.

Chair Zuckerman then asked if there were any member of the public who wished to speak.

Liz Corio- I live on Crest Road with my husband Richard and it was just very nice to see the drawings and the plans. We have no concerns. I'm really glad that the Conservation Board has taken a close look at it and appreciate the care that the applicant has put into treating the site with care. I will just mention that Crest Road itself is a private road, so the residents on the road are always discussing how best to maintain the access to that road. I believe there's at least one other building lot that is in preparation on that road which will bring the grand total of houses on the road to I think eight. It's a lot of traffic on a dead-end dirt road that we don't get any assistance from the town to maintain. So, that's all, thanks.

Chair Zuckerman then asked for a motion to close the public hearing. Neal Tomann made the motion, Kim Conner seconded the motion. The vote went as follows:

Kim Conner: Aye

Dennis Gagnon: Aye

Peter Lewis: Aye

Laura O'Connell: Aye

Neal Tomann: Aye

Heidi Wendel: Aye

Chair Neal Zuckerman: Aye

Chair Zuckerman asked – any opposed, Abstentions? Being none the vote passes.

Ms. Wendel asked if the issue of the length of the driveway has been addressed. They had asked Mr. Golinczak to look into shortening the driveway so there wouldn't be so much disturbance and she doesn't know if there was an answer to that.

Mr. Gainer stated that this was a significant issue that came out of the Board's site walk back in December. The applicant has subsequently filed additional information to verify his right of access to Crest Road, and he's also provided documentation from the adjoining neighbors in the rear where that alternate access could potentially exist. Both neighbors do not wish to grant them such relief so the only access that the applicant has to get to the house site is what is shown, so that matter has been put to bed.

Ms. Conner stated that she was just going to say what Mr. Gainer, said that he submitted the letters and so that's done.

Mr. Gainer stated that the Board previously classified it as a type II SEQRA action, so they've concluded the environmental review and addressed all procedural administrative issues previously, Now with the close of the public hearing, the Board is ready to authorize the preparation of an approval resolution.

Chair Zuckerman asked for a motion for an approval resolution for the Golinczak application. Kim Conner made the motion, Dennis Gagnon seconded. The vote went as follows:

Kim Conner: Aye

Dennis Gagnon: Aye

Peter Lewis: Aye

Laura O'Connell: Aye

Neal Tomann: Aye

Heidi Wendel: Aye

Chair Neal Zuckerman: Aye

Chair Zuckerman asked – any opposed, Abstentions? Being none the vote passes.

Mr. Golinczak stated that he has one request to the Board. They're approaching the northern long-eared bat habitat tree removal prohibition, it starts end of end of March. They can't cut trees so they would like to request permission to just accommodate tree clearing in order so that they can actually start the house this year. Otherwise, it's going to set them back.

Steve Gaba stated that the way that's accomplished is the Board would issue a letter to the Building Inspector saying that they have no problem with tree clearing in accordance with the submitted plans, that the plans are going to be approved at next month's meeting and if the Building Inspector accepts that then Mr. Golinczak could proceed with his tree clearing. If the Board wants to approve that, he'll prepare a letter and they can submit it to the Building Inspector.

Ms. Conner stated that they did that for a Garrison project last year. She would make the motion that we ask Mr. Gaba to do that.

Chair Zuckerman asked for a motion to have Mr. Gaba draft a letter to the Building Inspector. Ms. Conner made the motion; Mr. Lewis seconded the motion. The vote went as follows:

Kim Conner: Aye

Dennis Gagnon: Aye

Peter Lewis: Aye

Laura O'Connell: Aye

Neal Tomann: Aye

Heidi Wendel: Aye

Chair Neal Zuckerman: Aye

Chair Zuckerman asked – any opposed, Abstentions? Being none the vote passes.

Garrison Golf Club PDD/Hudson Valley Shakespeare Festival, 2015 Route 9 Garrison, NY 10524
TM# 60.-1-59.2 & 59.3

Chair Zuckerman wanted to thank the public both on Zoom and in person. He stated that there was decorum and there was patience and he appreciates that. He knows there's emotions around the table on the topic, and it's great that we can actually have a civil, substantive and fact-based conversation about what matters. He stated what we are doing this evening. We are doing a SEQRA review. That stands for the State Environmental Quality Review Act. We're evaluating whether the environmental impact of this property have not been or have been sufficiently mitigated the greatest extent practical. Those of you participated in some of the earlier meetings. We went through 18 chapters in great detail over nine hours, point by point about the environmental impact of this property. Details were discussed, thousands of pages where creative analysis and detailed discussions were happening. We are not discussing whether we like "Taming of the Shrew". We're not discussing whether people are fundamentally in love with theater. He added that he's pretty confident this Board is supportive of Shakespeare and its mission and social action, and the value it brings to the community. What we're discussing is the environmental impact of the proposed plan. He continued that we are not approving what is going to be done in phase one or phase two. We are evaluating the totality of the environmental impacts of the project, every facet that's being proposed. It doesn't matter what year it's going to be built. We're approving the environmental impact one way or the other, either a positive or negative declaration. We're not concerned at this phase about only what they're proposing in one phase or another. We are proposing to assess the entire environmental impact. Doesn't matter if it happens in year 20 or year one. We will approve the site plans in different pieces, but we are approving from the SEQRA perspective the entire project. He wanted to clarify that, because there were some different statements made last time and he thinks it's necessary, especially since it was in the media.

He stated that we had 25 people remaining to speak which is why we continued the public hearing to tonight. We're going to ask and invite those people who did not get to speak last time, in rough order as best we can to share their views. We will allow other people to speak, of course, who have not spoken. Then, if there's anyone who spoke last time and feels the need that they're being forced by God himself or herself to speak a second time, they're welcome to and we're going to ask you to keep it short and it has to be something new you're saying. We do not want to press "repeat" on the same comments.

We've got video, audio and written transcripts of what everyone said last time. So that's the plan for tonight.

Carol Marquand- I've lived in Garrison within sight and sound of the Garrison Golf Course and I've also been a strong supporter of the Hudson Valley Shakespeare Festival for almost 30 years. I was President of the HVSF board when we invested in the current tent. I've seen every single production at least once and I'm still on the advisory board and continued to support them. I am also a strong supporter of the Phillipstown Comprehensive Plan and took part in the community charette long ago at its inception. That community collaboration is also behind the recently updated comprehensive plan that in turn underpins our Phillipstown open space index. The Garrison Golf Course is number 10 on that list, and our zoning laws and overlay districts. Those laws and the number one goal of the comprehensive plan will have to be thrown out if this grand GGC/HVSF plan is to go forward. Neal addressed various things that this hearing was not about, and we heard so many people talking about what this is not supposed to be about last time. But, I also wanted to say that incidentally suburban type housing over the golf course cannot be built without also throwing out current zoning. The 2005 PDD allows only, and I'm quoting, two single-family residential structures to be built on the entire 200-acre parcel of the existing golf course. And Chris Davis has also graciously spoken of donating the entire parcel in question to an environmental nonprofit if this plan fails for any reason. Yet we still had people at the last hearing trying to scare us into believing that the festival plan, this large-scale plan is the only alternative to the development of pink boxes all over the landscape and acres of suburban type housing. I just want to throw that red herring way out to sea. As Chairman Zuckerman pointed out on the 27th of January hearing this is not about how much we love HVSF. I think practically everybody does and it's not about what they do, it's not about how much we trust HVSF. I would just note that a non-profit board and employees can change its mission, can change its Board at any time and there is nothing in HVSF's current mission about any kind of environmental or other stewardship. It's not about moving existing tent and trailer port-a-potty operation from Boscobel up the road. I'm just repeating what Chairman Zuckerman said there. This hearing is supposed to be about something very different. The facts presented in the entire built-up plan theaters, housing, hotel, everything and its impact on the land animals and yes, on our community, of this huge project as laid out in the environmental assessment form. I personally want HVSF to have a permanent home on the golf course. I do also want its size, siting and consequent impact on this environment to be a negotiation between it and the Phillipstown comprehensive plan, a balance. We made our homes here because we wanted to live quiet rural lives, but we do acknowledge that inevitably compromises have to be made. I personally want HVSF to have a permanent home on this golf course, I'm really definite about that. However, at the moment the proposal seems to be a "my way or the highway" plan. There's a great deal of money, six top flight consultants, top lawyers on the on the GGC/HVSF side and this hearing is the first time that those with legitimate concerns about traffic construction, water, noise, light, all those effects on our 2500 community as highlighted in the EAF, have been able to be heard. We feel steamrollered by the often error-filled effort to market the proposal. Clearly, hardly anyone has read the over thousand-page EAF, let alone understand the impact of the full plan. This document is technical and huge because this planned development is fast. Chairman Zuckerman said at one point that this is perhaps the biggest development ever to come before him. At this point I do want to thank the Planning Board and the Chairman for all the many, many hours they've spent on this, it's heroic work. The Planning Board has consultants, AKRF to help them deal with the SEQRA process but AKRF does not live here and is not required to and has not consulted with local residents. We residents have no consultants to help us see

what is incorrect in the EAF and what is concerning, what questions to ask. Nevertheless, we have many questions and concerns and I'm speaking for some other people here, more retiring people who live around here also. For instance, why does the EAF say that, quote – "the subject property does not contain any unique topographic features". It certainly does for Garrisonites around here, and most dislike the idea of the HVSF tent being perched on the highest contour and commanding for itself the best view around here, right up the river to iconic Storm King Mountain, ironically the site of the birth of the environmental movement. The plan cites the tent on a treeless hilltop where it will cause the most sound and light pollution possible. Houses are situated 360 degrees around, above and below the golf course. Contrast this with Boscobel where the tent was opened to the river on 180 degrees and screened by Boscobel house and woods on much of the remaining sides. HVSF has promised not to use amplification at all while it's performing under a town temporary permit. But what if this full plan goes ahead? Are we never again to be treated to amplified musicals? "Into The Woods" was wonderful in 2019. All the traditional and much-loved song and dance numbers in the Shakespeare productions, no sound effects or will there be an amplification. One of the recorders in the sound tests in the EAF reported that the sound would be over the town limit. What is the remediation for this, the mitigation? Trees are to be added to those already existing between the Chris Davis 27 acres and the tent location. Incidentally these will be at best 12 to 14 foot higher alone. How about some around the tent? A partial high foot berm is proposed primarily to prevent traffic noise coming into the tent. The tent will be 38 feet high; sound rises and the front of the tent is, of course, completely open. All the neighbors suffered through a series of bands, groups playing on the restaurant terrace at the Garrison a few years ago. It was only every Thursday for a few weeks a couple of summers, I think, and finished promptly at 8:30. We heard every word of every song; it was it was horrible. Thank goodness it was not seven performances a week until 10 p.m. from June through October. Lights, are there to be no lit scenes out the tent as in previous years. Is the audience to be stumbling around in the dark in the intermission on the lawns. Why can't the tent be sited in more of a bowl on the site, all nestled into the slope as we read in the newspapers early on? There are plenty of great scenic backdrops apart from the one on the crest of the hill. We read in the EAF that weddings, etc. will be outside between 4 and 6 p.m. and inside after that, so some proximity to the banqueting rooms surely isn't a problem when the performances begin at 7:30 pm. Is there room for discussion or compromise? The treatment in the EAF of the doubling of the domestic water needed for the thousand flushes a night discussed at the Planning Board meeting is, of course a concern, also as is the sinking of new wells, the digging of up to four huge septic fields and the drawing of water when needed from the eastern basin up to Fort Defiance Hill. All that's troubling to our neighbors, especially as so many had trouble with their wells when two new irrigation wells were drilled to supplement pond water irrigation of the golf course in 1999. Our well is drilled 500 feet deep, 200 feet below the highest point of the GGC, in rocky gneiss and we've had problems with recharge after dry winters and dry summers. Who will pay for remediation including inconvenience of having no or sediment filled water? Why is there no modern, environmentally friendly, sewage treatment plant? The EAF posits that up to 50 acres of the 97.4-acre site will be disturbed. A lot of construction noise and disturbance for people, birds, bees and a lot of eco-fragmentation. Noise from the construction of this plan is likely to be loud, I'm quoting here from the EAF, especially if doors and windows are open which ours are all summer. How can this be mitigated? How many summers will we have to shut ourselves inside? How about mitigation for the neighbors of the toxic gas caused by the building disturbance of the poisonous heavy metals we learned from the EAF are in the soil of the golf course. Mercury, lead, DDT, and many more. How can you give a negative declaration when all the testing that's needed has not

been done except in three sites? What about the effects on wells, not just the wells on the golf course which are mentioned but on the lateral movement of contaminated water affecting neighbors' wells? Who will pay for that mitigation if needed? Will the runoff from ground disturbance cause the contamination of the brooks, there are many steep slopes there, I mean really steep? We learn in the EAF about the contamination of the pond. These are all important points related to the EAF and you let people who are not talking about EAF go on and on before. There's nothing in the EAF about how meadows will be achieved or managed. I mean how else can we get these points out except at this hearing? Three years black plastic, chemicals, roundup mugworts already returning to the experimental meadow patch. Nothing about irrigation of 300 newly planted trees, all the new shrubs nothing about management of the majority of the site will not be native meadows. Many seem not to understand the detrimental environmental impact that will occur on this site of the cars and feet of thousands of people, the scattering of a total of 20 new buildings, a total 56,000 square feet. 56,000 square feet is the equivalent of 28, 2,000 square foot houses and that's without counting the large 38-foot tent and all the existing buildings and a new 20 room hotel and five large parking lots. This added to the light, the sound, the air pollution will all adversely impact until late at night the landscape its environment, it's birds, animals, insects and yes inhabitants of this community. It's rural roads in Route 9. Picture a Saturday with 800 attendees and employees arriving to picnic, watch a matinee, attend a wedding and that's without a matinee in the inside theatre as promised by HVSF, then leaving. Then a thousand more people in cars arriving for picnics dinner in the restaurant bar wedding and evening performances in both theatres and arriving to work in these spaces then all leaving again late that night. This is not Boscobel where the single theater was the only event happening in the summer. Never operated simultaneously with the house being open or a wedding. There was no restaurant or bar or a hotel. This very, very large plan will be a huge disturbance for all those around living around the golf course. Why can't there be some symbiosis between the existing buildings and the theater complex? The EAF shows many of the proposed new buildings to be operating only part of the year. There is so much unnecessary, underutilized space in this plan. Using the existing banquet rooms or the beautiful spa room which are empty most weekend weekdays for rehearsals education events instead of building a new rehearsal room, for instance. Why is nothing in this plan thought through with an eye to minimizing the number of people impacting the community at any one time. The profits from the for-profit side are apparently to be funneled to the non-profit side. Why can't the for-profit and non-profit arms work together to utilize space more efficient. I'm in favor of some housing for artists but 12 buildings totaling 27,400 square feet for a maximum of 88 people and empty for months so they can be leased on a short-term Airbnb type basis when there is also a 20-room hotel planned, what? There's nothing to prevent this huge plan being built out in its entirety once phase two is agreed in a couple of years if the money is available and I understand a great deal of dollars have already been pledged. This community is quiet and retiring. We chose to make our homes in the woods rather than in the village. Change will come but it doesn't have to be on this huge scale and with so many unknown and possibly unintended consequences. A regional arts destination in the middle of this woodsy community will change our beloved home utterly. A quote from the EAF here "it is the applicant's position that the proposed development is of a scale and character that is complementary to the existing and natural environment". I along with so many of my neighbors beg to differ. I'm asking for a positive declaration and some real community input. Thank you for letting me go on but it's the only chance we get.

Thomas Pearson- *Thank you for continuing to give us this opportunity to speak. I live in the village of Cold Spring with my family, my wife Martha and I have one child in elementary school at Haldane and*

another in preschool at the Foundry Montessori school here in the village, and I'm here because I support HVSF in general and I support these plans specifically. Martha and I chose to live and raise our family here precisely because of its unique combination of natural beauty, its access to nature, its deep sensitivity for land conservation and the way that we all benefit from thoughtful, smart land use. We, also are very much in favor of the engaged active warm community that we all have. The sense of community participation the sense of engagement that we all are bringing to this process. The schools, the other opportunities for children and yes, the cultural and the creative opportunities that are unique to this area and that are a really important part of what makes this area special. I think this project really amplifies all of these qualities it really it is a thoughtful, proactive way to preserve a huge swath of land. I do think it is engaging with the community in a very proactive way. I think it creates more opportunities throughout the year for us, for a wider number of people, a more diverse number of people to enjoy this specific land, to participate culturally to participate in the in the use of the land itself. I think the understanding that a lot of us have is that the current use of the golf course, the historic use of this golf course has an incredibly negative environmental impact and this plan remediates that use and it thoughtfully takes the land out of potentially more serious development. I will also say I'm here, and I know this is slightly off of the environmental issue, but I think it's important to say I'm here not just as a resident of Phillipstown as a resident of Cold Spring, but as a leader of a pure arts organization called New York Stage and Film, I'm the Executive Director. We partner with various organizations in the Hudson Valley as well as in New York City to produce and develop theater film and television and to support the artists that create them. We work with Hudson Valley Shakespeare Festival. We know Hudson Valley Shakespeare Festival from a peer perspective, and I can speak to their expansive impact as an arts organization and I think to as smart stewards of assets. They have important local impact but they also have impact in the theater ecosystem more broadly, and I think that Phillipstown should do everything it can within the bounds of the environmental concerns that we're discussing here to make sure that they have a home here long term. And I think the issues that we're talking about in terms of access, in terms of noise pollution, in terms of light pollution, in terms of construction issues are absolutely issues that need to be taken into consideration. But I think the ultimate use of this land in the way that they've proposed is to the benefit of this community and to the benefit of, yes, the wider Hudson Valley. I've known Davis McCallum for almost 20 years. I've known Katie Liberman for a shorter period of time, but I think it's notable that I met her not in an industry setting but at the tot's park in Cold Spring. These are people that live here. They're people that will be responsible stewards for this incredible gift, this opportunity. So again, I appreciate the time, I appreciate the opportunity to speak and I will turn back the mic but I will say I really hope that the Planning Board and Phillipstown as a whole can embrace this project and can embrace this opportunity that we all have to thoughtfully, responsibly and in an engaged way conserve this land and make a home for an impactful local arts organization and employer. Thanks very much.

Chip Lowenson - Thank you Mr. Chairman and members of the Planning Board. My family's had a home in Garrison for 14 years and for full disclosure I'm a member of the board of the Hudson Valley Shakespeare Festival and like many members of the board I've been on the board for a long time, in in my case 12 years. I'll limit my remarks tonight to just one subpart of just one issue that received a lot of attention at the last meeting, and my one point is that steady significant traffic from plays under the tent will be exceedingly rare. A number of speakers said at the last meeting that the property will have a thousand to two thousand visitors per day, six days a week and I was puzzled about the source of those projections. But here are the facts. As a part of the traffic study HVSF was required to present

Information for the worst-case scenario, the worst-case scenario and it was an if, and it's a big if, every single space on site in the 30-year plan was at full capacity. So, that means sold out shows at the tent theater and the indoor venue and a 200-person wedding and a packed restaurant with non-theater goers and staff on site to support all of this. But how often will all of these things happen at once? The answer is never. HVSF has submitted traffic management plans committing to that fact and even the total number of people in this impossible scenario was just eleven hundred people. It's not the thousand to two thousand that we've heard and it's certainly not six days a week. So, if we focus not on the theoretical maximum that won't occur but just what we can expect in the in the real world, we'll want to discuss both the arriving and departing traffic. Arriving traffic's not an issue. It's spread out over about two and a half hours before show because some people picnic, some people will have dinner at the restaurant and human nature being what it is, people arrive for plays at varying times just like different people arrive at very different times for airline flights. But for departing traffic for how many nights will this be an issue? Long experience has shown that, alas, sorry to say not every show sells out or even comes close to selling out. June has tended to be lighter and even in July and August there are sellouts or even close to sellouts only on Friday and Saturday nights. So that's weekend nights in July and August, that's eight nights a year if you want to be conservative at 50 percent of that, call it 12 nights a year and departing traffic is steady for at most half an hour after the end of the show based on experience and Boscobel is more like 15 minutes at the end of the show. And keep in mind that the tent will have a slightly smaller capacity than the current tent at Boscobel and there will be two exits compared to the current one exit at Boscobel. So, from a sell out or near sellout at the tent, at most there will be a half an hour a night of steady traffic for 12 nights. That comes to 6 hours a year and for 24 hours a day, 365 days a year, that's 8,760 hours in a year. And I don't want anyone to think that I just did that math in my head. I needed a calculator before the meeting, but with 8,760 hours in a year that's less than 0.07% of the time that's there'll be steady traffic from a sellout or near sellout at the tent. Of course, on lighter attendance nights they'll be departing traffic but lighter attendance means lighter traffic and since DOT has approved the need for a traffic light at that difficult intersection at the corner of Route 9 and Snake Hill Road that so many people spoke about at the last meeting, the exiting traffic should be safe and manageable. I know the SEQRA review process accompanies other environmental issues in addition to traffic and I've focused on just one particular aspect of traffic which is addressed in a much more comprehensive fashion in the traffic study. Just finally, I know many of our neighbors have raised heartfelt concerns about the project. I get it, the board of the Shakespeare festival gets it. The Shakespeare Festival has taken extensive steps and devoted time and resources to mitigate the various environmental impacts, whether it's traffic that I talked about or light or sound or water or wise use of open space, and the Shakespeare Festival will continue to do so. The festival has been a collaborative partner with the town and many neighbors to ensure that every concern is addressed and the Shakespeare festival will continue to do so thank you for your time and attention.

Mr. Hollis stated that what the Shakespeare leadership would like to do is have their supporters not speak since they want to get through the people who are speaking either neutrally or in opposition to their project. That's what he wanted to say to the people that can hear him on Zoom and in person.

Chair Zuckerman replied communicate however you want with your supporters, but let's please not use the public airwaves to do that. People whoever wants to speak. If you guys convince people not to speak, that's up to you guys. So whoever is out there is up to speak and they don't have to speak if they don't want to.

Cella Barber- *I have lived with my family in Garrison for roughly 20 years but not adjacent to the golf course. I am disheartened like a lot of you by how polarized this debate has become. It seems like a sort of a solid up or down vote, either you're totally for it or totally against it. However, like almost everyone I know I fundamentally support the idea of HVSF occupying the Garrison Golf Course site. I trust Davis and the Shakespeare team but trust is not carte blanche. Because also like everyone I've talked to about this project over the past year I have misgivings about certain details. I am going to voice just one of them. The tent and its outbuildings should not be sited on top of the ridge. The breathtaking wide-open views from the ridgeline have been a gift to everyone who lives in this region and frankly to everyone who passes by it. Like many friends and acquaintances, I find the proposed siting of the permanent tent aggressive and overbearing. To build a large permanent structure on such a high impact spot prioritizes a sense of spectacle over deeper community and environmental values. All of us who live in Philipstown are not just beneficiaries but also stewards of the aesthetic majesty of the region that we inhabit. I also want to add that I know a lot of people who won't speak out about their particular misgivings because they don't want to be difficult or they don't want to stick their heads above the parapet as one of them put it or alienate their neighbors and allies or because on balance they think it's probably a good thing that Shakespeare goes ahead. I felt compelled to share my thoughts both for my own sake and for many of them who are not speaking out because they don't think that their small individual and particular concerns are of merit. Thank you, I appreciate your patience with all of us so much.*

Ned Whitney- *I've been a resident of Philipstown for 43 years and I've been a member of the board of the Hudson Valley Shakespeare Festival for the past seven years I'm also a member board member of several other local organizations and I am a supporter of this project but in deference to others I will make my comments very brief. All I'd like to say is that I really appreciate the efforts that the Planning Board has taken in reviewing this project. It's a real tribute to democracy in action. Thank you.*

Alex Tripp - *My family and I live on Snake Hill Road just below what I think is being described as I believe the overflow parking lot and we have been to many of the Shakespeare Festival productions over the years, we're a longtime supporters but from listening to these descriptions by the supporters of what the project is one would think that this is just a matter of Boscobel on the hill, of nestling a stage into the hillside and actors wandering through the wildflower meadows and reclining in the long grass at twilight reciting Elizabethan couplets. This is a sprawling real estate development. This is as Ms. Marquand laid out, a vast array of buildings. It's a whole Shakespearean palooza on the hill and it's taking what is effectively an undeveloped parcel. I mean technically there is development, but it's taking an undeveloped parcel and turning it into was effectively a suburban industrial park for the local facilities of the Shakespeare culture industry with all of the characteristics of a suburban industrial park. The prominent location, the sweeping drive, the ample but discrete parking, the pastoral location but without one key component, adequate transportation. You build a suburban industrial park by the Cross Westchester expressway, by Route 128, by the Bayshore freeway, you don't build it on a two-lane country road. I mean it's a state highway but it's a state highway on a two-lane country road and it's at a bottleneck where the passing lanes narrow down where there are two hills a large curve, it's a treacherous corner and there's no simple solution. Putting a traffic officer there, putting a traffic light there it's just going to back up the traffic. It's going to cause noise problems. How many grandmothers and Lexus's are going to be sacrificed for this project? We've seen the caravan coming out at night and they're going to be trying to merge into the traffic on Route 9 and their heads are going to be spinning with blank verse and chardonnay and John Rodak won't catch a break and either will the fire department*

and there's no simple solution although as John Benjamin pointed out there is a solution in his lament for the disappearance of rural Garrison. He pointed out that we are the bottleneck between these great four-lane slabs extending into Dutchess and Westchester and these pincers are pointing towards us and this environmentally sensitive suburban industrial park may be just the reason that the DOT needs to finish the job, to close the pincers to put a four-lane highway through. But until that happy day when we're blessed with a four-lane highway through the countryside this is going to remain a very dangerous intersection. We've heard the great and the good supporting this project from a distance I suspect that their views might be moderated if they were living in Stephen Wallace's house but the danger of this intersection is easy to underestimate if you don't have to scurry across it in the face of this oncoming traffic barreling down towards you. If you don't see the wreckages on the shoulder of the road, if you don't know people who've been injured in accidents there, if you just come by occasionally, maybe you're one of the people who is barreling by and barely notices the intersection. Maybe you come to a theatrical production and it'll be a minor inconvenience to be backed up at the turn. If you're t-boned by a semi the inconvenience won't be so minor. The threshold for a SEQRA review is very low, it's intentionally very low and the single potential adverse environmental impact is sufficient to trigger a positive determination. So, this is being presented as an environmentally sensitive project but of course it is because suburban industrial parks have this pastoral image as an essential component. It's that you know the Shakespeare brand is strong, it's very edifying and uplifting but it doesn't change what it is. It is a multi-venue entertainment complex in a suburban industrial park and it's the wrong location for it. If it were within walking distance of public transportation of restaurants of shops it would make a lot more sense in fact if we were closer to Boscobel, it would make a lot more sense if there were an appropriate parcel. But we don't need to put people into their cars to drive to a location that is inaccessible except by automobile. I mean that is an anachronism of the mid-20th century suburban industrial park. This is a Shakespeare Festival we don't need to make it a celebration of the automobile. So, for these two reasons the transformation of the landscape into a suburban industrial park and the additional traffic on an already overburdened Route 9 intersection. I mean the board is aware of the problems with Route 9. For those two reasons a positive declaration should be issued thank you.

Marcy Fisher - First I wanted to say thank you to all of you on the Board, Chairman Zuckerman and everyone. We started reading through the amount of information that's there. I don't know how you got through it, it's a lot to digest. My name is Marcy Fisher, I was born right here at Butterfield Hospital when there was still a hospital here, and throughout my life, wherever I went, I always wanted to come back. And so now my husband and I have been living in Garrison for 19 years, it's a dream come true. We moved here for the landscape, the arts and for a community that cares deeply about each other and our environment. We are very concerned about the impact of this complex and the impact it will have on us and our neighbor's quality of life. I'm just going to list out some of our biggest concerns. Some which there may be more answers to that we haven't discovered yet, but I'd like to just take you through what our biggest concerns are. First is the traffic. I know a lot of people have already talked about that, but the traffic on Snake Hill for living here for 19 years, I just I don't see how and I can't understand how it's going to handle that many people. For the Shakespeare people I think it's great, but it's odd that you would say that you're not going to be successfully packed if you're not going to be a full house. I find it hard to understand why you'd want to build out that far but it's another question. On Route 9 we are concerned, and the gentleman before me just said that with widening Route 9 and Garrison and the installation of the traffic light at Snake Hill. I live on Coleman, I can tell you how impossible it is to exit Coleman onto 9 any day. It's very difficult no matter what time of day it is. I miss a number of trains to

try and commute to work based on the wait, so I don't I don't see how that's going to be mitigated or any slower with the addition of the additional 1000 to 2000 people as it states in the EAF. The parking on Route 9 is a possibility. For any of us that have lived in this area we know where the Breakneck meets Bear Mountain problem that we see well we see it all summer. It's wonderful we all love this area, but people park up and down, you can't even drive. So I don't know what that's going to look like on Route 9 and on Snake Hill and which leads me to all of us that live on Coleman, Frazier, Snake Hill and all of the surrounding roads. Is Coleman going to become, and Frazier and Philipse Brook going to become a thoroughfare? Are people going to try to jump the traffic and speed through? I mean there's children, there's people, pets, there's wildlife. It's all the reasons we love to be here. That scares me a bit. Also are these going to now become a speed trap? But also, what's going to happen to our mailboxes. What's going to happen to our packages. Are people going to be just parking up and down? That is a possibility. I know there's ample parking. However, people like to take shortcuts. No one wants to wait on line to exit, no one wants to wait on line to go in. So, if there are local roads it's going to be easy to park there and just cross the street which by the way means crossing Route 9. That's going to be really dangerous. And then public access. I haven't been able to understand, so it would be really helpful if we could find that somewhere or someone else might be able to share what the public access is going to look like. Will the that front nine look like it looks at Bear Mountain on any weekend where it's very crowded, unless there's going to be someone that's monitoring that or keeping that at bay. I think that could be dangerous for all of us. I'm concerned about the noise pollution. So, there will be additional noise, especially with additional traffic, especially if we add a traffic light, so that concerns me and my husband. The air pollution also, so now we're increasing the traffic and now we want to add a stoplight so we're going to have trucks, we're going to have more cars and there's going to be air pollution that's there it's going to seep into the earth it's not going to be great. We're also going to see more of that with the construction and I know this is going to be a phased construction if the full build-out happens, which I'm hoping it doesn't. Obviously, you can tell, but the construction vehicles and the noise from the construction is also going to be really devastating to anyone that lives in the area and any of the wildlife that lives in the area. The light pollution someone else had mentioned. I think that's also going to be quite a challenge for us. I haven't seen any of the studies that talk about how it disrupts the ecosystem and how it disrupts any animals that are doing what they do at night and any of the bird species that migrate or hunt. Everyone's going to be thrown off by that. I am concerned about the water table insufficiency. I know someone else spoke about that earlier. I'm also concerned about taxes. I know this is environmental and I understand that but part of the support to build out and part of the support from fire, police everyone - how is that going to affect us? Is it going to affect Cold Spring, probably not? Everybody in Garrison is probably going to take the hit on the increase in taxes that are going to be needed to support that. I'm trying to also understand is there a failure bond clause written into the proposal, so what happens if it's a failure? Who's going to pay to remove the structures? What will happen to the cabins? Are they going to become low-income housing? I don't know. Is there any data that exists that is going to tell us all of the answers to these questions? I'm looking through the EAF, again amazing work and amazing that everyone who has done that research. It's really wonderful. And then just a few other questions. I know we've all heard and talked about how HVSF has been great stewards of the land and is going to be amazing at the GCC. It's just that I believe at Boscobel they weren't stewards of Boscobel. They were guests at Boscobel. So, to think that it's going to be an easy transition, this is a lot of land it's 20 plus buildings and I think it's quite a huge initiative and an undertaking for a group that doesn't usually do that. So those are a few of my concerns and I thank you

so much for listening and thank you for going through all of the documents that you guys have been going through so thoroughly.

Joseph Mahon- My wife Libby Anderson and I live on Fox Hollow Lane just off of 403. I have been a member of the board and we are supporters of Hudson Valley Shakespeare in all fair disclosure, and I appreciate the focus of the hearing tonight on the environmental issues to the point that I almost was going to say nothing and pass, but clearly the traffic is part of all of this and so we should talk about the traffic. I think Chip Lowenstein made a very good point as to what the actual level of the traffic is. I think we have to really focus on what we know and what we don't know, and one of the things that's very true about this proposal is that you know we already have traffic at Boscobel and they're talking about a facility that's going to be smaller and so that we're going to actually have less traffic and Chip went through those numbers right. And then I think the next question you have to ask is, well, where does this traffic go. I mean think about it so you have traffic heads north out of 9D, right. It goes up to Beacon or to 84, or it goes out 301 to 9 or it goes out 301 to the Taconic. Or it goes out to the east side of the county and then you have traffic that heads south. The traffic that heads south goes down 9D and then it goes down 403, but most of it to 9 to go down south to Westchester. Some of it might continue down 9D to go across the Bear Mountain Bridge and over to the other side of the river. So, you know when you look at this proposal in terms of what we really know, what we're talking about is less traffic that's closer to where it needs to be which is Route 9. I mean the traffic is already on Route 9. Chip actually pointed that out well the amount of traffic will actually be less, because you know they're going to be less visitors. The other thing that we also know is that we already have a facility there. They already do weddings at the facility and so you're not really in the first instance talking about adding much traffic here. What you're really talking about is getting the traffic closer to where it's going. And nobody's talking about putting traffic onto Travis Corners Road and nobody's talking about putting traffic onto Philipse Brook Road. I mean if you think about these dynamics, right, one of the things we know about Phillipstown is that we have a lot of substandard roads. Why? We have substandard roads because a lot of these roads were laid out before we had standards. Roads were laid out before we had cars, right. So, we have bad grades, we have lousy sight lines and what have you, and one of the really bad areas is where Snake Hill Road intersects on one side 9 and Travis Hill Road intersects it on the other side. Well, here we have an opportunity to fix a problem. You know, people know that it's a death trap and shame on us if we don't fix our problems. And then think about Philipse Brook Road, right. You know what the easiest way to avoid the death trap of that intersection is? To cross 9D by going down Philipse Brook Road. So, if you want a positive environmental impact fix the intersection and get the traffic off of Philipse Brook Road. I mean, you know it's kind of obvious. So, the other thing that seems to be a concern here are the taxes, right? And we're talking about creating, you know, taking what is already a public amenity and turning it into a different kind of a public amenity where you have basically a lot of parkland and you also have some economic activity going on that's just going on in a different area, right? And you know ultimately, when you go to similar facilities in the area, right, and you see, you know what does it look like in terms of the neighborhood that surrounds these places. For instance, down in Westchester, well actually the neighborhoods are pretty well kept and it actually improves property values and you know these properties actually become more attractive in their own way. Clearly people need to be considerate of neighbors. You need to consider the views in terms of ingress and egress and make sure that you don't burden anybody's property in particular, and be considerate of neighbors in terms of noise and light and what have you, but you know that's all manageable issues, right? And one of the things that I think is really impressive is the wide variety of people who've come here to speak. It's

almost like a mini spoon river anthology when everybody gets up there and they talk. That's actually a compliment. What's so impressive is how many people have come here. Like I said, I live in Phillipstown, I pay taxes because I like the arts and I like nature. Well, if you look at this project what this project is about is the things that people come to Phillipstown to enjoy. This project actually supports our tax base and not only does it support our tax base but there are lots of us who are in town who actually go beyond the tax base and we actually support this project as a matter of civic improvement. Which is one of the greatest American traditions that we've ever had. This is what America is about. Going back to what Alexis de Tocqueville described in democracy in America, so we are here to make our community better and we're here to make our community better by realizing this kind of a project. So, I hope you have our backs on this. Thank you very much.

Krystal Ford- *Hello, this is my first time speaking for the Planning Board. So, if you don't know me, I'm all about the climate and I've been asked my opinion how does the Shakespeare project impact climate and I'm actually really thrilled that people are asking these questions because we should ask that of every single thing that is built in the community. I'm talking single family homes, I'm talking conservation subdivisions, I'm talking industrial. We need to be asking the questions. How do they plan to heat their buildings? Are they going to be insulated? Are they going to be clearing trees and then replacing those trees? These are the questions we should be asking, but we actually don't have any mechanisms to enforce it so, but please keep asking the questions. I myself, I've actually had several conversations with Shakespeare over the years about their plans in my capacity as the climate smart coordinator. So, we've talked about EV charging, on-site shuttles to the site to decrease traffic. We've talked about putting a repair café. We've talked about them doing their own carbon footprint analysis and I'd also like to be clear. If they were to say we were going to clear-cut a forest to build this, I'd be dead-set against this project. But we're taking a degraded piece of property that has been basically pumped with chemicals for the last however many years, and we're transforming it. It is my understanding that they plan to go for LEED Platinum Campus Certification, which is a more comprehensive and stringent than LEED. LEED platinum also takes into account landscape and ecology and it's the project is envisioned as a model for environmental sustainability in the performing arts nationwide. If you don't know what LEED is, the goal of LEED, l-e-e-d is to create better buildings that reduce contribution to global climate change, protect and restore water resources, protect and enhance biodiversity in ecosystems, promote sustainable and regenerative material cycles and enhance community of life. So, if this is what they're striving for then I think we can believe that their heart is in the right place. I've lived here for 13 years; I trust Shakespeare to be a good neighbor. I think they have the best intentions but I also want to encourage everyone to keep fighting for the climate and for environment and ask the questions and hold people accountable - the schools, the government, nonprofits, business - because we all have to do this together so thank you.*

Susan Coleman- *I live at 40 Travis Corners Road which is just east of the golf course on 38 acres of conserved land. I've lived there with my family since 1996. I can't believe what you have to go through with all this, so thank you for your service. I also want to thank Chris Davis who's been a lovely neighbor of mine for a long time and I also want to thank my friends and neighbors in this community who in spite of day jobs have consistently taken on David and Goliath struggles since the 1960's that have preserved the landscape that we all love and care about, and have given momentum to the struggles to preserve the environment worldwide. You are the reason that Storm King doesn't have a big power plant on it, the Garrison Institute is not a sprawling development and so much more. I want to take a stand, for there is huge common ground here. You know this. I think this sometimes there's been a, like, I'm for*

Shakespeare. I'm against I think that kind of thinking, which it has gotten a little more refined now but it could make us really stupid about this. We are neighbors, we are friends to a very great extent. I don't know, but I would guess that 90% of us come here because we value nature the real character of the place, that it's low-key. We didn't come here because it was cheap. We didn't come here because it was convenient. We came here for the rural character and the way of life that it creates for us and for our families. A lot of us are creators, we're lovers of the arts, music, beauty so there's just a lot of common ground and it's not about whether or not we support Shakespeare. Way too simplistic and polarized power struggles will get us off the refinement that we need to really look at this. You know there's an opportunity here and I think conflict, I've been I've been doing conflict stuff around the world for 30 years and it's equipped, but you know there's crisis and opportunity out of conflict but it really helps you create something new and better. I think it can make us closer as a community. It can show us our best, it can also show us our worst, but out of the controversy something good can emerge. I appreciate that Shakespeare has been listening and I hope that the controversy will create perhaps a lotus flower out of the muck if we put our minds together and if we also work together, we keep it from being a monstrosity because a lot I think a lot of the stuff that people have been talking about, that Carol talks about, is really frightening some of the stuff that could happen. So, I appreciate what Shakespeare has done to raise money for land remediation. I appreciate that they genuinely seem to want to be good stewards of the land, although I think and I hope this isn't presumptuous, but I've been living here for a long time. It takes a long time to be a good steward of the land, I can tell you. I'm learning something every day about what an invasive species means and all of that. I also appreciate Chris giving the land to the Land Trust and rewilding it, that's really awesome. So, the question is how to go forward with this in a way that makes really good sense and that doesn't irreparably alter the community that we all really love. I've said to Davis McCallum from the beginning. You know the devil about this is in the details and the details are complicated and, honestly, I don't have time to be going through all that stuff. So, I rely on the Planning Board and I rely on my neighbors and I rely on the goodwill of Shakespeare, you know. I think we need to move slowly. I would rather there be a positive declaration just because I'm sure Shakespeare doesn't want that and I don't want to get into that yes/no, whatever, but I know for myself that when things are complicated and I slow down I don't make mistakes, and we don't want to make mistakes here. So, I don't want us to move too fast with something that's as massive as this or potentially massive is this. I hope we will really keep our eyes on the unintended consequences it's so hard to know, but what's the tipping point of unwanted urban suburban sprawl? What's the tipping point of Route 9? I'm so grateful that you're all paying attention to this. I know you don't have control over the state, but you know the increased traffic, the increased number of people, all the stuff that we all came here to escape. I know Fred Rich who's really been a big support, a lot of the, you know, a lot of the ideas behind this really believes that this isn't going to get out of hand. I hope he's right. I think it will take everyone's vigilance to make sure that's true. Especially Shakespeare, Chris, Fred, the Planning Board, all of all of you. I don't need to say we're not just moving the tent over from Boscobel. So, specific concerns that I have because I live uphill from the golf course in what the water study calls the upland basin contributing to the site groundwater. When I read that as I go geez it sounds really scary, I don't want my well to go dry. I know my neighbor's well went dry the last time Shakespeare did something. I live on one of the maybe the biggest wetland in Garrison. I don't want that water table to go down, this is above my pay grade. I don't understand this stuff but I understand that I am squarely in that upland basin contributing to site groundwater region, so I don't know what that means. But I don't want those things to happen. I don't want my well to go dry and I don't want the water to be depleted. So, I'm

counting on you the Planning Board, I'm counting on Shakespeare to be looking out for us on these things because that really obviously affects the quality of life and our property values and everything. The peace and quiet when I came here with my family a long time ago, now my greatest litmus test was is it quiet. I sat on every property we looked at around here. I sat there and listened and ours was really quiet and it still is quiet. But I don't know with Route 9 and everything and the traffic light. I hate the traffic light, I hate the fact that we're going to create a more of a Robert Moses effect. I'll defer to all of your common sense about this if that's the thing but I don't necessarily think it's going to keep me safer. I think it's going to create more noise congestion. So, the rural character, you know I keep singing that Joni Mitchell song about paving paradise and putting up a parking lot. Maybe I'm old school, but I'm just sorry that we have to keep building and building and building you know it's like humans we just can't seem to stop. The traffic and congestion. I hope it's really going to be looked at carefully and thoughtfully it sounds. I think that people are trying to do this, I really hope that you will. Snake Hill Road. My 26-year-old son has traveled the entire U.S multiple times, up and down to Alaska, across the lower 48 and he still maintains that Snake Hill Road is one of the prettiest roads in the country. I hope we can maintain that. Shakespeare, I hope you don't wreck it. It's a really beautiful road. I love it every day that I drive it. Taxes. I think that Katie and Davis reassured me that this process wouldn't put the tax burden on us you maybe don't remember saying that, but I think and now of course you probably it's not yours to reassure us, but I'll be pissed off if I'm having to pay for this project, I'll be really pissed off. It will seem very unfair in addition to all the disruption. If you create a gathering for the community, wonderful. That would be lovely if it's not just based on ticket holders. The tent, that's your karma. I think that's really bad karma but I just whatever. I know many, many people are upset about that. I personally haven't taken that on but a lot of people find that a real affront. I'm going to end with leadership about carbon neutrality. I don't need to say to everybody here that we are in an existential climate crisis. If we zoomed up out of the stratosphere and we look down, we are a point of green in one of the most privileged places on this planet, and I appreciate Krystal's work around climate. I agree that we should not do anything without thinking about our carbon footprint. I haven't heard a lot about carbon footprint and maybe I've missed it. I've heard a lot about the meadows. The meadows are really nice but it's a little bit of smoke and mirrors. I think it's also maybe a pipe dream. You might do good with the meadows, but what would be much more significant was if this project was really modeling trying to move forward with carbon neutrality, trying to model what it looks like to build something in the 21st century. It's easy for me to talk about spending other people's money, although it may not be more expensive, I imagine the state has all. Okay, so I will just add that would be a lot more meaningful but I will say also on that front this has been such a frustrating process for those of us that are really directly impacted by this. My whole life is being impacted by this. It's taken a ton of my time and everything else, so I do appreciate speaking because this is a big deal for me and my family. I would like to challenge you, all of us to raise the bar on this as much as possible to show what a development like this can be for the 21st century. I know that Chris and Fred and the Board would like to make this high quality. I would look forward to it being as high quality as it can be. A jewel, not an eyesore, an aggravation, a sprawl a model of green leadership of carbon neutrality with the softest possible footprint. A model for other places to emulate that preserves the rural character that we all love and that I know that the Shakespeare brand depends on, that preserves natural beauty, our low-key nature, that's in scale. So, that the end of the day when all the dust has settled around this, that Shakespeare, you can make us proud and all of us will give you a standing ovation.

Chair Zuckerman stated that he will continue to ask people for brevity. We're going to go to 10:30 pm to get to as many people as possible tonight, so please be mindful that some of the same arguments have been made on both sides, and we can hear you all, we know what you're saying and we've caught it. We're not counting or keeping track of how many people have said the same thing. We are trying to understand new and interesting and or different viewpoints.

Howard Davis – I have something prepared, but first, thank you to the Board. I'm a resident of Garrison, been living here for 18 years and have grown my family here. I have a great affinity for Garrison and I'm here to speak in that regard. Before I do, thank you to the Board, volunteer board, correct? So, practically a volunteer board and the amount of work necessary to actually review what has been submitted is daunting. The Environmental Assessment Form as I understand it, that's the form that's been submitted, includes a lot of information. But what's clear is here tonight the comments that are made are really questioning a lot of the information that's in there, that there's more that needs to be done to fully understand the potential impacts. Now we do appreciate the proposals, the benefits, that might derive from the proposal, but this is a forum. I think Neil Zuckerman Chairman had talked about what this is, that is the status of where we are is a SEQRA process. The benefits that derive to are important and they get balanced later. That's not part of this immediate issue and process. So, the process is important and SEQRA process is important. I thought that to start let me just frame it and then I can talk about two particular issues that are very important in that regard. The SEQRA regulations have specified what the lead agency must do. Lead agency is the Planning Board. It's looking at this on behalf of other agencies. To require an EIS for a proposed action the lead agency must determine that the action may include the potential for at least one significant adverse environmental impact. To determine that an EIS will not be required for an action the lead agency must determine either that there will be no adverse environmental impacts or that the identified adverse environmental impacts will not be significant. That's the important aspect of where we are now and that's where all of these comments have to be looked at in that fashion. Where is there the potential for and a significant environmental impact? In my career, I'm an environmental lawyer and I've spent my career basically helping people navigate, mitigate environmental risks. It's clear to me that the proposed development and scale may include the potential for at least one significant adverse environmental impact and further investigation is needed to understand those potential risks. At this stage SEQRA requires the investigation of those impacts. At a later stage the environmental impacts that are assessed are investigated, get to be balanced in a different forum, a different stage and the benefits and burdens will be talked about and go somewhere or nowhere, depends on that later process. I'm going to focus my comments on two of the many potential impacts that have been raised in some manner by various individuals. Groundwater. Groundwater is a critical natural resource in our community and it is protected under the comprehensive plan. We do not have a municipal tap. In Garrison we all rely on groundwater for drinking and other purposes. I do understand that our community has in his experience water limitation at the Garrison Landing, which really should inform some of what we're looking at. The EAF shows that in the past installing irrigation wells on the Garrison Golf Course property impacted water wells of the surrounding community and caused at least one residence well to run dry and the golf course had to rectify it. Now as someone who is keenly aware of environmental risks, I found that the lack of testing and assessments of groundwater in the EAF was concerning. I took it upon myself and I reached out to an expert hydrogeologist, Dr. Michalski to review the EAF. He found that flaws in the EAF hydrogeologic method and reliance on certain testing data led him to conclude that the proposed development would create a significant risk of adverse environmental impacts to groundwater both on and off the proposed site. The

EAF for the proposed redevelopment indicates that there will be extraction of significantly increased amounts of water from the bedrock. However, Dr. Michalski concludes that there has not been testing conducted to assess the effects of any water extraction from the bedrock or the potential impacts to the neighbors. The EAF proposes that the applicant would conduct a future test to assess off-site impacts only if required by Putnam County Health Department. That contingent investigation is not sufficient. On page 88 of the NY DEC SEQRA handbook, it makes it clear future tests cannot support a negative declaration. Dr. Michalski makes recommendations that a 72-hour well-pumping test with off-site assessment be conducted in late summer which is the critical time of maximum water demand when evapotranspiration exceeds the rainfall recharge. The essence of Dr. Michalski hydrogeologic concern is that the EAF did not appropriately consider the presence of bedrock, which limits water recharge and affects water transmission and availability. The submission which I have copies of is technical and for the sake of all I will not attempt to describe it any further here. But I will submit it to the Board for their review and suggest the board consult with their geologist, AKRF. So, a positive declaration must be prepared an investigational ground would have conducted which would protect the community and the applicant. Second issue wanted to discuss was traffic. A lot of places where traffic might be impacted were discussed and are going to be impacted by the scope of this proposed development. I'm going to discuss one intersection among the many, at Snake Hill Road and 9D. I reviewed the EAF and found inconsistencies that could affect the significance of traffic impact at that location. Let me point to one example. Raw data collected by the applicant on Friday October 23rd 2020 from 5 to 6 pm indicates 47 vehicles turned left onto Snake Hill Road, it's in the raw data. The EAF reported 61 vehicles for that same time and circumstance now that in inconsistent reporting could be the difference between significant and non-significant impact and as we mentioned earlier that the statutory requirement is to determine significance. So, this is an important question about significance. A further assessment should be made on the raw data without alteration to put the board in in a position to determine significance. I also believe that the data collection is insufficient for this intersection. As I could find data for that intersection only on one Friday and one Saturday in October 2020. One assessment is not sufficient and a more complete data set should be required. There's a classification in the traffic assessment, a report card of sorts referred to as "level of service". The LOS grade assigned could help to determine the significance of impact and whether signals or other mitigating methods are deemed necessary. Current traffic conditions designated in the EAF at Snake Hill and Route 9D does not comport with my experience of being a long-standing user of the community roads at that intersection. I believe further assessment is critical as currently there's little traffic at that location in my experience. However, the EAF suggests that there's a lot of current traffic and it assigns an LOS of C, D or E. Now, notwithstanding the possible inaccurate designations based upon Phillipstown statute 175-40, imposing environmental performance standards, the LOS designation in the EAF already triggers the obligation to perform a traffic study. I'm going to conclude in a moment but one more observation. Neal, I think you mentioned earlier that you're looking at whether the mitigation is practical, it could be practical but I think that's later. This is the threshold question of whether there's significant or maybe significant environmental impact and so the question of how to address it. That comes later and that's why it's so important to do it a more robust, full environmental assessment so that all of these issues can be brought to bear and all of the issues that are being raised by the residents where there's uncertainty there can be more certainty and a dialogue, scope it, address it, mitigate it and that that's where the conversation comes in. There cannot be a determination that there is no significant adverse impact from the scope of this proposed development

and EIS must be required and only then when we're able to weigh the impacts, possible mitigation efforts can this community attempt to balance those together. Thank you for the opportunity to speak.

Michael Mckee- *Thank you Mr. Chairman and the Planning Board for your work. Our family has lived in Garrison for 22 years we live a mile and a half from the Garrison Golf Course. I operate a small business in Garrison. Communities across the country are struggling with the problem with what to do with their moribund golf courses. Golf as a pastime is in significant decline. This has opened the door for previously silent residents to give voice to their opposition to the environmental damage being done by the management methods used for golf courses. However, they often solve their problem by building new housing developments or parks. I would not want to see that happen to our golf course. Hudson Valley Shakespeare is the best use of this space that I can imagine. The Hudson Valley Shakespeare Festival team and their board of directors are the best stewards of this space that I can imagine. Many people both for the project and speaking you know in a measured way against it I support the quality of this team and the efforts that they are making to do a good job of this transition from a golf course to a valuable artistic space. The alternative is the environmental disaster of a decaying golf course and the process going forward will involve the completion of this review which I hope will have a negative finding and then ongoing reviews of every new structure on the property is their proposed. The management of this property will be a continuing revolution so to speak with many opportunities for community input and collaboration. A wider more impactful use of this extraordinary space is proposed here. In the old days a group of four would pass through the golf course and perhaps one of their number would say, "gentlemen, isn't that a beautiful view". Now as many people here have carefully enumerated, many people will have an opportunity to appreciate that view. I also hope the tent is placed at the top of the ridge line where everyone can see it and appreciate the value that our residents place on the arts. Thank you.*

Sam Fisher- *I wanted to laser beam in on a few issues and although I am I'm going to speak to you in the first person, because I'd like you to understand the immediacy that some of us feel about this in terms of the issues that affect us around the golf course. The first thing I want to talk about is Coleman Road. Marcy and I have been here for 19 years, we live on 22 Coleman. We pull out of that road every single day for 19 years and I think that makes us the experts on Coleman Road. There are times when it takes four minutes to get out of that road onto 9. I do not believe for a single second that when you have 1,000 more visitors or more that that burden is going to be mitigated or lessened even with a traffic light. What will probably happen is you will get a backup of cars and every single day that we try to pull out of that road we will have to ask permission to leave our own home. Secondly, the water table; Our well has run dry once already, okay, and I do not believe that there is a guarantee that we will not have to dig yet another well probably at our own expense. Thirdly, as far as light pollution goes, increasing the speed of and through put of traffic, even if that works, isn't going to mitigate light coming to people's homes all night and it's also not going to mitigate the sound that rolls up the hill that we all hear from Route 9 and as it is we hear it. We hear trucks, we hear motorcycles. This is a direct impact to us every single night and it will only get worse, okay. The other thing I want to talk about is the remedies, right, so when these things go bad, and they will, what are our remedies? So, when I am trying to pull out of Coleman Road and I can't get onto the road, is someone going to magically come down from HVSF and start directing traffic so I can leave my own home? When my shower doesn't work is someone going to come over to my house and dig a new well? When I have property damage or maybe even personal damage perhaps caused by a visitor to HVSF, is HVSF going to say well Mr. Fisher, that's between you and whoever did it.*

It really doesn't have anything to do with us. Is HVSF insured for damage? Will they be liable for it or, like I said, will they just throw their arms up in the air and say you're on your own. These are all issues that I do not believe have been addressed and I believe that once this goes through, we will be powerless to bargain from any kind of strength whatsoever if any of these things do happen. So, you know Marcy and I came here for two-acre zoning and we paid for a home that was reflective of two-acre zoning and I do not believe that you know and frankly I looked at the roster, I'm seeing less and less of Shakespeare and more and more other things, you know, some of them written by Davis McCallum. I don't really see this as Shakespeare anymore, I see it as a regional hub that's designed to bring as many people as possible not from our area as people claim, that it's going to be some kind of enrichment for the community, right? It's really about bringing people from other places to our backyard. So, I gotta say I feel like a negative finding would be a slap in the face, a hard slap to every single resident that rings the golf course and is near it. Okay and that's all I have to say. That's how I feel about it. Thank you.

Jodi Balkan- My name is Jodi Balkan and together with my husband Chris Dickerson we've lived in Garrison for the past seven and a half years. We live on Philipse Brook Road, very close to the Route 9 overpass and about 500 yards from the entrance of the Garrison Golf Course. So, you can rightfully say that we have a very vested interest in the outcome of this proposal, more so than most, as it is our water supply that could be affected. It's our environment that is going to be bombarded by the cacophony created by the new traffic, not to mention the inherent dangers new traffic brings, and it's our bucolic environment that is being fundamentally violated. We, like many here, consciously bought a home in a rural conservation zone, not one adjacent to an entertainment complex, and we believe that this could become a very slippery slope. Once you allow this, what do you allow next? An AMC multiplex or is that too commercial? So, what if they show Shakespeare movies there? It's a gateway drug to more development, which is how we see it, especially when it's in our backyard. To those who are saying as one person actually wrote in the Highland Current this week or it was last week, that most of the people who are against the Shakespeare festival and it's move to Garrison are those that live in the immediate vicinity. You're damn right and there's a reason for that. What does it say to you that no one that we know of in the immediate vicinity on Coleman on Frasier on Philipse Brook on Snake Hill and on Travis Corners is for this development as it has been presented. Shouldn't that matter? We're hearing a lot of voices from Cold Spring that are very pro this proposal and I get it. I think if it was a few miles from my home, I might be for it too. We love Shakespeare, we love festivals, we love a good show, but I can guarantee you that if this proposal's new site was on Lane Gate Road or near Molly's Crotch or somewhere else, there would be a whole new group of rightfully pissed off locals to contend with. So, if you wouldn't want this entertainment complex across the street from your home, then we think that you need to stand with your neighbors who will be adversely affected by it, just as you'd hope we'd stand by you if you felt your peace and your safety was being intruded upon. What many of us against this massive development don't understand is why this has become such an outsized, all year-round project? Why isn't there a gracious compromise? You don't have a summer home at Boscobel anymore? That's okay. Please pitch your tent to Garrison. Just not on the top of the hill and don't overstay your welcome. Have your three months and give us a chance to miss you, same as before. My second very brief point is in a town that is making such a hullabaloo about short-term rentals and trying to prohibit or regulate them, how can you be okay with 20 or more houses being built for the sole purpose of housing transient workers? I personally don't have a problem with short-term rentals in our community but, if you do, then you need to apply that same logic to this proposal. How about instead of building new homes, use those that are already here and available for short-term rent? Work with the community and the homeowners

who rely on the income from short-term rentals and create a network of living arrangements and those already in existing dwellings. New buildings that are LEED certified are certainly good, but no new buildings is even better for the climate. Finally, I want to make it clear that my husband and I are both very pro-theater. Chris was an opera singer for 17 years. He's performed in a few shows at the Depot theater. We actively support theater in many ways and many of our friends in Phillipstown are part of the theater community. We're all for it, just not all year long and not in our backyard. Please compromise - reduce the scope, three months, a tent. Thank you.

Zshawn Sullivan- I've lived in Garrison for 43 years, I consider myself still a carpetbagger. I would like to start by a phrase that was given to me by Sandra Nice, who was a first-grade teacher at Garrison School and my children both had Sandra. One of the things that Sandra always talked about was the sense of community. I believe that this Shakespeare project does not fit in with the sense of community. They are not willing to compromise and fit into a comprehensive plan that many volunteers worked many hours on. I know that light pollution has been talked about, the neighbor's wells have been talked about, the traffic at Route 9 and Snake Hill Road and a new light being put there have all been talked about. One of my biggest concerns I think with this project is the tent on the ridge. A few years ago, there was a wind turbine put at a private home on Long and Winding Road off of 9D and everybody, the Town Board every other board was all up in arms about this wind turbine and the viewshed. I can see the wind turbine from my lawn. The sun has to hit it just right to see the spokes turning. But I believe that the tent on the ridge at the Garrison Golf Course is going to be seen from Breakneck to many miles away and it is just very wrong to do that. I would also like to address the walking trails that are open to the public on the land and I'm not sure what they have in mind, but the old phrase "build it and they will come". I think all that it might take is a few New York Times articles about the open space and the views and it will become another Breakneck, people parking on 9 people parking filling the parking lots. (Miss Sullivan then lost connection).

Stan Frelch - I've lived in Garrison with my wife and children for just about forty years. We live across Route 9 and up the hill overlooking the Garrison Golf Course. We moved here for the quiet rural atmosphere and we love Garrison and we're very concerned about this development of a Hudson River arts complex in our midst and we're concerned that this will destroy the quiet atmosphere that we moved here for and have enjoyed all this time. I should have said at the start, thank you to the Chairman. Thank you to Planning Board members. I too appreciate all the work reading the thousand pages, I've tried to read them myself. Also, I want to say that we have been, my wife Carol and I, supporters of Shakespeare, very loving supporters and financial supporters. I believe we've attended every single performance over these years as well as rehearsals for those performances. To give a little background of my background in Garrison, I was on the Garrison School District Board for seven years and the last two of those years as president. I also was on the Garrison Fire District Board for four years. We love the plays, the atmosphere, the view. But that's not the issue, as so many have said. Our town has worked very hard over these years to maintain its rural character starting in 2001 with an extended process of charrettes culminating in our comprehensive plan. The plan was just approved again in November after a three-year process of bi-weekly and monthly meetings attended by 12 to 15 people each time. The Garrison Golf Course is number 10 on the open space index and is prioritized to be preserved, conserved. None of the currently proposed uses in this development plan would be allowed under the current zoning. The entire plan and zoning requirements will be undone by this development. Most importantly, I want to say that it should be noted that the plan contains no special exception for our friends. I want to

repeat that there's no special exception in the comprehensive plan for our friends. Approval of this could create a precedent under which another developer could approach us with another plan outside the rules and cite this development as an example. My question is - why do we even have these rules at all if a developer can come and ask us to mitigate them. Why have them if they can be mitigated? I also want to discuss money. It's possibly crass to discuss, but nothing has been said about it so far. I want to point out that again that Shakespeare Festival is a non-profit and so its tax return, called the form 990, is a public document and it's accessible through their website, other places as well. Unfortunately, they only show their 2019 form 990 dated November 2020. The 2020 990 was due to the government by November 2021, but it's not shown. Looking at their budget. As shown, you can see that it was \$3.3 million per year and that they have assets or had of about \$1 million. Revenues in 2019 were higher, up to \$4.8 million because donor identified as "donor number 43" gave \$1.5 million to start their capital campaign. I note these figures first to emphasize the magnitude of the proposed development which they say will generate about \$7.5 million dollars, more than double their current operating budget. Also, their past expenses include about a quarter of a million for rent, a quarter of a million for temporary housing and considerable costs for taking the tent up and down. These costs would be eliminated and, as I will next explain, will be approximately matched by the increased taxes resulting for the taxpayers of Garrison. Coming to the taxes, so the developer plans buildings which will exceed in square footage homes that might be built under the current zoning laws. However, as opposed to a handful of homes, this development would not pay taxes. Most importantly, they would not pay Garrison school taxes and yet the final EAF claims that it will save us money by preventing urban sprawl because the houses that would otherwise be built would contain children that would cost the school district more than the houses would pay in taxes. First, this ignores the fact that only a handful of houses could be built. Only two under the current PDD governing the entire 200 acres. Secondly, the facts are that the additional children would be welcome without cost, because the enrollment of the Garrison school is currently so small just an average of 13 students per class. Additional children could be added without any additional teachers or classrooms. High school children would generate tuition costs, but currently about half of all high school children in Garrison attend private high school. It costs the district nothing. I believe this error in the EAF shows the, I'll use the word "ignorance", of the local situation shown by the developer. They cite statewide statistics nothing to do with Garrison. If the Garrison Golf Course did not exist then a dozen or so houses were built on the property as the EAF proposes, they could generate two or three hundred thousand dollars in taxes without much cost to the school. This developer is asking us to continue to give up this tax revenue and to accept an additional \$125,000 that the Garrison Golf Course would no longer pay. The developer uses a smaller number because it includes the taxes that the private Davis house to be built would pay even though they say the date for the building of this house is unknown. And in this particular case there is strangely no offset for the school costs that might be generated by this house. Later the EAF does offset the potential domestic water use by this possible house. Why this infant inconsistent treatment? I suspect because figures are being used to show reduced impact on the community. I want to discuss stewardship also, which is mentioned over and over again. It's not my expertise by any means but so much has been said about it that I want to cite what is said on that same tax form 990 that the Shakespeare filed with the government. That form 990 includes the mission of the Shakespeare Festival and I want to quote it on that form. "The Hudson Valley Shakespeare Festival engages the widest possible audience in a fresh conversation about what is essential in Shakespeare's plays, how theater lives in the here and now at the intersection between the virtuosity of the actors, the imagination of the audience and the inspiration of text". While I believe that's a wonderful statement,

but it doesn't say anything about the environment or stewardship of the land. I have a series of questions that I think the Planning Board should address in the future. First of all, can we have financial projections sufficient to convince us that the Shakespeare Festival will be able to sustain the arts center? I've heard rumors that phase one of the project will cost 37 million dollars. Is this so? And if so, why does Shakespeare claim that it is just moving up the road? Second, can we have staffing plans for the maintenance of the grounds, security, etc.? All these issues will impact the neighbors. Third, will the artist-in-residence buildings which are planned to be rented on short-term rental basis when not in use by actors all year round, will they be on the tax rolls? Will they be subject to short-term rental rules? These homes will house a maximum of 88 people at any one time in 12 buildings, five of them two story buildings, total square footage of 27,400 feet, including a utility lounge building for actors in addition to the 20-room hotel with a maximum capacity of 40. Fourth, will Shakespeare agree to make payments in lieu of taxes as Scenic Hudson does on some of its properties? Next, will noise studies be performed at elevations above and around the property? Even one of the testing recorders on the site showed above compliance noise levels. What further sound mitigations will you call for to protect the neighbors from the tent on the highest point, with only a partial berm to be erected? Next, have the local fire and EMS services given written notices that no additional equipment will be needed to accommodate the additional people and buildings on the property? Such costs would be borne by Garrison residents alone. And, finally, what will happen to the value of nearby properties? Will they decline? Again, thank you to all of the Board members, I appreciate this time very much.

Bob Lieber- I've lived in Cold Spring for over 15 years. Just to give some context to this. I'm a Board member of a number of local land conservation organizations as well as a former public official responsible for both economic as well as cultural development. I know from my own experience sitting in your seats that everything that can be said has been said, but not everyone has yet said it so I will try and be brief. I'd like to start and thank all the members of the Planning Board for your tireless effort and commitment to improving the lives of all the members of our community. Many, dare say most of the people who show up these sessions, are speaking out of their narrow self-interest. But you collectively get to exercise the judgment to determine is what in the best interest of the broader community and I know personally how thankless this process can be. I'd also like to second, and take a second, and thank Chris Davis for his vision for his generosity and his patience in realizing his goal not letting this 300-acre site turn into a large high-density development site. It's been over 20 years that he's carried this land for the benefit of the entire community while searching for the right long-term land conservation solution. Listening to this proposal, the proposal that HVSF has provided, is financially self-sustaining, it requires no local taxpayer subsidies and is a terrific asset to the community. It's a supremely low impact environmental way of creating both cultural and economic activity that betters the lives for all the members of our community. This is a great community and this is a great country. And, as painful as it can be at times, this process is working. I have continued to follow the process and listen to most of these sessions, and I think the applicant has addressed most of the concerns that have been raised. Yes, this is a dynamic process and it does not stand still, and if it did people would have a real reason to be annoyed. But all sides have had the opportunity to be heard and I reiterate the compromises have been made and HVSF has made, compromises as they should have and will undoubtedly continue to do so as we move forward. I think at this point compared to any of the reasonable alternatives that have been presented, the HVSF plan and put before the Board is actually well balanced between the narrow self-interest of some and the broader community as a whole and I believe a super majority of the residents will benefit from this permanent solution to this site. I know personally HVSF and its leadership have a long track

record has terrific stewards of land conservation in our community and can make this happen in a long-term sustainable way and I strongly encourage the board to support a negative SEQRA declaration. Thank you for your time.

Chair Zuckerman stated that he just wanted to be clear, his comment about ground rules and no personal attacks goes also for the Zoom “chat”. Some people are using the chat to make opinionated remarks about speakers. I prefer that whoever is making those remarks will stop that. Thank you.

Sammer Osman- I moved here to Garrison four years ago to the day. I'm going to keep it short, just two issues. The first is traffic, I know many people have harped on that. I live on Route 9 and I have to cross the street every day to get the mail. It is dangerous. In the four years that I've lived here there have been a number of accidents and that's only going to increase. The study says that it's not going to get any worse, but I don't see how that's possible. The second thing is water. In 1999 according to the report when the wells were dug, there was a review done for the surrounding properties. Some wells were dug deeper, some wells were moved, some wells had their pumps lowered to accommodate that. With this plan the amount of water that's going to be used is going to be doubled as opposed to the golf course which was around 9,000 gallons, now their expecting 18,000 gallons and there is no plan for any of that review for the surrounding properties. I think just on those grounds we are for a positive declaration. Thank you.

Tim Nolan - I don't have much to say because everyone else has said it. The project is too big. It's too big for Garrison. The applicants have a tin ear for the community. They don't speak about any kind of managing the size, the dimensions or the impact of the project down. That hasn't happened. I wish it would, it hasn't. There hasn't been any of that. I've reached out, I know other people who've reached out. There's been no response. I think that maybe the core problem is the ambition of the project. This is not the Shakespeare that we know that was born in Manitoga and that lived and grew up at Boscobel. This is a regional entertainment complex. That's something different under the sun. It's got the same name, but that's the only thing that's the same about it and this portrayal of bringing Boscobel up the hill it's utterly false. I want them there, I want them on the golf course, I want Shakespeare to be there and I think there are ways to do that that don't require the community to shape itself or themselves to the festival or for the festival to yield what makes it great to the community. I really do think that there's a middle ground there. You guys are kind of charged with that. Chairman Zuckerman, you're the one who posed the Howard Baker question a long time ago, “when is big too big?” And really, all these points that are being made tonight which need to be made these are the boxes you guys have to tick off. I understand that these are the mitigations that need to be proposed and that you need to be satisfied by are part of a broader question, which is this is something of this size these dimensions, this impact this kind of community altering vibe something that we want in Garrison? I don't, but I want Shakespeare here. There's the gap. People are willing to try to begin to fill that gap. I think it's possible to do that, that's my optimism part. My pessimism part is that there has been such a clear focus by the applicant, in their words, not mine, a regional focus and the Hudson Valley region extends from arguably Albany to Yonkers and that's a lot bigger than Garrison, Cold Spring and the neighboring communities. There's only one other thing. When I first heard about the project and read about it there were two things that concerned me. One was the word “regional” and the other one is the fact that the primary theater tent would be sited on the highest point of the acreage that Mr. Davis was donating. That's a scenic viewshed even though I know there's no brown line on the overlay that shows that. Go stand on it, go stand on it and you know that you are at on the top of a ridge and it happens to be a ridge that has one of the best

views on the planet. I would put that view in a calendar with others and it could hold its own. I don't want to put a 40-foot-tall tent that holds 540 people every night for perhaps six months or whatever it is and that remains standing all year. This is not a tent that comes down at the end of every performing season. This is a permanent thing. Now what you look at is Storm King Mountain, and Storm King Mountain is where the American Environmental Movement began. That's where Robert Boyle on the Hudson River Fisherman's Association said to Con Edison, no, you can't destroy this mountain, you can't deface this mountain and they won in court, and an environmental case that was based on those terms had never ever been won in court before, especially against a utility. I don't want this to happen, I don't want my town to be the town that takes its thumb and puts it into the eye of the American Environmental Movement and disses everybody and everything that's ever put any effort into that. Boyle, the Fisherman's Association, The River Keeper, the Clearwater Sloop, Pete Seeger, that's what you're looking at when you look up the river, and I hope that as part of the conversation as things go on the importance of that viewshed to our community to the Hudson valley to the whole country is recognized and that that's one of the things that we're able to do as part of a broader modification of the whole process. That's all I got for you.

Luke Hilpert- I'm a member of this community and as a resident of the community I've been following this as a lot of members have from afar and it wasn't until just the other day that I was approached by somebody to represent a small group of homeowners that are uniquely impacted by this project that I really dove into what's going on here. I enjoy the Shakespeare Festival, I think it would be great for them to have a permanent home. I'm speaking on behalf of other individuals who are uniquely impacted by this project. This application just isn't about Shakespeare, it's not about Mr. Davis. It's about a large commercial development. It's in a rural conservation zone. It has significant impacts to the community for many years to come. We have our codes, our procedures in SEQRA. They apply equally to all to protect the residents. Our comprehensive plan tells us that we should support not-for-profits. That's certainly true, but this is a commercial business enterprise. This is a larger development, we don't give complete deference here, we apply everything equally. I think a lot of the points that I'd like to make here individually have been made today, but as you said Chairman Zuckerman, we're here to review SEQRA, to make sure that the impacts of this project are being mitigated. As we move forward, we look at the impact of the tent from a very prominent ridgeline. It was just talked about. What we see from that tent is Storm King Mountain, the birthplace of the environmental movement. That was where it was decided that viewsheds are a naturally protected resource. We're putting a tent in that resource. Will that tent be viewed from Storm King? It will certainly be visible from all over Garrison. We're hearing that this is a great development for the community and, you know, look at what could happen, it could be much worse. But what other potential projects have been viewed? This proposes to allow us the course that we're taking here is less significant impact on the environment. We need limits to the number of events per day, we need to limit the number of people. The traffic studies, traffic's been talked about significantly. The studies have been done at a time where I drive every day. I notice there are fewer people on the road, people aren't out as much and I think we need a deeper dive into the traffic. Somebody mentioned earlier today that when you leave Boscobel we know where all the traffic's going. Yet he mentioned four or five different routes out of Boscobel. There's going to be one route. You're on Route 9 and you're heading north or you're heading south. It will have a significant impact for the community. We've all driven that stretch, we know where Coleman comes in, we know where Fox Glove comes in, but we're going to be introducing all of these tourists to these same intricacies that we've been able to navigate over the years. Another important point that needs to be discussed, reviewed further

and mitigated is the impacts of water. So, as you said earlier, the SEQRA review is for the entirety of this project. It's not for phase one. It's for the entirety of this 30-year build-out of the project. We have to be sure that all the environmental impacts are mitigated. The residents have all expressed concerns in need for additional mitigation and I believe that the applicant should come forth and address those to the residents and give the residents an opportunity to reply. There may be one or more significant environment impacts from the proposed action. We ask that you issue a positive declaration, as the EIS will allow for examination of ways to avoid and reduce these environmental impacts. Further, although it's not required, we request that scoping be part of the EIS process. It's clear that the community in particular those neighbors that are most impacted by the project feel that their concerns, whether it be due to the nature of a Zoom meeting or the project, haven't been adequately addressed. Scoping would allow the participation of the community in that process. Additionally, many of these meetings have told Garrison residents it could be worse. Scoping would allow a deeper dive into that, to see what other options there are. This is the most significant development, as you stated Chairman Zuckerman, in the last dozen years in this community. We are the stewards of this community. You are the stewards of this community. We should give this development proper consideration and the attention that it deserves and give the community a chance to comment on it. Thank you.

Kevin Davidson - I'm a nearly five-year resident of Garrison. Did you ever consider time limits on the speaking? I live in Garrison, I live on Indian Brook. My land abuts Route 9. So, I'm very familiar with Route 9. Let's just talk about Route 9 for one second. It is a problem today, it was a problem yesterday and it actually has nothing to do with this project, we need to address Route 9 on its own. Beyond that, I'm here because I find that my biggest disappointment in this community stems from living in a community of "no". This community is not evolving to meet today's reality. Lack of high-speed internet, electric vehicle charging stations, restaurants and goods and services to name a few. This translates to people having to leave Philipstown in order to get what they need and desire, which is lost revenue and lost opportunity for us. I am 100% in support of the current plan, which to my understanding includes everything that we've talked about today, so I won't repeat that. I think that what Chris Davis is doing should be commended and praised. If he was trying to sell this off for a mini mall or to build, and I did the math, if it's two acres per home, we could have hundreds of homes there, and that's not what we're talking about. So, we could be dealing with rows and rows of homes and trees dropped by helicopters, that would be one thing, but the current plan honors the land and enriches our community and provides some sorely needed attention to our area and helps us for the future. Thank you.

Tamara Hayward Benjamin- My husband spoke last at the last meeting. I'd like to thank everyone, especially the public, for their interest in their community spirit and actually being a good citizen. Thanks to the Planning Board for being there and actually thank the Hudson Valley Shakespeare Festival for attempting to satisfy the SEQRA process. What I'd like to speak about tonight is very deep in the documents and it pertains to the soil contamination that has been discovered on the property. Now this is a golf course and it probably wasn't unexpected that something like mercury, arsenic, lead, chromium and other elements such as DDT, DDE and DDD which were banned in 1962 were found, also other pesticides, heptachlor oxide, alpha chlordane, gamma chlordane, chlordane. What to do about them? that's the question. The outfit called Geodesign took 16 very shallow soil samples and came up with these substances exceeding all the limits. How do we mitigate this? That's a big question, that's what I'd like to know. I think Shakespeare tried to answer it, but there are so many unanswered questions. If they were able to find so many toxic substances in a in a shallow soil sample. What happens if they take a

deeper sample, are they going to find more? Should they do more than 16 samples? Of course, they should. Should they also look at other chemicals that could be in the soil? Yes, I think they should. I think this is something that really needs to be addressed and the answer is not in the EAF. I would like to know if Shakespeare has a plan. How are they going to remediate? How are they going to mitigate? They're going to disturb almost 46 acres. What happens to the soil when it's exposed and it rains? Does it wash into Philipse Brook? Does it wash into New York City's water supply? The Catskill aqueduct is right below there, what happens to it? What happens to the dust when they clear it? In their documents they say they're only going to disturb five acres at a time, but they need to really answer these questions. I really like to know what the plan is for mitigation. I noticed also that they tested the water for these elements. In the ponds all of these elements were found in the sediment, not in the water. In the wells, all the wells were clear. I was just wondering if they tested the sediment in the well or if they just tested the water. I don't know, those questions aren't answered. We need to continue this process. We need a positive declaration, if only to address this situation. Thank you.

Katie Cucchiarella- Thank you, Mr. Chairman and the Planning Board for allowing me to speak. I am a resident of Philipstown and I currently reside in Garrison. I was raised and run my family's business in Cold Spring. I was also a member of the newly adopted comprehensive plan. Over the many years I've watched my father, other family members and local businesses come before the Planning Board. Most of the time they were looking to grow and expand on their current properties that fell within their property rights and zoning. On other occasions they would propose to develop vacant pieces of land to provide and serve the needs of the community. Appalachian Market and Stanco Auto Body are two examples of that. During these endeavors I recognized that expanding or bringing in new developments, even if they fall within the property and zoning codes, was still a long and expensive process. My family developed many properties and none of them are the size of this applicant's project, and we would be asked to jump through hoops and would spend extensive amounts of time and money to get anything accomplished. Over the years I've witnessed businesses want to come to Philipstown and some in which our community had a need for, but they couldn't bear the financial or time that Philipstown put on them that they had to move to other communities. I'm bringing up all this background because as I have been following this proposed application, it seems to be handled in a different way. I am alarmed that after the years, thought and formation of the comprehensive plan that was only passed a few months ago, that this application is receiving so much support from the Town Boards. There are over a handful of items within that document that this application goes against. One of them being goal number one, which is sustain our role and historic character and I will read it – "preserving our community character in a sustainable way is the overarching theme of the comprehensive plan. Philipstown is a unique place characterized by great natural beauty, historic places and a sense of small-town community. This uniqueness is fragile and could be lost through a rapid influx of development. The existence of open space is critical to maintaining our unique character. Development should be done in a way that is sensitive to the town's special nature. The long-term sustainability, resilience and safety of the town and health of its residents should be considered in every action taken". It is my understanding that the comprehensive plan was to be used as a guidance for the Planning, Zoning and Town Boards to avoid bias. All those that have worked so hard on that plan deserve an explanation of why it may not be followed. What doors will this open if we now go against a newly adopted document. Another point I want to bring up is the traffic study. I live on South Mountain Pass, which is used at times as a cut through for Route 9 and 9D. The traffic study that was conducted does not include or take into consideration the amount of traffic that may occur if cars take Snake Hill to 9D to the Bear Mountain

Bridge. It also doesn't consider the increased traffic South Mountain Pass may receive. We already have a freeway and overload of traffic during rush hour when the Goat Trail is closed on the south side of us. If there's a blockage on the north and, based on the amount of visitors this application plans to bring in, what does that mean for our rural dirt road? I urge this Planning Board to really consider what precedent this would make if this project receives a negative declaration. I would ask and encourage that this applicant be treated as all other applicants are. There seems to be a red carpet instead of red tape. Thank you.

Chair Zuckerman stated that there are two topics for the board. The first is the need to reschedule the public site visit that we were supposed to do with the bridge. Chair Zuckerman suggested they use the same date, March 6 that we had proposed before. He then asked for a motion to schedule the site visit. Neal Tomann made the motion, Heidi Wendel seconded the motion. The vote went as follows:

- Kim Conner: Aye
- Dennis Gagnon: Aye
- Peter Lewis: Aye
- Laura O'Connell: Aye
- Neal Tomann: Aye
- Heidi Wendel: Aye
- Chair Neal Zuckerman: Aye

Chair Zuckerman asked – any opposed, Abstentions? Being none the vote passes.

He then stated that there are approximately 10 more people remaining want to speak. So, we have a couple of choices, Board members. They can either A) do it now; B) do it at the next meeting; or C) do it at a one more special hearing which they could do the following week after the Planning Board meeting, on March 24th.

Mr. Lewis stated that he thinks they should have the opportunity to speak. However they get it, whether it's this venue or Zoom, fine by me. The Board members discussed the alternatives.

Chair Zuckerman concluded that the sentiment of the Board was to have the continuation of the Public Hearing at the next regular meeting on March 17th, 2022.

He then asked for a motion to adjourn the meeting. Neal Tomann made the motion, Dennis Gagnon seconded the motion. The Board voted unanimously to adjourn the meeting.

The meeting was adjourned at 10:30pm

Date Approved: 4/21/22

Respectfully submitted by

 Cheryl Rockett
 Planning Board Secretary