

GGC/HVSF

Letters from the public

6/13/22-6/15/22



CHERYL ROCKETT <crockett@phillipstown.com>

RECEIVED

JUN 13 2022

Planning Board meeting of June 16

6 messages

highfield <highfield@optonline.net>

Sun, Jun 12, 2022 at 5:07 PM

To: CHERYL ROCKETT <crockett@phillipstown.com>, Town Clerk <townclerk@phillipstown.com>

Hi Cheryl and Tara,

We'd appreciate it if you would send this note on to the Planning Board and Town Board members in advance of this week's meeting. It is about the zoning petition which was submitted to the Planning Board by Mr. Hollis for HVSF but we believe that Zoning is also in the purview of the Town Board.

Many thanks,
Carol & Stan

Dear Chairman and Board members:

We have read the May 26 submission of the Second Amended Petition made by Mr. Hollis, the lawyer representing the GGC/HVSF development proposal, and were quite surprised to read that their proposed re-enactment of Town Code Section 175-61.2 still includes the indoor theatre and the hotel. This despite the fact that Mr. Hollis states in his cover letter that these additions have been stricken from the proposed development. The re-enactment of this section also speaks of a 530 seat outdoor theatre while earlier the size is noted as having been reduced to a 500 seat theatre.

All of this legal material has been quite hard for us non-lawyers to follow so we greatly appreciate your efforts at some clarification in this process.
It is baffling!

Sincerely,

Carol Marquand & Stan Freilich

Town Clerk <townclerk@phillipstown.com>

Mon, Jun 13, 2022 at 8:45 AM

To: highfield <highfield@optonline.net>

Cc: CHERYL ROCKETT <crockett@phillipstown.com>

Good morning,

I have forwarded your letter on to the Town Board. Cheryl will forward it to the Planning Board members as requested.

Thanks,

Tara

[Quoted text hidden]

—
Tara K. Percacciolo
Town Clerk
Town of Phillipstown
238 Main St.
Cold Spring, NY 10516

TEL: 845-265-3329

FAX: 845-265-3958

CHERYL ROCKETT <crockett@phillipstown.com>

Mon, Jun 13, 2022 at 2:15 PM

To: Town Clerk <townclerk@phillipstown.com>

Cc: highfield <highfield@optonline.net>

12th June 2022

Dear Chairman Zuckerman and Planning Board Members,

I believe others have noted that a lot of our questions were not addressed satisfactorily at the last meeting. Many of the applicant's answers directed us to the EAF Part III which does not answer the questions, and hence the reason they were raised in the first place.

I only want to address here the water issue as one example. The new revised plan calls for the indoor theater and 20 room hotel to be eliminated from the current planning process (although I see that the zoning application allows for them to be built after a further planning process later), thus reducing water usage.

The puzzling figures now put forward indicate that a new 500 seat theater plus employees and a potential 88 person new living accommodations on the site would actually use *thousands of gallons less water than the 40 room (80 person) hotel and spa that had been approved in the 2005 PDD*. The expert points out that the 2005 PDD was approved at 15,320 gpd ergo the estimate for the HVSF plan of 13,353 gpd should be approved. This ignores the fact that the 2005 PDD was never built out so we shall never know what what water mayhem might have been caused had the actual use risen to 15,320 gpd instead of 9,820 gpd.

The figures further claim that the 500 person theater, staff and existing banquet, restaurant, bar, inn rooms, offices and maintenance buildings *would use less water* than the previous golf facility and the same banquet, restaurant, bar, inn rooms, office and maintenance buildings.

We know that the golf course used ground water from the pond for irrigation and that use of the one irrigation well was occasional and resulted in complaints from surrounding neighbors. The second irrigation well could not be used at all because of complaints.

My question is how is it that a 500 person theater plus employees uses less water (and note that demand and hence draw down is concentrated into a relatively short time) than a max of 4 golfers on any one tee
i.e. max of 72 golfers. Has anyone ever seen the golf course with 4 people at every tee?

Where are the underlying calculations for the Water Diagram - and the Groundwater Recharge?

Where are the details of the storage tanks needed to accommodate the required number of flushes from theater, banquet, restaurant, lodgings etc in an evening?

Are the calculations based on the 2005 PDD investigations as are those in the EAF Part III?
Why haven't new tests been carried out given all the previous and current water problems in Garrison?

Have any new tests been done on wells outside the GCC perimeter?

Why is the applicant not prepared to indemnify neighbors if they experience problems subsequent to the permanent bathrooms and actor lodgings being built?

Please note that at the temporary HVSF site at the GCC very large trailer portapotties are/will be used as was always the case at Boscobel.

Sincerely,
Carol Marquand

RECEIVED

JUN 13 2022

Mr. Neal Zuckerman
Chairman
Philipstown Planning Board
June 7, 2022

Dear Chairman Zuckerman and Planning Board members:

At your May 19 meeting, you noted--correctly--that no issue attaching to the HVSF-GGC development proposal has drawn more community questions and prompted more concern than the proposed siting of the HVSF performance structure along the crest of the golf course's Walnut Ridge.

The topic, as expected, came up that night in the Board/applicant Q and A. At that time the Board had from a community member--me--a communication entirely germane to that issue: text and photos clearly demonstrating that it's possible to shift the tent location just a short distance in a way that preserves the view while dropping the altitude by as much as 60 feet.

Conceivably, the makings of a compromise.

It was never referenced.

I did not understand that the end of the public comment sessions was to be the end of the public's involvement in the project. *A populi with no more vox.* What in heaven's name is the purpose of continued public comment if that comment goes into the black hole of the public record, unacknowledged, let alone tested against the assumptions built into the applicant's proposal? Why has purposeful, relevant public input ceased to be meaningful--or perhaps even helpful--to the Board's work? Ideas are a currency. You don't know what they're worth until you try spending them. Try.

Yet while the public has in recent months been ignored, the current property owner was afforded access to the mic on May 19. He pled existential crisis and called the Storm King viewshed the festival's "brand." What no Board member asked was whether or not the "brand" and Walnut Ridge can coexist. You certainly had data enabling you to probe the possibility.

That's also the second time now we've heard the falling sky plea, which is old gum and flavors of extortion to boot. I have every hope that the festival will ultimately find a home at the former golf course, and at the same time I have every hope that the Board is assigning zero weight to assertions of financial difficulty. A simple test: Does the Board do so for other proposals placed before it? Would the Board be motivated to change its views if the Highlands Reserve folks told you they were scraping the bottom of their barrel?

There was but one mention of the Storm King Doctrine: applicant counselor Hollis, as is his job, was quick to insist that the Doctrine was not applicable in this situation. What he left unsaid was that it is, in fact, even more applicable to the land-use issues of our times than those of 60 years ago. Environmental impact, both functional and aesthetic, matters. It matters to you as a guide to aid your decision-making, and it matters to all of us as a moral imperative. They aren't making any new ridges in the Highlands. We need to protect what we are blessed to have. *That's* stewardship.

So much needs to be blown up to effect this project in current form. Existing zoning law, core values of Philipstown's Comprehensive Plan, the relevance of our Open Space inventory. Property owners have rights, but don't their rights stop short of a license to upend the community's physical and emotional ecosystem?

Past the issue of the tent siting, much is currently unknown, unexplored, or unresolved, as you move to a SEQRA declaration.

- Traffic light status and the broader lineaments of traffic management along Route 9.
- The impact of a bridge designed to carry HVSF traffic onto Snake Hill Road. Challenging under the best conditions, the plan calls for visitors unfamiliar with those challenges to negotiate its hills and curves at the tail end of a festive evening.
- The impact of that same bridge on the wetland it would cross, the amount of material—such as concrete—it would require, and the appropriateness of its size and scale.
- A response to noise studies that neighbors have told you simply do not accord with their experience. Nor accounting, in particular, for noise impact with the tent located where it is—right now—for this season and prospectively longer.
- The validity of applying *any* 2005 PPD data to 2022 conditions.
- The impact of dropping the pond's water level by four feet on the pond itself, and the environmental impact that needs to be addressed in terms of everything downstream.
- The absence of *specific* plans for powering the complex with renewable energy sources. To me, "planning" implies looking at future considerations. Shouldn't the planet's future prospects call for a detailed renewable energy program right now?

Next steps you might consider:

- Raise the points carried in my letter on tent siting in public session. It might be useful to allow the applicant to respond. There is no need to give additional preparation time: the applicant received my letter when you did, and it's time to recognize that their strategy on any number of issues has been to kick the can down the road. Bridge, traffic light, and energy, to name three. The details of this project have forever been subservient to its ambitions.
- Changes in the overall composition of the development proposal are to be dealt with next session, according to your meeting agenda. Impact of the dam work ought to be on that part of that discussion.
- Schedule a Planning Board site visit to Walnut Ridge. There is in this case no need to let the applicant promise to get back to you at some later-to-be-defined point in time, as occurred on your information-free visit to the proposed Snake Hill Bridge site. As of this morning, Walnut Ridge is extent. The Storm King-Breakneck geography hasn't changed. The proposed siting of the tent is marked. And the tent itself is on-site, helpful for understanding scale and impact in a way no diorama ever will.

Finally, a word—admittedly anecdotal—on wildlife. At the public sessions, an eager and underinformed cohort of project supporters lectured the board on the wildlife-barren, pesticide-riddled monoculture of golf courses. There is something to be said for this second item, as soil tests on greens have indicated. In that context, it's worth noting that the first step taken towards a meadow planting on the old 8th fairway was to apply a non-selective herbicide from tee boxes to green. The environmental costs associated with meadow making are, evidently, high.

Ex that area, a richer, wider world of flora and fauna than one might suppose is very much in evidence on the property. In the last week I've seen, besides our common squirrels, chipmunks, and woodchucks, redtail hawks on the hunt, a fox, and a great blue heron (a magnificent bird that doesn't hang out in streams unless there are fish to be had.) This without walking more than 100 yards onto the 6th green area on the lower section of the old course.

Within wooded areas, several species of viburnum are in bloom. Witch hazel and even elm saplings abound. Trout lilies have colonized woodland edges. Tussock sedges and marsh marigolds—important native riparian species that hold stream banks in place and could be endangered by a dam release--populate Phillipse Brook. Yet the effects of nighttime light and noise on wildlife have been minimized, largely on the grounds that the desert that is the golf course doesn't *have* any wildlife.

This note (along with the prior note and accompanying photos) is going to the Conservation Board as well as to Planning. If enough officials charged with commingling preservation and development pool their knowledge in a way that minimizes impact while retaining a not-for-profit organization we value, we will be better leveraging our community's assets.

Where do things stand going into your June 16 meeting?

Too many unanswered questions.

Too many promises to get back to the Board on important questions later on.

Little or no accounting for the impact of new project elements (on-site and downstream impact of pond draining, bridge building, traffic control, to name three.)

An intractable insistence on despoiling Garrison's best view of the Hudson Highlands on the part self-styled stewards.

HVSF has a brand, we are told. So does Garrison. It deserves equal billing. On May 19 it didn't get it. I hope that on June 16 it does.

Sincerely,

Tim Nolan
Garrison

ROBERT CUTLER

RECEIVED
JUN 13 2022June 12th, 2022Planning Board
Town of Philipstown
Putnam County, NY

cc: Town Board, Conservation Board

Dear Chairman Zuckerman and Members of the Planning Board,

I guess this will go under the heading of One Last Shot. And please forgive me – to mix metaphors – of being a broken record. But these are important issues for Garrison and for me.

I first arrived here in 1953, when I was twelve. This place means a lot to many of us, and I know it does for all of you who work so hard to keep it moving safely forward in the 21st Century while preserving its rural and historic character. Not an easy balancing act by any means, and we all thank you for your effective industry.

I'll address three issues I've talked about and one I haven't.

The three first.

1. Location of the tent

By far and away the most important first step when building a house or any structure is where to site it.

I grew up in Boston surrounded by architects. My father, my brother, and a revered cousin in my father's generation were all architects, as is my college roommate and close friend, Yann Weymouth (worth a google), who has designed ten museums including the Grand Pyramid at the Louvre (for which he was Pei's Chief of Design for seven years in Paris.)

Not one of these architects would even think of siting a forty foot structure on the top of that lovely ridge. It would be completely abhorrent to them. A sacrilege.

Reason why: It's not that the tent will be seen easily from far away, from across the river. It can't be. It's too small. Unlike Storm King Mountain, you can't even see much (any?) of the ridge from far way. It's not the highest ridge around, and if the tent itself is seen at all from afar, it will be tiny, like a pimple on the ridge.

So for me anyway, that's not the issue. But for every single visitor walking around on the ridge, or sitting and gazing, and perhaps meditating, or picnicking with friends, the tent will have a domineering and inescapable presence, a presence having nothing whatsoever to do with the land around it.

Please, dear members, if you haven't already, go and stand on the ridge. Walk around it for a while. Soak in the beauty of what you can see: the river, of course, and the mountains. The far and near ridges. Feel the wind, watch the clouds being blown across the sky, the hawks soaring overhead.

Go more than once. In the summer mornings, the river is invisible, covered by fog in the valley, soon burned off by the sun rising over ridge to the east. In the evenings, the swallows swoop around. Then imagine what it will be like to have an immense, forty foot structure, lurking nearby.

HVSF's images of the tent, shown below, pp. 5 and 8, show trees surrounding it, to hide it, to camouflage it. That in itself tells you they know it doesn't belong there. The whole environmental value of the ridge is that it

is clear, open, so you can see the beauty of nature. Adding trees will block the view even more than the tent; the trees will just compound the error.

And then remember what the Storm King court ruled: the planning of projects must include 'the preservation of natural beauty.' Not ignore its natural beauty. Preserve it. Preserve the natural beauty of the ridge. That is the law of the land.

Lastly, let me invoke Frank Lloyd Wright once again. A recent Writer's Almanac from NPR included a bio sketch in which Wright was quoted: "No house should ever be on a hill or on anything," he said. "It should be of the hill. Belonging to it. Hill and house should live together, each the happier for the other."

Just so. Please leave the top of the ridge alone. Bring the tent down, only about a hundred yards, to the old 18th fairway, and let it nestle there, as it did at Boscobel, comfortably, next to some tall friendly trees. So it fits. Listen to Wright.

2. Bonds to remove and restore, if needed

This is easy. Just please be sure to require bonds covering the costs of dismantling and removing any structure, and restoring the land, in case HVSF leaves, for whatever reason.

That includes the bridge, if it is built, across the wetland to Snake Hill Road. Its purpose is to give visitors in cars a roadway to and from the parking lots. If HVSF goes away, the parking lots must go away, and the bridge. There should be a specific bond for that.

3. Site safety

Please require HVSF to come up with a real, specific, detailed plan to ensure the safety of everyone when they enter the site, when they're on the site, and when they leave the site. Exiting onto Rt. 9 at night doesn't qualify as a safe exit plan. It is the opposite. A traffic light at Travis and Snake Hill is a red herring. It's the exit onto 9, especially at night, which is the real danger.

Also, what will the exit off the proposed bridge and onto Snake Hill Road actually look like? It should not be hard to create a digital image of the exit / entrance, from many angles.

4. Management plan

HVSF have asked you to approve their proposal to create, build and then manage for twenty years a large, complex, non profit, visited site.

Non profit visited sites come in all shapes and sizes. The Putnam History Museum is a very small one, and an absolute jewel. At the other end of the scale are large visited sites like the Metropolitan Museum of Art, the Forbidden City in China, Windsor Castle, Versailles, the Vatican, The Killing Fields in Phnom Penh, MOMA.

For 51 years, I have worked closely with the managements of the world's leading visited sites, including the above and over a hundred others. Like any enterprise, they succeed or fail depending on the vision, skill and experience of their management teams. I have seen failures.

To succeed, these sites have to be run by professionals who have worked their way up at their own or at other visited sites. Will visited site professionals run HVSF? What experience will they have? To me, these things should be known before the proposal can be approved. How can you go forward otherwise?

The main reason why: If HVSF fails because it is not run by professionals, it could easily become an environmental disaster which will have to be restored at great effort and expense, see point 2 above. The right

team is essential, and I cannot recommend strongly enough that you require HVSF to submit a complete management plan as part of their proposal.

Management plan details

The plan should include a table of organization with the lines of authority clearly shown. No dotted lines.

For each position, there should be a job description, salary range and expected minimum number of years' experience in the field.

At the top is the Director whose main responsibilities are similar to those for any CEO. Fund raising is an added responsibility in non profits. Below are the major departments whose heads would report to the Director.

Operations This includes: visitor safety; site security; traffic control and parking; IT; event ticketing; maintenance and daily cleaning of all buildings and grounds. (Visitors don't like trash and unclean bathrooms.)

Theater production At the Met, this would be the Curatorial Department. Its collections and exhibitions are the main attraction and the main engine of revenue, just as the plays will be for HVSF.

Sales Includes on site revenue from: ticket sales; site rental; food service – restaurant, snack bar, picnics; sale of branded and trade merchandise in the concession shop or on line. Site rentals include weddings and other events, and off season cabin rentals.

Marketing / PR Includes PR, communication, branding, advertising on all media, traditional and social.

Financial and administration The standard roles and responsibilities in any organization. Legal work would be done by outside counsel as needed.

Discussion / summary

There are no surprises in the above work areas, and none of them are rocket science. All must be done well for HVSF to succeed in its new location. Which we all want.

But putting on superb plays, safely providing a wedding venue, maintaining clean buildings and grounds, running a restaurant, providing rental cabins plus tours of the grounds to groups and individuals, all this on its own visited site is a totally different proposition from putting on superb plays on someone else's visited site. At Boscobel, for example, if someone got hurt falling down somewhere or driving out the gate, they could sue Boscobel. Now it will be HVSF. This is different.

So HVSF will have to perform not just their plays but all the above functions flawlessly. HVSF already has a first rate artistic director plus a cadre of wonderful actors and other theater pros, so that won't be a problem. But no one at HVSF has ever managed, or even to my knowledge worked for a large, complex visited site. HVSF must get some pros to run the ship. First a Director who's run a visited site before or worked closely for someone who has. Then the rest of the crew.

In short, to avoid a possibly huge environmental mess, and to give HVSF the greatest chance of success, I urge you to make the management by experienced, known professionals, and a comprehensive management plan, a requirement in their proposal.

Yours very sincerely,

Robert Cutler

NB. Dear members, I have included the following images from my previous letter of April 12th. I hope they're worth a second look for you.

Also, if and when you go to the ridge, see what you can see from the 18th fairway, near the old 18th green: the Hudson River and Storm King Mountain!

Tent – artist's rendering, bird's eye view



Ridge – photo, snow



Ridge – photo, with hawk

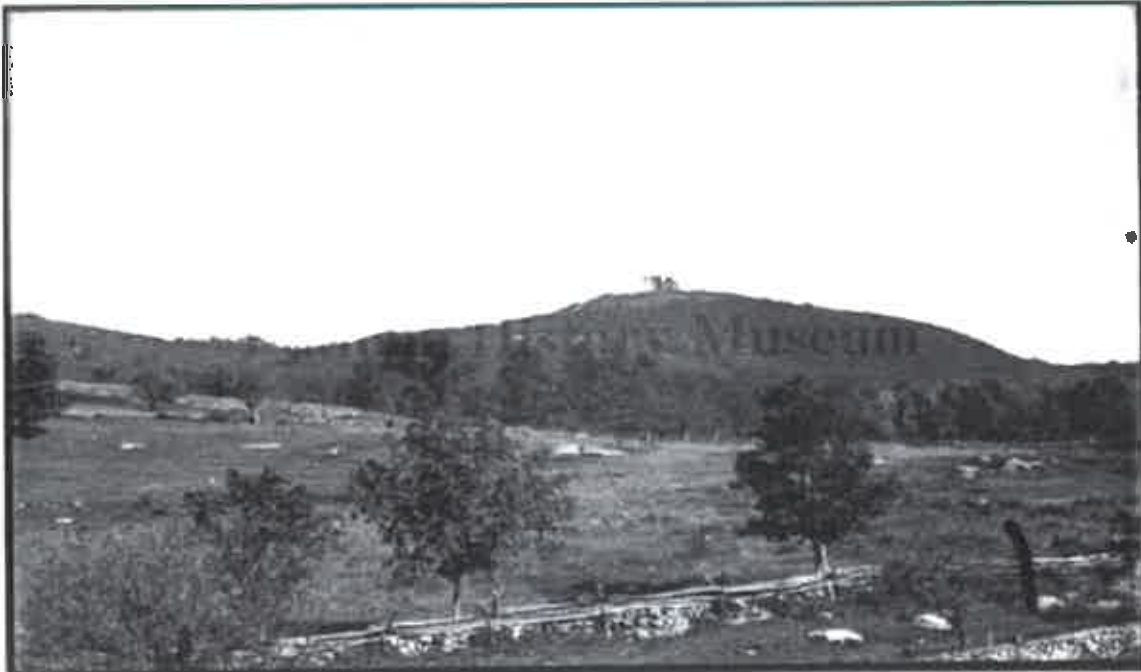


Tent – artist's rendering with trees



THE GARRISON
THE GARRISON - HUDSON VALLEY SHAKESPEARE FESTIVAL
ENTREPRENEURIAL ASSOCIATION FELLOWSHIP - PART 3
Picnic Lawn Perspective
EXHIBIT 39

Walnut Ridge Farm – view of Fort Defiance, ca 1890



Looking east from Walnut Ridge circa 1890. Fort Defiance in background on east side of Highland Turnpike(Rt 9)

Walnut Ridge Farm – mowing hay, 1900



George Stonebridge photo, 1900: haying at "walnut ridge"

RECEIVED
JUN 14 2022

June 10, 2022

To the Planning Board of Philipstown,
From Jay and Patty Brenner, 29 Snake Hill Road, Garrison

We belong to HVSF Locals and have made many statements and inquiries of this kind to no avail. As you get closer to making final decisions on the HVSF/Garrison Golf Course project I would implore you to listen and reply to our community organization in writing.

Patty and I live at 29 Snake Hill Road, and we are greatly concerned about the noise pollution and other disturbances that might be coming our way if this project goes forward as proposed. We moved to Garrison for the peace and quiet and the opened land across the street.

As we have been sitting outdoors this last wonderful week with weather that you cannot beat, we fear that this tranquil land we own will be greatly affected by the Shakespeare Festival. We are grateful Shakespeare will be our neighbor and want to trust that they respect and will use their location in concert with the needs of our community.

Yet, none of our questions have been answered about:

- options for the placement of the tent on the ridge
- studies of possible traffic lights on our corner at Snake Hill and Route 9 or a better and simpler option of a streetlight to illuminate the corner at night
- lighting and sound tests at the proposed location
- traffic studies of the impact the proposed bridge on Snake Hill Road, considering hundreds of vehicles per day across from our driveway that will impede access to our property and create excessive wear and tear on the road.
- At the last meeting we were told the pond will be lowered 4 feet instead of repairing the dam. We still don't understand why a new bridge over wetlands is a better or more economical option than repairing that dam for the sake of the beauty and wildlife the pond supports.

We request that a new sound test should finally be done before you approve this project. To accomplish this, speakers should be installed at the height of the proposed location, and sound emitted at the decibels expected of music and voices during performances at the usual times of day in order to measure the noise pollution at effected homes and properties.

It is Shakespeare's duty to learn the actual implications of this proposed theater on local residents in this regard. I truly believe that we will hear everything if they place the tent high on the ridge as they are planning.

Also, the HVSF has stated that they would cover the costs of drilling if the water consumption dries out our wells. Details of this agreement should be in writing as a promise to residents and filed at Town Hall.

We expect a positive declaration until these studies and guarantees are in place and answers to these critical questions have been put forward.

RECEIVED
JUN 15 2022

Philipstown Planning Board
Chairman Zuckerman,

I hope this note finds all of you well.

It appears that a vote on the HVEC SEQRA Application is near. Rather than rehash the numerous problems with this application I would ask the Planning Board to keep one thing in mind when casting your vote.

Shakespeare floated the proposition there is an existential threat to their operation if they do not get their way. Only someone who takes themselves is seriously as the HVEC can face an "existential threat". Most applicants are disappointed and proceed to alter their proposal to address Board Concerns.

The ultimate viability of Hudson Valley Shakespeare is not the responsibility of the Planning Board, nor should it be a consideration in your decision. However, it should be cause for concern, on the part of the Planning Board that Shakespeare has painted in themselves into a corner with poor planning and by overreaching their mandate. What does this foretell about their operation?

Shakespeare has been around for 500 years. The survival of this art form will not be jeopardized by preserving the fabric of our Town and by following the precepts of the Comprehensive Plan. (What will take a hit is the ego of the applicant, but. I do not see how this should factor into your decision.)

Thank you for the time that you've put into this application. The eyes of Philipstown are upon you and I am hopeful that you will issue a proper finding.

Best,

Joe regele



CHERYL ROCKETT <crockett@phillipstown.com>

Shakespeare plan

1 message

betsy calhoun <marieellizabethc@gmail.com>
To: **CHERYL ROCKETT** <crockett@phillipstown.com>

Wed, Jun 15, 2022 at 3:59 PM

To: Chairman Neal Zuckerman and Members of the Planning Board

It has become clear to me that the proposed project of moving the Shakespeare Company to the Garrison Golf Club has everything to do with personal "WANTS" and nothing to do with our community. And not much with the plays themselves.

It is particularly clear as we put together the current statements of plans for the new bridge and roads.

Several facts drive the decisions:

1. Mr. Davis plans to build a house high on the ridgeline.
2. Mr. Davis wants to give something significant to the Shakespeare group.
2. Access to and from the golf course at present is extremely limited. Emergency vehicles can readily enter the property only by the main entry from Rt. 9.
3. The driveway from across the aqueduct at Philipse Brook Rd is too steep (by Town regulations)?
4. Entering over the dam with heavy equipment is likely to cause its collapse.
5. So, we the community are confronted - not with the real strictures - with a fantastic array of "plans".