

MANY, MANY RESIDENTS HAVE CONCERNS AND QUESTIONS. THESE ARE a COLLATION OF SOME OF THEM. APOLOGIES FOR ANY REPETITIONS:

1. Compliance with Town Comprehensive Plan

- The key point is that this will change the community from a quiet, bucolic place to a Regional Arts Center operating most of the year, doubling the population of Garrison over each summer weekend.
- Could this be a critical turning point in Garrison - a village which has hitherto managed to turn back every large development attempt to change the very nature of this community? Please consider this very carefully when reflecting on the proposal v. the Comprehensive Plan.
- Why would the Town consider this when the very community that is most affected does not want it because they will suffer so much and it will affect them so adversely? Isn't it critical that the entire community has buy-in to such a huge plan which will change everything so dramatically?
- Much of the applicant's plan is diametrically opposed to the vision and goals of the newly adopted Philipstown Comprehensive Plan. Yet when asked by the Chairman if the Plan should be incorporated into review of the application, the Board's legal advisor replied that it was not necessary, and it was never introduced or discussed. Why doesn't the Comprehensive Plan figure in the board's calculus?
- Why do we have community constructed Town Zoning Laws, Comprehensive Plan and Open Space Index if a developer can come in and propose a plan that runs counter to all of these and expect to get the plan approved with almost zero modifications in size of impact?
- If this can happen doesn't this create a precedent for all other developers? All such large developments in Garrison have been turned down in the past.
- Where in these laws does it say that there are exceptions for our friends?
- Garrison residents have accepted the negative tax consequences of our Town Comprehensive Plan happily in the past in return for new developments which are line with it. We further agree that having HVSF in some form in our community is worth accepting an even greater tax burden for Garrison and some loss of our quiet rural enjoyment. The community is willing to compromise.
- Why doesn't the developer offer some real compromise, too? Why is the community being asked to submit to the impact that will be caused by an HVSF Regional Arts Complex that will radically alter our community?
- What will the developer offer in terms of real mitigation of the most egregious contraventions of the Comprehensive Plan goals and towards reducing the impact on the land and the community?
- Why, in the light of the EAF stating that the plan is "not consistent with community plans" has there been no compromise offered on the size of the plan or the siting of e.g. the Tent and

back of house building? The agglomeration of some of the actor housing changed not one square foot of real impact.

- What safeguards will you ask for against unforeseen consequences e.g. if this is approved, what is to stop a temporary permit being approved for, say, a Faire (like the one being held this summer at Greymoor) attracting hundreds more visitors a day?
- There has been no data gathered on whether the community needs and can sustain a Regional Arts Complex. And no information gathering effort on whether it will destroy the local community.

2. Scenic Viewshed Protection and Zoning Laws

- EAF Part 3 IIIC “From the applicant’s perspective, the subject property does not contain any unique topographic related features.”
- The Hudson Highlands Land Trust has singled out as a critical concern the golf course's scenic viewshed. The applicant intends to site its 530-seat performance tent and back of house building at the crest of the viewshed. In spite of HHLT's concern, and widespread community opposition, will the Planning Board accept a proposal that calls for disfigurement of the viewshed? Buildings should not be on the highest point. There are other dramatic locations for the Tent Theater and for the obtrusive site of the main parking lot.
- How can you encourage some form of transit other than all these parking lots and carbon pollution?
- Approval may be granted only “if degradation of the scenic character is minimized”. (SPOD rules). How can 12 to 14 ft trees planted in a ditch beside Snake Hill Road disguise the degradation caused by the Tent etc. on highest point and a huge car park halfway up the rise?
- The Tent etc will be seen from the River - how can this be mitigated according to SPOD rules?
- There is a complete lack of renderings of views of the proposed development from various views. Why aren't there renderings from above, from the river etc. etc. so that we can see how this contravenes the values of the Town's Scenic Index?
- The proposed site is the best apparently from HVSF's viewpoint but not in the view of concerned residents and local environmentalists. Why aren't other sites being considered that might better satisfy everyone as a compromise?
- A total of 67,450 square feet of buildings - equivalent to 33 or 34 x 2,000 sq. ft houses - are to be dotted all over the 98 acres. How is this in keeping with clustering guidelines? This when added to the square footage of current restaurant/banqueting rooms - will make the site a huge commercial enterprise way in excess of anything imagined in the Comprehensive Plan or Zoning Laws?
- Only 10 or less houses would be allowed on this site under RC zoning with a fraction of the people and car impact. How can the HVSF plan that is so far out of zoning compliance be ok, especially when many of the buildings will be empty at various times of the day and year?

- Isn't accommodation on site for up to 88 actors, tech crew etc way over the top when there will never be call for more than approx 40 such people needing accommodation?
Why if the EAF states there will never be more than 30 HVSF staff on site at any one time (including local part time, seasonal ushers, parking attendants and valets, box office staff, security staff etc.) and also including actors for 2 theaters, minimal tech/wardrobe/theatre management etc. who are not local, is housing for up to 88 needed?
- Will these accommodations be allowed to be used as short term rentals, generating income? Will they therefore remain on the tax rolls? And be subject to short term rental rules?
- Why can't HVSF use the spa/old squash court at the Garrison for rehearsals as they will do this year? Or why can't a rehearsal building be used as an indoor theatre, too, in the winter?
- How can the extra foot and car traffic created by 2 theaters (in Addition to banquet, restaurant and hotel traffic) not be considered an egregious impact on the community? There is nothing anywhere near as impactful on the community anywhere else in this Town.

3. Potential New Snake Hill Bridge Access.

- Why is there need for a new bridge in the proposed location which is right opposite and very close to several houses? Is it necessary?
- Why does it have to be 24 ft wide with huge, ugly concrete abutments? Cutting the marked trees down means neighbors opposite lose any mitigating cover for the view of the traffic going in and out which will replace bucolic views of the golf course. What is the remedy?
- Why is the existing road and dam not to be mended and used instead? The dam will have to be mended eventually.
- Why couldn't it be built on the straightaway of Snake Hill Rd. or West of golf course where there are no houses?
- Is the bridge also to be the entrance to the Chris Davis new home site?
- Has the Planning Board asked for accurate-to-scale plane view and elevation renderings of the proposed Snake Hill Road bridge?
If not, why not? If yes, has it received them?
When will they be posted on the Planning Board's website for community viewing?
- Has the Planning Board requested and received evaluation on the bridge's wetlands impact from the Conservation Board?
- Received an evaluation of its safety in areas including sightlines from the New York State DOT?
- Has Planning Board requested and received a reassessment of noise and light pollution based on the addition of the bridge to the applicant's original plans? The prospect of light and noise pollution at night is very distressing to close neighbors opposite.

- How will it affect e.g. late school buses coming up Snake Hill on West? Or people getting out of those houses or Daffodil Hill Rd. to get to Garrison School or the Rec. to meet late school buses?
- Details please of mitigation of construction noise and dust?
What is the procedure for mitigation of air born toxins from the highly contaminated green at the bridge location?
- Will the entrance from Philipse Brook road be used?
- Will the new road in from rte 9 at what is now the main entrance be 2-lane? How will it be surfaced?

4. Traffic and Local Traffic Flow

- Will all of the extra traffic plus a traffic light result in rte 9 at GGC becoming a 4 lane highway bi-secting the hamlet of Garrison?
- What is the current status of the applicant's request for a traffic signal at the intersection and turning lanes for ingress/egress to the site?
- Does the Planning Board need to know whether the traffic signal and turning lanes will be approved before it can issue a declaration on the project?
- It was said at a Planning Board meeting that there will be no building until there is a traffic light, can you confirm that this is so?
- The traffic studies on file were conducted in the fall of 2020, prior to the addition of the bridge. They were focused on the Snake Hill Rd./Route 9/Travis Corners Road intersection. The proposed bridge changes traffic flow, and calls for a detailed evaluation of traffic flows on Snake Hill Rd and its intersection with 9D. Has that study been conducted?
- Where are the details of where the theatre traffic is coming from?
How much theater traffic will be coming over Bear Mt. Bridge and up Snake Hill Rd., or Philipse Brook Rd.?
- How will traffic get onto rte9 from Coleman Road or Frazier Road or Travis Corners Road (which will be slightly North of the traffic light) - when the traffic light is functioning and also if people are driving south and turning right at the main GGC entrance?
- Coleman Road and Frazier Road are already used as speed slip roads when there is any kind of accident/hold-up on Rte 9 at this point. The development will increase the hold-ups on this part of the road. How will you stop this speeding through traffic on minor roads and how will you protect kids and pets who live on these roads?
- Will these minor roads have to be paved to deal with large traffic increase. Won't this destroy an aspect of this community that makes us uniquely attractive?
- The traffic studies were done during 2020 when there was little to no traffic on Rte. 9. How can extrapolating from old studies before the explosion of through traffic to Beacon and beyond yield correct estimations? Even now the through traffic is not as heavy as 2019 but will a proper study be done now?

- There is no good diagram of traffic on a Sunday night which we were told by the Asst. Manager of the Garrison is at present the busiest traffic night (no buses for wedding guests). Where is a good diagram of this and of the busiest Friday evening rush hour plus all proposed facilities functioning?
- Why are the diagrams at 95% fill rate and why're we told that 100% would never be achievable? In the past HVSF has been at 100% plus (extra temporary row) in its 540 seat tent every weekend in August? Why don't the diagrams show the maximum traffic impact on the community not the average?
Why are the buildings so large if they are never intended to be full as claimed by HVSF?
And who will ensure they will never be full? Is the Town going to vet this in order to keep the numbers down?
- Will the carbon impact and footprint of up to 2,000 people in cars on a Saturday (2 events, 2 Tent performances, 1 small theatre performance, hotel, restaurant, bar guests plus employees) not taken into account?
- Will the site and its car parks be closed to the public when theater and banquets are not ongoing?
- Can the indoor theater operate *only* when the Tent theater is not operating to reduce traffic?
- Very occasionally people in addition to theatre goers picnicked at Boscobel though the site was very well policed. The GGC in contrast has open access round much of its boundary. How is the developer going to regulate this and any subsequent parking on e.g. Philipse Brook road/Coleman rd/Snakehill rd?

5. Soil Mitigation:

- Is the contaminated soil on site at the GGC considered hazardous waste? If not, why not?
- Has the developer applied to the DEC for a brown site declaration?
- Sixteen soil test samples have been taken. Will more sampling be required?
- Shallow soil test samples have been taken. Will deeper soil tests be required?
- Mercury, lead, arsenic, chromium, DDT, DDE, DDD, Chlordane, Alpha Chlordane, and Heptachlor have all been found on site, exceeding both the acceptable limits. Will other soil contaminants be tested for? Such as PAH's, petroleum products, radon, or asbestos?
- Contaminants were found in the sediment of the pond water. Will the sediment in the drinking water wells be tested?
- Will soil be removed as a mitigation method?
- If so, how much top soil will be removed? How will you ensure only 5 acres are removed at any one time?

- Will there be any limit of how many 5 acre areas will be disturbed in any one year? e.g. could 30 acres be disturbed in a year in 5 acre, sequential parcels?
- Who will oversee disturbance plan?
- Will soil be stockpiled on site? How will it be secured from run-off? Where? Where will the soil be removed to? Will the soil be re-tested for contaminants after removal/mitigation? What agency determines that soil has been sufficiently mitigated?
- How can sediment fences and fabrics prevent toxic chemical run-off water?
- Have other soil mitigation methods been considered? Such as Phyto-remediation? or Bioremediation?
- What is the time frame for complete remediation?
- Will soil covered by new buildings be mitigated? If not, why not?
- How will the New York City Catskill Aqueduct be protected from contaminated run-off?
- How will Philipse Brook and Horton Brook be protected from run-off?
- Does the plan address the possibility of extremely toxic runoff negatively impacting Philipse Brook, especially in Constitution Marsh below the falls where a “species of concern”**, the American Eel, congregate in large numbers?
**Atlantic States Marine Fisheries Commission
- How will animals in and using the pond water be affected by contaminated run-off?
- How will surrounding community members be protected from contaminated soil dust detected as a result of the air monitoring?
- Will HREC at maintenance barns be mitigated?
- On what page in Badey & Watson StormWater Analysis is there information on dealing with toxic chemical and metals run off?
- The wetlands, wastewater runoff management treatment is very thin in the EAF. We need more research and more details.

6. Noise and Light Pollution

- Why is HVSF performing completely unamplified on a temporary basis for the next 2 years when they normally have amplification of music and sound effects etc.? The temporary site is in a secluded spot on the GGC shielded by buildings, trees and rising slope on all sides. How can neighbors assess future light or noise impact from this contained location?
- Why, in contrast, has HVSF chosen the highest point for its permanent large open tent theatre which will give the least sound and light protection to the most neighbors? There are other sites with scenic backdrops.

- Sound rises, the Tent will be completely open to the view. How will an 8ft berm (designed to protect theatergoers from traffic noise) behind the 30 ft tall tent protect neighbors around, above and below from noise and light during the 4 summer months of performances when neighbors are outside and have windows open?
- The EAF says that the noise pollution for neighbors from construction will be loud, “especially in summer when doors and windows are open”. Will the developer be a good neighbor and agree to limit this noise beyond the Town regulations? And please define the Town Regulations.
- For how many summers shall we have to keep our doors and windows closed?
- Why has sound testing been limited to the site perimeter when we know sound from the Garrison Terrace is heard and rises as far away as Fort Defiance?
- Will studies be performed above and around the property?
- What will be done to mitigate the legal sound limit being overtopped at one of the receivers at the on-site testing (per EAF)?
- Why couldn't a sheltered spot on the GGC site be found for the tent, more like that at Boscobel?
- How can visitor numbers be reduced to reduce the impact of traffic noise on e.g. usually very quiet and sparse traffic Sundays when most people want to be enjoying a day outside at home?

7. Water Issues

- Are you aware of the number of neighbors, including some in the “upland basin contributing to site groundwater” who had to have new wells dug after the 2 new irrigation wells were drilled in 1999? At least 2 of these had to do so at their own expense after being told, erroneously, that no new wells at the Garrison had been drilled.
- Can you confirm that the applicant will pay for any and all such remediation and inconvenience?
- Why has no proper all-season water testing been done to assess the viability of doubling the domestic water usage (per the EAF) and sinking of 2 new wells at the HVSF site in order to accommodate approx 1,000 flushes a night etc.?
There have merely been inferences drawn from old studies despite much having changed in the last 20 years - new buildings, dry winters and multiple problems with wells.
viz failed 1,000 ft deep new well at Garrison's Landing.
- Please confirm that this proper 72 hour Fall testing will be done, before any negative declaration will be issued?
This development threatens our fragile aquifers and recharge areas.
- All neighbors fear heavy metals and toxic chemicals contamination of their wells during construction via run-off and ground water. Can you assure them that their wells will be tested before, during and after any construction?

- We know the pond sediment is contaminated. Why haven't the well sediments been tested?
- Why haven't neighboring wells been tested at all - we know water travels laterally in the base rock?
- Why is there no ecologically friendly treatment of water planned. No tank/cistern storage of water for flushing, no small sewage treatment system instead of huge new septic fields, the preparation of which will cause more toxins to escape into the air and water?
- Will you ensure that the irrigation of new plantings, including all the new shrubs, plants and trees in the plan be included in the water studies?

8. Golf Course Environmental Plans for the grounds

- Can value of this re-wilding effort be weighed against the awful and huge new environmental impacts?
There will be huge new noise/light and carbon pollution caused by thousands of people's presence and their cars every week until late at night. How is this more beneficial for insects/animals/birds/humans?
The disturbance caused by years of building and the eco segmentation caused by the buildings/car parks on this environment - how does this benefit insects/birds/animals/humans?
Stirring up all the toxins just below the surface - how is this better environmentally than leaving them buried?
This is so far from an environmental paradise solution for anything or anyone.
- Plans show native plant meadows on the slope up between new parking lot and the proposed site of the Tent. These are criss-crossed by paths for 100's of theater goers to walk through, to be lit at night. How eco-friendly for animals is this?
- How will these meadows be achieved? Black plastic? Will the toxic soil underneath be disturbed?
- Are there plans to mow and water the remainder of the golf course? (see water issues below)
- Which other areas are to be re-wilded if any?
- Can we see the plans for stewarding this effort as HVSF has no experience in this area at all?
- 172 trees are to be cut down. Is there a map of this? How many of the new trees are 12 to 14ft tall?
- Wouldn't a smaller build out, less visitors, less carbon/noise/light pollution, more re-wilding be a better compromise for everyone and everything?
- Why do all events and productions have to be carried on simultaneously in the summer? Why not one theatre in summer, one in winter? This would reduce impacts considerably.

9. Taxes and Finance Concerns

- We have been told by HVSF marketing at various times that
(a) this plan is just a move up the hill from Boscobel and

(b) that will double the economic impact on the town from \$3.5 million to \$7.5 million. Which is true?

- How is this economic impact figure calculated?
Is there data showing impact on local businesses?
-
- Garrison will be losing tax income. Will HVSF agree to make payments in lieu of taxes as Scenic Hudson does on some of its properties?
- Will the short term rentals for up to 88 people remain on the tax rolls?
- Can we have financial projections to ensure that we can trust HVSF to be good stewards of the property and will be able to maintain and sustain it?
- This is a huge project and HVSF has no record of managing anything like this. Will the Planning Board demand that HVSF submit a detailed management structure plan to ensure maintenance and sustainability?
- The value of nearby properties will decline, especially those opposite the proposed new Snake Hill entrance, how do you propose to mitigate this?
- Will Garrison Volunteer Fire Service be able to cope with the planned number of buildings and people? Will they need paid firemen? Extra equipment?
- Will EMS require more staff? More Equipment?
- Have services (including police) given written plans for dealing with emergencies?
- Have the local volunteer EMS and Garrison Volunteer Fire Service given written notices that no additional equipment will be required if plan goes ahead?
- Jobs Impact - can you confirm that if state and federal money is involved, only union contractors may be employed?
- Can you confirm that the majority of local jobs available are seasonal, part time and low wage?
- Why should Garrison's 1000 taxpayers alone pay for extra costs involved with emergency services having to deal with an approximate doubling of people arriving in this hamlet on weekends, especially as they alone have to put up with all the adverse impacts?
Who will pay for these costs?
- Will a bond be required for clean-up in case of failure of the enterprise?
- Who will decide what happens to the buildings and land etc.? Will the site revert to its original zoning etc.?
- Why will we taxpayers be paying \$3.5 million of the cost of the "ecological restoration" picnic areas etc.(via Sean Patrick Maloney's earmarks) and HVSF gets the credit?

10. Archeological/historical Concerns

- These are given short shrift in the EAF. They need much further investigation. 2 people talked about the golf course being forested before it was a golf course. In fact it was a historic farm with hayfields on the rise where the Tent site is proposed. Can we have some real investigation into historic and archeological values at and around the site?

11. Security, Safety, Long Term Management, Miscellaneous

- Can we have plans for the maintenance, cleanliness and security of the site? This impacts the community.
- Where is the data re what will be needed in terms of emergency personnel e.g. Fire
- What are the plans for handicapped people on the site?
- Will HVSF have trained medical personnel on site or rely on volunteer EMS?
- What are plans for traffic control e.g. when cars leave at night?
- Will people be allowed on site when shows are in progress who are not ticket holders? Under what conditions? What are the plans for public access? Where is the data?
- How will you police this?
Perry Pitt of Audubon has suggested a warden or environmental overseer, like the one Audubon has at Wappingers Sanctuary, someone neighbors call if they see or experience something troubling e.g. garbage dumping or other intrusion.
- Will you allow signs on Rte 9 advertising the shows all summer? Have you considered the dangers of this on fast moving traffic? Have you considered the aesthetics of re our Comprehensive Plan?
- Can we please have a clear table for what is happening from now to year 5 through planning and building?
- Are you aware of the network of conflicts of interest at all levels with this proposal? Including Sean Patrick Maloney and key players in this proposal?

