

SIVE | PAGET | RIESEL

Adam Stolorow
Direct Dial: 646.378.7256
astolorow@sprlaw.com

November 3, 2022

VIA EMAIL AND HAND DELIVERY

Honorable Neal Zuckerman, Chair
and Members of the Planning Board
Town of Philipstown
2 Cedar Street
Cold Spring, NY 10516

Re: Hudson Valley Shakespeare Festival – SEQRA Revised Draft Scope

Dear Hon. Chair and Members of the Planning Board,

On behalf of our clients, the Hudson Valley Shakespeare Festival (“HVSF”) and Garrison Properties, LLC, we are submitting for the Planning Board’s review the attached revised Draft Scope pursuant to the State Environmental Quality Review Act (“SEQRA”). The Draft Scope has been revised in response to comments from the Planning Board and its consultant AKRF and comments received during the public comment period. We request that the revised Draft Scope be accepted as the Final Scope that will guide the preparation of the Draft Environmental Impact Statement (“DEIS”) for the proposed permanent relocation of HVSF to the Garrison Golf Club property (the “Project”).

The revised Draft Scope incorporates the vast majority of the comments received, including revisions to the proposed utilities, traffic, and noise analyses that will be included in the DEIS. Regarding the request made by one commenter to study the potential noise impacts to neighboring properties from the Project by simulating a performance with loudspeakers at the proposed site of the new theater,¹ in this circumstance loudspeakers would not be an appropriate or productive way to analyze the potential noise impacts from the Project. The loudspeakers would be in the open, without the benefit of the Project’s designed enclosure or modifications to the landscaping, which will be designed to limit noise from propagating beyond the site. The DEIS will instead use acoustical models to study the sound levels generated by actual 2022 HVSF performances and wedding events at the Garrison and the resulting sound levels at the property line, which will yield a much more accurate study of any potential sound impacts. AKRF has reviewed and concurred with the appropriateness of the modeling approach rather than using speakers.

The DEIS will also use modeling to study the maximum sound levels that could be generated at the proposed theater location without exceeding the Town of Philipstown Noise Ordinance. Although live concert events are not planned by HVSF and are not part of the Proposed

¹ Email from Jay Brenner to Planning Board dated Oct. 19, 2022.

Action being reviewed under SEQRA, the acoustical model will also be used to analyze the sound levels that could be generated by an amplified music concert at the Project site.

We look forward to working with the Planning Board as we finalize the SEQRA scoping process and begin work on the DEIS.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "A. Stolorow", written in a cursive style.

Adam Stolorow

Encl.

Cc: S. Gaba, Esq.