

*crossroads ventures llc*

**DRAFT**  
**Environmental Impact Statement**

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**Appendix 6**

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**Letters of Record**

**The Belleayre Resort at Catskill Park**

## Appendix 6 – Letters of Record

### Table of Contents

NYSOPRHP Comment Letters  
 NYSDEC Natural Heritage Program  
 US Fish and Wildlife Service  
 NYSDEC Region 4 Bureau of Wildlife  
 NYSDEC Region 3 Bureau of Wildlife  
 NYSDEC Division of Operations  
NYSEG  
 Service Provider Letter and Attachments  
 Pine Hill Fire Company  
 Fleischmanns Fire Department  
 Big Indian Fire Department  
 Shandaken Rescue  
 Margaretville Memorial Hospital  
 Kingston Hospital  
 Benedictine Hospital  
 New York State Police  
 Ulster County Sheriff's Department  
 Delaware County Sheriff's Department  
 Shandaken Police Department  
 Delaware County Department of Public Works  
 Delaware County Department of Public Works  
 The LA Group, P.C.  
 Ulster County Resource Recovery Agency  
 Time Warner Cable  
 Verizon  
 Margaretville Telephone Company  
 Onteora Central School District  
Margaretville Central School  
 Crossroads Ventures LLC  
 Village of Fleischmanns  
 Delaware Engineering, P.C.  
NYSDOH  
 Rainbow Mountain Construction

### Letters of Support from Delaware, Ulster and Greene County Agencies

**Delaware County Resolution #135**, Supporting the Development of the Belleayre Resort at Catskill Park

Letter from James Eisel, Sr., Chairman of **Delaware County Board of Supervisors**

Letter from Thomas A. Collins, **Ulster County Development Corporation** and Jack Young, Chairman of **Chamber of Commerce of Ulster County**

Letter from **Ulster County Chamber of Commerce**, Jack Young Chairman

Letter from **Ulster County Development Corporation**, Thomas Collins, Chairman

**Ulster County Legislature Resolution #422**, Supporting the Development of the Belleayre Resort at Catskill Park

**Greene County Legislature Resolution #518-2**, Supporting the Development of the Belleayre Resort at Catskill Park

Crossroads Ventures LLC / Alpha Geoscience

The LA Group, P.C.

The LA Group, P.C.

Cough, Harbour and Associates, LLP

NYSDEC / Tim Miller Associates

Crossroads Ventures LLC / AKRF, Inc., The LA Group, P.C.,

\_\_\_\_ Delaware Engineering, P.C., Creighton Manning Engineering, LLP

Catskill Heritage Alliance

Bell Engineering

Crossroads Ventures LLC / The LA Group, P.C.

ENSR International

The Saratoga Associates

Crossroads Ventures LLC / The LA Group, P.C.

Department of the Army

ENSR International

NYSDEC

Crossroads Ventures LLC

NYSDEC

Delaware Engineering, P.C.



New York State Office of Parks, Recreation and Historic Preservation  
Historic Preservation Field Services Bureau  
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

Bernadette Castro  
Commissioner

January 6, 2003

Terresa Bakner  
Whiteman, Osterman & Hanna  
1 Commerce Plaza  
Albany, NY 12260

Re: **CORPS/DEC/SEQRA**  
**Belleayre Resort at Catskill Park**  
**Shandaken/Middletown, Ulster &**  
**Delaware Counties**  
**99PR4498**

Dear Ms. Bakner:

Thank you for requesting the comment of the State Historic Preservation Office (SHPO). We have had an opportunity to review the project in accordance with Section 106 of the National Historic Preservation Act of 1966 and relevant implementing regulations.

Based upon our review of the submitted archeological information, the SHPO has no further concerns regarding archeology: additional survey for the project is **not** warranted.

Based upon our review of the submitted plans, drawings and Draft Environmental Impact Statement, it is the SHPO's opinion that the project will have **No Adverse Effect** upon properties in or eligible for inclusion in the State and National Registers of Historic Places. This 'No Adverse Effect' is based upon the provision that the following condition is met:

#### CONDITION

- All work (interior and exterior) that is proposed for the historic structures on the project site shall be reviewed by the SHPO prior to the initiation of any construction activities.

If you have any questions regarding this letter or any aspect of your project, please feel free to contact me at your convenience. Ext. 3273.

Sincerely,

Kenneth Markunas  
Historic Sites  
Restoration Coordinator

Cc: Alexander F. Ciesluk, Jr., DEC Region #3  
Kenneth Graham, Crossroads Ventures LLC

FAXED: 1/6/03





New York State Office of Parks, Recreation and Historic Preservation  
Historic Preservation Field Services Bureau  
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

April 11, 2002

Kenneth Graham  
Project Manager  
Crossroads Ventures LLC  
P.O. Box 267, Andrew Lane Road  
Mount Tremper, NY 12457

Re: **SEQRA**  
**Belleayre Resort at Catskill Park**  
**Shandaken/Middletown, Ulster &**  
**Delaware Counties**  
**99PR4498**

Dear Mr. Graham:

You have provided our office with information that requests comment on this project. As the state agency responsible for the coordination of the state's historic preservation program, including the encouragement and assistance of local preservation efforts, the Office of Parks, Recreation and Historic Preservation offers the following comment:

Based upon our review of the submitted archeological information, the OPRHP has no further concerns regarding archeology: additional survey for the project is **not** warranted.

Based upon our review of the submitted plans, drawings and Draft Environmental Impact Statement, the OPRHP does not have substantial concerns regarding potential impacts to the existing historic resources. Considering the size and complexity of the project, it is noteworthy that the mansions and the outbuildings would not suffer substantial losses to the integrity of their settings. It was noted that the design has utilized available space and plant materials to help screen the project from the new development. However, considering the intensity of the development, it would be impossible to completely avoid some impact to the historic resources. Although a substantial project is planned for the mountainside, the use of local materials, low building heights and judicious site selection have minimized negative impact upon the historic properties to a great extent.

The OPRHP recommends that any work performed on the historic properties (both interior and exterior) utilize the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. Our office is willing to provide a courtesy review of the proposed work when the contract documents become available.

SEQRA  
Belleayre Resort at Catskill Park  
Shandaken/Middletown, Ulster &  
Delaware Counties  
99PR4498

Please inform our office if state or federal funding or permitting, licensing , etc. becomes involved with the project. A separate review from our office under state Section 14.09 or federal Section 106 will be required.

If you have any questions regarding this letter or any aspect of your project, please feel free to contact me at your convenience. Ext. 3273.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Markunas". The signature is fluid and cursive, with the first name "Kenneth" being more prominent than the last name "Markunas".

Kenneth Markunas  
Historic Sites  
Restoration Coordinator

Cc: Alexander F. Ciesluk, Jr., DEC Region #3



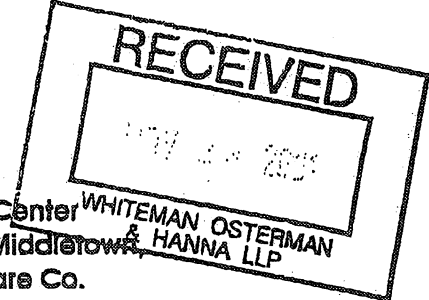
New York State Office of Parks, Recreation and Historic Preservation  
Historic Preservation Field Services Bureau  
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

November 21, 2001

Terresa M. Bakner  
Whiteman, Osterman & Hanna LLP  
One Commerce Plaza  
Albany, NY 12260

Re: Info. Request  
Belleayre Ski Center  
Shandaken/ Middletown  
Ulster/Delaware Co.  
99PR4498



Dear Ms. Bakner:

The Office of Parks, Recreation and Historic Preservation (OPRHP) has received the documentation that you provided on this project. As the state agency responsible for the coordination of the State's historic preservation programs, including the encouragement and assistance of local preservation efforts, we offer the following comments.

OPRHP has no further issues regarding project ground disturbance and archeology; additional archeological survey is not warranted.

Before we can offer our opinion of the construction portion of the work, we will have to review the project plans that depict the rehabilitation of existing structures, the construction of new buildings, and, landscape and topographic changes that attend the project. Please provide the requested information as soon as it becomes available so that we can complete our review of the project.

If you have any questions, please feel free to contact me at your convenience. Ext. 3273.

Sincerely,

Kenneth Markunas  
Historic Sites  
Restoration Coordinator

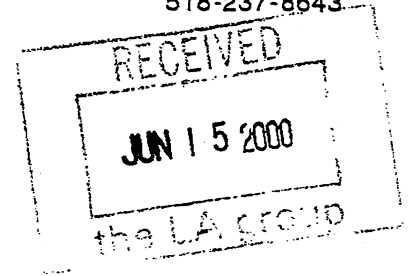


**New York State Office of Parks, Recreation and Historic Preservation**  
Historic Preservation Field Services Bureau  
Pebbles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

Bernadette Castro  
Commissioner

June 12, 2000



Kevin J. Franke  
The LA Group, P.C.  
40 Long Alley  
Saratoga Springs, New York 12866

Re: **INFO REQUEST**  
**Crossroads Ventures/Belleayre Ski**  
**Shandaken/Middletown, Ulster Co.**  
**99PR4498**

Dear Mr. Franke:

The State Historic Preservation Office (SHPO) has reviewed the submitted information in accordance with Section 106 of the National Historic Preservation Act of 1966 and relevant implementing regulations.

Enclosed, please find Archeology Comments that concur with the findings of the Phase 1A survey including the proposed 1B testing. Also included is a Resource Evaluation that identifies eligible and ineligible properties that were based upon the submitted Inventory Forms.

Before our office can offer an opinion on possible effects related to the project, we will need to review the additional archeological study along with the site improvement plans. Please forward this information if you want our continued involvement with the review of the project.

If you have any questions, please feel free to contact me at your convenience. Ext. 3273.

Sincerely,

Kenneth Markunas  
Historic Sites  
Restoration Coordinator

Attachments: Archeology Comments & Resource Evaluation

## ARCHAEOLOGY COMMENTS

### 99PR4498

OPRHP staff have reviewed the Phase 1A Review and Assessment Report prepared by Hartgen Archeological Associates, Inc. OPRHP concurs with the findings of the Phase 1A that portions of the project are sensitive to both prehistoric and historic archaeological deposits. OPRHP further concurs with the Sections 1 and 2 of the proposed Phase 1B testing plan. Section 3 discusses field testing. This testing should be conducted at a maximum of 50 foot intervals in all area considered sensitive for archeological deposits. A smaller interval may be utilized if indicated by conditions in the field. All parcels obtained after the date of the Phase 1A report, will need to be fully examined as part of the Phase 1B research.

Please contact Douglas Mackey at (518) 237-8643, ext 3291 for any questions regarding archaeological concerns.

**RESOURCE EVALUATION**

DATE: 5/16/00

STAFF: John A. Bonafide

PROPERTY: Multiple Sites

MCD: Shandaken/Middletown

ADDRESS: Multiple

COUNTY: Ulster/Delaware

PROJECT REF: 99 PR 4498

USN: Multiple

- I.  Property is individually listed on SR/NR:  
name of listing:
- Property is a contributing component of a SR/NR district:  
name of district:
- II.  Property meets eligibility criteria.
- Property contributes to a district which appears to meet eligibility criteria.
- Pre SRB:  Post SRB:  SRB date

**Criteria for Inclusion in the National Register:**

- A.  **Associated** with events that have made a significant contribution to the broad patterns of our history;
- B.  **Associated** with the lives of persons significant in our past;
- C.  Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or possess high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction;
- D.  **Have** yielded, or may be likely to yield information important in prehistory or history.

**STATEMENT OF SIGNIFICANCE:**

Based on the limited information provided for this project the following properties have been determined to meet the criteria for inclusion in the State and National Registers of Historic Places:

Woodchuck Hollow Rd. 11116.000073

The Turner Estate is an outstanding regional example of late-19<sup>th</sup> century Shingle style residential architecture.

NO ADDRESS 11116.000072

The Wildacres Hotel is an outstanding regional example of late-19<sup>th</sup> century Colonial Revival style residential architecture.

.chuck Hollow Rd.	11116.000069	The Turner Estate Gate House is an intact example of late-19 <sup>th</sup> century residential architecture. It is significant for its association with the overall estate.
Woodchuck Hollow Rd.	11116.000069	The Turner Estate Gate is significant for its association with the overall estate.
Woodchuck Hollow Rd.	11116.000069	The Turner Estate Carriage House is significant for its association with the overall estate.
Galli Curci Road	11116.000066	The Leach farm is an outstanding local example of an early 19 <sup>th</sup> century farmstead. The farmhouse may contain the remnants of a 18 <sup>th</sup> century building. The extant barns are associated with the farm's continued evolution and use into the twentieth century.
Galli Curci Road	02514.000088	The Sutter Estate is an outstanding regional example of early 20 <sup>th</sup> century Tudor Revival style estate house architecture.
Kraft Road	02514.000087	The Gate and estate walls are significant as remnants of a former estate.
Kraft Road	02514.000086	The Chapel is a significant example of regional Gothic Revival style ecclesiastical architecture. The building may also be significant for its association to local estates and the tourist industry.

Based on the limited information provided for this project the following properties have been determined to NOT meet the criteria for inclusion in the State and National Registers of Historic Places:

NYS Route 28	11116.000075	Jake Moon Rest.	NOT NRE
Route 49 A	11116.000070	USPO	NOT NRE

If you have any questions concerning this Determination of Eligibility, please call John A. Bonafide at (518) 237-8643, ext. 3263.



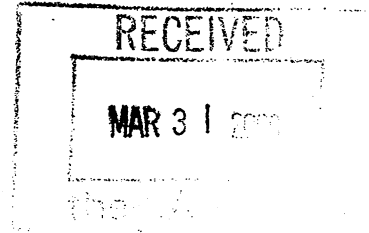
Bernadette Castro  
Commissioner

New York State Office of Parks, Recreation and Historic Preservation  
Historic Preservation Field Services Bureau  
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

March 29, 2000

Kevin J. Franke  
the LA Group, P.C.  
40 Long Alley  
Saratoga Springs, New York 12866



Dear Mr. Franke:

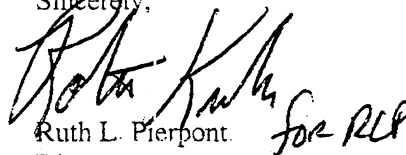
Re: INFO REQ  
Crossroads Ventures/Belleayre Ski Center  
Shandaken/Middletown, Ulster/Delaware County  
99PR4498

The State Historic Preservation Officer (SHPO) has reviewed the additional information you provided in accordance with Section 106 of the National Historic Preservation Act and relevant implementing regulations.

Comments and/or requests for additional information are noted on separate enclosures accompanying this letter. **A determination of effect will be provided only after ALL documentation requirements noted on these and previous enclosures have been met.** Any questions concerning our comments and/or requests for additional information should be directed to the appropriate staff person identified on each enclosure.

If you have any questions concerning this request, please call (518) 237-8643. When responding, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

  
Ruth L. Pierpont  
Director

RLP:bsd  
Enclosure(s)



# REQUEST FOR ADDITIONAL INFORMATION BUILDINGS/STRUCTURES/DISTRICTS

PROJECT NUMBER 99 PR 4498

In order for us to complete our evaluation of the historic significance of all buildings/structures/districts within or adjacent to your project area we will need the following additional information:

- Full project description showing area of potential effect.
- Clear, original photographs of buildings/structures 50 years or older  
 within or  immediately adjacent to the project area, *keyed to a site map.*
- Clear, original photographs of the surroundings looking out from the project site in all directions, *keyed to a site map.*
- Date of construction.
- Brief history of property.
- Clear**, original photographs of the following:
- Other: *Building/Structure Inventory Forms (Blue Forms) need to be completed for ALL buildings more than 50 years old. Especially the estates, their support buildings, gates and the church.*

Please provide only the additional information checked above. If you have any questions concerning this request for additional information, please call John A. Bonafide at (518) 237-8643 ext. 3263.

**PLEASE BE SURE TO REFER TO THE PROJECT NUMBER NOTED  
ABOVE WHEN RESPONDING TO THIS REQUEST**

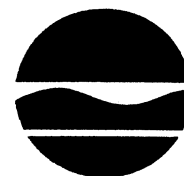
New York State Department of Environmental Conservation

Division of Fish, Wildlife & Marine Resources

Wildlife Resources Center - New York Natural Heritage Program

700 Troy-Schenectady Road, Latham, New York 12110-2400

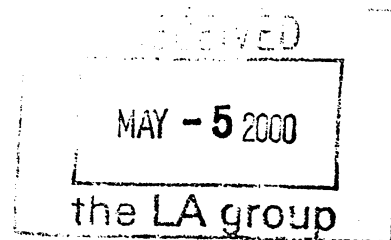
Phone: (518) 783-3932 FAX: (518) 783-3916



John P. Cahill  
Commissioner

May 4, 2000

Richard P. Futyma  
the LA Group  
40 Long Alley  
Saratoga Springs, NY 12866



Dear Mr. Futyma:

In response to your recent request, we have reviewed the New York Natural Heritage Program databases with respect to the proposed recreational facilities at the Belleayre Resort at the Catskill Park, area as indicated on the maps you provided, located in the Towns of Shandaken, Ulster County; and Middletown, Delaware County.

We have no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.

The absence of data does not mean, however, that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site, but rather that our files currently do not contain any information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. For these reasons, we cannot provide a definitive statement on the presence or absence of rare or state-listed species, or of significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

This response applies only to known occurrences of rare or state-listed animals, and plants, significant natural communities, and other significant habitats. For information regarding regulated areas or permits that may be required under state law (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

Sincerely,

*Betty Ketcham*  
Betty A. Ketcham Information Services  
NY Natural Heritage Program

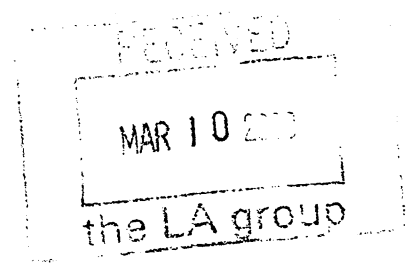
Enc.

cc: Reg. 3, Wildlife Mgr.  
Reg. 3, Fisheries Mgr.



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
3817 LUKER ROAD  
CORTLAND, NY 13045



March 6, 2000

Dr. Richard P. Futyma  
the LAgrouP, P.C.  
40 Long Alley  
Saratoga Springs, NY 12866

Dear Dr. Futyma:

This responds to your letters of January 19 and February 8, 2000, requesting information on the presence of Federally listed or proposed endangered or threatened species in the vicinity of the following locations:

1. The proposed resort and vacation home development on 1,900 acres owned by Crossroads Ventures, LLC, in the Towns of Middletown and Shandaken, Delaware and Ulster Counties, New York.
2. The proposed 50-home Arlington Heights subdivision by F.J. Zeronda, Incorporated, in the Town of Halfmoon, Saratoga County, New York.

Except for occasional transient individuals, no Federally listed or proposed endangered or threatened species under our jurisdiction are known to exist in the respective project impact areas. Therefore, no Biological Assessment or further Section 7 consultation under the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) is required with the U.S. Fish and Wildlife Service (Service). Should project plans change, or if additional information on listed or proposed species becomes available, this determination may be reconsidered.

The above comments pertaining to endangered species under our jurisdiction are provided pursuant to the Endangered Species Act. This response does not preclude additional Service comments under the Fish and Wildlife Coordination Act or other legislation.

For additional information on fish and wildlife resources or State-listed species in Ulster County, we suggest you contact:

New York State Department  
of Environmental Conservation  
Region 3  
21 South Putt Corners Road  
New Paltz, NY 12561  
(914) 256-3000

New York State Department  
of Environmental Conservation  
Wildlife Resources Center - Information Services  
New York Natural Heritage Program  
700 Troy-Schenectady Road  
Latham, NY 12110-2400  
(518) 783-3932

For additional information on fish and wildlife resources or State-listed species in Delaware County, we suggest you contact the New York State Department of Environmental Conservation (State) at the above address in Latham, New York, and the Region 4 Office at Route 10, Stamford, NY 12167 (telephone: [607] 652-7365). For Saratoga County, we suggest you contact the State at the above address in Latham, New York, and the Region 5 Office, Route 86, Ray Brook, NY 12977 (telephone: [518] 897-1333).

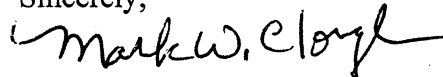
National Wetlands Inventory (NWI) maps may or may not be available for the respective project areas. However, while the NWI maps are reasonably accurate, they should not be used in lieu of field surveys for determining the presence of wetlands or delineating wetland boundaries for Federal regulatory purposes. Copies of specific NWI maps can be obtained from:

Cornell Institute for Resource Information Systems  
302 Rice Hall  
Cornell University  
Ithaca, NY 14853  
(607) 255-4864

Work in certain waters and wetlands of the United States may require a permit from the U.S. Army Corps of Engineers (Corps). If a permit is required, in reviewing the application pursuant to the Fish and Wildlife Coordination Act, the Service may concur, with or without stipulations, or recommend denial of the permit depending upon the potential adverse impacts on fish and wildlife resources associated with project implementation. The need for a Corps permit may be determined by contacting Mr. Joseph Seebode, Chief, Regulatory Branch, U.S. Army Corps of Engineers, 26 Federal Plaza, New York, NY 10278 (telephone: [212] 264-3996).

If you require additional information please contact Michael Stoll at (607) 753-9334.

Sincerely,

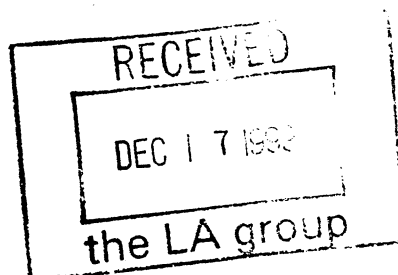
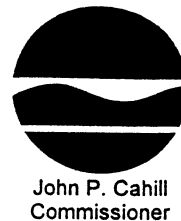


**ACTING FOR**

David A. Stilwell  
Field Supervisor

cc: NYSDEC, New Paltz, Ray Brook, and Stamford, NY (Environmental Permits)  
NYSDEC, Latham, NY  
COE, New York, NY

**New York State Department of Environmental Conservation**  
**Division of Fish, Wildlife and Marine Resources, Region 4**  
**Bureau of Wildlife**  
Route 10 – HCR 1, Box 3A, Stamford, New York 12167-9503  
**Phone:** (607) 652-7367 • **FAX:** (607) 652-2342  
**Website:** www.dec.state.ny.us



December 16, 1999

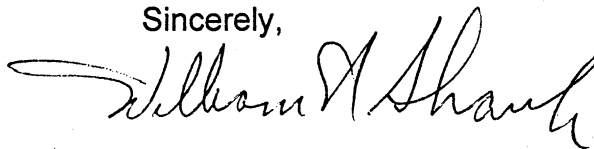
Mr Kevin J. Franke  
The LA Group  
40 Long Alley  
Saratoga Springs, NY 12866

Dear Mr. Franke:

Your letter of December 10 to the Wildlife Manager, NYSDEC, Region 4, requests information on deer wintering areas in the vicinity of Belleayre Mt. Ski Center.

Only the Delaware County portion of your area of interest lies within the jurisdiction of Region 4. We are not aware of any active confined deer wintering activity within that area.

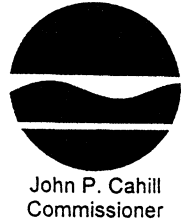
Sincerely,



William N. Sharick  
Senior Wildlife Biologist

WNS:lkc

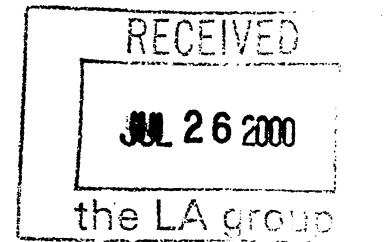
New York State Department of Environmental Conservation  
Division of Fish, Wildlife and Marine Resources, Region 3  
Bureau of Wildlife  
21 South Putt Corners Road, New Paltz, New York 12561-1696  
Phone: (845) 256-3091 • FAX: (845) 255-4659  
Website: www.dec.state.ny.us



July 20, 2000

Kevin J. Franke  
the LA group  
40 Long Alley  
Saratoga Springs, NY 12866

cc Sheila




RE: Belleayre Mt. Ski Center  
Ulster Co.

Dear Mr. Franke,

We have reviewed the Significant Habitat and Natural Heritage Program files with respect to the above referenced project as described and located in your letter and map. We found no records of endangered or threatened species in the area which you indicated the project would be located. You also inquired about deer wintering habitat. All deer information has already been provided to you by region 4 out of Stamford. The Naturalist at Belleayre is Rich Parisio 845-254-5600.

The absence of records does not necessarily mean that endangered or threatened species do not exist on or adjacent to the site, but rather that our files currently do not contain any information on the presence of these species. Our files are continually growing as new occurrences of endangered and threatened species are discovered. In most cases, site-specific or comprehensive surveys have not been conducted. For these reasons, we cannot provide a definitive statement on the presence or absence of species. Therefore, this information should not be substituted for on-site surveys that may be required for environmental impact assessment.

Sincerely,

  
Ted Kerpez  
Senior Wildlife Biologist  
Region 3

**New York State Department of Environmental Conservation**

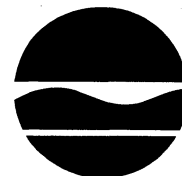
**Division of Operations**

**Bureau of Recreation, 3<sup>rd</sup> Floor**

625 Broadway, Albany, New York 12233-5253

**Phone:** (518) 457-2500 • **FAX:** (518) 402-9053

**Website:** www.dec.state.ny.us



Erin M. Crotty  
Commissioner

The LA Group

DEC 10 2002

RECEIVED

December 5, 2002

Mr. Kevin J. Franke  
The LA Group, PC  
40 Long Alley  
Saratoga Springs, New York 12866

Dear Mr. Franke:

This is in response to your request for information related to a revision of the 1998 Unit Management Plan for Belleayre Mountain including the Environmental Impact Statement.

Since the draft revision and the draft Environmental Impact Statement have not been completed, we have nothing to provide.

Thank you for your interest.

Sincerely yours,

Carl P. Wiedemann  
General Manager Forest Parks

cpw/p



January 2, 2002

Mr. Ken Graham  
Crossroads Ventures LLC.  
72 Andrew Lane Rd.  
PO Box 267  
Mt. Tremper, NY 12457

RE: NYSEG System Capacity

Dear Mr. Graham:

NYSEG has completed review of the load additions currently proposed associated with the Crossroads Ventures project in the town of Shandaken, NY. The loads include two separate demand areas totaling 4451 kva, one identified as Big Indian Plateau located on NYS Rt.28 and the second identified as Wildacres Resort located on County Rt. 49A. The capacity existing at the source for these areas in our Shandaken Substation is currently capable of supplying these loads with no additional equipment required. Furthermore, the distribution lines that are in service to these two specific areas currently have adequate capacity to support the new loads. The feed to the Big Indian Plateau site will be off of our existing line 459 and the feed for the Wildacres Resort site portion will be off of existing line 500. The take off from line 459 will require a permit from the NYS D.O.T.

Sincerely:

A handwritten signature in black ink, appearing to read "Mark Mahlmeister".

Mark Mahlmeister, PE  
Work Process Manager

CC: G. Miller, W.S. Sears, T. Kilpatrick



### **Service Provider Letter Attachments**

The following are the materials included with the letters of inquiry sent to various service providers requesting the providers to assess their ability to serve the project. The attachments consisted of a two-page description of the project components and a location map showing the project site and the project components on the project site.

## Overall Project Design and Layout

The project site consists of two tracts of land, one on either side of the Belleayre Mountain Ski Center.

The lands to the east of the Ski Center are collectively referred to as Belleayre Ridge. The components of the Belleayre Ridge include the Big Indian Country Club with the Winnisook Lodge as well as Belleayre Highlands.

### 1. Belleayre Ridge

#### A. Big Indian Country Club

1. 18-hole championship golf course
2. driving range
3. clubhouse
  - a. pro shop
  - b. 40 seat snack bar
  - c. locker rooms with steam and sauna
  - d. cart storage
  - e. limited public access
4. 35 four-bedroom club membership units
5. 60 three-bedroom club membership units in 20 triplex buildings

#### B. Winnisook Lodge

1. luxury hotel with 150 rooms
2. two(2) restaurants of 75 and 150 seats
3. bar with 50 seats
4. ballroom with 200 seats
5. four (4) meeting rooms
6. full service spa
7. available to club members, residents, hotel guests, and private functions

#### C. Belleayre Highlands

1. 88 2-bedroom club membership units in 22 quadplex units
2. clubhouse at Brisbane (Turner) mansion
  - a. game room
  - b. 25-seat snack bar
  - c. swimming pool
  - d. four (4) tennis courts

Proposed on lands to the east of the Ski Center are the Wildacres Resort, Highmount Estates and a Wilderness Activity Center.

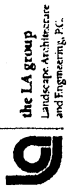
### 2. Wildacres Resort

#### A. 250 room hotel in three buildings

1. 100 1-bedroom suites in building across from Ski Center entrance
  - a. 10 shops
  - b. two (2) restaurants of 125 seats and 150 seats

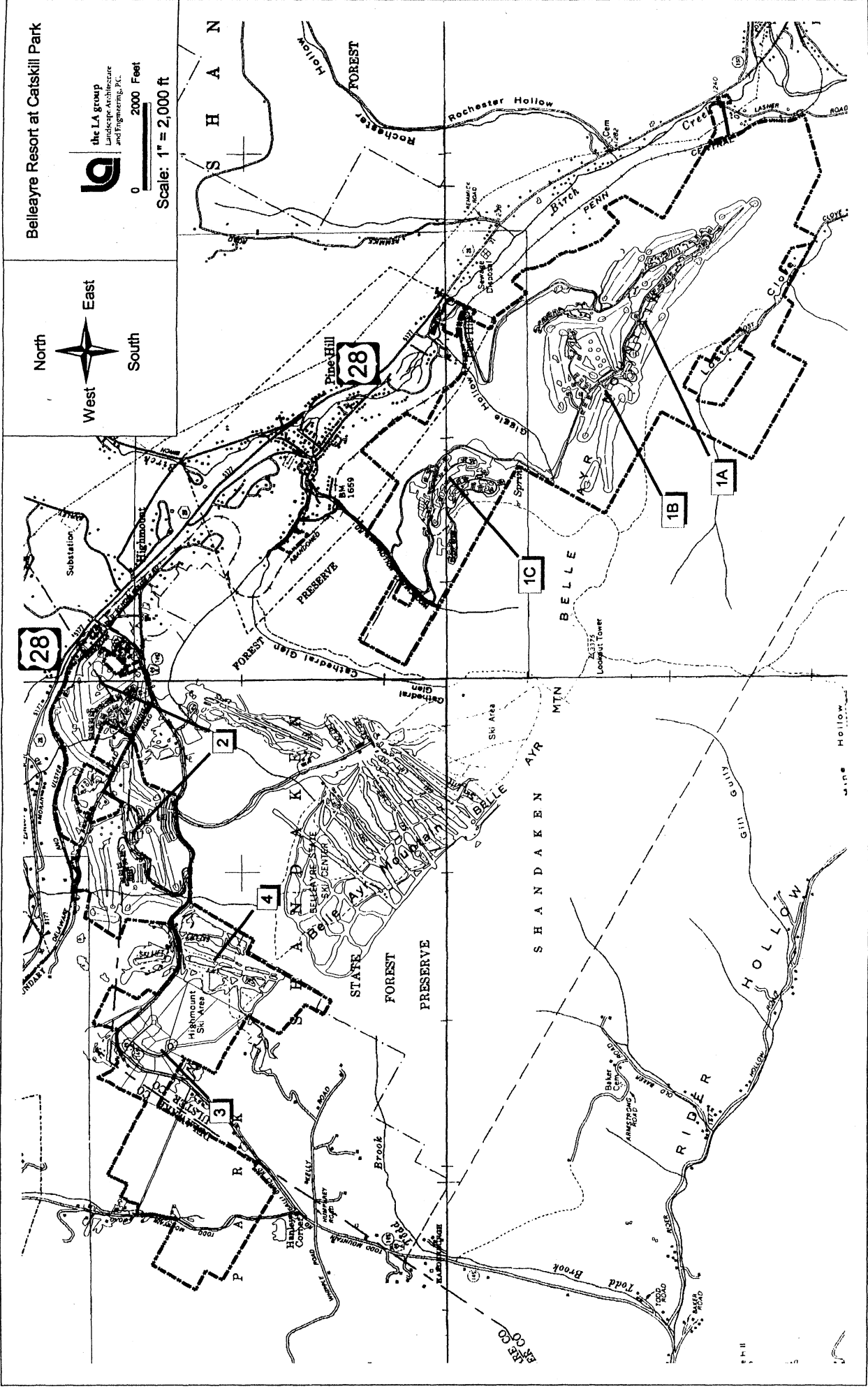
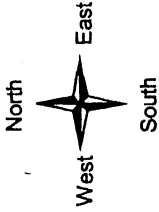
- c. 60-seat coffee shop
    - d. interfaith chapel
    - e. laundry
  - 2. Two buildings downhill
    - a. 100 1-bedroom suites
    - b. 50 1-bedroom suites
    - c. 80-seat snack bar
    - d. pool
  - 3. Existing Marlowe mansion to be third restaurant of 150 seats
  - 4. Convention center with ballroom/auditorium and kitchen
  - 5. 168 2-bedroom lodging units in 21 octoplex units
  - 6. clubhouse for octoplex occupants
  - 7. Highmount Golf Club
    - a. 18 hole golf course
    - b. driving range
    - c. clubhouse
      - 1. 40 seat snack bar
      - 2. pro shop
      - 3. cart storage
      - 4. limited public access
- 3. Highmount Estates – 21 lot subdivision for single-family, privately-owned homes
- 4. Wilderness Activity Center – day use for resort members and guests

Belleayre Resort at Catskill Park



0 2000 Feet

Scale: 1" = 2,000 ft



' 12-07-01 12:58 FROM-LA GROUP

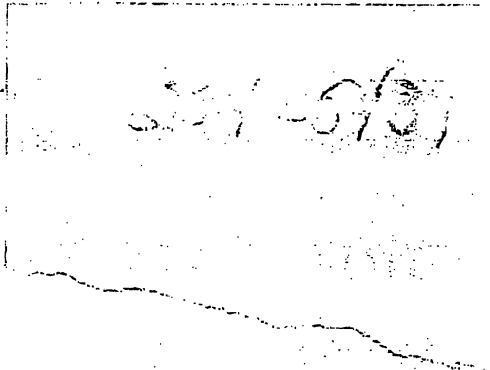
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T-712 P.04/04 F-535



Landscape Architecture and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/587-0180



December 7, 2001

Chief Lowell Smith  
Pine Hill Fire Company  
Pine Hill , NY 12465

**RE: Proposed Belleayre Resort at the Catskill Park**

Dear Chief Smith;

Previously Jay Baker of this office contacted you and your organization and requested information on existing public services. Now that the Belleayre Resort project has a more definite structure, we are requesting that you evaluate your organization's ability to provide services to this project. You will find included a summary of the proposed project and a corresponding map of the site. Please look these items over and determine whether your organization alone or in concert is able to provide adequate public services. If you feel that your current resources do not allow you to provide adequate service to the project, please provide a description. We would appreciate it if you could send us your response to the questions below via fax (518) 587-0180 or via mail with the enclosed self-addressed stamped envelope at your earliest convenience.

Thank you for your cooperation.

Sincerely,

Kevin J. Franke, Associate  
for  
The LA Group, P.C.

Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project. (  alone or  in concert with medical dept )

Signed Lowell Smith Title Chief Pine Hill Fire Co. No. 1

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Title \_\_\_\_\_

12-11-01

11:36

FROM-LA GROUP

5185870180

T-764

P.02/02

F-749

Landscape Architecture  
and Engineering, P.C.



40 Lung Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telex 518/587-0180

December 11, 2001

Chief Todd Wickham  
Fleischmanns Fire Department  
Fleischmanns, NY 12430

**RE: Proposed Belleayre Resort at the Catskill Park**

Dear Chief Wickham;

Previously Jay Baker of this office contacted you and your organization and requested information on existing public services. Now that the Belleayre Resort project has a more definite structure, we are requesting that you evaluate your organization's ability to provide services to this project. You will find included a summary of the proposed project and a corresponding map of the site. Please look these items over and determine whether your organization alone or in concert is able to provide adequate public services. If you feel that your current resources do not allow you to provide adequate service to the project, please provide a description. We would appreciate it if you could send us your response to the questions below via fax (518) 587-0180 or via mail with the enclosed self-addressed stamped envelope at your earliest convenience.

Thank you for your cooperation.

Sincerely,

Kevin J. Franke, Associate  
for  
The LA Group, P.C.

Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project. (  alone or  in concert with retail aid )

Signed [Signature] Title Chief

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Title \_\_\_\_\_

12-07-01 12:58 FROM-LA GROUP

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1-114 P.03/04



Landscape Architecture  
and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/587-0180

December 7, 2001

Chief John Rossitz  
Big Indian Fire Department  
Oliverea, NY 12443

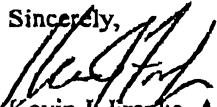
**RE: Proposed Belleayre Resort at the Catskill Park**

Dear Chief Rossitz;

Previously Jay Baker of this office contacted you and your organization and requested information on existing public services. Now that the Belleayre Resort project has a more definite structure, we are requesting that you evaluate your organization's ability to provide services to this project. You will find included a summary of the proposed project and a corresponding map of the site. Please look these items over and determine whether your organization alone or in concert is able to provide adequate public services. If you feel that your current resources do not allow you to provide adequate service to the project, please provide a description. We would appreciate it if you could send us your response to the questions below via fax (518) 587-0180 or via mail with the enclosed self-addressed stamped envelope at your earliest convenience.

Thank you for your cooperation.

Sincerely,

  
Kevin J. Franke, Associate  
for  
The LA Group, P.C.

Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project. (  alone or  in concert with MUTUAL AID DEPARTMENTS )

Signed John A. Rossitz Title CHIEF OF DEPARTMENT

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Title \_\_\_\_\_



Landscape Architecture  
and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/587-0180

February 7, 2001

Shandaken Rescue  
P.O. Box 91  
Phoenicia, NY 12464

RE: Proposed Belleayre Resort at the Catskill Park

Dear Mr. Pearlman,

I recently contacted you and your organization and requested information on existing public services. Now that the Belleayre Resort project has a more definite structure, we are requesting that you evaluate your organization's ability to provide services to this project. You will find included a summary of the proposed project and a corresponding map of the site. Please look these items over and determine whether your organization alone or in concert is able to provide adequate public services. If you feel that your current resources do not allow you to provide adequate service to the project, please provide a description. We would appreciate it if you could send us your response to the question via fax (518) 587-0180 or mail at your earliest convenience.

Thank you for your cooperation.

Sincerely,

Jay Baker, Planner  
for  
The LA Group, P.C.

Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project. (  alone or  in concert with \_\_\_\_\_ )

Signed Joseph Title CHIEF

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Title \_\_\_\_\_





**the LA group**  
Landscape Architecture  
and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/587-0180

February 7, 2001

Margaretville Memorial Hospital  
P.O.Box 200  
Route 28  
Margaretville, NY 12455

RE: Proposed Belleayre Resort at the Catskill Park

Dear Mr. Masse,

I recently contacted you and your organization and requested information on existing public services. Now that the Belleayre Resort project has a more definite structure, we are requesting that you evaluate your organization's ability to provide services to this project. You will find included a summary of the proposed project and a corresponding map of the site. Please look these items over and determine whether your organization alone or in concert is able to provide adequate public services. If you feel that your current resources do not allow you to provide adequate service to the project, please provide a description. We would appreciate it if you could send us your response to the question via fax (518) 587-0180 or mail at your earliest convenience.

Thank you for your cooperation.

Sincerely,

Jay Baker, Planner  
for  
The LA Group, P.C.

Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project. (  alone or  in concert with an associated health care facility )

Signed [Signature] Title CEO see below

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project.

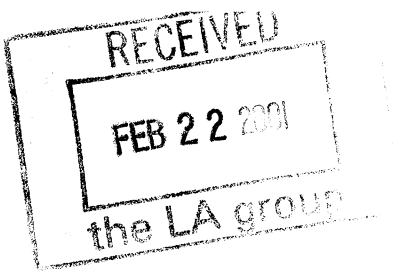
As many are aware MAMH is in the midst of a serious financial situation. Our ability to perpetuate as a going concern requires an effort which in the long term will assure viability. Assuming this occurs MAMH will be able to meet the needs.

Signed \_\_\_\_\_ Title \_\_\_\_\_



**the LA group**  
Landscape Architecture  
and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/587-0180



February 7, 2001

Kingston Hospital  
396 Broadway  
Kingston, NY 12401


RE: Proposed Belleayre Resort at the Catskill Park

Dear Ms. Purvis,

I recently contacted you and your organization and requested information on existing public services. Now that the Belleayre Resort project has a more definite structure, we are requesting that you evaluate your organization's ability to provide services to this project. You will find included a summary of the proposed project and a corresponding map of the site. Please look these items over and determine whether your organization alone or in concert is able to provide adequate public services. If you feel that your current resources do not allow you to provide adequate service to the project, please provide a description. We would appreciate it if you could send us your response to the question via fax (518) 587-0180 or mail at your earliest convenience.

Thank you for your cooperation.

Sincerely,

  
Jay Baker, Planner  
for  
The LA Group, P.C.

Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project. (  alone or  in concert with \_\_\_\_\_ )

Signed Anthony P. Marmo Title CEO

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project.

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\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Title \_\_\_\_\_



the LA group  
Landscape Architecture  
and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/587-0180

14 01 10-22 F.01

February 7, 2001

Benedictine Hospital  
105 Mary's Avenue  
Kingston, N.Y. 12401

RE: Proposed Belleayre Resort at the Catskill Park

Dear Mr. Dee,

I recently contacted you and your organization and requested information on existing public services. Now that the Belleayre Resort project has a more definite structure, we are requesting that you evaluate your organization's ability to provide services to this project. You will find included a summary of the proposed project and a corresponding map of the site. Please look these items over and determine whether your organization alone or in concert is able to provide adequate public services. If you feel that your current resources do not allow you to provide adequate service to the project, please provide a description. We would appreciate it if you could send us your response to the question via fax (518) 587-0180 or mail at your earliest convenience.

Thank you for your cooperation.

Sincerely,

Jay Baker, Planner  
for  
The LA Group, P.C.

Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project. (  alone or  in concert with \_\_\_\_\_ )

Signed John Finch - JOHN FINCH Title VICE PRESIDENT - CORPORATE DEVELOPMENT

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Title \_\_\_\_\_



**the LA group**  
Landscape Architecture  
and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/387-0180

February 7, 2001

New York State Police  
199 Onieda St.  
Oneonta, N.Y. 13820

RE: Proposed Belleayre Resort at the Catskill Park

Dear Sargent Leahy,

I recently contacted you and your organization and requested information on existing public services. Now that the Belleayre Resort project has a more definite structure, we are requesting that you evaluate your organization's ability to provide services to this project. You will find included a summary of the proposed project and a corresponding map of the site. Please look these items over and determine whether your organization alone or in concert is able to provide adequate public services. If you feel that your current resources do not allow you to provide adequate service to the project, please provide a description. We would appreciate it if you could send us your response to the question via fax (518) 587-0180 or mail at your earliest convenience.

Thank you for your cooperation.

Sincerely,

Jay Baker, Planner  
for  
The LA Group, P.C.

Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project. (  alone or  in concert with \_\_\_\_\_ )

Signed Gary Leahy Title ZONE SERGEANT - NYSP

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Title \_\_\_\_\_

March 14, 2001

Ulster County Sheriff's Department  
129 Schwenk Dr.  
Kingston, N.Y. 12401

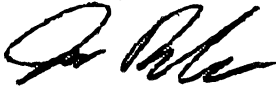
RE: Proposed Belleayre Resort at the Catskill Park

Dear Captain VanVliet,

I recently contacted you and your organization and requested information on existing public services. Now that the Belleayre Resort project has a more definite structure, we are requesting that you evaluate your organization's ability to provide services to this project. You will find included a summary of the proposed project and a corresponding map of the site. Please look these items over and determine whether your organization alone or in concert is able to provide adequate public services. If you feel that your current resources do not allow you to provide adequate service to the project, please provide a description. We would appreciate it if you could send us your response to the question via fax (518) 587-0180 or mail at your earliest convenience.

Thank you for your cooperation.

Sincerely,



Jay Baker, Planner  
for  
The LA Group, P.C.

Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project. (  alone or  in concert with State & Local Police )

Signed Jay C. Wood Title Undersheriff UCSO

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Title \_\_\_\_\_



**The LA Group**  
Landscape Architecture  
and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/587-0180

FEB 12 2001

February 7, 2001

Delaware County Sheriff's Department  
Court House  
Delhi, N.Y. 13753

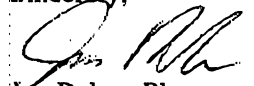
RE: Proposed Belleayre Resort at the Catskill Park

Dear Sheriff Mills,

I recently contacted you and your organization and requested information on existing public services. Now that the Belleayre Resort project has a more definite structure, we are requesting that you evaluate your organization's ability to provide services to this project. You will find included a summary of the proposed project and a corresponding map of the site. Please look these items over and determine whether your organization alone or in concert is able to provide adequate public services. If you feel that your current resources do not allow you to provide adequate service to the project, please provide a description. We would appreciate it if you could send us your response to the question via fax (518) 587-0180 or mail at your earliest convenience.

Thank you for your cooperation.

Sincerely,

  
Jay Baker, Planner  
for  
The LA Group, P.C.

Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project. (  alone or  in concert with New York State Police )

Signed  Title Under Sheriff

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project.

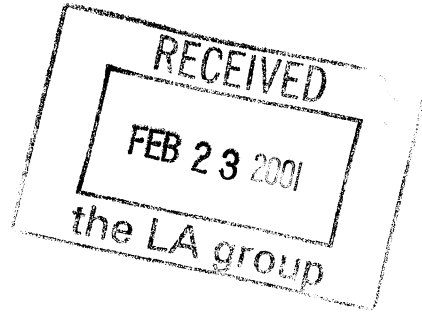
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\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Title \_\_\_\_\_



**the LA group**  
Landscape Architecture  
and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/587-0180



February 7, 2001

Shandaken Police Department  
Route 42  
Shandaken, N.Y. 12480

RE: Proposed Belleayre Resort at the Catskill Park

Dear Officer Ennist,

I recently contacted you and your organization and requested information on existing public services. Now that the Belleayre Resort project has a more definite structure, we are requesting that you evaluate your organization's ability to provide services to this project. You will find included a summary of the proposed project and a corresponding map of the site. Please look these items over and determine whether your organization alone or in concert is able to provide adequate public services. If you feel that your current resources do not allow you to provide adequate service to the project, please provide a description. We would appreciate it if you could send us your response to the question via fax (518) 587-0180 or mail at your earliest convenience.

Thank you for your cooperation.

Sincerely,

Jay Baker, Planner  
for  
The LA Group, P.C.

Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project. (  alone or  in concert with \_\_\_\_\_ )

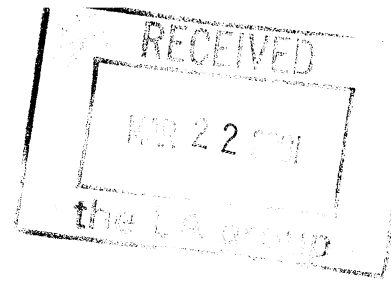
Signed W. James McShane Title OFFICER - IN-CHARGE

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Title \_\_\_\_\_

**DELAWARE COUNTY**  
**DEPARTMENT OF PUBLIC WORKS**  
P.O. BOX 311 DELHI, N.Y. 13753



**WAYNE D. REYNOLDS, P.E.**  
COMMISSIONER

Main Office and Yard  
Page Avenue  
Delhi, N.Y. 13753

Jay Baker, Planner  
The LA Group, PC  
40 Long Alley  
Saratoga Springs, NY 12866

re: Proposed Belleayre Resort - Request for information on existing service

Dear Mr. Baker,

In response to your letter dated 7 February 2001, the development plans for the proposed Belleayre Resort have been reviewed by our Department and the Delaware County Public Works Committee.

The Delaware County Department of Public Works provides disposal capacity for nonhazardous solid wastes and recyclables generated within Delaware County. To the extent that individual properties of the Belleayre Resort are located within Delaware County boundaries and the primary residence on such properties is located within Delaware County boundaries, then nonhazardous solid waste generated from these same individual residences may be disposed of at the Delaware County Solid Waste Management Center (SWMC) or an appropriate transfer station that utilizes the SWMC. Any and all properties located outside of Delaware County boundaries is not eligible to use the services of the County's solid waste program.

Specifically, the solid waste program provides for disposal of nonhazardous solid wastes (must be in clear plastic garbage bags), and mandatory recycling of newspaper; mixed magazines, office paper, and junk mail; corrugated cardboard; HDPE & PETE plastic bottles and jugs; clear, green, and brown glass bottles and jugs; metal food cans; bulk scrap metal; batteries; and appliances (including freon containing units). Household hazardous materials are accepted annually at our CLEAN SWEEP event.

Certain wastes are NOT accepted at the SWMC or any transfer station that utilizes the SWMC, including: liquids; leaves and yard waste; and commercial, industrial, and small quantity generator hazardous wastes. The Department can provide guidance for appropriate disposal of these items.

If you have any additional questions concerning our services, please feel free to contact me at the main office telephone number listed below.

Sincerely,  
  
Susan McIntyre  
Solid Waste Coordinator

cc: Leonard Utter, Middletown Supervisor

Main Office: 607-746-2128 Fax 607-746-7212  
Delhi Shop: 607-746-2127 Fax 607-746-2465

Sidney Center Patrol: 607-369-7651  
(Phone & Fax)

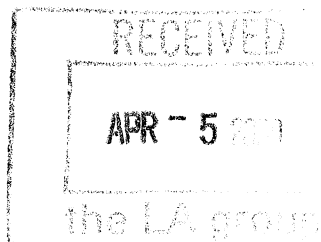
Solid Waste Management Center: 607-865-5805 Fax 607-865-2216



**DELAWARE COUNTY**  
**DEPARTMENT OF PUBLIC WORKS**  
PO BOX 311                      DELHI, NY 13753

WAYNE REYNOLDS, P.E.  
. COMMISSIONER OF PUBLIC WORKS  
. SUPERINTENDENT OF HIGHWAYS  
. COUNTY ENGINEER

Main Office and Yard  
Page Avenue, Delhi  
607/746-2128  
FAX 607/746-7212



To: - Jay Baker  
LA Group PC  
40 Long Alley  
Saratoga Springs, NY 12866

Fr: Susan McIntyre  
Delaware County DPW  
Solid Waste Coordinator

Re: Belle Ayr Mountain Project EIS  
Telephone interview information review

Dt: 2 April 2000

Jay,

I've reviewed your summary of our telephone conversation relative to the Belle Ayr Mountain development calling for the construction of recreational, hotel lodging, residential, and retail commercial facilities. Of the information you provided, I made changes only to item number 5, specifying recycling items to include bulk scrap metal and appliances, including refrigerant containing appliances. All the other items are correct as written.

Please feel free to contact me if you have additional questions. I'm am interested in the progress of this development project. Please keep me on your mailing list for notices as the work proceeds.

—Sue McIntyre



**the LA group**  
Landscape Architecture  
and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/587-0180



March 28, 2000

Delaware County DPW  
PO Box 311  
Delhi, NY 13753

Dear Ms. McIntyre,

The LA Group, P.C. is in the process of preparing an Environmental Impact Statement for a proposal on Belle Ayr Mountain to amend local zoning on a site in the Towns of Shandaken and Middletown. The project is located on a 1900 acre site, with the majority in the Town of Shandaken. It will consist of recreational, hotel lodging, residential and retail commercial facilities. The proposal is for 225 single-family homes, 200 time-share units, a 150 room hotel, 1,500 person open-air amphitheater, 80,000 to 100,000 sq. ft. retail commercial development, a club house and two 18 hole golf courses. The project site is currently wooded and is located near Fleischmanns and Pine Hill south of Route 28. Part of our task is to collect information about all public services that cover the area.

At your earliest convenience, please review the following information recorded during a phone interview. We would appreciate it if you could review this information for accuracy, change any inaccuracies, sign below (signifying that you have reviewed it) and send it back to us in the SASE.

Solid Waste information reviewed by: SUGAN McINTYRE - SOLID WASTE COORDINATOR - DELAWARE COUNTY DPW

1. Only waste generated in Delaware County may be disposed of in the County's solid waste facilities. Residential and Commercial waste must be separated, placed in clear plastic bags and transported by Private Haulers and Homeowners to transfer stations and the landfill. The nearest transfer station to the site is located in Middletown. The waste from the transfer stations is transported to the landfill located on Rt.10 outside of Walton, NY.
  2. Transfer Stations are located in Andes, Colchester, Davenport, Hancock, Middletown & Roxbury
  3. The annual daily average of residential waste generated is approximately 100 tons/day. The annual daily average for all waste (including recycling) accepted by the County is approximately 150 tons/day
  4. Construction and Demolition waste is disposed of at the landfill at a cost of \$45/ton. Clean wood may be disposed of for \$25/ton. The annual daily average of C&D waste generated is 10 tons.
  5. Recycling Items covered include: plastics, glass, metals, corrugated cardboard, newspaper, junk mail, mixed office & wood. and bulk metal & appliances (including freon containing appliances)  
*OK -> WOOD*
  6. Recyclables are transported to the Materials Recovery Facility, processed and sold to buyers.
  7. The current landfill life expectancy is 15 years.
- Thank you in advance for your assistance. Please feel free to contact us if you have any questions.

Yours truly,

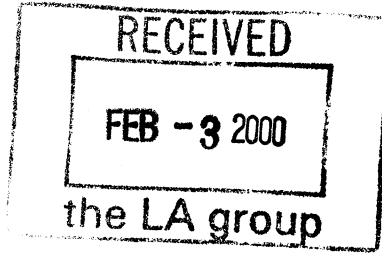
  
Jay Baker, Planner for the LA Group, P.C.

99089



**the LA group**  
Landscape Architecture  
and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/587-0180



JAN 31 2000

January 26, 2000

Ulster County Resource Recovery Agency  
P.O. Box 6219  
Kingston, NY 12402

Dear Mr. Tomaseski,

The LA Group, P.C. is in the process of preparing an Environmental Impact Statement for a proposal on Belle Ayr Mountain by Crossroads Ventures to amend local zoning on a site in the Towns of Shandaken and Middletown. The project is on a 1900 acre site, with the majority located in the Town of Shandaken. It will consist of a mix of recreational, hotel lodging facilities, residential and retail commercial development. The proposal is for 225 single-family homes, 200 time share units, a 150 room hotel, 1,500 person open-air amphitheater, and an 80,000 to 100,000 sq. ft. retail commercial development, a club house and two, 18 hole golf courses. The project site is currently wooded and is located south of Pine Hill and south of Route 28. Part of our task is to collect information about all public services that cover the area.

At your earliest convenience, please review the following information recorded during a phone interview. We would appreciate it if you could review this information for accuracy, change any inaccuracies, sign below (signifying that you have reviewed it) and send it back to us in the SASE.

Solid Waste information reviewed by: FRANK TOMASESKI

1. Residential waste is transported by Private Haulers and Homeowners to transfer station. The waste is then transported from the transfer stations to Ontario, Canada or Keystone, PA. *Sullivan County*
2. Transfer Stations are located in Kingston and New Paltz.
3. The amount of residential waste generated: 87514 total MSW
4. Construction and Demolition waste is disposed of at the transfer stations.
5. The amount of C&D waste generated: 11/4
6. Recycling Items covered include: plastics, glass, metals, wood, newspaper & junkmail *Card boards*
7. Recyclables are picked up by buyers *picked up by MARKET or Delivered to MARKET*

Thank you in advance for your assistance. Please feel free to contact us if you have any questions.

Yours truly,

Jay Baker, Planner for The LA Group, P.C.



Landscape Architecture  
and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/587-0180

February 7, 2001

Time Warner Cable  
27 Industrial Dr.  
Middletown, N.Y. 10940

**TWI Cable, Inc.  
Mid Hudson Region  
PO Box 610  
Port Ewen, NY 12466**

RE: Proposed Belleayre Resort at the Catskill Park

Dear Mr. Russell,

As part of an Environmental Impact Statement, I am gathering information on the ability of local organizations to provide services to the proposed Belleayre Resort. We are requesting that you evaluate your organization's ability to provide services to this project. You will find included with this request, a summary of the proposed project and a corresponding map of the site. Please look these items over and determine whether your organization alone or in concert is able to provide adequate public services. If you feel that your current resources do not allow you to provide adequate service to the project, please describe the reason. We would appreciate it if you could send us your response to these questions via fax (518) 587-0180 or mail at your earliest convenience.

Thank you for your cooperation.

Sincerely,

Jay Baker, Planner  
for  
The LA Group, P.C.

Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project. (  alone or  in concert with \_\_\_\_\_ )

Signed \_\_\_\_\_ **JAMES SMISETH** Title Project Manager

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project.  
**MID HUDSON CONSTRUCTION MANAGER**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Title \_\_\_\_\_



Landscape Architecture  
and Engineering, P.C.  
40 Long Alley  
Saratoga Springs  
New York 12860  
518/587-8100  
Telex 518/587-0180

February 7, 2001

Verizon  
Engineering Dept.  
Phoenicia, N.Y. 12464

RE: Proposed Belleayre Resort at the Catskill Park

Dear Mr. Voetsch,

As part of an Environmental Impact Statement, I am gathering information on the ability of local organizations to provide services to the proposed Belleayre Resort. We are requesting that you evaluate your organization's ability to provide services to this project. You will find included with this request, a summary of the proposed project and a corresponding map of the site. Please look these items over and determine whether your organization alone or in concert is able to provide adequate public services. If you feel that your current resources do not allow you to provide adequate service to the project, please describe the reason. We would appreciate it if you could send us your response to these questions via fax (518) 587-0180 or mail at your earliest convenience.

Thank you for your cooperation

Sincerely,

Jay Baker, Planner  
for  
The LA Group, P.C.

Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project (  alone or  in concert with \_\_\_\_\_ )

Signed Joseph J. Intrich Title DSP ENGINEER

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Title \_\_\_\_\_



**the LA group**  
Landscape Architecture  
and Engineering, P.C.  
40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax: 518/587-0180

February 7, 2001

Margaretville Telephone Company  
PO Box 260  
Margaretville, N.Y., 12455

RE: Proposed Belleayre Resort at the Catskill Park

Dear Mr. Hinkley,

As part of an Environmental Impact Statement, I am gathering information on the ability of local organizations to provide services to the proposed Belleayre Resort. We are requesting that you evaluate your organization's ability to provide services to this project. You will find included with this request, a summary of the proposed project and a corresponding map of the site. Please look these items over and determine whether your organization alone or in concert is able to provide adequate public services. If you feel that your current resources do not allow you to provide adequate service to the project, please describe the reason. We would appreciate it if you could send us your response to these questions via fax (518) 587-0180 or mail at your earliest convenience.

Thank you for your cooperation.

Sincerely,

Jay Baker, Planner  
for  
The LA Group, P.C.

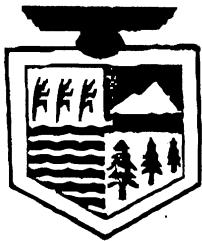
Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project. (  alone or  in concert with \_\_\_\_\_ )

Signed  Title Gen Manager

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project.  
SEE ATTACHED  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Title \_\_\_\_\_



# ONTEORA CENTRAL SCHOOL DISTRICT

(914) 657-6383

BOICEVILLE, NEW YORK 12412

EXCELLENCE IN EDUCATION

June 29 2001  
3 pages total

### FACSIMILE COVER SHEET

FAX NUMBER - 914 - 657-8742

To: Jay Baker

FAX No: (518) 587-0180

Date: 6-28-01

Number of Pages: 3 page(s)

Description of Document: A. Handed out 10 yr contract proposal

9/2  
227  
8616





# MARGARETVILLE CENTRAL SCHOOL

415 MAIN STREET, P.O. BOX 319  
MARGARETVILLE, NEW YORK 12455

Building Principal/  
Assistant Superintendent  
John J. Szakmary

MARCIA L. LAMKIN, SUPERINTENDENT

Treasurer  
Karen H. Dietrich

Telephone 845-586-2647  
FAX 845-586-2949

## FACSIMILE MESSAGE SHEET

DATE: 2/21/2001

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Jay Baker  
LA Group

FAX NUMBER: 518 587 0180

FROM: Marcia L Lamkin

MARGARETVILLE CENTRAL SCHOOL  
415 MAIN STREET, PO BOX 319  
MARGARETVILLE, NEW YORK 12455

WE ARE SENDING 2 PAGES (INCLUDING THIS PAGE)

IF YOU DO NOT RECEIVE ALL PAGES,  
PLEASE CALL BACK AS SOON AS POSSIBLE.

# Margaretville Central School

## Student Enrollment

Grade	Actual						Projected				
	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
K	41	55	38	38	46	45	30	35	40	40	35
1	50	41	55	47	47	46	45	30	35	40	40
2	44	50	41	55	47	47	46	45	30	35	40
3	40	44	50	41	55	46	38	46	45	30	35
4	36	40	44	50	41	55	46	38	46	45	30
5	45	36	40	44	50	43	55	46	38	46	45
6	37	45	36	40	44	48	43	55	46	38	46
7		36	45	35	40	44	48	42	55	46	38
8			36	44	35	40	44	48	42	55	46
9				36	44	35	40	44	48	42	55
10					36	44	35	40	44	48	42
11						36	44	35	40	44	48
12							36	44	35	40	44

Check the statement which applies and provide additional information as requested.

Yes, our organization has the capability to service the Belleayre Resort at the Catskill Park project. (  alone or \_\_\_\_\_ in concert with \_\_\_\_\_ )

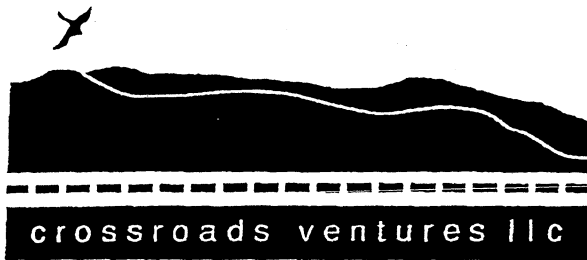
Signed \_\_\_\_\_ Title \_\_\_\_\_

No, our organization does not have the capability to service the Belleayre Resort at the Catskill Park project. For the following reasons we are unable to adequately serve the project.

Signed Marcia J. Franklin Title Superintendent of Schools

\* With the understanding that probably only the privately-owned homes in Highmount Estates might house school-aged children.

M. J. Franklin



The Hon. Rose Marie Vernon,  
Village of Fleischmanns,  
New York, 12430

December 3, 2001


Dear Mayor Vernon:

Crossroads Ventures LLC is in the process of evaluating alternative water supplies which might be available for that portion of its proposed development known as the Wildacres Resort. Crossroads would like to know whether the Village would be interested in providing such a water supply to this resort. In that event, Crossroads would accept full responsibility for studying and evaluating the adequacy of the Village water supply, and would, in addition, pay for the costs of treating any water which would be used for Wildacres. Crossroads would, of course, pay for any water it uses at rates to be established with the Village.

We are not, at this time, asking for the Village to commit itself irretrievably to selling water for the resort. For Crossroads to expend the resources necessary to evaluate the suitability of this source as an alternative, however, we need an expression of interest from the Village and the Village's cooperation, at absolutely no expense or inconvenience to the Village, in conducting the necessary technical studies and interfacing with the appropriate regulatory agencies.

Thank you for your consideration of this request. Please let me know in writing if this approach is acceptable to the Village.

Very truly yours,

  
Dean Gitter,  
Managing Partner

ROSE MARIE VERNON  
MAYOR  
LORRAINE DE MARFIO  
VILLAGE CLERK

THE VILLAGE OF FLEISCHMANN'S  
TOWN OF MIDDLETOWN-DELAWARE COUNTY  
FLEISCHMANN'S, NEW YORK 12430  
<http://www.catskill.net/fleisch>  
PHONE: (845)254-5514

Main Street  
P.O. 339  
FAX: (845)254-4571

December 10, 2001

Dean L. Gitter  
Crossroads Ventures, LLC  
72 Andrew Lane  
Mt. Tremper, New York 12457

Re: Village Water Supply to the Proposed  
Wildacres & Highmount Developments

Dear Mr. Gitter:

The Village of Fleischmann's has received your letter of Dec. 3, 2001 regarding the potential of the Village supplying water to the Wildacres & Highmount developments proposed by Crossroads Ventures.

In light of your letter, we have reviewed our past and current water system operation and use, as well as a study of our water resources prepared by a qualified hydro geologist. We have also reviewed the finances and needs of our current water system.

While we are not in a position to make a firm commitment and enter a specific agreement at this time, we offer Crossroads Ventures this letter as an expression of interest in selling water to the proposed developments. This letter does not commit the Village or Crossroads to the supply and purchase of water, but provides a basis for which that arrangement can be explored. Based on our preliminary review, it appears that such an arrangement would be beneficial to both the Village & Crossroads.

We are aware that a number of actions, potentially including improvements to our system, will have to be undertaken to make such an arrangement a reality. This letter



**Delaware Engineering, P.C.**

28 Madison Avenue Extension  
Albany, New York 12203

Tel: 518.452.1290  
Fax: 518.452.1335

---

December 14, 2001

Roger A. France, P.E.  
Senior Sanitary Engineer  
New York State Department of Health  
28 Hill Street  
Suite 201  
Oneonta, NY 13820

Re: Public Water Supply  
Village of Fleischmanns  
Delaware County

Dear Mr. France:

Crossroads Ventures, LLC (Crossroads) is preparing documentation for an environmental review under the State Environmental Quality Review Act (SEQR) for a proposed recreational development located in both Ulster and Delaware counties. A portion of the development, known collectively as Wildacres Resort and Highmount Golf Club, is located in the Town of Middletown, Delaware County, adjacent to the Village of Fleischmanns. Delaware Engineering (Delaware) is providing assistance to Crossroads in addressing the water supply and wastewater disposal needs of the proposed development. In exploring alternatives for water supply to the Wildacres/Highmount development, the Village of Fleischmanns public water supply was identified as a potential source of potable water for the development.

After initial discussions with Village representatives, representatives from Delaware together with hydrogeologists from Alpha Geoscience, Latham, New York, reviewed system assets and Department of Health records, and interviewed the water system operator. This preliminary review resulted in a further, more detailed study of the quantity and quality of the Village's sources of water. A study and report, entitled *Water Supply Evaluation, Village of Fleischmanns, Delaware County, New York, December 21, 2000*, was prepared by Alpha Geoscience. The purpose of the study was to identify and discuss the sources of water controlled and used by the Village of Fleischmanns for potable water supply. The intent was to assess whether adequate water resources exist for the Village to consider supplying water to Crossroads. The study was not commissioned by the Village and was not intended to address the current operational status or repairs needed for the Village water system. Copies of the study were supplied to the Village and your office. Your letter of March 2000 (attached) recognizes receipt of the study report and identifies a number of concerns regarding the sources, treatment, and distribution of water in the Village system.

Recently, representatives of Crossroads and the Village met to discuss the potential of the Village supplying water to the development. A variety of topics were covered in the meeting including the current condition of the village system, the source capacity, and the steps that might be taken to allow the Village to supply water to the development. This meeting resulted in Crossroads' written request for a written expression of interest from the Village to provide water to the proposed development. The Village responded with an affirmative written letter of interest. Copies of both correspondences are provided as attachments to this letter.

A number of measures are anticipated to make the provision of Village water to the development a reality. The overall relationship between Crossroads and the Village will be evaluated, with the likely result being a formal water purchase agreement. Crossroads would be an out-of-district user to the Village water supply. The Village would establish a water rate for raw water and/or bulk use.

The primary source(s) of water for the resort may be developed as separate sources from the Village supply. Preliminary investigation has determined that the drilling of a new well or wells on Village land up gradient of the existing Village covered reservoir and adjacent to the Ulster County rail road property may provide viable water for the development. The well or wells would be located, drilled, cased, grouted, set, pump tested and sampled for water quality in accordance with Department of Health and Village guidance and standards. Documentation supporting the lack of impact on other public water supplies as well as information necessary to determine the potential influence of surface water would be provided for the new well or wells.

Crossroads would likely propose to buy raw, untreated water from the Village, necessitating a pump station to convey water up to the development parcel. The well and pump station would be owned, operated, and maintained by the Village. The backup source for the development could be the blended spring and well waters in the Village reservoir. The capacity of the springs and wells was established in the December 2000 Alpha Geoscience report. Based on the concerns stated in your March 2000 letter regarding spring flows during draught periods, spring measurements for December 2001 were taken. The springs yielded 64 gpm or 92,160 gpd under draught conditions.

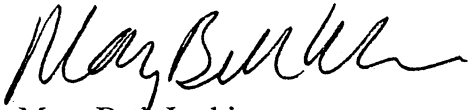
Since Crossroads would receive raw, untreated water from the Village, a transportation corporation would be formed to hold the permit for the water supply and to be responsible for treatment, distribution, and maintenance.

This approach to water supply from the Village to the development would not impact existing Village source water capacity or treatment, but would supply the Village with revenue that could be used to address source upgrades, treatment issues and distribution system problems in the Village.

Your comments on this approach to water supply for the proposed development would be very helpful in continuing our water supply investigation and environmental review. We seem to have an opportunity to create a win-win situation whereby Crossroads has a

quality water supply and the Village of Fleischmanns is provided with needed water system revenue. I can be reached at 518-452-1290 if you have any questions or need further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Beth Larkin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mary Beth Larkin  
Project Manager

C: ~~D.~~ Gitter, Crossroads Ventures, LLC  
R.M. Vernon, Mayor, Village of Fleischmanns

Att.



**STATE OF NEW YORK  
DEPARTMENT OF HEALTH**

Office of Public Health

Oneonta District Office

28 Hill St., Ste. 201

Oneonta, New York 13820

(607) 432-3811

FAX (607) 432-0089

Antonia C. Novello, M.D., M.P.H., Dr.P.H.  
*Commissioner*

Dennis P. Whalen  
*Executive Deputy Commissioner*

December 27, 2001

Ms. Mary Beth Larkin  
Delaware Engineering, P.C.  
28 Madison Avenue Extension  
Albany, New York 12203

Re: Proposed Temporary Residence/  
Public Water Supply  
**Wildacres Resort**  
Fleischmanns Village  
Delaware County

Dear Ms. Larkin:

Your letter of December 14, describing a possible arrangement whereby the Village of Fleischmanns would sell raw water to the proposed Wildacres Resort complex, from a new well, has been considered. This office would have no objection to such an arrangement. Since this arrangement would not use the Village's existing water system, a determination of potential effects on the existing system is obviously not needed. The owners/operators of the Wildacres Resort complex would, of course, have to comply with design and operation requirements for public water supplies, as you have stated.

If Wildacres Resort were to purchase treated water from the existing Village system, certain upgrades to the Village system would be required. In particular, any arrangement that would exacerbate any of the water quality and quantity concerns outlined in my letter of March 2, 2001 would require upgrade or compensation measures. This office has no objection to arrangements of this sort, either, as long as these concerns are addressed satisfactorily by the Village and/or Crossroads Ventures.

One final comment: we note you have measured the output of the Village springs recently (64 gpm). Because current drought conditions in the area are severe (although not of record levels), we would consider some portion of this flow as legitimate source "capacity" when making source vs. demand calculations.

Do not hesitate to contact me with any additional questions on these issues.

Sincerely,

Roger A. France, P.E.  
Senior Sanitary Engineer

cc: Mayor Vernon and Fleischmanns Village Board  
Mr. Myers, Village of Fleischmanns Water Superintendent  
Rettew Engineering  
Mr. Phillips, Bureau of Public Water Supply Protection

RAF:cmh





**RAINBOW MT CONSTR. CORP  
PO BOX 24  
GRAND GORGE NY 12434**

Crossroads Ventures LLC  
PO Box 267  
Mt Tremper NY 12457  
Re: Fill and Routing

2/15/01

Dear Sirs:

I am writing on behalf of my company, Rainbow Mt Construction Corp. with regard to your needs for fill, top soil, and trucking for the Belleayre Resort at Catskill Park. I have been provided with your current estimates on the amount of fill that may be required (see Attachment A hereto). I have identified sources that have valid permits which can provide the amount and kind of materials as set forth therein.

These materials will be trucked from points that will involve travel on State Routes 23 and 23A, Route 42 and Route 28. I can assure you that the vehicles carrying materials will all conform to every regulation and that the drivers will obey all existing rules and regulations. The experience of my firm will testify to that pledge.

Should you require any additional information, please advise.

Very truly yours,

*Gil Du Mond*

Gil Du Mond  
President

**RESOLUTION NO. 135**

**TITLE: RESOLUTION SUPPORTING THE DEVELOPMENT OF THE BELLEAYRE RESORT AT CATSKILL PARK**

**WHEREAS**, the Crossroads Ventures LLC has proposed investing over \$240 million in Delaware and Ulster Counties to develop the Belleayre Resort at Catskill Park; and

**WHEREAS**, the Belleayre Resort at Catskill Park will provide visitors to this region with a variety of outdoor recreation and lodging opportunities, and will compliment and enhance Delaware County's efforts to promote the region as a tourism destination; and

**WHEREAS**, the Belleayre Resort at Catskill Park is projected to create up to 542 full-time jobs and a total of 747 new jobs with an annual payroll exceeding \$20 million; and

**WHEREAS**, this project is projected to spur an additional \$28 million in annual tourism spending; and

**WHEREAS**, Delaware County will receive an estimated \$882,606.00 in new tax revenues annually when the resort is completed; and

**WHEREAS**, the Crossroads Venture LLC has made every effort to comply with all applicable environmental and related regulations.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors does hereby express its support for the development of the Belleayre Resort at Catskill Park; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors is hereby authorized and directed to forward a certified copy of this resolution to Governor George E. Pataki, Erin M. Crotty, Commissioner of the NYS Department of Environmental Conservation, John P. Cahill, Secretary to the Governor, and Christopher O. Ward, Commissioner of the NYC Department of Environmental Protection.

State of New York  
County of Delaware

I, Christa M. Schafer, Clerk of the Board of Supervisors of Delaware County, do hereby certify that the above is a true and correct copy of a resolution adopted by said Board on the 8<sup>th</sup> day of May, 2002 and the whole thereof.



**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Board at Delhi, New York, this 9<sup>th</sup> day of May, 2002.

*Christa M. Schafer*  
Clerk, Delaware County Board of Supervisors



Delaware County Board of Supervisors

## DELAWARE COUNTY, NEW YORK

111 Main Street, Delhi, New York 13753

Phone No. (607) 746 - 2603

Fax No. (607) 746 - 7012

James E. Eisel Sr., Chairman

Christa M. Schafer, Clerk

June 3, 2002

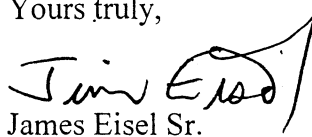
Dean L. Gitter  
Crossroads Ventures  
72 Andrew Lane Road  
PO Box 267  
Mt. Tremper, NY 12457

*Dear*  
Dear Mr. Gitter:

It was a pleasure talking with you at our annual Republican Dinner on June 1<sup>st</sup>. Forgive my oversight in not sending you a copy of the Crossroads resolution which passed unanimously on May 8, 2002.

I think the economic impacts of such a project are sensational. I was impressed with your thorough presentation to our Board of Supervisors and we all wish you the very best with the many challenges before you.

Yours truly,



James Eisel Sr.  
Chairman of the Board

JEE:cms



ULSTER COUNTY DEVELOPMENT CORPORATION

July 17, 2002

Editor  
Daily Freeman  
79 Hurley Avenue  
Kingston, NY 12401

Dear Editor:

As ones who live, work, or play in Ulster County, we know first-hand that this is one of the most beautiful places on earth. With the historic Hudson River as our front door and the Catskill Mountains as our backyard, we enjoy a quality of life not shared by many.

Just as important, we understand the importance of developing the county's economy as a way to protect and preserve our way of life. This is the key to shaping Ulster County's future.

We all recognize that economic vitality is crucial to the health of our communities and that natural, scenic, cultural, and historic resources are important community assets. Thus, the choice that we make about our future should be made to accommodate economic development while preserving vital natural resources.

Communities and business must work collaboratively. And the process of arriving at the vision for our communities' future should be open and inclusive. By working together we can maintain a dynamic process of economic growth and community revitalization.

The Chamber of Commerce of Ulster County and the Ulster County Development Corporation believe that this should be the goal of the current discussion regarding the proposed Belleayre Resort at Catskill Park.

Ulster County has a long and proud heritage as a tourism destination. The Belleayre Resort at Catskill Park can build upon that heritage while also enhancing the economic vitality of Ulster County.

We all look to the future with hope and optimism. But we must also look to the present with candor and evenness. With this in mind, let us move forward.

5 Development Court • Kingston, New York 12401-1949  
(845) 338-8840 • fax: (845) 338-0409  
web: [www.ulsterny.com](http://www.ulsterny.com) • e-mail: [develop@ulsterny.com](mailto:develop@ulsterny.com)

Daily Freeman

Page 2

July 17, 2002

The prospects of the Belleayre Resort at Catskill Park must, and should, be thoroughly reviewed. We should all participate in the discussions, provide input and work towards the formulation of a plan that allows for the balancing of development and preservation and maintain the quality of life that we know and hold dear here in Ulster County.

Sincerely,

Thomas A. Collins  
Chairman  
Ulster County Development Corporation

Jack Young  
Chairman  
Chamber of Commerce of Ulster County

TAC:JY:lmc



1 Albany Avenue (Suite G3)  
Kingston, New York 12401-2998

Phone: 845-338-5100  
Fax: 845-338-0968  
E-mail: info@ulsterchamber.org

October 29, 2002

Erin M. Crotty, Commissioner  
NYS Department of Environmental Conservation  
625 Broadway  
Albany, NY 12233-1010

Dear Commissioner Crotty:


Members of the Ulster County Chamber of Commerce have been following the Crossroads Ventures proposal for the Belleayre Resort at Catskill Park since developer Dean Gitter announced it. Mr. Gitter has made two public presentations, a year apart, to our organization. The local media has written about it extensively. Public hearings and meetings have given us ample opportunity to understand what is being proposed, and how it will impact our county and our region.

When members of the Chamber asked our Board to take a position on this matter, we arranged for further meetings with the developer to pursue questions and concerns in more depth. We also reviewed the process this project must complete under the mandate of the State Environmental Quality Review Act. We understand this to be one of the most comprehensive and stringent environmental review procedures in the country.

Having done due diligence, our Board of Directors deliberated the matter and voted to endorse the project, subject to favorable completion of the environmental review efforts and granting of permits required by the regulatory agencies. As people who live and work in Ulster County, we are all eager to protect the environment that draws permanent residents and visitors. But we do not believe that environmental protection and economic development must be mutually exclusive. The jobs this project will create, the spin offs for other local businesses, and the increased tax base for town, county, and state are very important in our overall economic development picture.

Our Chamber of Commerce is convinced that you and other regulators can balance the economic and environmental needs and we will support you in your efforts to do so.

Very truly yours,

  
Jack Young  
Chairman of the Board





ULSTER COUNTY DEVELOPMENT CORPORATION

November 14, 2002

The Honorable Erin M. Crotty  
Department of Environmental Conservation  
625 Broadway  
Albany, New York 12233

Dear Commissioner Crotty:

On behalf of the Ulster County Development Corporation I would like to express strong and enthusiastic support for the proposed Belleayre Resort at Catskill Park which is currently under review by the Department of Environmental Conservation.

We in Ulster County recognize our community as one of the most beautiful places on earth. With the historic Hudson River as our front door and the Catskill Mountains as our back yard, we enjoy a quality of life not shared by many.

Just as important, we understand the importance of developing the county's economy as a way to protect and preserve our way of life. This is the key to shaping Ulster County's future.

We all recognize that economic vitality is crucial to the health of our communities and that natural, scenic, cultural, and historic resources are important community assets. Thus the choices that we make about our future should be to accommodate economic development while preserving vital natural resources.

Communities and business must work collaboratively. And the process of arriving at the vision for our communities' future should be open and inclusive. By working together we can maintain a dynamic process of economic growth and community revitalization.

Ulster County has a long and proud heritage as a tourism destination. And in fact, tourism is now the number two in the county and is anticipated to be number one within the next few years. In Ulster County, tourism generates \$400 million in spending annually, contributing payrolls of over \$100 million while employing more than 7,000 people.

5 Development Court • Kingston, New York 12401-1949  
(845) 338-8840 • fax: (845) 338-0409  
web: [www.ulsterny.com](http://www.ulsterny.com) • e-mail: [develop@ulsterny.com](mailto:develop@ulsterny.com)

**Table 5 Belleayre Resort Pesticides, Seven Springs Limits, TOGS 1.1.1 Values and EPA Limits**

Name	CAS #	7 Springs SPDES (ppb)	TOGS 1.1.1 (ppb)	EPA Lifetime	
				HA's (ppb)	EPA MCL's (ppb)
2,4-D	94-75-7	0.5	50	70	70
2,4-DP	120-36-5	0.5			
acephate	30560-19-1		NL (table 3)		
bendiocarb	22781-23-3				
benefin	1861-40-1		35		
bensulide	741-58-2				
bentazon	25057-89-0			200	
bifenthrin	82567-04-3				
chloroneb	2675-77-6				
dithiopyr	97886-45-8				
ethofumesate	26259-45-0				
ethoprop	13194-48-4				
etridiazole	2593-15-9				
fenoxaprop	73519-55-8				
flutolanil	6632-96-5				
fosetyl-Al	39148-24-8	0.5			
glyphosate	1071-83-6		50	700	700
halosulfuron	100784-20-1				
isofenphos	25331-71-1				
lambda cyhalothrin	91465-08-6				
MCPA	94-74-6		0.44	4	
MCPP	7085-19-0	0.1			
mefenoxam	70630-17-0	0.1			
MSMA	2163-80-6	5			
oxadiazon	19666-30-9				
prodiamine	290991-21-2	0.5			
propamocarb	24579-73-5	10			
propiconazole	60207-90-1				
quintozene	82-68-8		ND		
siduron	1982-49-6				
triclopyr	55335-06-3				
trifloxystrobin	141517-21-7				
trifluralin	1582-09-8		35		
vinclozolin	50471-44-8				



**Table 6 Belleayre Resort Pesticides, TOGS 1.1.1 Values and NYSDOH UOC MCLs**

<b>Name</b>	<b>CAS #</b>	<b>TOGS 1.1.1 (ppb)</b>	<b>NYSDOH UOC MCL (ppb)</b>
2,4-D	94-75-7	50	
2,4-DP	120-36-5		50
acephate	30560-19-1	NL (table 3)	
bendiocarb	22781-23-3		50
benefin	1861-40-1	35	
bensulide	741-58-2		50
bentazon	25057-89-0		50
bifenthrin	82567-04-3		50
chloroneb	2675-77-6		50
dithiopyr	97886-45-8		50
ethofumesate	26259-45-0		50
ethoprop	13194-48-4		50
etridiazole	2593-15-9		50
fenoxaprop	73519-55-8		50
flutolanil	6632-96-5		50
fosetyl-Al	39148-24-8		50
glyphosate	1071-83-6	50	
halosulfuron	100784-20-1		50
isofenphos	25331-71-1		50
lambda cyhalothrin	91465-08-6		50
MCPA	94-74-6	0.44	
MCPP	7085-19-0		50
mefenoxam	70630-17-0		50
MSMA	2163-80-6		50
oxadiazon	19666-30-9		50
prodiamine	290991-21-2		50
propamocarb	24579-73-5		50
propiconazole	60207-90-1		50
quintozene	82-68-8	ND	
siduron	1982-49-6		50
triclopyr	55335-06-3		50
trifloxystrobin	141517-21-7		50
trifluralin	1582-09-8	35	
vinclozolin	50471-44-8		50

**Table 7 Belleayre Resort Proposed Pesticide Action Levels**

<b>Name</b>	<b>CAS #</b>	<b>Action Level (ppb)</b>
2,4-D	94-75-7	25
2,4-DP	120-36-5	25
acephate	30560-19-1	25
bendiocarb	22781-23-3	25
benefin	1861-40-1	17.5
bensulide	741-58-2	25
bentazon	25057-89-0	25
bifenthrin	82567-04-3	25
chloroneb	2675-77-6	25
dithiopyr	97886-45-8	25
ethofumesate	26259-45-0	25
ethoprop	13194-48-4	25
etridiazole	2593-15-9	25
fenoxaprop	73519-55-8	25
flutolanil	6632-96-5	25
fosetyl-AI	39148-24-8	25
glyphosate	1071-83-6	25
halosulfuron	100784-20-1	25
isofenphos	25331-71-1	25
lambda cyhalothrin	91465-08-6	25
MCPA	94-74-6	0.44
MCPP	7085-19-0	25
mefenoxam	70630-17-0	25
MSMA	2163-80-6	25
oxadiazon	19666-30-9	25
prodiamine	290991-21-2	25
propamocarb	24579-73-5	25
propiconazole	60207-90-1	25
quintozene	82-68-8	ND
siduron	1982-49-6	25
triclopyr	55335-06-3	25
trifloxystrobin	141517-21-7	25
trifluralin	1582-09-8	17.5
vinclozolin	50471-44-8	25



**CLOUGH, HARBOUR  
& ASSOCIATES LLP**  
ENGINEERS, SURVEYORS, PLANNERS  
& LANDSCAPE ARCHITECTS

April 18, 2003

Mr. Alexander Ciesluk, Deputy Regional Permit Administrator  
New York State Department of Environmental Conservation  
Division of Regional Permits, Region 3  
21 South Putt Corners Road  
New Paltz, NY 12561-1696

**RE: DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE BELLEAYRE  
RESORT AT THE CATSKILL PARK COMPLETENESS REVIEW  
CHA JOB NUMBER 10065**

Dear Alec,

We have completed our review of the Draft Environmental Impact Statement (DEIS) for the Belleayre Resort at the Catskill Park dated December 2002. Our review focused on the issues related to the Town of Shandaken and the Route 28 corridor toward Kingston. Our comments follow each scope item, in italic bold font similar to the first review.

Please feel free to contact my office should you have any questions, comments or concerns. My direct number is 518-453-8207.

Very Truly Yours,

Clough, Harbour & Associates LLP  
*Engineers, Surveyors, Planners  
& Landscape Architects*

Gerald A. Engstrom Jr., AICP  
Planner – Project Manager

### 3.7 Traffic Patterns

A traffic study will be performed in order to characterize the existing local road network and traffic volumes.

- A traffic impact study will be performed for the proposed action to assess the potential impact of project construction and operation on local traffic patterns and roadways. The traffic impact study will be included as an Appendix in the DEIS.

March 2002 comments

*This section is present though the analysis limits the study area to a section of the Route 28 corridor. The DEIS indicates that various existing commercial establishments (specifically the gas stations and supermarkets) in surrounding communities will absorb additional demand for services and products. There is little or no mention of these establishments in the traffic portion of the DEIS. The few establishments mentioned should be examined from a traffic impact perspective as there will be probable impacts in these areas, especially considering many of these establishments are on the south bound side of Route 28. Motorists coming to the proposed resort may/will stop for gas, supplies or groceries, and will be crossing travel lanes for ingress/egress.*

April 2003 comments:

*The revised December 2002 DEIS addresses the prepared SEQRA scope and study area as required by NYSDEC and recommended by NYSDOT. Although this section is complete by the letter of the scope, as indicated in the March 2002 comments, the area that will potentially be impacted by the proposed project could extend the length of Route 28 to the Kingston roundabout/Thruway Exit. Even an abbreviated analysis of the entire corridor would be beneficial in identifying impacts to the communities along this corridor (which could be positive or negative impacts) and would respond to comments presented by several other towns along the corridor.*

- The methodologies that will be employed to assess traffic and potential traffic impacts from the proposed project are presented in detail in Attachment 5 of this document.

*This section meets the requirements of the DEIS Scope.*

- Turning movement counts will be taken at the following intersections during a peak day at the Belleayre Ski Center:
  - Route 28 / County Road 47 (in Big Indian)
  - Route 28 / Main Street (in Pine Hill)
  - Bonnieview Ave./Main Street
  - Route 28 / County Road 49A (to Belleayre)
  - County Road 49A / Belleayre Upper Driveway

*This section meets the requirements of the DEIS Scope.*

- The traffic study will also take into account any other recent studies that may have been prepared by NYSDOT or other agencies, including accident history data.

*This section meets the requirements of the DEIS Scope.*

- Appropriate seasonal adjustments will be applied based on consultation with NYSDOT.

*This section meets the requirements of the DEIS Scope.*

- The DEIS will also provide an inventory of local pedestrian traffic in the vicinity of the proposed project site.

*This section meets the requirements of the DEIS Scope.*

- This section of the DEIS will also describe the current availability of off-street parking in the vicinity and discuss current parking in relation to what would be necessary for any special event.

March 2002 comments

*This section of the scope is poorly addressed in the DEIS. Special event parking is not covered, and is a very important aspect of the management of traffic in the area of the proposed facility. Roadways in the area of the proposed project are somewhat narrow, and overflow parking on these roadways would cause a burden on the local road system. A thorough analysis of overflow parking and contingency plan should be included in the DEIS.*

April 2003 comments:

*The revised December 2002 DEIS addresses this comment by indicating that additional overflow parking would be contained on the resort property by parking on grass covered areas. It should therefore be noted that no overflow parking would be expected or allowed on public roadways in or around the vicinity of any of the proposed resort properties. This would indicate there will be no additional demand on the local road systems and no impacts on neighbors surrounding the resort. As such, this scope item has been addressed in the December 2002 Revised DEIS*

- Based on the analysis of existing conditions and projected trip generation data (for the year the proposed project may open as well as one year of full utilization), the traffic study will evaluate the needs for any specific improvements or design features to be incorporated into the project design to mitigate potentially significant impacts.

*This section meets the requirements of the DEIS Scope.*

- As assessment of potential vehicular and pedestrian conflicts will be included in the DEIS along with mitigation measures for any potentially significant impacts that are identified.

March 2002 comments

*It has been indicated in the DEIS that there will be very limited pedestrian traffic on the proposed site due to the extensive use of a shuttle system. It should be anticipated that guests would choose to walk and enjoy the outdoor atmosphere of the Catskills and tend to walk regardless of provided transportation. Pedestrian safety on and off site is of paramount importance, with an emphasis on safety in the parking areas and in the enclosed parking area. A detailed discussion on pedestrian safety should be provided, specifically addressing safety provisions that can or will be provided, such as dedicated pedestrian walks, pedestrian refuges in high traffic areas, crosswalks and other modern pedestrian friendly amenities. A discussion should also be included outlining safety measures to be provided between pedestrians and the golf carts that will undoubtedly be used on the resort.*

April 2003 comments:

*The revised December 2002 DEIS now addresses pedestrian safety for guests at the proposed resort. It is noted that extensive use of crosswalks is going to be used to facilitate pedestrian safety at the resort. While crosswalks are a good safety tool, there are a variety of pedestrian safety techniques that could and should be employed at the resort. As*

*mentioned in our March 2002 comments, pedestrian safety in the parking garages will be important, as parking garages are typically darker, visual distances are much shorter and turning radiuses are much tighter due to the space limitation of the structure itself. Designated pedestrian only areas are recommended as well as additional lighting in areas designated for pedestrian use.*

*Outside of parking garages, textured or raised crosswalks could provide additional layers of safety to pedestrians by keeping speeds to a minimum. The revised DEIS provides clear mapping of pedestrian linkages between facility amenities. As such, this scope item has been addressed in the December 2002 Revised DEIS.*

### 3.8 Land Use and Community Character

- Include assessments of recent aerial photographs and land use maps of the site and surrounding areas, generally the Route 28 corridor from Boiceville to Margaretville. Discuss past use of the property and local community.

#### March 2002 comments

*An assessment of the immediate project site is included and well documented in the DEIS. However, the DEIS fails to provide detailed information on surrounding areas of Boiceville, including the past uses of properties in the corridor. A very limited discussion on the local community is included in the DEIS but should include a more thorough history of the communities that the project has the potential to impact. History should include information derived from local historians regarding the past economies of the communities, and the changes that have occurred over the decades to the current state of the communities.*

#### April 2003 comments:

*Additional information has been provided in the December 2002 DEIS. However, there remains a lack of information on the local communities the project is likely to effect. The DEIS simply states that the report will "reintroduce resort development into an area that historically supported such development locally". Unfortunately, this type of development vacated years ago and was replaced with a residential, low-density rural lifestyle. While the project will have the ability to stimulate the local economy, it will have an impact to the community. The question is, what will the level of impact be? This remains unanswered, the DEIS simply states there will be no impact, therefore no mitigation is needed, which is an unsubstantiated claim.*

- Describe how the proposed project and the required land use planning decisions could affect existing and possible future land use and community character, including Belleayre Mountain Ski Center.

#### March 2002 comments

*The DEIS states that no significant impacts will occur as a result of the proposed project. It is indicated that off site development will be negligible, and only result in in-fill of the local hamlets and villages in the study area. Currently, the Belleayre ski center serves mainly as a day-trip destination as it does not offer overnight accommodations. Overnight accommodations are limited in the vicinity of the ski center for visitors to stay off site. The proposed project would provide extensive overnight accommodations that could potentially impact the ski center severely. The DEIS does not indicate the maximum capacity that the ski center is equipped to handle or the overall number of possible patrons that would visit the ski center as a result of the project. It is likely that the overall traffic will substantially increase at the ski center, creating additional demand for employees to operate the center. This topic is not discussed in the DEIS, and should be included with detailed information obtained from managers of the ski area and the DEC. Furthermore, the additional employee demand*

*potential generated at the ski center could create a major void for available employees, forcing the ski area, local businesses and the proposed project to seek additional employees from outside of the local economy. This would create additional demand for temporary housing in the area, and an inventory of should be included in the DEIS and will create an additional traffic impact. The potential need for temporary housing or rental property should be covered in detail in the DEIS, including potential locations for such a land use.*

April 2003 comments:

*The revised December 2002 DEIS now contains more complete data on the Belleayre ski area capacity and numbers of visitors. The DEIS recognizes that with the presence of the resort, the ski area will by default see an increase in visitors because it will no longer be a day trip destination, but a weekend getaway. The ski area already has a prior plan with recommendations for expansion, which will be exemplified by the proposed resort.*

*One area that still remains unanswered is the employment demand on the community. It will not only be the resort looking for employees, but local businesses that may expand, and the ski area itself, as mentioned in the March 2002 comments. This area of impact has not been examined, even though the DEIS recognizes that many businesses may meet the demands of expansion by simply extending hours or increasing employees.*

- Discuss how the project will affect hunting opportunities/hunter interactions on and around the project site.

*This section meets the requirements of the DEIS Scope.*

**3.8.1 Existing Use of Site**

- Discuss the existing uses of the site, including the use of State hiking trails, portions of which pass through private property that is part of the project site.

*This section meets the requirements of the DEIS Scope.*

- Describe impacts to use of State hiking trails on the property as a result of the development of the proposed project.

*This section meets the requirements of the DEIS Scope.*

- Propose suitable mitigation measures related to continued use of State trails in the area.

*This section meets the requirements of the DEIS Scope.*

**3.8.2**

**3.8.3 Adjacent Land Uses and Community Character**

- Provide a description of uses of adjacent lands and in the general vicinity of the project site (Route 28 corridor from Boicoville to Margaretville), including State lands.

March 2002 comments

*Although this section meets the requirements of the scope of the DEIS, it is difficult to determine the land uses in the DEIS at a local or street scale. Maps should be provided to indicate the land uses at a smaller scale to give the public at-large the opportunity to*

*determine what potential impacts may result in their respective communities, giving them an opportunity to comment during the public comment period.*

April 2003 comments:

*The revised December 2002 DEIS includes revised information on properties and adjacent uses in the corridor. Mapping for these areas, however, remain at a scale that the exact locations of these properties cannot be pinpointed. Mapping needs to be completed at a scale that will show the locations of these properties in relation to the neighborhoods they are contained within. An overall map is also recommended to show the locations in relation to the proposed project.*

- This section shall provide a discussion of how the proposed project may affect future land use of other property in the vicinity of the site and how the project will alter current land use of the site. The relationship of this project to other development projects in the area, either under construction or under review, shall be assessed.

March 2002 comments

*As mentioned previously, the DEIS needs to provide smaller scale land use mapping and analysis to determine what the potential impacts will be to the local communities. Currently, the DEIS does not focus on the hamlets, villages or individual communities of residential and commercial properties. More detail will provide the public with the locations of the "in-fill" commercial development that will reduce the need to build new commercial and residential structures as stated in the DEIS. The DEIS should also identify all properties located on secondary roads and off access roads that are potentially developable, as these properties are typically considered prime real estate in a resort project of this type. With the introduction of the project, it is anticipated that adjacent properties would substantially increase in property value. According to the median incomes stated in the DEIS, an increase in property values could create real estate prices that are out of financial reach of the "average" person in the community. A detailed analysis should be provided indicating the impacts to real estate values in the study area in contrast to the values if the project is not constructed.*

April 2003 comments:

*The majority of this comment has been addressed in the December 2002 Revised DEIS. Mapping at the neighborhood level, however, is recommended to demonstrate property available for unconstrained development.*

- The DEIS shall provide a description of how the project complies with local zoning regulations in terms of use, density, etc.

*This section meets the requirements of the DEIS Scope.*

- The DEIS shall address the potential impact of the project on the former Ulster and Delaware Railroad, including existing bridges, road crossings and other features. All proposed at-grade crossings must be made in accordance with all applicable regulations.

*This section meets the requirements of the DEIS Scope.*

- The introduction of the project on the proposed project site shall be assessed from the standpoint of currently undeveloped land in the vicinity, and the type of future development of such lands if the project was to be developed.

March 2002 comments

*The DEIS does not address this scope item, rather it states that future development will be minimal due to the fact that the resort will contain all needed services. The report does not*



contain any inventory of the existing capacity of current vacant undeveloped land or vacant structures, commercial property or residential property in the area. The DEIS should include information on the potential sites that could be affected by development, either anticipated or speculative (which is typical with a large-scale resort).

April 2003 comments:

The revised December 2002 DEIS has addressed this scope item in writing. Additionally, the DEIS provides a map of potentially viable sites based on a constraints analysis. GIS Mapping provided with the DEIS is still at a scale that the reader cannot determine where many of these areas are located. Many areas are very small and are overlapped by roads and other layers given more prominence in the map. A map produced at the neighborhood level will assist readers in determining where these developable lands are located with an emphasis on the hamlets and the Route 28.

- The proposed project's compatibility with the existing character of the surrounding lands shall be addressed in the DEIS.

March 2002 comments

The applicant only discusses the ski center in proximity to the project, which is vaguely similar to the project. Belleayre Ski Center does not offer overnight accommodations, time-share facilities, residential opportunities, fine dining or golf; the ski center is not a four-season resort offering four-season amenities. Most areas surrounding the proposed project are residential and agricultural in nature and would potentially suffer some type of impact as a result of the project due to such a large tract of land changing in land use. At a minimum, the DEIS should contain some analysis of the potential for agricultural lands in the study area, towns and general corridor to change from an agricultural use to some other use (e.g. residential or commercial).

April 2003 comments:

Additional information on surrounding land uses has been included. As such, this scope item has been addressed in the December 2002 Revised DEIS.

- Discuss construction bonding requirements of the local municipalities and how these requirements can address concerns related to project economic viability.

March 2002 comments

The DEIS mentions these requirements, but offers no detailed information. A detailed discussion should be provided explaining the requirements of the Town. Potential bond amounts need to be included for the public to understand the construction bonding process for the project, as the amount could be potentially significant, and have a financial impact on the Town.

April 2003 comments:

Additional information on surrounding land uses has been included. As such, this scope item has been addressed in the December 2002 Revised DEIS.

### 3.8.4 Local and Regional Land Use Plans

- The DEIS shall discuss how the proposed project and local land planning decisions required for the project could affect future land use plans both locally and regionally.

March 2002 comments

The DEIS discusses that the proposed project would have a negligible effect on the local and regional land use plans, as off-site development will be minimal due to a combination of land

*use and environmental constraints. As has been proven with the submission of the project DEIS, potentially large-scale similar developments could indeed arise with the application and approval of the appropriate permits. The DEIS should provide some scenarios where competition is introduced to the project which could indeed cause more future growth beyond the current project at hand (e.g. competing motel/hotel, additional golf course or resort type business). It is also recommended that the DEIS address the notion of possible competition to its own hotel and time share projects, as an increasing amount of visitors to the area will look for overnight accommodations. Historically, the Belleayre Ski Area has been a day trip destination. This will potentially change and the DEIS should reflect this major change.*

April 2003 comments:

*The revised December 2002 DEIS does not directly address this comment. The DEIS indicated that the proposed resort will accommodate all overnight visitors to the area or that visitors may choose one of the existing local motels or bed and breakfast establishments in the general vicinity. The DEIS does indicate that the potential exists for increased demand on local establishments and that the increased demand could be absorbed by increasing hours of operation or in the extreme case, by physically expanding current establishments to accommodate the increased business. It would be helpful to see a projection into the future with additional retail establishments, motel/hotels and recreational amenities such as an additional golf course and what the potential impact would be to the character of the area.*

- The local and regional land use plans to be addressed shall include County land use plans and DEC management plans. Any data and analysis compiled by municipal committees, if available, shall also be considered.

*This section meets the requirements of the DEIS Scope.*

### 3.8.5 Socio-Economic Setting

- Fiscal and Economic Benefits Analysis  
The project will generate substantial employment opportunities, new economic activity, and tax revenues during both the construction and operation periods. The following tasks would be performed to generate a complete profile of fiscal and economic costs and benefits within the study area.
- Existing Conditions  
Provide Existing Demographic and Economic Profile.  
A demographic and economic profile of the communities within the study area will be compiled and described in terms of population and employment patterns. Based on information available from local, county, state, and federal sources, employment and economic baseline information by key industries (i.e., mining, agriculture, tourism) will be summarized and described. Any potential new commercial development projects that could affect local employment patterns in the region would be identified through discussions with local and county government representatives.

March 2002 comments

*The DEIS does a very thorough job of analyzing the numbers from many well-respected sources of economic data. However, the DEIS does not indicate any discussion with and information gained from local sources (elected officials, Town Clerks, etc.) that have inside knowledge of the communities, and the status of the local economies. It is important to get local insight, as the DEIS itself admits; however, much of the data for the immediate local economy (the study area) is suppressed by the Census and the BEA and has been provided at the broad county level. Ulster County contains three larger economic areas: the Town of*

*Ulster, the Town of Saugerties and the City of Kingston. These areas can tend to skew the economic numbers as they contain services not currently provided in the study area (but are similar to services proposed in the project). Speaking with local representatives may not give exact numbers, but may provide some economic trends in the local communities' economies.*

April 2003 comments:

*The project sponsor has now included specific local information obtained from both local sources and the New York State Department of Labor in the DEIS. As such, this section meets the submission requirements of the DEIS Scope.*

□ Construction Phase

Estimate Construction Generated Economic Activity.

Based on the estimated capital investment for Belleayre Resort, the economic analysis will summarize the key economic benefits associated with the project. These benefits include direct activity associated with construction wages and salaries and the purchase of goods and materials, as well as the ripple- or multiplier-effect generated as this economic activity is felt in the larger regional economy (including tax revenues generated by the construction project). The analysis will utilize the econometric model, Regional Input-Output Modeling System (RIMS II), developed by the U.S. Department of Commerce and customized for the project area.

March 2002 comments

*This section of the DEIS scope has been addressed and strictly consists of numbers derived from the RIMS II analysis tool. There are many assumptions based on information derived from the project sponsor that are not qualified (typically denoted as the source information obtained from Crossroads Ventures LLP). The RIMS II model depends on accurate input numbers to provide the output formulas in each SIC code: thus, accuracy of the input is extremely important. It is recommended that the sponsor provide sources for the numbers used in the input phase, or at least a discussion on how these numbers have been derived. Additionally, the RIMS II analysis has been limited to two (2) digit SIC codes, rather than three (3) or four (4) digit SIC codes that would give very specific economic data for individual businesses. The data presented is very broad and encompasses many different business types, rather than using 3 and 4 digit SIC codes that would provide more detail on the local effects of the project. More detailed analysis at lower SIC levels (e.g. 3 digit SIC's) would show some of the direct economic impacts to individual business types that may be in the study area. It is noted that the RIMS II model is only available at the county level; thus this regional perspective is the smallest geographical level available.*

April 2003 comments:

*Part one of this comment has been addressed by the Project Sponsor. Although most of the data is based on estimates provided by the sponsor, additional details have been provided that give additional credibility to the data.*

*Part two of this comment has not been addressed, even if it has been explained that 3 or 4 digit SIC codes are not available for the study area (which in this case is a three county area). The assumption would have been that if the project sponsor used a three (3) county area for analysis, the 3 or 4 digit SIC codes would narrow the focus of the data to specific categories, rather than the broad, all encompassing categories the 2 digit SIC codes include. This would eliminate extraneous data (that does not apply to the project or project area) and allow the reader to draw a more accurate conclusion about the types of services that exist currently versus the services that are proposed in the DEIS. The sponsor has left the analysis at the top, 2 digit SIC level. It is still recommended that the applicant complete this analysis at the 3 digit SIC level as a minimum, the 4 digit SIC level would provide the most comprehensive analysis.*

□ Operations Phase

Estimate Potential Economic Benefits.

Based on anticipated employment generated by the project once it is completed and operational, a similar evaluation of the total economic effects would be prepared also using the RIMS II model. This effort would summarize the estimated number of jobs to be generated during operation of the proposed resort (along with anticipated wages and salaries) and how much this increased expenditure in the local economy will create demand for goods and services and labor in the regional economy. The study will evaluate whether the existing labor supply can meet the expected increased demand. Where demand for labor exceeds the local and regional supply, some secondary impacts may occur from new residential development (see Growth Inducing Aspects, below). The proposed resort will be described in terms of future employment, annual payroll, and property taxes to each of the taxing jurisdictions. Property taxes would be calculated based on current tax rates and assessment practices within each of the taxing jurisdictions.

March 2002 comments

*See comments above.*

April 2003 comments:

*Please see comments above.*

□ Evaluate Potential Community-Related Costs.

Changes in property tax revenues will be summarized and evaluated in comparison with the potential increases in the cost of providing municipal services such as provision of emergency services to the new facility and any public infrastructure improvements required to service the facility. In coordination with Section 3.9, the projected demand for police, fire, and ambulance services and any public infrastructure would be used to estimate new potential costs to municipal governments based on the project and any projected new population within the residential communities.

March 2002 comments

*The DEIS currently does include information on the increase of tax revenues to the municipalities. However, the DEIS does not clearly detail the potential demands for police, fire and ambulance services or public infrastructure as a result of the project. The sponsor has contacted the various agencies that provide emergency services who have indicated that they will be able to continue to provide service at current levels. However, the DEIS should include specific calculations for the increased calls to agencies based on the number of the following: 1. New employees to the municipality; 2. The number of new residences and or residential housing on and off site; 3. The number of hotel rooms available; 4. The number of restaurant/seats available. Additionally, as a resort community, there are times when areas may be uninhabited for lengths of time, which may become susceptible to deviant behavior.*

April 2003 comments:

*The DEIS contains detailed information on potential increases in funding to departments as a result of the revenue generated from the project in the form of taxes collected. However, the DEIS stops short of responding to this scope item. The DEIS contains correspondence from all local agencies that provide emergency services that indicate sufficient capacity exists in the communities and the proposed project.*

*The question is, what will be the additional costs associated with the addition of two large hotels, timeshare condominiums and a single family subdivision? Since there will be an increase in EMS calls, as well as calls to police agencies, what is the cost to the community? Currently, the agencies have the capacity when one ambulance was capable of*

*servicing the area from 12-6 A.M. With the proposed development, Shandaken may require two (2) units on call at all times with the increased number of visitors or residents in town. What will the increase in costs be?*

*The same analogy can be applied to local police, who are paid employees of the Town, County or State. Where one Town of Shandaken Police unit was sufficient prior to the project, additional units may be required. It is understood the capability is present in the form of manpower and equipment, but what is the projected cost of these additional services to the local municipalities?*

*This comment was not responded to in the revised DEIS and a response is recommended.*

## Section 7.0 Growth Inducing, Secondary and Cumulative Impacts of the Proposed Action

- This section of the DEIS shall discuss the anticipated off-site impacts of the Belleayre Resort at the Catskill Park project. The secondary impacts that the proposed project and any required land planning decisions may have in inducing economic growth or development in the vicinity of the project shall be discussed. The analysis shall focus on the hamlet areas on the NY Route 28 corridor between Boiceville and Margaretville.
- The DEIS shall evaluate additional traffic, stormwater and wastewater that could accompany potential development outside of the project site, and potentially affect water quality in the NYC watershed.

### March 2002 comments

*Currently, the DEIS contends there will be no impacts due to the lack of additional commercial and residential development; therefore, this item has been omitted from the DEIS. This section should be revised to include any potential properties and the effects they may have. Additionally, this section should include analysis detailing the re-establishment of existing vacant commercial properties on Route 28 and in the hamlets.*

### April 2003 comments:

*Additional information pertaining to the re-establishment of existing vacant commercial properties on Route 28 and in the hamlets would be helpful to identify potential infill of existing, vacant establishments. Several factors could be affected, such as availability of parking and impacts to water quality in the NYC Watershed created from runoff and additional demand on the municipal waste treatment facilities.*

- The analysis of secondary and cumulative impacts shall include housing, economic development, effects on Belleayre Mountain Ski Center, Forest Lands, and the added visitors to Forest Preserve land.

### March 2002 comments

*This section is not addressed. The DEIS needs to include details on the potentially increased number of visitors to Forest Preserve land and potential effects on Belleayre Ski Center.*

### April 2003 comments:

*The DEIS contains a more thorough explanation of the potential positive economic impact, the effects on Belleayre Mountain and the Forest Lands. The DEIS highlights the interconnections to the existing trail system and promises upkeep and new potential trails. The addition of the Claritas data in conjunction with the windshield and in person inventories of commercial establishments provides valuable insight on the health and availability of existing and potential commercial development.*

The large-scale nature of the proposed Belleayre Resort establishes the significant potential for secondary economic impacts and induced growth. Three key areas of potential secondary growth will be examined:

- New commercial activity seeking to capture a portion of the new economic activity generated by the project;

March 2002 comments

*The DEIS contends that commercial development will be contained in the hamlet areas in existing vacant sites. It also states that the existing operating commercial ventures will be able to expand to meet the needs of the additional customer base. The DEIS does not analyze the fact that new businesses may attempt to establish to attract traffic or visitors of the project in the 28 corridor. The DEIS needs to examine the possible impacts based on other projects.*

April 2003 comments:

*See comment above. Again, the inventory of existing establishments is helpful for the public to understand the condition of economic activity in the Route 28 corridor and in the project area specifically.*

- Additional year-round residential activity created if new employment opportunities exceed the local supply of labor or if the project attracts new and permanent user populations (i.e., retirees); and

March 2002 comments

*It is difficult to determine from the DEIS the "available" labor pool. The DEIS describes in detail the available number of workers, but does not clearly indicate how many individuals are available for part time seasonal work or how many are currently employed or unemployed in the study area. This information needs to be included (clearly) to determine the demand for housing. The DEIS does not contain a rental housing inventory indicating what the available rental property levels are in the study area. This is important as the DEIS states that most employment will not be full time, and most part time employees rent rather than build. This could have an impact due to potential building of apartment facilities to house future employees. Additionally, the DEIS does not address housing for seniors in the study area or any potential demand for such services. Senior housing is a growing concern for many communities, and resorts such as the proposed project tend to attract retirees for recreation and/or residence. An inventory and subsequent discussion on the existing senior housing (if any) and potential demand for new senior housing should be included.*

April 2003 comments:

*As mentioned previously, the DEIS has completed a detailed analysis of the available labor pool (under/un-employed) through interviews with the NYS Department of Labor and local job re-training agencies in addition to publicly available labor data.*

*A rental housing inventory is not readily apparent in the DEIS that would demonstrate available housing to both construction employees and operational employees once the resort is completed. It is understood that many of the employees are expected to be drawn locally, but it would be beneficial to provide an inventory of available rental housing for long-term temporary employees (construction) and new residents who do not wish to commute.*

*No information on senior housing has been included in the revised DEIS. As stated previously, this is a growing concern in most communities and nationwide. Additionally, by*

*the nature of the amenities to be provided by the resort, golf tends to attract retirees with disposable incomes. The northeast has historically had a difficult time maintaining seniors in residence, possibly due to the lack of services and amenities available to them. The proposed resort could provide these amenities and could even encourage a retirement community" atmosphere which would attract seniors. In any event, a senior housing inventory or a discussion on the potential is important.*

- Seasonal residential activity if new recreational amenities generate new interest not currently served by existing seasonal accommodations or residential areas. Based on the projections of economic activity generated in the Fiscal and Economic Benefits analysis described above, new growth would be allocated within the study area based on the existing development pattern, an analysis of current zoning within the study area, and an inventory of likely development locations.

March 2002 comments

*The DEIS contains an analysis of existing zoning within the study area, however, the DEIS contends that no new (or extremely limited) development will occur. The DEIS states that only existing vacant buildings will be used. It is important for the DEIS to demonstrate any likely locations of development, such as high traffic areas and intersections that are unconstrained by zoning or environmental regulations.*

April 2003 comments:

*Additional information on surrounding land uses has been included. As such, this scope item has been addressed in the December 2002 Revised DEIS.*

- Existing Land Use and Zoning Analysis. - Evaluate the existing land use pattern and zoning regulations with respect to new commercial and residential development.

March 2002 comments

*The DEIS does not demonstrate where new development has occurred recently on any mapping. It is important to demonstrate where commercial and residential development is focused at the current time, or that there is no focus (which could assist in the re-focusing of development as per development guidelines). The DEIS does contain an adequate explanation of existing land use and zoning within the study area.*

April 2003 comments:

*Although this information is not shown on any exhibits or mapping, a detailed discussion of where new development has occurred or is likely to occur is contained in the December 2002 Revised DEIS.*

*Mapping would still be helpful for the public to see where development is occurring in the vicinity of the project.*

- Inventory of Likely Development Locations. - An inventory of "soft-sites" within the study area would be prepared based on windshield surveys, discussions with local communities and county planning representatives, and use of Geographic Information Systems (GIS) data.

March 2002 comments

*The DEIS contains a GIS inventory of "soft-sites" as required by the DEIS scope. This inventory is at a very large scale, and does not offer the reader an idea of what would be available "on their street" At times, it is difficult to determine these potential sites at a scale that would demonstrate this information at the hamlet level or neighborhood unit.*

April 2003 comments:

Completeness Review  
Belleayre Resort DEIS  
April 18, 2003

*The DEIS contains a detailed constraints analysis that is used to identify parcels available for development based on zoning designations. The problem still remains that the map is at a scale that prohibits the reader from being able to determine the location of these areas. Many of the areas are small in size and their location (especially in the hamlet areas) cannot be determined. A map series at a much smaller scale would help the public identify where these areas actually are in relation to the proposed resort project in addition to "their own street".*

- Identification of Environmental Constraints - New development within the study area will also be constrained by topography, hydrography (streams and wetlands, and regulated areas around reservoirs), soils, State Forest Preserve land, and wastewater infrastructure. Sites identified in the soft-site inventory would be screened for likely elements that would constrain development.

March 2002 comments

*This is covered in the DEIS, however, as stated previously, information on soft-sites is at a large scale that makes it difficult to understand.*

April 2003 comments:

*Please see comment above.*

- Prepare Secondary Development Analysis - Using the inventory of development locations, screened for environmental constraints, the likely level of secondary development induced by the Belleayre Resort project would be projected for the year 2010 based on forecasts for new commercial and/or residential development. Current zoning would be used as the basis for development allocation within the study area. Additional data may be obtained from the New York City Department of Environmental Protection's Final Environmental Impact Statement for the Watershed Regulations (November 1993) regarding potential level of development within the study area.

March 2002 comments

*The DEIS consistently states that negligible development will occur as a result of the project, with a maximum build out of 79,000+/- sq. ft. of commercial development. As a result, very little emphasis is given to potential locations of new development in the project area. No inventory of existing facilities is presented in a map form (such as gas/oil stations, convenience stores, etc.) that are typical stops for commuting travelers in need of these services. The DEIS does indicate that there are only 5 establishments from the project site to Boiceville (Table 5.16). Additionally, the DEIS does not indicate any hours of operation and the number of establishments described in the DEIS is not actual local data. The DEIS does not indicate that a windshield tour has taken place to verify the actual existence of these businesses.*

April 2003 comments:

*Additional information on surrounding land uses has been included in the December 2002 Revised DEIS and meets the requirements of the DEIS Scope.*

- Conduct a Case Study Comparison - Case study situations will be evaluated for "lessons learned" in what may be expected from a large economic development project in a rural area with a high degree of environmental sensitivity and a tourist-based economy. The developers of a large-scale resort, as well as municipal and regional planners and economic development officials would be contacted for their perspectives on how the investment helped shape, change, or induce new growth in their regional area. The initial step would be to identify likely locations that have



Completeness Review  
Belleayre Resort DEIS  
April 18, 2003

recent investments in established but under-built tourist areas in four- seasons resorts combined with environmentally sensitive park or watershed settings.

March 2002 comments

*This section in the DEIS seems to focus on the positive aspects of a large-scale resort on the surrounding community. There is little evidence included that details any "problems" that may have occurred in the past with such a project, such as citizen complaints, traffic problems or a negative economic effect. As difficult as it may be to quantify, it should be demonstrated so the public at-large has some insight as to the problems that may arise with such a project.*

*With the Windham example, it is noted that residential development may have been slower in the community than what was expected. Did this lack of residential development introduce a higher traffic impact due to more visitors at the facility driving for a day trip? This level of analysis should be included not only for the proposed project, but for the Belleayre Ski Center to gauge impacts to this facility as well.*

April 2003 comments:

*Additional information on Case Studies and lessons learned has been included in the December 2002 Revised DEIS and meets the requirements of the DEIS Scope.*

- The case study would provide a qualitative context for the analysis of secondary growth within the Catskill area and would provide a tangible example of likely benefits.

*This section meets the requirements of the DEIS Scope.*

- The case studies to be examined shall include the Windham area in the Catskills and within the NYC Reservoir system. This case study will be examined in the most detail. Other case studies to be examined include the New York State operated ski center at Gore Mountain in the Adirondack Park of New York State as well as the recently approved development around Graylock Mountain in the State of Massachusetts that is adjacent to large areas of lands under State control.

March 2002 comments

*This section is covered in the DEIS report. However, the Graylock Mountain development may not be the best example for a case study since this resort has not been developed to date. However, this situation in itself might be a good example for a case study as an example of the potential of a large-scale project that did not come to fruition, and the effect this has had on the surrounding communities.*

April 2003 comments:

*March 2002 comments still apply although the Greylock Mountain example is clearly footnoted as a speculative development in questionable economic times. The revised December 2002 DEIS contains additional information obtained from local sources knowledgeable in the economy of the Town of Windham, including government officials and real estate specialists. This information is very helpful in assisting the reader to understand the economies of a resort/tourist economy.*

*This scope item has been revised in the December 2002 Revised DEIS and meets the requirements of the DEIS Scope.*

FILE



Erin M. Crotty  
Commissioner

FAX COVER SHEET

TO: Gay Gailes FAX # 845 688-6887

FROM: Alex Ciesluk

DATE: 4/22/03 NUMBER OF PAGES (including cover) 5

MESSAGE: Gay -

I'm sending the EIS review comments we  
received from Tim Miller Associates for your information  
and consideration to be incorporated into the DEIS  
for the Belleayre Resort at Catskill Park project.  
I will be out of the office until Monday, May 5.  
If there are questions on any of the comments, we can  
discuss when I return.

CC: M. Duke / C. Krebs

FAX MACHINES:

- (845) 255-4659 - Fish & Wildlife, Hudson River, Lands & Forests & Operations
- (845) 255-3042 - Environmental Permits and Legal
- (845) 255-0714 - Regional Director, Public Affairs, Administration & Real Property
- (845) 255-0716 - Air
- (845) 255-9249 - Law Enforcement
- (845) 255-2987 - Spills Management & Water
- (845) 255-3414 - Solid Materials, Hazardous Materials, Pesticide Regulation
- (845) 255-4238 - Hazardous Waste Remediation
- (845) 256-9219 - Sportsman Education & Wildlife
- (845) 255-3649 - F. Dunwell

The following are comments based on our DEIS completeness review of revised documents dated December 2002.

## LOCAL PLANNING ISSUES

### 2.2.3 Water Supply

(comments also apply to nearly identical DEIS discussions in 3.9.3 Potable Water and 5.4 Alternative Water Supply)

*TMA did not receive Appendix 7, Water Supply Reports, for review. If this appendix provides further information on the items listed below, these areas should be referenced in the DEIS.*

#### 2. Water Supply Source (beginning DEIS p 2-24)

Author of the hydrogeological investigation and the Village water supply capacity estimates must be cited here (where this information is first presented).

Cites an average of 225,000 gpd for current Village water usage, and calculates the excess/available capacity based on this average. A worst case should be presented using the 300,000 gpd high end of the current demand cited. The paragraph beginning "Notwithstanding the loss..." should also state: "If the Village withdraws 300,000 gpd ... the Village has an excess of 137,000 gpd."

Cites 80,000 to 90,000 gpd as the calculated current Village demand, excluding commercial use. Commercial use must be included for these numbers to be meaningful. A later paragraph cites "seasonal peak" of 80,000 to 90,000. This does not coincide with its prior mention as current daily usage.

The statement "Repairing the leaks could result in an excess capacity of 400,000 gpd." is unsubstantiated and should be removed.

There is no description of the relevance of statements regarding development of a new groundwater source, given the statements about the current supply being adequate for this project. If the applicant feels a new well may be needed, the DEIS should state why. Is it proposed as mitigation? This discussion appears to appropriate only for section 5.4 as an alternative source.

Paragraph beginning "This water supply option..." states: "As such, Crossroads Ventures can obtain a high quality, reliable water source to meet its water needs." In the context of the paragraph, we interpret this to mean the developer is counting on Village water system upgrades to meet its water needs. If so, this must be clearly stated and the extent of upgrades listed. How will these upgrades be funded?

A circular line of reasoning prevails in several places: While Fleischmanns appears to have an abundance of water resources, and improvements must be made to enable the Village to sell water to this development, the DEIS states that revenue generated from the sale of water will provide funding for the improvements. There is no analysis that concludes that the sale of water will result in a surplus with which to fund the improvements that the DEIS indicates are necessary for this development to connect.

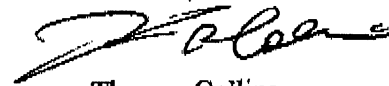
A significant part of Ulster County's and the Catskill Region's tourism heritage has been its resort hotels and outdoor recreation. The Belleayre Resort at Catskill Park will build upon that heritage while also enhancing the economic vitality of Ulster County. The project will create well over 500 full-time positions and 200 seasonal positions in the most rural and economically stagnant locations in Ulster County. Furthermore, the project is anticipated to generate approximately \$23 million in annual spending in the region and increase local tax revenues by close to \$1.5 million annually.

We all look to the future with hope and optimism. But we must also look to the present with candor and evenness.

The prospects of the Belleayre Resort at Catskill Park must, and should, be thoroughly reviewed by you and the Department of Environmental Conservation. But we expect that as you do so, you will arrive at the same conclusion as us, that the Belleayre Resort at Catskill Park is the right project at the right time for Ulster County.

We look forward to your review and approval of this important project so that we may move forward in creating a future for our communities that will balance development and preservation and maintain the quality of life that we know and hold dear here in Ulster County.

Sincerely,



Thomas Collins  
Chair

SUPPORTING THE DEVELOPMENT OF THE BELLEAYRE RESORT AT CATSKILL PARK

The Economic Development Committee (Chairman Santoro and Legislators Cummings, Every, Meyer, Roberti, Hinchey and Lomita) offers the following:

WHEREAS, the Crossroads Ventures, LLC has proposed investing over \$240 million in Ulster and Delaware Counties to develop the Belleayre Resort at Catskill Park, and

WHEREAS, the Belleayre Resort at Catskill Park will provide visitors to this region with a variety of outdoor recreation and lodging opportunities, and will compliment and enhance Ulster County's efforts to promote the region as a tourism destination, and

WHEREAS, the Belleayre Resort at Catskill Park is projected to create up to 542 fulltime jobs and a total of 747 new jobs with an annual payroll exceeding \$20 million, and

WHEREAS, this project is projected to spur an additional \$28 million in annual tourism spending, and

WHEREAS, Ulster County will receive an estimated \$732,000 in sales tax revenue during the construction phase and \$2,221,170 in new tax revenues annually when the resort is complete.

RESOLVED, that the Ulster County Legislature does hereby support the development of the Belleayre Resort at Catskill Park, pending the successful outcome of all necessary review processes, including the State Environmental Quality Review Act (SEQRA), and

FURTHER RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor George E. Pataki, Senate Majority Leader Joseph Bruno, Senate Minority Leader Martin Connor, Assembly Speaker Sheldon Silver, Assembly Minority Leader Charles Nesbitt, New York State Senators John J. Bonacic and William J. Larkin, Jr., New York State Assemblymen Kevin Cahill, Howard Mills and Thomas Kirwan, Erin M. Crotty, Commissioner of the NYS Department of Environmental Conservation, John P. Cahill, Secretary to the Governor, and Christopher O. Ward, Commissioner of the NYC Department of Environmental Protection and the New York State Association of Counties,

RESOLUTION NO. 422 DECEMBER 10, 2002

SUPPORTING THE DEVELOPMENT OF THE BELLEAYRE RESORT AT  
CATSKILL PARK

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 31

NOES: 1

Legislator Robert Parete

(Absent – Legislator Dart)

FINANCIAL IMPACT:

12540

December 18, 2002

RESOLUTION NO. 518-02

RESOLUTION SUPPORTING THE DEVELOPMENT OF THE  
BELLEAYRE RESORT AT CATSKILL PARK

Legislator Carl offered the following resolution and moved its adoption:

WHEREAS, the Crossroads Ventures LLC has proposed investing over \$240 million in Delaware and Ulster Counties to develop the Belleayre Resort at Catskill Park; and

WHEREAS, the Belleayre Resort at Catskill Park will provide visitors to our region with a variety of outdoor recreation and lodging opportunities, and will compliment and enhance Greene County's efforts to promote the region as a tourism destination; and

WHEREAS, the Belleayre Resort at Catskill Park is projected to create up to 542 full-time jobs and a total of 747 new jobs with an annual payroll exceeding 20 million; and

WHEREAS, this project is projected to spur an additional \$28 million in annual tourism spending for the region; and

WHEREAS, the Crossroads Venture LLC has made every effort to comply with all applicable environmental and related regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Greene County Legislature does hereby express its support for the development of the Belleayre Resort at Catskill Park; and

BE IT FURTHER RESOLVED, that the Clerk of the Greene County Legislature is hereby authorized and directed to forward a certified copy of this Resolution to Governor George E. Pataki, Erin M. Crotty, Commissioner of the NYS Department of Environmental Conservation, John P. Cahill, Secretary to the Governor, Christopher O. Ward, Commissioner of the NYC Department of Environmental Protection and Dean Gitter.

Seconded by Legislator Mathes

Ayes 13 Noes 0 Absent 0

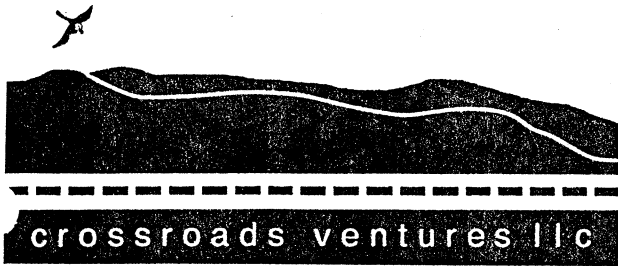
CARRIED.

Approved by Gov't. Ops. Comm.: 12/16/02

STATE OF NEW YORK ]  
] ss.:  
COUNTY OF GREENE ]

I, the undersigned, Clerk of the Greene County Legislature,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted December 18, 2002 with the



February 21, 2003

Mr. Alexander F. Ciesluk, Jr.  
Deputy Regional Permit Administrator, Region 3  
New York State Department of Environmental Conservation  
21 South Putt Corners Road  
New Paltz, New York 12561-1696

RE: Belleayre Resort at Catskill Park  
Your letter dated February 06, 2003

Dear Mr. Ciesluk,


Pursuant to your letter of February 06, 2003, please find attached a copy of a letter dated February 18, 2003 from Mr. Steven M. Trader of AlphaGeoScience detailing that firm's evaluation of the potential impacts of the Belleayre Resort's water supply demands on wells supplying the Belleayre Ski Center.

We believe this evaluation report together with the documents that were hand-delivered to your office on February 14, 2003 should satisfy all of the items requested by you in your letter of February 06, 2003.

Please advise us if there are any additional items required by the DEC to complete its review for acceptance for the DEIS as well as its review of the various applications for permits that will be required from the DEC.

Thanking you for your continued assistance in this matter.

Sincerely,

  
Gary P. Gailes,  
Project Liaison Consultant

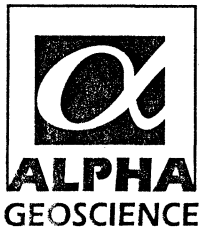
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Encl.

Cc: D. Ruzow

Certified Mail # 7002 0860 0008 7412 5428





Geology

Hydrology

Remediation

Water Supply

February 18, 2003

Mr. Dean Gitter  
Crossroads Ventures LLC  
P O Box 267  
Mount Tremper, NY 12457

Re: Ski Center Wells

Dear Dean:

This letter was prepared by Alpha Geoscience (Alpha), at the request of Crossroads Ventures, to address the potential for the Big Indian Plateau wells R1 and R2 to influence the three, new Belleayre Ski Center wells. Alpha was also asked to evaluate the potential for the new Ski Center wells to affect the performance of wells R1 and R2.

According to the well completion reports, which were filed with the NYSDEC on September 19, 2002, the Ski Center wells were drilled in June and July of 2002. The approximate locations of the three, new Ski Center wells and the Big Indian Plateau (BIP) water supply wells R1 and R2 are shown on the attached map. The BIP wells are 1.75 miles downgradient and at least 460 feet lower than the Ski Center wells.

Individual and combined pumping tests were conducted on both of the BIP wells. Each of these tests were conducted with carefully controlled, constant pumping rates for a period of 72 hours. Detailed observations of water levels were made throughout the tests to assess the effects of pumping on existing wells in the area. The results of these tests are included in the three reports by Alpha that are contained within Appendix 7 of the DEIS.

The Pine Hill Water Company (PHWC) well PH-1, an active, permitted, water supply source for the Hamlet of Pine Hill, is located between the BIP wells and the Ski Center wells (see attached map). The Station Road Well, which is leased by PHWC, lies between well PH-1 and the BIP wells R1 and R2. Both the Station Road Well and well PH-1 were monitored during the 72-hr, simultaneous testing of R1 and R2, as well as during the 72-hr testing of well R1. Both tests revealed that pumping at the BIP wells had no effect on water levels at the Station Road and PH-1 wells (see Appendix 7 of the DEIS). It is Alpha's opinion and interpretation that future pumping at wells R1 and R2 will have no influence on the new Ski Center wells since the Ski Center wells are over 2000 feet further upgradient from the BIP wells than is PH-1. Because of the distance and the great difference in elevation between the two sites (over 460 feet), it is also highly unlikely that pumping from the Ski Center wells will affect the performance of wells R1 and R2.

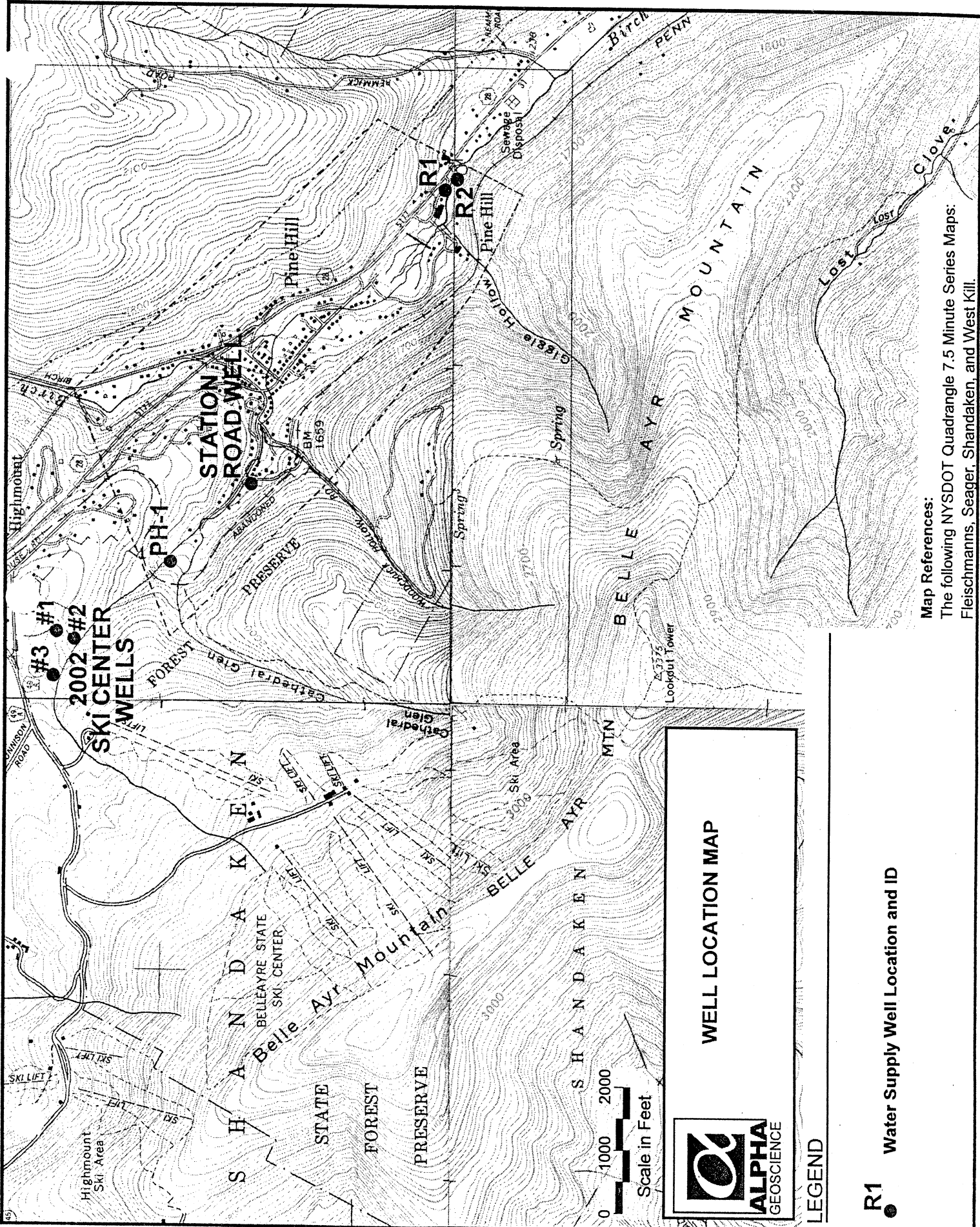
Thank you for the opportunity to be of service. Please call me if you have any questions.

Sincerely,  
Alpha Geoscience

Steven M. Trader  
Geologist

SMTdw

F:\projects\2002\02121-02140\02138-BIP Water Budget\DEIS Issues\Ski Center Wells.wpd



**WELL LOCATION MAP**



**LEGEND**

**R1** ● Water Supply Well Location and ID

**Map References:**  
The following NYSDOT Quadrangle 7.5 Minute Series Maps:  
Fleischmanns, Seager, Shandaken, and West Kill.





**the LA group**  
Landscape Architecture  
and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/587-0180

March 17, 2003

Via Overnight Delivery

Mr. Patrick Ferracane  
NYSDEC Region 3  
200 White Plains Road – 5<sup>th</sup> Floor  
Tarrytown, NY 10591-5805

Via Overnight Delivery

Mr. Edward Kuzia  
NYSDEC Central Office  
Division of Water  
625 Broadway Albany, NY 12233

**Re: Belleayre Resort at Catskill Park  
WTC Usage Notification for Chitosan (Storm Klear Liqui-Floc)**

Dear Messrs Ferracane and Kuzia;

On February 20, 2003 I received via e-mail Mr. Kuzia's comments regarding the Chitosan WTC Usage Notification submitted by Crossroads Ventures. This letter and attached laboratory toxicity testing reports are submitted in response to the four comments contained in Mr. Kuzia's e-mail. Responses below are provided in the same order of the four comments.

1. Attached are copies of two toxicity testing reports prepared by AMEC Earth & Environmental Northwest Bioassay Laboratories. The first report is dated December 2002 and is entitled "Toxicity Evaluation of Chitosan-based Products: Liqui-Floc and Gel-Floc." The second enclosed report is dated March 2003, also produced by AMEC Earth and Environmental, and entitled "Toxicity Evaluation of Two Chitosan Based Products Using Rainbow Trout, Liqui-Floc and Gel-Floc." The toxicity testing in both reports was performed on the whole formulation of the treatment chemicals and not just the active ingredient.
2. The five outfalls listed in Item 5 of the WTC form (Lost Clove Brook, Birch Creek, Giggie Hollow Brook and 2 tributaries of Emory Brook) are not conventional outfalls. Chitosan (liqui-floc)-treated stormwater will not be discharged directly to any of these streams. Instead, liqui-floc-treated stormwater will be discharged to long sections (hundreds of feet) of perforated pipes acting as level spreaders. These level spreaders

will be located in wooded areas well uphill of these five streams. Turbid stormwater collected in stormwater basins will be dosed with liqui-floc, allowed to flocculate and settle, and the resultant treated water will be pumped to the level spreaders.

#### Total Outfall Flow Rate

The outfall flow rate listed in Item 7.A of the submitted form is a very conservative estimate for the annual runoff for entire site ("total outfall") and not for any one particular "outfall".

The 3.3 MGD listed in Item 7.A was derived by using the rainfall from an average year (25.86 inches in 1993) over the entire 1,960 acre site and averaging this over 365 days;

$$\frac{25.86 \text{ inches/yr} * (1 \text{ foot}/12 \text{ inches}) * 1,960 \text{ acres} * (43,560 \text{ ft}^2/\text{acre}) * 7.48 \text{ gal}/\text{ft}^3}{365 \text{ days/yr}}$$

$$= 3.77 \text{ MGD}$$

Conservatively assuming approximately 10% loss due to interception, infiltration, etc. (0.4 MGD) produced the estimate of 3.3 MGD in Item 7.A.

Under the detailed construction phasing plan developed for the project, it is proposed that no more than a total of 50 acres of disturbance (25 acres on each of the two golf courses) occur at any one time. Since liqui-floc will be used to treat the stormwater coming from disturbed areas, a more precise estimate of the total outfall flow rate can be derived using this total of 50 acres of disturbance:

$$\frac{25.86 \text{ inches/yr} * (1 \text{ foot}/12 \text{ inches}) * 50 \text{ acres} * (43,560 \text{ ft}^2/\text{acre}) * 7.48 \text{ gal}/\text{ft}^3}{365 \text{ days/yr}}$$

$$= 96,186 \text{ gpd}$$

$$= 0.096 \text{ MGD}$$

Since construction will likely be occurring over a 7 month (210 day) period instead of year round it may be more appropriate to estimate the total outfall flow rate of 0.167 MGD.

#### Individual "Outfall" Flow Rates

The location of active construction areas will change throughout the multi-year buildout of the project. The proposed construction sequencing purposefully spreads out the areas of construction into the different drainages ("outfalls"). Therefore, the amount of liqui-floc-treated water that is discharged within the drainages of the five streams listed will also vary during the construction process.

The maximum amount of area that could be under construction in a given drainage (“outfall”) is 25 acres. Using the total outfall flow estimates calculated for the 7 month construction season and a total of 50 acres of construction, the maximum outfall flow rate in any of the drainages (“outfalls”) is 0.084 MGD. (half of the 0.167 total outfall calculated above)

3. It is known that enough chitosan will be applied to the stormwater basins to produce an initial 1.0 mg/l concentration (possibly as high as a 2.0 mg/l initial concentration) in the stormwater basins. As the flocculent binds to sediment and settles out in the basin, chitosan concentration in solution will be reduced.

In order to be very conservative in the WTC form, it was assumed that the outfall concentration would be the same as the initial 1.0 to 2.0 mg/l dosing concentration in the sediment basin. Hence the 1.0 mg/l average concentration and 2.0 mg/l maximum concentration in Item 7.B (Outfall Concentration).

Field studies conducted by the manufacturer at construction sites have found that 95% to 99% of the chitosan is taken out of solution during the flocculating process. Using a more conservative reduction rate of 90% as a result of flocculation would result in the initial dosing concentrations of 1.0 to 2.0 mg/l in the stormwater basin being reduced to 0.1 to 0.2 mg/l before pumping to the level spreader “outfalls”.

Using the 0.096 MGD (96,186 gpd) total outfall flow rate for the overall 50 acres of disturbance, and the maximum 0.2 mg/l outfall concentration from above would produce the following Daily Dosage (Item 6.A) for the entire project:

$$\begin{aligned}\text{Daily Dosage (Total)} &= 96,186 \text{ gpd} * 3.785 \text{ l/gal} * 0.2 \text{ mg/l} * (1 \text{ lb}/453,492 \text{ mg}) \\ &= 0.16 \text{ lb/day}\end{aligned}$$

Similarly, for the maximum 25 acres of construction in any drainage (“outfall”) the maximum Daily Dosage for any of the drainages (“outfalls”) would be half of the total, or 0.08 lb/day.

These data presented above are for an annual basis and for a year with average annual rainfall. Years with higher precipitation amounts will require the use of more liqui-floc. However, dosing concentrations in the stormwater basins will remain the same, 1 mg/l and possibly as high as 2 mg/l, and “outfall” concentrations will also be the same, conservatively estimated as 0.1 to 0.2 mg/l.

4. The following toxicity data is included in the two reports referenced in Item 1 above.

### December 2002 Report

	<u>LC50</u>	<u>NOEC (mg/l)</u>
Fathead minnow	643 mg/l	500
<i>Daphnia pulex</i>	1,369 mg/l	1,000
Rainbow trout	110 mg/l	10

### March 2003 Report

The March 2003 report is enlightening from the standpoint that it contains test results from liqui-floc product dissolved in standard dilution water as well as dilution water prepared to a standardized turbidity (simulated stormwater).

For the standard dilution water testing toxicity for liqui-floc was found to be slightly lower than for the December 2002 report listed above;

Rainbow Trout LC50 = 434.7 mg/l (versus 110 mg/l from December 2002)

Rainbow Trout NOEC = 100 mg/l (versus 10 mg/l from December 2002)

Including the dose response testing utilizing the simulated stormwater test solutions illustrates the flocculation and solution concentration dissipation that can be expected prior to discharge discussed previously. The acute survival data using the simulated stormwater solutions produced the following results;

Rainbow Trout LC50 = >10,000 mg/l

Rainbow Trout EC50 = 10,000 mg/l

### Synopsis

Extrapolating the results from the two sets of data demonstrates how significantly liqui-floc concentrations decrease due to the flocculation process and removal from solution.

Based on the two sets of LC50 data, liqui-floc concentrations were reduced by more than 95.7% (1 - (434.7 mg/l / >10,000 mg/l)).

Based on the two sets of EC50 data, liqui-floc concentrations were reduced by 99% (1 - (100 mg/l / 10,000 mg/l)).

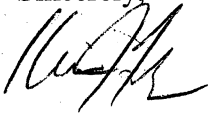
Recalling that the initial stormwater pond dosing rate will be sufficient to produce an initial concentration of 1.0 mg/l and at most 2.0 mg/l, even only a 90% reduction prior to discharge will result in discharge levels of 0.1 to 0.2 mg/l. Given the NOEC of 100 mg/l for "clean" test water, still produces a 500 to 1,000 difference between the NOEC concentration and the "outfall" concentration. This does not even take into account the possibility that should any liqui-floc even end up reaching any of the five streams in the

identified drainages, that concentrations could conceivably be lowered even more given the background turbidity in the receiving water.

Use of chitosan products as stormwater flocculants in the State of Washington, where the protection of anadromous salmonid stocks is of paramount importance, is testimony to the safety of these products for use in coldwater fisheries in the Central Catskills and elsewhere in New York State.

I trust that this addresses your previous questions. If you should have any additional questions please contact me.

Sincerely,



Kevin J. Franke  
For  
The LA Group, P.C.

Enc.

cc. (via 1<sup>st</sup> Class, no Enc)

Alec Ciesluk, NYSDEC New Paltz  
Ken Graham, Crossroads Ventures  
Teresa Bakner, Whiteman Osterman and Hanna



The LA Group, Landscape Architecture & Engineering, P.C.  
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 Fax (518) 587-0180

**FACSIMILE TRANSMITTAL**  
 C O V E R S H E E T

Date: 4/23/03

Time: 07:40

Project: Belleayre Reservoir

LA Group No: 03006

Number of pages including cover sheet: 11

To: Name: Cynthia Leece

- For your information
- For your approval
- As discussed
- For review and comment
- As requested
- Other \_\_\_\_\_

Firm: DEC Central

Fax Number: 402-9029

From: Kevin Franke - The LA Group, P.C.

Re: Proposed Pesticide Action Levels

Message: Please see attached

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cc: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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April 1, 2003

VIA FACSIMILE

Mr. Patrick Ferracane  
NYSDEC Region 3  
200 White Plains Road – 5<sup>th</sup> Floor  
White Plains, NY 10591-5805

**Re: Belleayre Resort – SPDES Permit Pesticide Action Levels**

Dear Mr. Ferracane;

As per our earlier discussions, the following are our proposed pesticide Action Levels for the Belleayre Resort project. As we discussed, the draft SPDES Permit for the Seven Springs golf course (NY-026-4865) was used when developing the proposed Action Levels. The derivation of the proposed Action Levels is summarized in the series of attached Tables.

Table 1 lists the pesticides proposed for use on the Belleayre Resort golf courses.

Table 2 lists the pesticides from the draft Seven Springs SPDES permit and their Daily Maximum Enforceable Limits.

Table 3 lists the proposed Belleayre Resort pesticides and the Seven Springs Daily Maximum values for the common products for the two projects. You can see on Table 3 that of the 34 Belleayre Resort pesticides, eight (8) had limits established in the Seven Springs permit (2,4-D, 2,4-DP, fosetyl-AI, MCP, mefenoxam/metalaxyl, MSMA, prodiamine and propamocarb).

According to personnel at Central Office Division of Water involved in establishing the pesticide limits in the Seven Springs draft permit, the pesticide enforceable limits for Seven Springs were established based upon practical quantitation limits (PQLs) for the proposed pesticides. PQLs represent the lowest concentration at which a laboratory can accurately report a concentration for a substance in distilled water. Using the PQLs as the Enforceable Limits for Seven Springs meant that pesticide levels in discharges had to be below measurable/quantifiable levels.

Using PQL-based limits for enforceable limits the Seven Springs appear to have been warranted due to the proposed golf course's immediate adjacency to Byram Lake Reservoir, the drinking water reservoir for Mt. Kisco.

Because the proposed Belleayre Resort golf courses are not in close proximity to such a drinking water supply reservoir (14 miles to the Pepacton Reservoir and 20 miles to the Ashokan Reservoir), we believe that the use of PQL's as Action Levels for the project are not warranted and that other water quality standards should be used to establish the pesticide Action Levels for the project.

Table 4 is a list of the Seven Springs pesticides, their SPDES limits (PQLs), and water quality standards from Part 703.5 as well as TOGS 1.1.1. As shown in the last column of Table 5, the ratio of the Seven Spring permit levels (PQLs) to part 703.5/TOGS 1.1.1 is quite variable (range 0.01 to 1.14). For 2,4-D the PQL/permit level is 0.5 ppb while the water quality standard is 50 ppb. On the other hand, the PQL permit level for dicamba of 0.5 ppb is actually higher than the water quality standard of 0.44 ppb. This disparity between the ability to detect a substance in the laboratory, which is a merely a function of the pesticide's chemical structure and laboratory testing methods, and the water quality standards established to protect, among other things drinking water sources, further illustrates why PQL's may not be the best parameters to be used to establish Action Levels for the Belleayre Resort.

We propose that the pesticide Action Levels for the Belleayre Resort be established based upon such water quality standards rather than PQL levels.

Table 5 is a list of the pesticides proposed for the Belleayre Resort golf courses, the Seven Springs limits (PQLs), TOGS 1.1.1 water quality standards and some EPA water quality standards (Lifetime Health Advisories (HA) and Maximum Contaminant Levels (MCL)). Of the 34 pesticides listed in Table 5, seven (7) are included in TOGS 1.1.1. For the remaining 27 pesticides, none are Principal Organic Contaminants (POCs). Under Part 5 of the NYS Health Department Regulations (Section 5-1.52, Table 3) these 27 pesticides are Unspecified Organic Contaminants (UOCs). The MCL for UOCs is 0.05 ppm or 50 ppb.

Table 6 is a list of the pesticides proposed for the Belleayre Resort golf courses and TOGS 1.1.1 water quality standards or Health Department UOC MCL's for all proposed pesticides.

TOGS 1.2.1 Section B.3 provides guidance for establishing Action Levels, including that Action Levels should be set at levels which are representative of expected actual discharge. Pesticide runoff modeling was described in DEIS Appendix 15, "Fertilizer and Pesticide Risk Assessment." Data used for decision making in this Risk Assessment was worst case, i.e. the highest concentration of pesticides in runoff from the most steeply sloped area of either of the two golf courses during high intensity rainfall events. As such, "actual discharge" levels or average discharge levels were not calculated.

Nonetheless, based upon an analysis of the amount of land proposed for the two golf courses, the amount of other development existing and proposed in their drainage areas, as well as the overall size of the drainage areas in which they exist and which will be served by the stormwater management system, it is expected that pesticide concentration in discharged stormwater will not exceed one-half of the TOGS values or UOC MCL values listed in Table 6.

These proposed Action Levels are listed in Table 7.

The only pesticide in Table 7 that does not have a proposed Action Level is quintozone. Quintozone, also known as pentachloronitrobenzene, and listed in TOGS 1.1.1 as such, is listed as having a value of "ND" which is assumed to mean non-detectable. (An explanation of "ND" is not provided in Table 1 of TOGS 1.1.1.) This is one instance where the use of a PQL value is appropriate. If such a value is included in the Department's Analytical Detectability and Quantitation Guidelines for Selected Environmental Parameters (DEC Detectability Manual) then this value should be used for the Action Level for quintozone. If no such value is included in the Detectability Manual then alternative sources should be consulted for a suitable PQL or MDL to be used for the Action Level for quintozone.

Additional Monitoring Requirements

The proposed Action Levels are Type I Action Levels. An additional monitoring requirement will be triggered upon any monitoring results in excess of the proposed Action Levels. Samples identical to those required for routine monitoring purposes shall be taken on each of at least three consecutive discharging days and analyzed. If levels higher than the Action Levels are confirmed, the permit can be reopened by the Department for consideration of revised Action Levels.

Proposed Monitoring Locations

Stormwater samples will be taken at the following locations.

Wildacres: Outfalls of stormwater detention basins #20 and #16. These are the two detention basins at the bottom of the stormwater management system and eventually discharge to the two unnamed tributaries of Emory Brook that pass through the project site.

Big Indian Plateau: Outfalls of stormwater basins #15, #38 and #100. Basin #15 is in the drainage of the brook in Giggle Hollow, #38 is in the Lost Clove Brook drainage and #100 discharges to the drainage swale along the railroad tracks and eventually discharges to Esopus Creek.

Please call me if you wish to discuss this prior to our meeting in New Paltz tomorrow.

Sincerely,



Kevin J. Franke

For

The LA Group, P.C.

Enc.

cc. Alec Ciesluk  
Terresa Bakner & Dan Ruzow  
Ken Graham & Gary Gailes

**Table 1 Belleayre Resort Proposed Pesticides**

<b>Name</b>	<b>CAS #</b>
2,4-D	94-75-7
2,4-DP	120-36-5
acephate	30560-19-1
bendiocarb	22781-23-3
benefin	1861-40-1
bensulide	741-58-2
bentazon	25057-89-0
bifenthrin	82567-04-3
chloroneb	2675-77-6
dithiopyr	97886-45-8
ethofumesate	26259-45-0
ethoprop	13194-48-4
etridiazole	2593-15-9
fenoxaprop	73519-55-8
flutolanil	6632-96-5
fosetyl-Al	39148-24-8
glyphosate	1071-83-6
halosulfuron	100784-20-1
isofenphos	25331-71-1
lambda cyhalothrin	91465-08-6
MCPA	94-74-6
MCPP	7085-19-0
mefenoxam	70630-17-0
MSMA	2163-80-6
oxadiazon	19666-30-9
prodiamine	290991-21-2
propamocarb	24579-73-5
propiconazole	60207-90-1
quintozene	82-68-8
siduron	1982-49-6
triclopyr	55335-06-3
trifloxystrobin	141517-21-7
trifluralin	1582-09-8
vinclozolin	50471-44-8

**Table 2 Seven Springs Proposed Pesticides and SPDES Permit Enforceable Limits**

Parameter	7- Springs Permit Limit (ug/l or ppb)
MCPD	0.1
Metalaxyl	0.1
2,4-D	0.5
2,4-DP	0.5
Dicamba	0.5
Fenarimol	0.5
Fosetyl Al	0.5
Prodiamine	0.5
Triademefon	0.5
Trichlorfon	0.5
Thiram-	0.5
Carbaryl	1
Imidacloprid	1
Iprodione	1
Triadimenol	1
Thiophanate	2
Ethylene Thiourea	5
MSMA	5
Paclobutrazole	10
Propamocarb	10
Trinexapac-ethyl	10

**Table 3 Belleayre Resort Pesticides and Seven Springs Permit Limits**

<b>Name</b>	<b>CAS #</b>	<b>Seven Springs Permit Limit (ppb)</b>					
2,4-D	94-75-7	0.5					
2,4-DP	120-36-5	0.5					
acephate	30560-19-1						
bendiocarb	22781-23-3						
benefin	1861-40-1						
bensulide	741-58-2						
bentazon	25057-89-0						
bifenthrin	82567-04-3						
chloroneb	2675-77-6						
dithiopyr	97886-45-8						
ethofumesate	26259-45-0						
ethoprop	13194-48-4						
etridiazole	2593-15-9						
fenoxaprop	73519-55-8						
flutolanil	6632-96-5						
fosetyl-Al	39148-24-8	0.5					
glyphosate	1071-83-6						
halosulfuron	100784-20-1						
isofenphos	25331-71-1						
lambda cyhalothrin	91465-08-6						
MCPA	94-74-6						
MCPP	7085-19-0	0.1					
mefenoxam	70630-17-0	0.1					
MSMA	2163-80-6	5					
oxadiazon	19666-30-9						
prodiamine	290991-21-2	0.5					
propamocarb	24579-73-5	10					
propiconazole	60207-90-1						
quintozene	82-68-8						
siduron	1982-49-6						
triclopyr	55335-06-3						
trifloxystrobin	141517-21-7						
trifluralin	1582-09-8						
vinclozolin	50471-44-8						

8 Pesticides Proposed for Both Projects

**Table 4 Seven Springs SPDES Levels and Part 703.5/TOGS 1.1.1 Values**

Parameter	7- Springs Permit Limit (ppb)	Part 703.5 Standards (ppb)	TOGS 1.1.1 Table 1 (ppb)	TOGS 1.1.1 Table 5 (ppb)	Ratio Permit / 703.5 & TOGS
MCPPP	0.1				
Metalaxyl	0.1				
2,4-D	0.5	50	50	50	0.01
2,4-DP	0.5				
Dicamba	0.5	0.44	0.44	0.44	1.14
Fenarimol	0.5				
Fosetyl Al	0.5				
Prodiamine	0.5				
Triademefon	0.5				
Trichlorfon	0.5				
Thiram	0.5	1.8	1.8	1.8	0.28
Carbaryl	1	29	29	29	0.03
Imidacloprid	1				
Iprodione	1				
Triadimenol	1				
Thiophanate	2				
Ethylene Thiourea	5		ND	ND	
MSMA	5				
Paclobutrazole	10				
Propamocarb	10				
Trinexapac-ethyl	10				

### **3.9.1 Emergency Services**

#### **B. Potential Impacts**

This paragraph states: "...could result in the need for additional staff, equipment, etc.", and thereafter states: "All service providers ... are fully capable of serving the project...". These statements conflict. Explain the basis for stating there would be need for additional staff, etc.

### **3.9.3 Potable Water**

#### **A. Existing Conditions**

This paragraph refers to impacts issues, not existing conditions. Delete the first sentence and move the 2nd sentence to the end of section B., 1st paragraph. Move section B., 2nd and 3rd paragraphs and 4th paragraph, 1st sentence to existing conditions section A.

#### **B. Potential Impacts**

The above comments for Section 2.2.3 also apply here.

#### **C. Mitigation**

*Our previous review comments remain unaddressed:*

If the Fleischmanns water supply system is so seriously in need of repairs, and this project expects to connect to it, this project should contribute its fair share to make such repairs. The alternatives section indicates "improvements must be made to enable the Village to sell water to the development". Specifically what are the proposed improvements? Without repairs, would the significant draw from the project impact the existing system facilities? Can the Village treat the additional water needed for the project? How does the cost of additional treatment compare with revenues generated by the water purchase? Should treated water be used for irrigation?

### **LOCAL TRAFFIC ISSUES**

*We note that an Addendum to the Traffic Impact Study has been prepared to accompany the original study in DEIS Appendix 25. The comment/response format of this addendum is inappropriate for a DEIS. The issues of concern should be incorporated into the Traffic Appendix and summarized in the traffic section of the DEIS to facilitate review by the lay public. At the least, references to the various comment/responses are recommended below.*

#### **2.2.7 E. Recreational Vehicles**

Add reference here to the discussion of ATV use in Response 9, Appendix 25.

#### **2.2.7 F. Road Maintenance**

Add reference here to the sight line figures in Appendix 25 and additional discussion of road maintenance in Response 6, Appendix 25. The types of maintenance and parties responsible for maintenance of the sight line triangles should be identified.

#### **2.2.7 G.1. Golf Carts**

Add reference here to the sight line discussion in Response 8, Appendix 25.



### 3.7 Traffic

#### 3.7.1 Access and Existing Conditions

Sight distance information is not provided for the five study area intersections in this section (Scoping document 11/03/00, Attachment 5).

Add reference here to the discussion of additional intersections considered in Response 27, Appendix 25.

The Scope states that *the traffic study will "characterize the existing local road network and traffic volumes."* Provide general descriptions of the four local roads, such as identify pavement surfaces (e.g. dirt, or asphalt), road condition and width, obvious deficiencies (e.g. grades and sight distance), road ownership (e.g. public/private), and level of use.

*The traffic study will "assess the potential impact of project construction and operation on local traffic patterns and roadways."* Discuss the projected number of truck trips, and vehicle size associated with construction.

*The traffic study will describe "parking in relation to what would be necessary for any special event".* Identify potential special events, parking needs, and parking provisions associated with each.

*The traffic study will be completed "for the year the proposed project may open as well as one full year of full utilization."* The DEIS document needs to justify not doing the 2006 analysis of opening year by stating that the mitigation proposed for the entire site development will be in place at the time of opening and thus the later design year is a worst case.

#### 3.7.2 A. Trip Generation

Add reference here to the discussion of attendance trends at Belleayre Mountain in Response 21, Appendix 25.

#### 3.7.2 F. Sight Distance Analysis

Add reference here to the discussion of sight distance in Response 22, Appendix 25.

#### Appendix 25, Addendum to Traffic Impact Study

Response 22: Clarify if the State highway regulations govern County roads or specify the criteria used by the County.

Response 23: The New York State Department of Transportation criteria are based on lane group level of service. Neither overall nor approach level of service is used as a criteria. The exception is when the approach is the lane group. In order to evaluate the benefits of lane additions, lane group level of service and delays needs to be provided. For unsignalized intersections, no overall levels of service are shown. Whether or not overall level of service may change with lane additions is not relevant. The delay and level of service benefits to individual lane groups must be weighted verses further disturbance, and other disbenefits. Provide tables for build conditions with and without mitigation for level of service and delay.

Response 24: Response 23 infers there are mitigation conditions with additional lanes making multiple lane groups per approach. Provide tables for build conditions with and without mitigation for level of service and delay. Such tables should show lane group delay and level of service.

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Response 26: What was the result of the left turn lane review? Use the 2000 and not 1994 edition of *A Policy on Geometric Design of Highways and Streets* for review.

Response 28: While it has no parking facilities, the applicant has specified that the Wilderness Activity Center is open to the public. The degree to which the Activity Center will function as an amenity to the resort versus a independent recreation facility is not clear. Activities discussed for the activity center may make it a destination unto itself (and thus a traffic generator). The applicant should provide more detailed information as to the space use.

There is no need to duplicate Figures 2-24B, C and D from the DEIS in this appendix.

## **SOCIOECONOMIC ISSUES**

Reference to maps on page 3-181, 2nd paragraph should be corrected to read "Figures 3-49 and 3-50". Our prior comment on the unreadability of these figures remains unaddressed. If these are provided in color, as in Appendix 26, they would be usable.

We are unable to find any statement regarding potential new commercial development (other than this proposal) that could affect local employment, as listed in the scope.

Page 3-188, last para., "...2.0 percent increase in total retail employment...", appears that it should read "...total service employment...". Same text is in Appendix 26.

Table 7-1 is missing.





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[www.akrf.com](http://www.akrf.com)

## Memorandum

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To: Dean Gitter, Crossroads Ventures, L.L.C.  
From: John Feingold, Peter Liebowitz  
Subject: Completeness Responses – Clough Harbour and Tim Miller Comments  
Date: May 23, 2003

### General Comments

Many of the Clough Harbour comments are beyond completeness review. In several instances they concur that the scope of work has been met, but ask for something more or different (e.g., "it would be helpful to see...").

### Responses to Specific Comments

#### *3.8 Land Use and Community Character – 1<sup>st</sup> comment (page 3 of 15)*

The comment suggests that the potential impact of the project on the local community has not been sufficiently addressed without more of a micro-scale discussion of the affected communities. However, the DEIS clearly focuses substantial information and discussion on the two towns and the hamlets that comprise the impact area. Basically, each chapter of the EIS describes the project in relation to its existing setting and the manner in which the project affects the setting. In each assessment area (e.g., land use, demographics, economics, environmental, traffic, etc.) the analyses and mitigation approaches point towards a basic compatibility of the project with the surrounding community and its economic and environmental baseline.

The study areas for the impact assessment may be relatively large in land area but relatively straightforward in terms of the location of communities in the corridor, and the project's likely relationship to these communities.

Based on the scope of work established for this EIS and the types and extent of anticipated impacts to the community, additional analysis is not warranted.

#### *3.8 Land Use and Community Character – 2<sup>nd</sup> comment (page 4 of 15)*

In response to this Clough Harbour and the Tim Miller comment pertaining to potential new commercial development affecting local employment, the socioeconomic analyses clearly evaluate employment aspects of this project and the surrounding community. In examining employment trends and labor availability (and in consultation with local and state agencies on

workforce issues), the study as reported in the EIS concludes that there is a sufficient labor force to support the new facility without undue burdens on the existing workforce and its natural growth. The ski area has already indicated that it is expanding its base of operations. Their labor force changes are happening with or without Belleayre Resort.

Further, the level of new economic activity that may be expected to be indirectly generated by the project is relatively small (roughly estimated at a demand for approximately 75,000 additional square feet of retail/commercial space throughout the entire study corridor). This new economic activity is not expected to impose undue burdens on the labor force. Even if this projected activity showed up as new development (e.g., the construction of 75,000 square feet of new commercial space), the total employment generated might reach 150 to 200 full time job equivalents. Given the projected spending patterns, these new jobs would not be of a sort that would generate an inflow of new labor. Given the analysis prepared for the EIS, it is unlikely that many of these jobs would be fully new jobs in the corridor. It is anticipated that existing workers would expand hours (e.g., part-time to full-time) to meet the labor demand, or local workers would alter commute patterns to work closer to home.

Finally, Tim Miller's comment regarding page 3-188 correctly suggested a word change from "retail" to "service."

#### *3.8.2/3.8.3 Adjacent Land Uses and Community Character – 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> comments (page 5 of 15)*

As with the observation above, it would seem that the need for additional mapping and micro-analysis of compatibility of the project is unwarranted based on the generally straightforward context of the project to communities in the corridor. This is particularly the case given that there are few notable impacts identified in other sections of the EIS that would directly affect community character. There might be more of a need for such analysis if the potential induced development were estimated at such substantial levels that it could not be readily absorbed in the hamlets and already developed yet under-occupied or under-performing portions of the corridor.

#### *3.8.4 Local and Regional Land Use Plans, 1<sup>st</sup> comment (page 7 of 15)*

The Clough Harbour comment seems to have little bearing on the scope item and its discussion. As the DEIS shows, the project is compatible with local and regional planning policies, the Belleayre Ski Center UMP, with the Catskill Watershed Corporation's policies, and local zoning.

Of more concern are comments suggesting that more can be done to speculate on what might happen in the future, such as new hotels, motels, and golf courses. The analyses conducted for the EIS suggest a much more modest level of induced economic activity, therefore there is no need for speculation.

#### *3.8.5 Socio-Economic Setting, Construction Phase, 1<sup>st</sup> comment (page 8 of 15)*

The work was done in accordance with the scope and in a manner consistent with hundreds if not thousands of studies utilizing the RIMS II modeling.

The comment also is also uninformed, in that the RIMS II analyses are not based on SIC code-level input. Rather, RIMS II incorporates a compilation of some 540 different business sectors established by the U.S. Department of Commerce for which the econometric characteristics of how invested capital circulates through the regional and state economy (typically at a County level).

The comment is more likely focusing on the indirect expenditures analysis presented in Chapter 7, which is based on a 2 digit SIC classification. Based on the relatively modest anticipated off-site expenditures of about \$23 million, and on the lack of diversity in the local economy, there would be little value to adding additional specificity of business type (e.g., three- or four-digit SIC code classifications) and consumer expenditures. Seeking greater sectoral detail for projected consumer spending would result in false precision, and the analysis would lose the range of possibilities to be expected within more generalized sectors of economic activity in the corridor. The source data of consumer expenditures at such a detailed level is also not generally available, thus there would be mismatch between the characterization of existing sales and how to assign the new spending.

*3.8.5 Socio-Economic Setting, Evaluate Potential Community-Related Cost, 1<sup>st</sup> comment (pages 9 and 10 of 15)*

The DEIS fulfills the scoping direction of determining and seeking information as to potential future costs to the community to provide basic services (and summarizes the likely revenues to the communities as well). Further, like some of the other comments noted above, the comment also speculates or assumes that potential costs must be present and therefore must be analyzed in the DEIS. Per scoping, service providers were contacted in order to solicit input on how new resort-generated demand could be accommodated. Consistently, these providers formally responded that the demands requirements could be met within the existing levels of available resources. Thus, it is too speculative for the EIS to postulate unrealistic "what if" scenarios when in fact the actual service providers have themselves determined that the improvements or enhancements would not be needed.

*Section 7.0 Growth Inducing, 2<sup>nd</sup> Comment (page 10 of 15)*

The EIS addressed this scoping item by examining the potential for new expenditures in the corridor, and arrived at the conclusion that there is likely not to be a substantial secondary development market generated by the proposed resort. Based on the possible new expenditures and levels of activity currently observed in the corridor, it would appear that the corridor can accommodate new demand within existing businesses or with modest expansion of the retail/commercial base.

The comment seeks to examine in much more detail the potential siting prospects and vacancy analyses for where such expansions might occur throughout the corridor, particularly in the hamlets. The EIS provided information on the number of establishments in the corridor, on the business surveys conducted as part of the Route 28 corridor study, and on land constraints within corridor. Combined with the relatively modest anticipated secondary economic activity (which if representing all new demand might be about 75,000 square feet of floor space), there are many opportunities within the hamlets and already developed portions of the corridor to absorb and accommodate some degree of commercial expansion to meet the expected induced demand.

*Section 7.0 Growth Inducing, 5th Comment on Additional Year Round Housing (page 11 of 15)*

The April 2003 comment again seeks to add additional substantive comments to DEIS conclusions, not to suggest that the scope of work was not followed.

The DEIS concludes that there is little anticipated change in the demand for year round or rental housing based on the project. The vast majority of new employees are expected to be drawn from a reasonably large existing localized labor force within the tri-county region. Those

contacted about labor force trends indicated that this was a reasonable conclusion and that workforce flexibility in a rural and tourist-based economy is very high, and that the project's labor demands would be accommodated with little change to the overall workforce.

The EIS does project that there would be a limited number of higher-level management workers attracted to the area for the first time, generating a demand for year-round housing. However, this demand would primarily be for owner-occupied housing and is expected to only reach around 20 households as the project begins operation.

There is no basis for the comments request to look at the effects on senior housing, which is unrelated to the customer base of the new facility and a demographic pattern which is not likely to be affected by new employment or economic activity generated by the project.

*Section 7.0 Growth Inducing, Additional requests for more detailed mapping (pages 112, 13, of 15)*

See responses above about the need or reasonableness of additional mapping and analysis in the corridor.



**the LA group**  
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May 23, 2002

Mr. Dean Gitter  
Crossroads Ventures  
PO Box 267  
Mt. Tremper, NY 12457

**Re: DEIS Completeness Comments of Tim Miller Associates**

Dear Mr. Gitter;

In response to the comments of Tim Miller Associates submitted to NYSDEC on the Belleayre Resort DEIS, the following changes have been made in the current DEIS.

(1) Section 3.9.1 Emergency Services, Subsection B. Potential Impacts

This text in this section has been replaced with the following: "The proposed project may increase demands for these emergency service providers. However, all these service providers were contacted, and all these service providers have indicated that they are fully capable of serving the project with their current resources."

(2) Socioeconomic Issues Comment 1 of 4

Figure references in the second paragraph on page 3-181 have been changed from Figures 3-34 and 3-45 to Figures 3-49 and 3-50. These are the figures entitled "Study Area", and color versions from Appendix 26 will be used in Volume 1 of the DEIS.

(3) Socioeconomic Issues Comment 3 of 4

As per the comment, in the last paragraph on page 3-188 "...total retail employment ..." has been changed to "... total service employment..."

(4) Socioeconomic Issues Comment 4 of 4

Table 7-1, "Corridor Spending Analysis", has been added.

Please contact me should you have any questions regarding this matter.

Sincerely,

Kevin J. Franke  
For  
The LA Group, P.C.





May 15, 2003

Mr. Dean Gitter  
Managing Partner  
Crossroads Ventures, LLC  
72 Andrew Lane Road  
Mt. Tremper, NY 12457

Re: DEIS for the Belleayre Resort at Catskill Park  
Response to comments of Tim Miller Associates  
Received by Crossroads 4/22/03 via FAX

Dear Mr. Gitter:

This letter is intended to provide information and clarification of several water supply issues raised by Tim Miller and Associates in their review of the Section 2.2.3 of the DEIS for the Belleayre Resort at Catskill Park. The comments concern the actual and worst case water demand of Village of Fleischmanns and the means through which the Wildacres Resort would receive water from the Village as well as the compensation to the Village for the supply of water.

#### **Village of Fleischmanns Existing Demand**

In recent years, the Village of Fleischmanns has treated an average of 225,000 gallons of water per day. Given the population and the number and type of commercial uses within the water service area, this value has been viewed as excessive by the Village's water system operator as well as the New York State Department of Health. The corrosive nature of the Village's water supply requires treatment prior to distribution to avoid leaching of lead and copper from aging service connections and plumbing within buildings. The Village has been challenged to treat 225,000 or more gallons of water a day due to the limitations of the existing treatment and storage system.

The Village of Fleischmanns is engaged in a project to construct a new wastewater treatment plant to serve the Village residents and businesses. During the design of the sewer collection system, it became necessary for the Village to locate the existing water lines so that minimum separation distances could be maintained between the existing water and the new sewer lines. Wisely, during the survey of the water lines, the Village of Fleischmanns also had the contractor identify major leaks in the water lines. The major leaks were repaired by the Village water system operator and Village forces in late August of 2002.

Attachment A includes the daily log sheets completed by the water system operator. The data shows that for a period of 87 days prior to August 26, 2002, the Village of Fleischmanns treated an average of 239,463 gallons of water per day. This value is consistent with the estimated 225,000 gpd of water discussed in the DEIS. However, after the major leaks were repaired, the amount of water treated by the Village dropped to average 55,916 gpd for the 247 day (8 month) period including August 27, 2002 through April 30, 2003.

These values incorporate all demand of the Village of Fleischmanns, including residential and commercial. During the eight month period since the repairs to the water mains were made, only two random days exceeded 100,000 gpd, with the peak demand being 134,100 gpd on March 2, 2003 and the other being October 25, 2002 with a demand of 100,800 gpd. The days prior to and after these peak demand days are close to the average demand of 56,000 gpd. There is no trend to the spikes in use on these two days. The eight months of data provides enough data for long term analysis and represents a stable condition for the Village's water demand. The average daily demand for the system overall dropped approximately 80% or about 185,000 gpd.

The text of the DEIS states that the projected average day demand for the Village, excluding commercial use, is 80,000 to 90,000 gpd. This value is a mathematical calculation based on the number of persons living in the Village and an assumed rate of water use and disposal. When the DEIS was submitted in December 2002, the Village had experienced an actual reduction in the amount of water treated due to the leak repairs. However, since only four months of data regarding the lower water use was available, there was a concern that the lower use may not be representative of a stable status for the water system. Therefore, the projection was briefly discussed in the DEIS to give reviewers an idea of what the water use could be with some, but not all, leaks repaired. It should be noted that the source versus demand calculations used to determine the availability of water from the Fleischmanns system were not based on the projected values, but were based on the actual average daily use of 225,000 gpd. The discussion of the projection becomes a moot point, given the availability of eight months of actual data to support the reduced water demand.

In summary, the Village of Fleischmanns existing sources are more than adequate to meet the water needs of the entire Village, both residential and commercial, with over 500,000 gpd of water available from current Village-owned sources. Given that the water demand for the Village has been reduced through distribution system leak repairs to an average of 55,916 gpd, theoretically, the Village has over 445,000 gpd of excess water. Even using the post-leak repair peak day demand of 134,100 gpd, the Village still has over 366,000 gpd of excess water. The reduction in the amount of water to be treated has allowed the Village water system operator to provide significantly more effectively treatment and addresses in part concerns of the New York State Department of Health, the Village Board and residents.

## **Water Supply to the Wildacres Resort from the Village of Fleischmanns**

As currently proposed, the Wildacres Resort would receive raw water from the Village of Fleischmanns existing sources, which would then be pumped to a treatment facility located on Crossroads Ventures land, treated to reduce corrosivity and disinfected, then pumped to a storage tank located at a high elevation on the Resort lands and through the distribution system for use by patrons and employees of the Wildacres facilities. The engineering, permitting, construction and equipment necessary to pump raw water from the Village system to the Resort would be paid to the Village by the Resort. It has been assumed that the Village of Fleischmanns would treat the Resort as an "out of district" water user and bill the Resort for the water supplied accordingly. Since the Village would not be treating the water, the on-going cost to supply the water to the Resort would be minimal (e.g. power to operate pumps), providing an opportunity for the Village to gain revenue from the sale.

As an alternative to the Resort being supplied from existing Village-owned sources, a new groundwater well could be established by the Village, the capital cost for which would be paid for by the Resort. This alternative is offered for several reasons. While it has been demonstrated that the Village of Fleischmanns has more than enough excess water capacity to supply both residents and businesses within the existing service area and the Wildacres Resort, a new groundwater source developed to serve the Resort would essentially leave the Village with all its current water resources in tact and at its full discretionary disposal. In addition, it may be easier for the Village to supply raw water, maintain and monitor Resort water use if the source of supply is separate from the existing Village system. The Wildacres Resort would still require an interconnection to the existing Village system in order to have a "back-up;" however, the connection could be valved and opened either automatically or manually during an emergency.

With respect to the much needed improvements to the Village of Fleischmanns water supply system, while some repairs to the water mains have been made and a dramatic reduction in the amount of water treated has occurred, the water system is still in need of additional improvements. Those improvements include the need to rehabilitate and reconnect the two out of service groundwater wells, improve treatment facilities, rebuild and secure the spring water collection system, and incorporate additional storage in the system, as well as continuing repairs and maintenance to the distribution system. The Village has applied for subsidized funding from the Drinking Water State Revolving Fund (DWSRF) to finance the needed water system improvements. The Village expects to receive a confirmation letter discussing the terms of the project financing later this month. These upgrades and repairs the Village water system would be conducted and funded by DWSRF regardless of the proposed Wildacres Resort project and request for water.

In a letter dated December 14, 2001, Delaware Engineering requested comments from the New York State Department of Health (NYSDOH) regarding potential Village of Fleischmanns water supply options for the Wildacres Resort. In response, the NYSDOH

provided a letter, stating that the NYSDOH has no objection to the sale of raw water from a new well by the Village of Fleischmanns to the Wildacres Resort. The letter further states that since the water source would be separate from the Village's existing system, a review of the impacts of the sale on the existing system would not be warranted. However, the letter also states that if the Village were to *supply treated* water from the existing system, upgrades to the system would be required to address conditions as outlined in a previous NYSDOH letter. Nevertheless, the NYSDOH letter states that the sale of water from the Village's existing system to the Wildacres Resort would also not be objectionable, providing the previously outlined conditions were addressed to the satisfaction of the Department. Copies of these correspondences are included in Appendices 6 and 7 of the DEIS.

### **Compensation to the Village of Fleischmanns**

The Village of Fleischmanns is in a position where improvements to the existing water system are needed and highly recommended by the NYSDOH. The Village has sought subsidized funding through the DWSRF Disadvantaged Community (Hardship) program to finance the much needed improvements.

The formal agreement for the sale of raw water from either existing or new sources between the Village of Fleischmanns and the Wildacres Resort will incorporate terms that will provide revenue to the Village in excess of the Village's operational costs associated with the sale of water to the Resort. No capital investment by the Village will be necessary to supply such water. The Resort would fund and/or construct sources (including the drilling of a new well to be used as the primary water source for the Resort), pumping, treatment, and distribution solely required for the Village to convey water to the Resort. Under the scenario where a new well is drilled, the well and well pump would be funded by the Resort and owned by the Village.

Since the Village will have no capital expenses associated with the provision of the water and very little operation and maintenance on the facilities required to supply the Resort raw water, the revenue will be excess to the Village and should assist in creating a positive cash flow for the Village's water system.

### **Summary**

In summary, the supply of water by the Village of Fleischmanns to the Wildacres Resort can be accomplished in several ways. The Village's existing water supplies are more than adequate to meet the demands of the Village and those of the Wildacres Resort. Alternatively, a new Village well could be constructed for the sole purpose of supplying water to the Resort. In either case, the Resort will fund the facilities necessary for the Village to supply water to the Resort and the Village will receive an on-going source of revenue from the sale of water.

As always, if you have any questions or require further information, please contact us.

Sincerely,

  
Mary Beth Bianconi  
Project Manager

Enclosure

C: T. Bakner  
K. Graham  
G. Kerzic

**Attachment A**

VILLAGE OF FLEISCHMANN'S  
WATER DEPT.

DATE	TIME	GALLONS PER DAY	TOTAL USED GALS PER DAY	PH	PHOSPHATE
6-1-02	640	425004800	204200	7.2	1.0
6-2-02	510	425206200	201400	7.2	1.0
6-3-02	625	425421300	215100	7.2 <sup>68</sup>	1.0
6-4-02	615	425616000	194900	7.2	1.0
6-5-02	625	425812200	201700	7.2	1.0
6-6-02	600	426016900	199200	7.2	1.0
6-9-02	620	426220800	203900	7.2	1.0
6-8-02	530	426420000	199200	7.2	1.0
6-9-02	630	426640100	220100	7.2	1.0
6-10-02	625	426850600	210500	7.2 <sup>68</sup>	1.0
6-11-02	615	427055600	205000	7.2	1.0
6-12-02	545	427252400	201800	7.2	1.0
6-13-02	610	427466100	208900	7.2	1.0
6-14-02	525	427665000	198900	7.2	1.0
6-15-02	555	427868500	203500	7.2	1.0
6-16-02	600	428071900	203400	7.2	1.0
6-17-02	615	428278600	206700	7.2	1.0
6-18-02	635	428486500	207900	7.2	1.0
6-19-02	600	428682300	195800	7.2	1.0
6-20-02	600	428897700	215400	7.2	1.0
6-21-02	525	429140900	243200	7.2	1.0
6-22-02	630	429433000	293100	7.2	1.0
6-23-02	625	429678300	245300	7.2	1.0
6-24-02	605	429923200	253900	7.2	1.0
6-25-02	620	480181900	249700	7.2	1.0
6-26-02	605	480432100	250200	7.2	1.0
6-27-02	610	480684500	252400	7.2	1.0
6-28-02	600	480927400	242900	7.2	1.0
6-29-02	520	481239400	312000	7.2	1.0
6-30-02	635	481539000	319600	7.2	1.0
	Aug.	<del>635</del>	218423		

VILLAGE OF FLEISCHMANN'S  
WATER DEPT.

DATE	TIME	GALLONS PER DAY	TOTAL USED GALS PER DAY	PH	PHOSPHATE
7-1-02	6:10	481853500	294500	7.2	1.0
7-2-02	6:10	482146000	292500	7.2	1.0
7-3-02	6:00	482452900	306900	7.2	1.0
7-4-02	5:35	482786600	333700	7.2	1.0
7-5-02	5:40	483123200	337100	7.2	1.0
7-6-02	5:30	483454400	330700	7.2	1.0
7-7-02	5:45	483753100	298700	7.2	1.0
7-8-02	6:10	484072200	324100	7.2	1.0
7-9-02	5:50	484379600	302400	7.2	1.0
7-10-02	6:00	484687900	309700	7.2	1.0
7-11-02	5:15	484964800	275560	7.2	1.0
7-12-02	6:15	485271300	306500	7.2	1.0
7-13-02	5:55	485591600	320300	7.2	1.0
7-14-02	5:20	485904300	312700	7.2	1.0
7-15-02	6:25	486235300	331000	7.2	1.0
7-16-02	6:20	486541200	305900	7.2	1.0
7-17-02	6:00	486834400	293200	7.2	1.0
7-18-02	6:05	487125300	290900	7.2	1.0
7-19-02	6:20	487417700	292400	7.2	1.0
7-20-02	6:00	4877253900	336200	7.2	1.0
7-21-02	5:20	488061000	307100	7.2	1.0
7-22-02	6:35	488395200	334200	7.2	1.0
7-23-02	6:40	488709900	314700	7.2	1.0
7-24-02	6:20	489006500	296600	7.2	1.0
7-25-02	5:40	489309000	302500	7.2	1.0
7-26-02	6:20	489627600	318600	7.2	1.0
7-27-02	5:30	489933200	305400	7.2	1.0
7-28-02	6:10	490250400	317400	7.2	1.0
7-29-02	6:10	490578100	227700	7.2	1.0
7-30-02	6:15	490904300	326200	7.2	1.0
7-31-02	6:10	491218400	314100	7.2	1.0
		Aug.	302093		



VILLAGE OF FLEISCHMANN'S  
WATER DEPT.

DATE	TIME	GALLONS PER DAY	TOTAL USED GALS PER DAY	PH	PHOSPHATE
8-1-02	6:55	491533600	315200	7.2	1.0
8-2-02	6:10	491856600	323000	7.2	1.0
8-3-02	6:05	492192800	336200	7.2	1.0
8-4-02	5:55	492522600	334800	7.2	1.0
8-5-02	6:10	492894400	366800	7.2	1.0
8-6-02	6:10	493173200	278800	7.2	1.0
8-7-02	6:00	493320300	147100	7.2	1.0
8-8-02	5:55	493449200	128900	7.2	1.0
8-9-02	6:00	493580900	131600	7.2	1.0
8-10-02	6:05	493725300	144500	7.2	1.0
8-11-02	5:30	493862900	137600	7.2	1.0
8-12-02	6:20	494006100	143200	7.2	1.0
8-13-02	6:25	494132200	126100	7.2	1.0
8-14-02	6:05	494249200	117500	7.2	1.0
8-15-02	6:15	494379800	129900	7.2	1.0
8-16-02	6:25	494507200	128100	7.2	1.0
8-17-02	6:15	494646800	139100	7.2	1.0
8-18-02	5:30	494780700	133900	7.2	1.0
8-19-02	6:30	494932800	152100	7.2	1.0
8-20-02	6:25	495065000	132200	7.2	1.0
8-21-02	6:25	495187400	122400	7.2	1.0
8-22-02	6:20	495297100	109200	7.2	1.0
8-23-02	6:15	495410800	113700	7.2	1.0
8-24-02	5:20	495521000	110200	7.2	1.0
8-25-02	6:50	495631900	110900	7.2	1.0
8-26-02	6:30	495733400	101500	7.2	1.0
8-27-02	6:40	495814100	80700	7.2	1.0
8-28-02	6:30	495888300	74200	7.2	1.0
8-29-02	6:25	495956700	68400	7.2	1.0
8-30-02	6:35	496027800	71100	7.2	1.0
8-31-02	6:05	496094700	66900	7.2	1.0
		Aug.	147132		

repaired Solvix  
Leak (Coughlin)  
repaired 2' Min  
(Coughlin)

repaired Service  
Leak (Coughlin)

VILLAGE OF FLEISCHMANN'S  
WATER DEPT.

DATE	TIME	GALLONS PER DAY	TOTAL USED GALS PER DAY	PH	PHOSPHATE
9-1-02	725	496174600	79900	7.2	1.0
9-2-02	610	496233700	59100	7.2	1.0
9-3-02	635	496285300	51600	7.2	1.0
9-4-02	630	496326500	41200	7.4	1.0
9-5-02	630	496369300	42800	7.4	1.0
9-6-02	625	496414500	45200	7.4	1.0
9-7-02	550	496456000	41500	7.4	1.0
9-8-02	640	496510000	54000	7.4	1.0
9-9-02	635	496562300	52300	7.4	1.0
9-10-02	630	496610100	47800	7.4	1.0
9-11-02	640	496657900	49800	7.4	1.0
9-12-02	630	496702900	45000	7.4	1.0
9-13-02	635	496748800	45900	7.4	1.0
9-14-02	600	496791200	42400	7.4	1.0
9-15-02	620	496844300	53100	7.4	1.0
9-16-02	640	496893000	48700	7.4	1.0
9-17-02	645	496936300	42300	7.4	1.0
9-18-02	630	496995300	60000	7.4	1.0
9-19-02	635	497054500	59200	7.4	1.0
9-20-02	640	497114400	59900	7.4	1.0
9-21-02	645	497172400	58000	7.4	1.0
9-22-02	620	497235800	63500	7.4	1.0
9-23-02	635	497292300	61400	7.4	1.0
9-24-02	630	497352100	54800	7.4	1.0
9-25-02	630	497408100	56000	7.4	1.0
9-26-02	630	497464400	56300	7.4	1.0
9-27-02	645	497519900	63500	7.4	1.0
9-28-02	610	497573000	55100	7.4	1.0
9-29-02	600	497634900	61900	7.4	1.0
9-30-02	645	497696400	61500	7.4	1.0
		Aug.	507265		

VILLAGE OF FLEISCHMANN'S  
WATER DEPT.

DATE	TIME	GALLONS PER DAY	TOTAL USED GALS PER DAY	PH	PHOSPHATE	
10-1-02	635	497245800	49500	7.4	1.0	
10-2-02	640	497280600	34700	7.4	1.0	
10-3-02	630	497815300	34700	7.4	1.0	Flushed Hydrants
10-4-02	635	4978565	41200	7.4	1.0	Flushed Hydrants
10-5-02	510	49898600	42100	7.4	1.0	Flushed Hydrants
10-6-02	625	497957100	58500	7.4	1.0	
10-7-02	635	498008300	51200	7.4	1.0	Flow Test of Hydrants
10-8-02	645	498048800	40500	7.4	1.0	
10-9-02	635	498088300	39500	7.4	1.0	
10-10-02	635	498129100	40800	7.4	1.0	
10-11-02	615	498167100	38000	7.4	1.0	
10-12-02	605	498205900	38800	7.4	1.0	
10-13-02	710	498254800	48900	7.4	1.0	
10-14-02	530	498298400	43600	7.4	1.0	
10-15-02	630	498346100	47900	7.4	1.0	
10-16-02	630	498387900	41800	7.4	1.0	
10-17-02	630	498427700	39800	7.4	1.0	
10-18-02	630	498467000	39300	7.4	1.0	
10-19-02	645	498506800	39800	7.4	1.0	
10-20-02	605	498559600	52800	7.4	1.0	
10-21-02	640	498610100	50500	7.4	1.0	
10-22-02	700	498651900	41600	7.4	1.0	
10-23-02	635	498693100	41400	7.4	1.0	
10-24-02	630	498733300	40900	7.4	1.0	
10-25-02	630	498834600	160800	7.4	1.0	
10-26-02	600	498883100	48500	7.4	1.0	
10-27-02	540	498931200	98100	7.4	1.0	
10-28-02	630	498982100	50900	7.4	1.0	
10-29-02	640	499027400	45300	7.4	1.0	
10-30-02	645	499072800	45200	7.4	1.0	
10-31-02	620	499112900	40300	7.4	1.0	

VILLAGE OF FLEISCHMANN'S  
WATER DEPT.

DATE	TIME	GALLONS PER DAY	TOTAL USED GALS PER DAY	PH	PHOSPHATE
11-1-02	640	499154100	41200	7.4	1.0
11-2-02	630	499193800	39700	7.4	1.0
11-3-02	705	499245200	52000	7.4	1.0
11-4-02	650	499292400	46600	7.4	1.0
11-5-02	700	499335200	42800	7.4	1.0
11-6-02	615	499380800	45600	7.4	1.0
11-7-02	645	499431200	50400	7.4	1.0
11-8-02	640	499480900	49700	7.4	1.0
11-9-02	510	499522000	41100	7.4	1.0
11-10-02	540	499574800	52800	7.4	1.0
11-11-02	725	499623500	48700	7.4	1.0
11-12-02	645	499666400	42900	7.4	1.0
11-13-02	510	499709000	42600	7.4	1.0
11-14-02	640	499754400	45400	7.4	1.0
11-15-02	645	499797800	43400	7.4	1.0
11-16-02	525	499836400	38600	7.4	1.0
11-17-02	635	499884200	48300	7.4	1.0
11-18-02	800	499939300	54600	7.4	1.0
11-19-02	6:30	499985400	46100	7.4	1.0
11-20-02	6:45	500034200	51200	7.4	1.0
11-21-02	6:58	500080900	48700	7.4	1.0
11-22-02	6:35	500126500	54000	7.4	1.0
11-23-02	6:25	500172900	49600	7.4	1.0
11-24-02	6:00	500213800	49100	7.4	1.0
11-25-02	6:35	500271100	47300	7.4	1.0
11-26-02	6:15	500315300	44200	7.4	1.0
11-27-02	8:25	500364200	49400	7.4	1.0
11-28-02	6:00	500402100	47500	7.4	1.0
11-29-02	6:35	500451100	49900	7.4	1.0
11-30-02	6:00	500501900	49200	7.4	1.0
12-		Aug.	44900		

VILLAGE OF FLEISCHMANN'S  
WATER DEPT.

DATE	TIME	GALLONS PER DAY	TOTAL USED GALS PER DAY	PH	PHOSPHATE
12-1-02	7:20	500560800	59900	7.4	1.0
12-2-02	6:45	500613700	52900	7.4	1.0
12-3-02	7:40	500664400	50700	7.4	1.0
12-4-02	6:15	500702500	43100	7.4	1.0
12-5-02	6:45	500755300	49800	7.4	1.0
12-6-02	8:05	500801800	46500	7.4	1.0
12-7-02	6:20	500842000	40200	7.4	1.0
12-8-02	6:05	500892000	50000	7.4	1.0
12-9-02	6:10	500943200	51200	7.4	1.0
12-10-02	6:45	500996500	53300	7.4	1.0
12-11-02	7:35	501050400	53900	7.4	1.0
12-12-02	8:45	501115400	65000	7.4	1.0
12-13-02	6:20	501186500	71100	7.4	1.0
12-14-02	7:30	501255100	68600	7.4	1.0
12-15-02	5:30	501335400	80300	7.4	1.0
12-16-02	6:20	501420600	85200	7.4	1.0
12-17-02	6:30	501493200	63100	7.4	1.0
12-18-02	7:15	501552600	73900	7.4	1.0
12-19-02	5:30	501623600	66000	7.4	1.0
12-20-02	5:05	501695200	71600	7.4	1.0
12-21-02	6:30	501770200	75000	7.4	1.0
12-22-02	5:00	501848200	78500	7.4	1.0
12-23-02	7:40	501938200	90000	7.4	1.0
12-24-02	5:45	502013000	74300	7.4	1.0
12-25-02	4:45	502090100	77100	7.4	1.0
12-26-02	5:10	502166300	76200	7.4	1.0
12-27-02	8:30	502252800	86500	7.4	1.0
12-28-02	5:15	502322800	70000	7.4	1.0
12-29-02	5:40	502410400	87600	7.4	1.0
12-30-02	6:10	502496300	85900	7.4	1.0
12-31-02	5:45	502581100	84800	7.4	1.0

Aug. 65100

VILLAGE OF FLEISCHMANN'S  
WATER DEPT.

DATE	TIME	GALLONS PER DAY	TOTAL USED GALS PER DAY	PH	PHOSPHATE	
1-1-03	445	502649800	68700	7.4	1.0	W/DW
1-2-03	545	502713300	63400	7.4	1.0	W/DW
1-3-03	1110	502784800	71600	7.4	1.0	W/DW
1-4-03	835	502839600	54800	7.4	1.0	W/DW
1-5-03	600	502893000	53400	7.4	1.0	W/DW
1-6-03	445	502946100	53100	7.4	1.0	W/DW
1-7-03	600	502995200	49100	7.4	1.0	W/DW
1-8-03	715	503045000	49800	7.4	1.0	W/DW
1-9-03	735	503089700	44700	7.4	1.0	W/DW
1-10-03	725	503137100	47400	7.4	1.0	W/DW
1-11-03	730	503203600	66500	7.4	1.0	W/DW
1-12-03	620	503256000	52400	7.4	1.0	W/DW
1-13-03	710	503313900	52900	7.4	1.0	W/DW
1-14-03	730	503363700	49800	7.4	1.0	W/DW
1-15-03	600	503418900	55200	7.4	1.0	W/DW
1-16-03	600	503470300	51400	7.4	1.0	W/DW
1-17-03	750	503521900	51600	7.4	1.0	W/DW
1-18-03	525	503567000	45100	7.4	1.0	W/DW
1-19-03	545	503632700	65700	7.4	1.0	W/DW
1-20-03	630	503700900	68200	7.4	1.0	W/DW
1-21-03	615	503756200	53300	7.4	1.0	W/DW
1-22-03	710	503805700	49500	7.4	1.0	W/DW
1-23-03	740	503858700	53000	7.4	1.0	W/DW
1-24-03	745	503904700	46000	7.4	1.0	W/DW
1-25-03	535	503947400	48700	7.4	1.0	W/DW
1-26-03	535	504010300	62900	7.4	1.0	W/DW
1-27-03	800	504075700	65400	7.4	1.0	W/DW
1-28-03	620	504125700	50000	7.4	1.0	W/DW
1-29-03	735	504183500	52800	7.4	1.0	W/DW
1-30-03	615	504232500	54000	7.4	1.0	W/DW
1-31-03	635	504302000	64500	7.4	1.0	W/DW
		Aug	53296			

VILLAGE OF FLEISCHMANN'S  
WATER DEPT.

DATE	TIME	GALLONS PER DAY	TOTAL USED GALS PER DAY	PH	PHOSPHATE
2-1-03	530	504363600	61600	1.0	2.4 H/P
2-2-03	730	504437300	73700	1.0	2.4 H/P
2-3-03	700	504501800	64500	1.0	2.4 H/P
2-4-03	640	504565400	63600	1.0	2.4 H/P
2-5-03	600	504629900	59500	1.0	2.4 H/P
2-6-03	610	504687200	62400	1.0	2.4 H/P
2-7-03	10:00	504758300	71000	1.0	2.4 H/P
2-8-03	645	504804700	46400	1.0	2.4 H/P
2-9-03	530	504867800	63100	1.0	2.4 H/P
2-10-03	900	504943900	76100	1.0	2.4 H/P
2-11-03	900	504997200	53300	1.0	2.4 H/P
2-12-03	620	505043100	45900	1.0	2.4 H/P
2-13-03	905	505103500	60400	1.0	2.4 H/P
2-14-03	625	505151200	47700	1.0	2.4 H/P
2-15-03	530	505208400	57200	1.0	2.4 H/P
2-16-03	530	505280400	72000	1.0	2.4 H/P
2-17-03	600	505354600	75200	1.0	2.4 H/P
2-18-03	935	505442100	86500	1.0	2.4 H/P
2-19-03	1005	505509100	67000	1.0	2.4 H/P
2-20-03	615	505560100	51000	1.0	2.4 H/P
2-21-03	635	505624600	84500	1.0	2.4 H/P
2-22-03	600	505692000	67400	1.0	2.4 H/P
2-23-03	690	505762100	70100	1.0	2.4 H/P
2-24-03	610	505820600	58500	1.0	2.4 H/P
2-25-03	625	505882700	62100	1.0	2.4 H/P
2-26-03	615	505943300	60600	1.0	2.4 H/P
2-27-03	630	506002200	58900	1.0	2.4 H/P
2-28-03	625	506058900	56600	1.0	2.4 H/P
		Aug.	60500		

VILLAGE OF FLEISCHMANN'S  
WATER DEPT.

Main leak  
Wagner  
Dept.

DATE	TIME	GALLONS PER DAY	TOTAL USED GALS PER DAY	PH	PHOSPHATE	
3-1-03	630	506121300	62500	7.4	1.0	Wagner
3-2-03	500	506255400	134100	7.4	1.0	Wagner
3-3-03	630	506322500	67100	7.4	1.0	Wagner
3-4-03	600	506379600	55100	7.4	1.0	Wagner
3-5-03	625	506433400	55800	7.4	1.0	Wagner
3-6-03	615	506482500	54100	7.4	1.0	Wagner
3-7-03	615	506541700	54200	7.4	1.0	Wagner
3-8-03	630	506600900	59200	7.4	1.0	Wagner
3-9-03	605	506663100	62200	7.4	1.0	Wagner
3-10-03	605	506725300	62200	7.4	1.0	Wagner
3-11-03	615	506782600	56700	7.4	1.0	Wagner
3-12-03	610	506836200	54200	7.4	1.0	Wagner
3-13-03	615	506890400	55200	7.4	1.0	Wagner
3-14-03	645	506949600	58200	7.4	1.0	Wagner
3-15-03	540	507006100	56500	7.4	1.0	Wagner
3-16-03	630	507071500	65400	7.4	1.0	Wagner
3-17-03	840	507127700	63400	7.4	1.0	Wagner
3-18-03	630	507182300	54400	7.4	1.0	Wagner
3-19-03	610	507245600	55700	7.4	1.0	Wagner
3-20-03	665	507303000	58000	7.4	1.0	Wagner
3-21-03	650	507361900	58900	7.4	1.0	Wagner
3-22-03	570	507416700	54800	7.4	1.0	Wagner
3-23-03	530	507479800	63100	7.4	1.0	Wagner
3-24-03	605	507539500	59200	7.4	1.0	Wagner
3-25-03	500	507591600	52100	7.4	1.0	Wagner
3-26-03	640	507650500	58900	7.4	1.0	Wagner
3-27-03	625	507703900	53400	7.4	1.0	Wagner
3-28-03	630	507752700	48800	7.4	1.0	Wagner
3-29-03	640	507804100	47200	7.4	1.0	Wagner
3-30-03	740	507853700	53300	7.4	1.0	Wagner
3-31-03	630	507901100	47400	7.4	1.0	Wagner
		Aug.	52400			



VILLAGE OF FLEISCHMANN'S  
WATER DEPT.

DATE	TIME	GALLONS PER DAY	TOTAL USED GALS PER DAY	PH	PHOSPHATE	
4-1-03	610	507946200	45600	7.4	1.0	WPH
4-2-03	620	507991400	45200	7.4	1.0	WPH
4-3-03	615	508038100	46200	7.4	1.0	WPH
4-4-03	615	508087300	47200	7.4	1.0	WPH
4-5-03	805	508136600	49300	7.4	1.0	WPH
4-6-03	555	508187400	50800	7.4	1.0	WPH
4-7-03	610	508238600	51200	7.4	1.0	WPH
4-8-03	715	508294000	55400	7.4	1.0	WPH
4-9-03	610	508338200	44200	7.4	1.0	WPH
4-10-03	610	508387900	49700	7.4	1.0	WPH
4-11-03	605	508435700	48600	7.4	1.0	WPH
4-12-03	645	508484500	49000	7.4	1.0	WPH
4-13-03	520	508533800	48900	7.4	1.0	WPH
4-14-03	6:00	508581800	48000	7.4	1.0	WPH
4-15-03	630	508649900	68100	7.4	1.0	WPH
4-16-03	640	508718300	68400	7.4	1.0	WPH
4-17-03	620	508768500	50200	7.4	1.0	WPH
4-18-03	600	508815100	46600	7.4	1.0	WPH
4-19-03	625	508865200	50100	7.4	1.0	WPH
4-20-03	620	508921300	56100	7.4	1.0	WPH
4-21-03	635	508988100	66800	7.4	1.0	WPH
4-22-03	610	509051300	63200	7.4	1.0	WPH
4-23-03	610	509115800	64500	7.4	1.0	WPH
4-24-03	615	509178100	62300	7.4	1.0	WPH
4-25-03	615	509244300	66200	7.4	1.0	WPH
4-26-03	610	509302300	63000	7.4	1.0	WPH
4-27-03	520	509373700	66600	7.4	1.0	WPH
4-28-03	620	509437600	63700	7.4	1.0	WPH
4-29-03	615	509486400	48800	7.4	1.0	WPH
4-30-03	615	509531500	46100	7.4	1.0	WPH

*Response: The text of the DEIS has been revised to add the above references.*

Comment 2.2.7 G.1 Golf Carts: Add reference here to the sight line discussion in Response 8, Appendix 25.

*Response: The text of the DEIS has been revised to add the above reference.*

Comment 3.7.1 Access and Existing Conditions:

a. Sight distance information is not provided for the five study area intersections in this section (Scoping document 11/03/00, Attachment 5)

*Response: Typically, sight distance is only measured at new intersections created by the development of a project or existing unsignalized locations used as direct access to a project site. Therefore, the intersections of Route 49A with Highmount Estates Access, Wildacres Southern Site Driveway, Wildacres Middle Site Driveway, and intersections along Gunnison Road and Route 28 with Friendship Road were included in the Traffic Impact Study and DEIS. Sight distance was also measured and included in Response 22 of Appendix 25 for the left-turn movement from Route 28 onto CR 49A. In addition, the sight distance at the proposed Maintenance facility driveway with Route 49A and golf cart crossing sight distance evaluations were included in Response 8 of Appendix 25. Also, an additional discussion of sight distance and sight line figures are included in Response 6 of Appendix 25.*

b. Add reference here to the discussion of additional intersections considered in Response 27, Appendix 25.

*Response: The text of the DEIS has been revised to add the above reference.*

c. The Scope states the traffic study will "characterize the existing local road network and traffic volumes". Provide general descriptions of the four local roads, such as identify pavement and surfaces (e.g. dirt, or asphalt), road conditions and width, obvious deficiencies (e.g. grades and sight distance), road ownership (e.g. public/private), and level of use.

*Response: A general description of each study area roadway is included in Section 3.7.1 of the DEIS. Each roadway description includes information such as road ownership, road usage, speed limits, and lane and shoulder widths. Additional information on traffic volumes and sight distance are included in the Traffic Impact Study included in Appendix 25. A discussion of stopping sight distance is included in Response 22 of Appendix 25.*

d. The traffic study will "assess the potential impact of project construction and operation on local traffic patterns and roadways." Discuss the projected number of truck trips, and vehicle size associated with construction.

*Response: Refer to Section 4.21, Off-Site Construction Traffic, in Appendix 22 for information regarding construction vehicle traffic. Based on the information provided in Appendix 22, it is expected that the peak construction truck traffic (during the first three years of construction) will occur during year two with approximately 60 truck trips per day. Assuming a ten-hour workday, this equates to approximately 6 trips per hour. The addition of six trips an hour will not be noticeable and will not have an impact on the adjacent roadway system. Currently, the average annual daily traffic on Route 28 is 2,520 vehicles. The addition of 60 trips equates to a maximum overall daily increase in traffic of less than 2.5%.*

e. The traffic study will describe "parking in relation to what would be necessary for any special event". Identify potential special events, parking needs, and parking provisions associated with each.

*Response: Section 2.2.7 of the DEIS states that special event parking will be accommodated by on-site temporary grass surface parking areas that exist next to both hotels. As noted by Clough, Harbour & Associates in their review (letter dated April 18, 2003) of the special event parking information provided in the DEIS, "it should be noted that no overflow parking would be expected or allowed on public roadways in or around the vicinity of any of the proposed resort properties. This would indicate there will be no additional demand on the local road systems and no impacts on neighbors surrounding the resort".*

f. The traffic study will be completed "for the year the proposed project may open as well as one full year of full utilization." The DEIS document needs to justify not doing the 2006 analysis of opening year by stating that the mitigation proposed for the entire site development will be in place at the time of opening and thus the later design year is a worst case.

*Response: A sentence was added in Section 3.7.2 of the DEIS indicating that all traffic related mitigation will be constructed prior to the project opening in 2006.*

Comment 3.7.2 A. Trip Generation: Add reference here to the discussion of attendance trends at Belleayre Mountain in Response 21, Appendix 25.

*Response: The text of the DEIS has been revised to add the above reference.*

Comment 3.7.2 F. Sight Distance Analysis: Add reference here to the discussion of sight distance in Response 22, Appendix 25.

*Response: The text of the DEIS has been revised to add the above reference.*

Comment Appendix 25, Addendum to Traffic Impact Study, Response 22: Clarify if the State highway regulation govern County roads or specify the criteria used by the County.

*Response: Ulster County has jurisdiction of County Road 49A and other County roads in the project corridor. Ulster County uses the same criteria the New York State Department of Transportation for commercial driveway design and sight distance.*

Comment Appendix 25, Addendum to Traffic Impact Study, Response 23: The New York State Department of Transportation criteria are based on lane group level of service. Neither overall nor approach level of service is used as a criteria. The exception is when the approach is the lane group. In order to evaluate the benefits of lane additions, lane group level of service and delays need to be provided. For unsignalized intersections, no overall levels of service are shown. Whether or not overall level of service may change with lane additions is not relevant. The delay and level of service benefits to individual lane groups must be weighted versus further disturbance, and other disbenefits. Provide tables for build conditions with and without mitigation for level of service and delay.

*Response: Overall intersection level of service is not computed in unsignalized highway capacity analysis, therefore it is not provided. As noted in Response 24 of Appendix 25, since the study area intersections typically consist of one lane approaches, the level of service table indicates the appropriate level of service for each lane group as it is the same as the approach level of service. However, as requested Table 4.3 of the Traffic Impact Study has been expanded to show lane group levels of service both with and without mitigation. Revised tables showing the Saturday AM and PM peak hour level of service results for the winter condition are attached.*

Comment Appendix 25, Addendum to Traffic Impact Study, Response 24: Response 23 infers there are mitigation conditions with additional lanes marking multiple lane groups per approach. Provide tables for build conditions with and without mitigation for level of service and delay. Such tables should show lane group delay and level of service.

*Response: Table 4.3 of the Traffic Impact Study has been expanded to show lane group levels of service both with and without mitigation. Revised tables showing the Saturday AM and PM peak hour level of service results for the winter condition are attached.*

Comment Appendix 25, Addendum to Traffic Impact Study, Response 26: What was the result of the left turn lane review? Use the 2000 and not 1994 edition of *A Policy on Geometric Design of Highways and Streets* for review.

*Response: The criteria included in the 2001 edition of A Policy on Geometric Design of Highways and Streets for left-turn lanes is the same as the 1994 edition. Page 689, Exhibit 9-75 can be referenced in the 2001 edition of the manual.*

*The result of the left-turn lane review indicated the following lanes were warranted and were included as mitigation in the Traffic Impact Study:*

- *A westbound left-turn lane on Route 28 at Friendship Road*
- *A westbound left-turn lane on Route 28 at CR 49A*

Comment Appendix 25, Addendum to Traffic Impact Study, Response 28: While it has no parking facilities, the applicant has specified that the Wilderness Activity Center is open to the public. The degree to which the Activity Center will function as an amenity to the resort verses a independent recreation facility is not clear. Activities discussed for the activity center may make it a destination unto itself (and thus a traffic generator). The applicant should provide more detailed information as to the space use.

*Response: As noted in Response 28, the main focus of the Activity Center is as an amenity to the Resort. These Resort related trips have been included in the analysis in the Traffic Impact Study prepared for the project. It is expected that any additional trips would be minimal and would likely occur during peaks other than those studied and would not change the results and mitigation measures recommended for the project. Regardless of the peak period of travel for the few public patrons of the Activity Center, the shuttle bus system at Wildacres will more than accommodate these patrons.*

Comment Appendix 25, Addendum to Traffic Impact Study: There is no need to duplicate Figures 2-24B, C, and D from the DEIS in this appendix.

*Response: Comment noted.*

#### Comments from Clough, Harbour & Associates

Comment 1: A traffic impact study will be performed for the proposed action to assess the potential impact of project construction and operation on local traffic patterns and roadways. The traffic impact study will be included as an Appendix in the DEIS.  
April 2002 comments- The revised December 2002 DEIS addresses the prepared SEQRA scope and study area as required by NYSDEC and recommended by NYSDOT. Although this section is complete by the letter of the scope, as indicated in the March 2002 comments, the area that will potentially be impacted by the proposed project could extend the length of Route 28 to the Kingston roundabout/Thruway exit. Even an abbreviated analysis of the entire corridor would be beneficial in identifying impacts to the communities along this corridor (which could be positive or negative impacts) and would respond to comments presented by several other towns along the corridor.

*Response: As noted in the comment, the traffic analysis meets the requirements of the DEIS scope and no additional analysis is required.*

Comment 2: This section of the DEIS will also describe the current availability of off-street parking in the vicinity and discuss current parking in relation to what would be necessary for any special event.

April 2003 comments- The revised December 2002 DEIS addresses this comment by indicating that additional overflow parking would be contained on the resort property by parking on grass covered areas. It should therefore be noted that no overflow parking would be expected or allowed on public roadways in or around the vicinity of any of the proposed resort properties. This would indicate there will be no additional demand on

the local road systems and no impacts on neighbors surrounding the resort. As such, this scope item has been addressed in the December 2002 revised DEIS.

*Response: Comment noted no response required.*

Comment 3: As assessment of potential vehicular and pedestrian conflicts will be included in the DEIS along with mitigation measures for any potentially significant impacts that are identified.

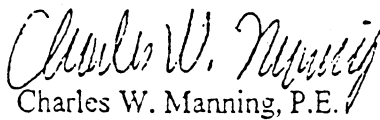
April 2002 comments- The revised December 2002 DEIS not addresses pedestrian safety for guests at the proposed resort. It is noted that extensive use of crosswalks is going to be used to facilitate pedestrian safety at the resort. While crosswalks are a good safety tool, there are a variety of pedestrian safety techniques that could and should be employed at the Resort. As mentioned in our March 2002 comments, pedestrian safety in the parking garages will be important, as parking garages are typically darker, visual distances are much shorter and turning radiuses are much tighter due to the space limitation of the structure itself. Designated pedestrian only areas are recommended as well as additional lighting in areas designated for pedestrian use.

Outside of parking garages, textured or raised crosswalks could provide additional layers of safety to pedestrians by keeping speeds to a minimum. The revised DEIS provides clear mapping of pedestrian linkages between facility amenities. As such, this scope item has been addressed in the December 2002 Revised DEIS.

*Response: Comment noted, no response required. However, it should be noted that the pedestrian paths through the parking garages will be well marked and accommodated with extra lighting.*

If you have any questions on this information, please contact me.

Sincerely yours,  
Creighton Manning Engineering, LLP

  
Charles W. Manning, P.E.  
Partner

**Table 4.3 –Level of Service Summary- Winter Condition Analysis  
AM Peak Hour**

Intersection	Control	Saturday AM Peak			
		2000 Existing	2008 Background	2008 Build	2008 Build w/ Improvements
Route 28/CR 49A Route 28 EB L Route 28 WB L CR 49A NB LTR Owl Nest Road SB LTR	U	A (7.4) A (8.2) B (13.0) C (21.6)	A (7.5) A (8.6) C (16.3) D (30.5)	A (7.5) A (9.3) C (21.0) F (55.7)	
Route 28/CR 49A Route 28 EB LTR Route 28 WB L Route 28 WB TR CR 49A NB LT CR 49A NB R Owl Nest Road SB LTR Overall	S				B (15.5) B (14.3) A (6.5) C (20.6) B (11.3) C (20.3) B (13.5)
Route 28/Main Street Route 28 WB L Main Street NB LR	U	A (7.4) B (11.0)	A (7.4) B (12.0)	A (7.5) B (13.4)	
Route 28/CR 47 Route 28 EB L Route 28 WB L CR 47 NB LTR CR 47 SB LTR	U	A (7.9) A (7.4) B (11.4) B (10.7)	A (8.1) A (7.5) B (12.9) B (11.8)	A (8.6) A (7.6) C (19.7) B (13.2)	
Route 28/Route 42 Route 28 EB L Route 42 SB L Route 42 SB R	U	A (8.7) C (15.3) B (12.3)	A (9.3) C (19.3) B (14.1)	B (10.2) D (31.2) C (17.5)	
Route 28/Route 214 Route 28 EB L Route 28 WB L South Street NB LTR Route 214 SB LTR	U	A (9.0) A (7.5) C (21.8) C (15.7)	A (9.7) A (7.6) D (32.7) C (22.0)	B (10.8) A (7.7) F (64.0) E (40.7)	
Main Street/Bonnieview/ Academy St Main Street NB L Main Street SB L Bonnieview WB LTR Academy St EB LTR	U	A (7.2) A (7.2) A (8.7) A (8.7)	A (7.2) A (7.2) A (8.8) A (8.7)	A (7.2) A (7.2) A (8.8) A (8.7)	
CR 49A/Gunnison Road CR 49A NB L CR 49A SB L Belleayre Driveway WB LTR Gunnison Rd EB LTR	U	A (7.8) A (7.4) B (11.2) B (12.2)	A (8.0) A (7.5) B (12.6) B (13.8)	A (8.5) A (7.6) C (15.4) C (19.1)	
CR 49A/Belleayre Upper Driveway CR 49A NB L CR 49A SB L Belleayre Driveway WB LR Belleayre Driveway WB LTR Wildacres Driveway EB LTR	U	A (7.9) A (8.8)	A (8.2) A (8.9)	A (7.5) A (8.1) A (9.1) D (30.9)	
CR 49A/Wildacres South Driveway CR 49A NB L Wildacres Driveway EB LR	U	NA	NA		A (7.3) A (9.0)
Route 28/Friendship Road Route 28 WB L Driveway NB LR	U	NA <sup>1</sup>	NA <sup>1</sup>	A (7.7) B (11.9)	A (7.7) B (11.9)

## PM Peak Hour

Intersection	Control	Saturday PM Peak			
		2000 Existing	2008 Background	2008 Build	2008 Build w/ Improvements
Route 23/CR 49A Route 23 EB L Route 23 WB L CR 49A NB LTR Owl Nest Road SB LTR	U	A (7.6) A (7.6) F (>120.0) C (19.2)	A (7.7) A (7.7) F (>120) D (31.7)	A (7.6) A (7.9) F (>120) F (65.9)	
Route 23/CR 49A Route 23 EB LTR Route 23 WB L Route 23 WB TR CR 49A NB LT CR 49A NB R Owl Nest Road SB LTR Overall	S				C (23.5) B (15.6) B (12.1) C (23.9) B (12.5) B (13.6) B (16.7)
Route 23/Main Street Route 23 WB L Main Street NB LR		A (8.4) B (12.1)	A (8.8) B (13.8)	A (9.2) C (15.8)	
Route 23/ CR 47 Route 23 EB L Route 23 WB L CR 47 NB LTR CR 47 SB LTR	U	A (7.6) A (8.7) C (15.6) A (9.2)	A (7.7) A (9.2) C (20.5) A (9.4)	A (7.9) A (9.5) D (29.8) B (10.1)	
Route 23/Route 42 Route 23 EB L Route 42 SB L Route 42 SB R	U	A (7.7) C (19.7) A (9.4)	A (7.9) D (29.9) A (9.7)	A (8.2) F (55.7) B (10.4)	
Route 23/Route 214 Route 23 EB L Route 23 WB L South Street NB LTR Route 214 SB LTR	U	A (7.9) A (8.6) C (17.1) D (25.1)	A (8.1) A (9.1) C (22.9) F (100.9)	A (8.5) A (9.6) D (32.9) F (>120)	
Main Street/Bonnieview/Academy St Main Street NB L Main Street SB L Bonnieview WB LTR Academy St EB LTR	U	A (7.2) A (7.3) A (8.6) A (9.0)	A (7.2) A (7.3) A (8.7) A (9.2)	A (7.2) A (7.3) A (8.7) A (9.2)	
CR 49A/Gunnison Road CR 49A NB L CR 49A SB L Belleayre Driveway WB LTR Gunnison Rd EB LTR	U	A (7.3) A (8.2) C (15.4) C (15.1)	A (7.4) A (8.6) C (23.9) C (24.0)	A (7.5) A (9.0) E (36.2) F (98.4)	
CR 49A/Belleayre Upper Driveway CR 49A NB L CR 49A SB L Belleayre Driveway WB LR Belleayre Driveway WB LTR Wildacres Driveway EB LTR	U	A (7.4) B (11.1)	A (7.4) B (13.0)	A (7.3) A (7.5) B (14.8) E (38.9)	
CR 49A/Wildacres South Driveway CR 49A NB L Wildacres Driveway EB LR		NA	NA		A (7.3) A (9.0)
Route 23/Friendship Road Route 23 WB L Driveway NB LR		NA <sup>1</sup>	NA <sup>1</sup>	A (9.4) C (16.6)	A (9.4) C (16.6)

Key: X (X.X)= Level of Service (average delay per vehicle in seconds); U= unsignalized control, S= signalized control  
 NB= northbound, SB= southbound, EB= eastbound, WB= westbound  
 L= left movement, T= through movement, R= right movement  
 NA= intersection does not exist in the subject condition, NA<sup>1</sup>= traffic volumes negligible on side street in the subject condition





January 17, 2003

Mr. Alexander F. Ciesluk, Jr.  
NYS DEC Region 3  
21 South Putt Corners Road  
New Paltz, NY 12561-1696

**Re: Adequacy of the Resubmitted DEIS for the Belleayre Resort at Catskill Park**

Dear Mr. Ciesluk:

After an initial review of the resubmitted Draft Environmental Impact Statement (DEIS) for the Belleayre Resort at Catskill Park, the Catskill Heritage Alliance has identified several instances where the document fails to adequately address required revisions, as set forth in your May 15, 2002 determination of incompleteness and in the recommendations of your SEQR fee consultants, Tim Miller Associates, Inc, and Clough Harbour & Associates, LLP. Other deficiencies may emerge as review progresses.

Deficiencies identified to date are listed below.

**Section 3.3 - Groundwater Resources**

**Requirement:** Provide confirmation from the State Department of Health of the acceptability of applying a 20% reduction in projected potable water demands due to the use of water saving plumbing fixtures.

**Deficiency 1:** No certification mentioned or provided in this section and 20% reduction inaccurately applied to all project elements including restaurants, saunas, pools, etc.

**Requirement:** Present information based upon known water use at existing comparable resorts to support these projected demands and the applicability of the 20% reduction.

**Deficiency 2:** No substantiation provided in this section

**Requirement:** Discuss specific well head protection measures to ensure water quality. Show a 100-foot and 200-foot radius of control around each proposed well in drawings.

**Deficiency 3:** Discussion of protection measures for Rosenthal Well #2 ambiguously refers to "immediate area" only without any specific radius and without reference to required maps or drawings

**Requirement:** Further address the Fleischmanns water system in terms of its existing permit approvals.

**Deficiency 4:** No mention of the fact that the project sponsor currently has no permit to use Fleischmanns' water for the project

#### Section 3.9 - Community Services

**Requirement:** Include specific calculations for the increased calls to agencies based on the number of the following: 1. New employees to the municipality; 2. The number of new residents and/or residential housing on and off site; 3. The number of hotel rooms available; 4. The number of restaurant/seats available. (Clough Harbour)

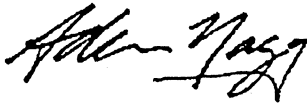
**Deficiency 5:** No calculations are provided, preventing an accurate fiscal impact analysis of the project. This is significant since, based on local property tax revenue projections in the DEIS and a widely-accepted formula for estimating development costs to communities, the project could cause a net drain of over \$900,000 annually on municipal budgets.<sup>1</sup> The documentation that is provided merely addresses local agencies' capacities to service the project, ignoring all costs associated with additional service calls. Moreover, the capacity assertions themselves lack adequate substantiation, since the DEIS offers no documentation of project information provided to agencies that served as the bases for those determinations.

<sup>1</sup> A study by the American Farmland Trust showed that the average ratio of dollars generated by residential development compared to the community costs of maintaining those residences was \$1 in residential revenue to \$1.54 in community services. Applying this ratio to the project's projected annual local property tax revenue of \$1,634,436 yields community costs of \$2,564,031. Subtracting the revenue yields a net drain on local municipal budgets of \$909,595.

Based on a review of these sections alone, the resubmitted DEIS does not adequately meet the DEC's own criteria for completeness due to the deficiencies cited above. Pursuant to 6NYCRR Part 617.9(a)(2), we respectfully request you reject the resubmitted DEIS as inadequate with respect to its scope and content for the purpose of commencing public review.

Thank you for your attention to this matter

Sincerely,



Adam Nagy  
Chairman  
Catskill Heritage Alliance

cc: Christopher Ward, Commissioner, NYC DEP  
Michael A. Principe, Deputy Commissioner, NYC DEP  
Sandra Allen, NYC Watershed Coordinator, NYS DEC  
Bethia Waterman, Chairman, Town of Shandaken Planning Board  
Michael Porter, Chairman, Town of Middletown Planning Board  
James Tierney, NYC Watershed Inspector General  
Andrew D. Otis, Counsel to Catskill Heritage Alliance

# **BE BELL ENGINEERING**

5895 Johnston Road  
Slingerlands, N.Y. 12159  
Phone/Fax (518) 357-0313

June 5, 2003

Dean L. Gitter  
Crossroads Ventures, LLC  
P.O. Box 267  
Mt. Tremper, NY 12457

RE: Responses, Hydraulic Study, Friendship Road, Winding Mt. Road Bridges.  
BE# 201-018

Dear Mr. Gitter:

The following information we believe addresses the questions regarding the bridge hydraulics for the Friendship and Winding Mt. Road bridges:

## **BRIDGE SIZING**

As indicated in our original description of Bridge Hydraulics, both bridges were sized to pass a  $Q_{50} = 4,313$  cfs with two (2) feet of freeboard and  $Q_{100} = 5,448$  cfs with reduced freeboard. The method of analysis used was application of Manning's formula for open channel hydraulics,  $Q = 1.486/nAR^{2/3}S^{1/2}$ . A value of  $n = 0.045$  was used for both the channel and the side slopes. The stream slope (S) was measured from the project topographic map and was determined to be 1.5% (0.015 ft./ft.) for the Friendship Road crossing and 2% at the Winding Mt. crossing. A span length of sixty feet (60') with a bottom angle of twenty-five feet (25') and 2h:1v side slopes to the abutment faces was first progressed at Friendship Road, assuming a depth, calculating the area (A), wetted perimeter, the  $R = (A/WP)$ , and consequently the Q for that depth, and comparing that to the  $Q_{50}$ . The depth was then increased or decreased and the calculations iterated until the  $Q_{50}$  depth was determined. Once the depth was determined (8.25'), the water surface elevation (stage) was determined by adding the stream elevation (1377±), and the approximate velocity through the structure was determined  $V = Q/A$  (12.6 ft/s).

As indicated in our original description of Bridge Hydraulics, we judged this waterway opening to be too restrictive, and decided to analyze a structure with a seventy foot (70') span length. By increasing the span, and hence the waterway opening we calculated a reduction in velocity of over 1.2 ft/s, but more importantly a reduction in stage of 1.5 ft.. We judged this to be a more favorable span length for further progression and use at both locations.

## **ABUTMENT SCOUR**

The abutments of both bridges will be built on bearing piles and the bottom of footings will be four (4') feet below stream bed. In addition the stream banks will be armored with heavy stone fill. These measures are in accordance with NYSDOT standards.

## **ROADWAY FLOODING**

Neither approach to the Friendship Road bridge will be subject to roadway flooding due to existing topography and approach roadway embankments. The north approach to the existing Winding Mt. bridge is currently subject to flooding due to the short span length, restrictive opening, and abutment configurations. The proposed structure will significantly increase the waterway opening, and reduce or eliminate roadway flooding.

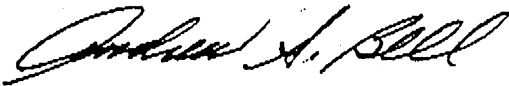
## **SEDIMENT TRANSPORT AND CHANNEL REACH STABILITY**

Sediment transport is apparent in Birch Creek under existing conditions as evidenced by the large gravel bar deposit immediately upstream of the existing Winding Mt. Bridge, and gravel and debris noted on the north over bank area upstream of the site of the proposed Friendship Road bridge. The proposed embankments around the new bridge abutments will be protected by geotextile fabric and heavy stone fill and will stabilize the existing conditions at the bridge site(s).

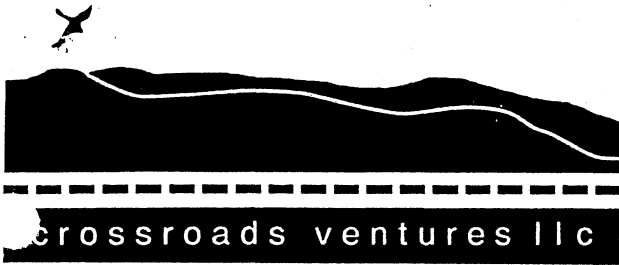
Channel reach stability will not be affected by the construction at the Friendship Road bridge crossing as abutment construction will occur in the over bank areas. Channel reach stability at the Winding Mt. Bridge will be greatly improved due to the increased waterway opening and the significant reduction in velocity through the structure.

Please contact us if you have any questions with any of this material.

Sincerely yours:



**BELL ENGINEERING**  
Andrew S. Bell, P.E.,  
Owner



FILE

cc: TB<sup>06/13/03</sup>

June 06, 2003

Alexander F. Ciesluk, Jr.  
Deputy Regional Permit Administrator  
NYSDEC Region 3  
21 South Putt Corners Rd.  
New Paltz, NY 12561-1696

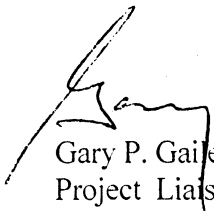
RE: Your fax of 05/30/03 concerning Belleayre Resort DEIS

Dear Alec,

On the two issues you raised in your fax of May 30, 2003, i.e. TMDL status and air facility permits, attached is our response on the air facility permit issue.

We should expect to give you our response on the TMDC issue early next week.

Kind regards,



Gary P. Gaijes,  
Project Liaison Consultant

GPG/j  
Encl.



**the LA group**  
Landscape Architecture  
and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/587-0180

June 6, 2003

Mr. Dean Gitter  
Crossroads Ventures, LLC  
72 Andrews Lane Road  
P.O. Box 267  
Mt. Tremper, NY 12457

**Re: Air Facilities Permit**

Dear Mr. Ciesluk;

The preliminary Draft Environmental Impact Statement (DEIS) for the Belleayre Resort has included an analysis for rock crushing operations with an equipment capacity of 300 tons per hour (tph). This analysis was based on a worst case assumption for the largest practical size of equipment that could be easily mobilized to the site. This analysis determined that operating at the expected level of 300 tph would not cause significant off-site impacts.

The applicant and consultants have examined the feasibility of operating smaller rock crushing equipment that would qualify under subpart 201-3.2 (1)(ii), (30), Exemptions and Trivial Activities for equipment under 400 brake horsepower and less than 150 tons per hour (tph) capacity. The construction phase at each site will operate with the smaller less impacting equipment, therefore, it will not be necessary to submit an air permit application as part of the DEIS.

Sincerely,

Dean R. Long  
for  
The LA Group, P.C.

3006WL01.DOC

November 12, 2003

6601 Kirkville Road  
East Syracuse, NY 13057-9672  
(315) 432-0506  
FAX (315) 437-0509  
www.ensr.comMr. Kevin Franke  
The LA Group  
40 Long Alley  
Saratoga Springs, NY 12866Re: Belleayre Resort at Catskill Park  
LA Group No. 03006  
ENSR Project No. 08736132

Dear Mr. Franke:

In accordance with your request, we have investigated potential air permitting requirements for the proposed Belleayre Resort at Catskill Park Project. Based on information that you provided, we understand that the project involves development at two separate locations, Wildacres and Big Indian Plateau. At each location, a resort hotel, multiple detached lodging units, and other miscellaneous buildings will be constructed. The total occupied building area is estimated to be on the order of 600,000 – 650,000 square feet at each location.

It is our understanding that air emission sources associated with the proposed project include boilers and/or furnaces used to generate heat and hot water; emergency electrical power generators; kitchen exhausts; and various miscellaneous sources associated with building and grounds maintenance. No. 2 fuel oil will be the principal fuel combusted. The largest single boiler will have a capacity of less than 250 boiler horsepower (less than 10 MMBTU/hr heat input). The diesel-fired back-up power generators, one per location, will be sized for emergency services (lighting and fire pumps), and will be operated only during outages and for periodic testing (less than 500 hours per year anticipated). In general, all of these emission sources are exempt or trivial activities as defined by 6NYCRR Part 201-3, and are thereby exempt from permitting, provided the potential to emit for the facility does not exceed major source thresholds.

Heat, hot water and other energy requirements for the project have not yet been determined. However, assuming an estimated 50 BTU/hr of boiler/furnace capacity (heat input) per square foot of occupied area<sup>1</sup>, a total capacity of 30 – 35 MMBTU/hr would be required for the hotel and other buildings at each location. Using a worst-case fuel oil sulfur content of 0.5%, potential emissions of sulfur dioxide from these combustion sources would be on the order of 70 – 80 tons per year, less than the major source threshold for this pollutant (100 tons/yr). Potential emissions of nitrogen oxides and other combustion-generated pollutants would be lower. Actual emissions of all pollutants would likely be significantly lower than the respective potentials, considering that capacity sizing is based on worst-case conditions.

Therefore, based on the above assumptions and analysis, we conclude that the proposed project will not require a NYSDEC air permit. In the event final design results in potential

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<sup>1</sup> Estimated capacity requirement based on a single family residence.

**T H E S A R A T O G A A S S O C I A T E S**

LANDSCAPE ARCHITECTS, ARCHITECTS, ENGINEERS, AND PLANNERS, P.C.

March 21, 2003

Via Fax (845)-255-3042  
Original Mailed

Mr. Alexander Ciesluk, Jr.  
Deputy Regional Permit Administrator  
NYS Department of Environmental Conservation - Region 3  
21 South Putt Corners Road  
New Paltz, NY 12561-1696

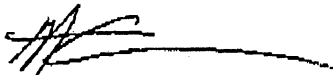
Re: Belleayre Resort at Catskill Park  
TSA # 2000-057.10P

Dear Mr. Ciesluk:

The Saratoga Associates (TSA) has completed a second completeness review of the visual impact assessment components of the Draft Environmental Impact Statement (DEIS) for the Belleayre Resort at Catskill Park. The resubmitted DEIS (December 2002) appears to address most of our previous comments. However, the DEIS does not yet indicate whether or not there are any Bond Act properties purchased under the Exceptional Beauty or Open Space category within the study area. This information is necessary for the Department to confirm that all scenic resources of statewide significance have been thoroughly considered. We again request that the applicant contact the NYSDEC Bureau of Real Property for this information.

If you have any questions concerning this evaluation please feel free to give me a call.

Sincerely,

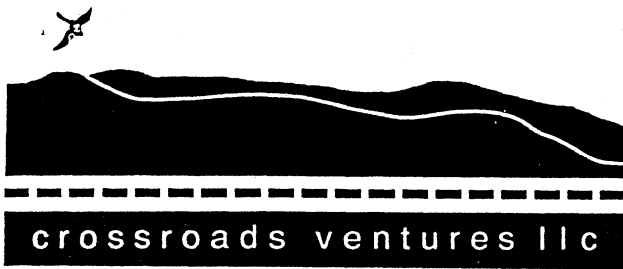


Matthew W. Allen  
Associate Principal

MWA/

\\ss1\100057\comment letter3.doc





June 24, 2003

Alexander F. Ciesluk, Jr.  
Deputy Regional Permit Administrator  
NYS DEC – Region 3  
21 South Putt Corners Rd.  
New Paltz, NY 12561-1696

RE: Belleayre Resort at Catskill Park

Dear Alec,

With reference to the letter submitted to you by Mr. Matthew W. Allen of Saratoga Associates, dated March 21, 2003, wherein Mr. Allen makes the comment that “the DEIS does not yet indicate whether or not there are any Bond Act properties purchased under the Exceptional Beauty or Open Space category within the study area”, please find attached a letter submitted by our consultants, The LA Group, that addresses this issue, and will be included in the DEIS.

Sincerely,

Gary Gailes  
Project Liaison Consultant  
Crossroads Ventures LLC

GG/j  
Encl.



and Engineering, P.C.

40 Long Alley  
Saratoga Springs  
New York 12866  
518/587-8100  
Telefax 518/587-0180

June 10, 2002

Mr. Dean Gitter  
Crossroads Ventures  
PO Box 267  
Mt. Tremper, NY 12457

**Re: Saratoga Associates DEIS Comment – State Bond Act Properties**

Dear Mr. Gitter;

In response to the March 21, 2003 letter from The Saratoga Associates (TSA) to Alec Ciesluk, I have consulted with NYSDEC Central Office Division of Lands and Forests Bureau of Real Property. In their letter TSA had requested additional information regarding the evaluation of potential visual impacts on State Bond Act Properties purchased under either the Exceptional Beauty or Open Space categories (DEC Program Policy DEP-00-2, Section V.A, Item 15).

This evaluation has been performed, and it has been determined that the Belleayre Resort project will not be visible from any such Bond Act properties. NYSDEC identified one Bond Act property obtained under the Open Space category as being within the Visual Impact Assessment study area. However, an evaluation of this property using DEC visual impact assessment protocols confirmed that the project will not be visible from this property.

**NYSDEC Database Search**

On May 22, 2003 I met with Mr. Jim Jensen of NYSDEC and provided him with a copy of the March 21 TSA letter as well as maps of the DEIS Visual Impact Assessment study area. In response to my request, Mr. Jensen had a search of the Department's databases performed for Bond Act properties within the Visual Impact Assessment study area. These databases included Bond Act properties purchased under the Exceptional Beauty and Open Space categories.

On June 3, 2003 I received a response from Mr. John Keating, Assistant Superintendent of NYSDEC Bureau of Real Property. In his correspondence Mr. Keating forwarded a copy of a map showing the limits of a parcel acquired in 1999 as a gift under the Open Space category of the Bond Act that is within the 5-mile Visual Impact Assessment study area. A copy of the map showing the location of this property acquired from Elizabeth Reisser is enclosed. The former Reisser property is located approximately three miles

north of the Belleayre Resort project site at the northern end of Lower Birch Creek Road in the Town of Shandaken.

### **Field Inspection and Evaluation**

The potential visibility of the proposed Belleayre Resort project from this property was assessed. The property was visited in the field and views towards the project site were evaluated and then photographed using a 50mm camera lens. There were no views to the south or southeast into the Big Indian Plateau (eastern) portion of the project site.

Views that were available towards the southwest included the ski trails at Belleayre Ski Center. Ski trail breaks in the tree line as well as some significant ground floor views on the Ski Center were visible. From one vantage point on the former Reisser property tree line breaks for upper portions of the ski trails at the former Highmount Ski Center were visible, as was the wireless communications tower located just to the southwest of the former Highmount Ski Center.

### **Visual Impact Assessment**

In accordance with NYSDEC Program Policy DEP-00-2, "Assessing and Mitigating Visual Impacts", line of sight topographic sections were constructed between the property and lands proposed to be disturbed as part of the project.

Using these topographic sections, even without any consideration given to existing intervening vegetation, it was confirmed that lines of sight into the Big Indian Plateau portion of the project site are obstructed by intervening topography, in particular Rose Mountain.

Topographic line of sight profiles, without consideration given to existing vegetation, indicated that part of the Highmount Estates subdivision in the western portion of the project site could potentially be visible.

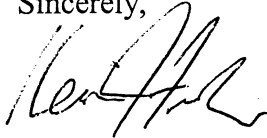
A wireframe model of existing topography and the clearing and grading proposed at Highmount Estates was constructed and overlaid on a photograph taken from the former Reisser property. The presence of the cell phone tower and vegetation breaks for the upper portions of the Highmount Ski area ski trails aided in precisely aligning the wireframe on the photograph. Using the wireframe model of areas proposed to be disturbed and areas to remain undisturbed, it was determined that existing vegetation prevents views into the lands on which the Highmount subdivision is proposed to be developed during both leaf on and leaf off conditions.

Summary

NYSDEC Bureau of Real Property identified one property in response to the TSA request in their March 21, 2001 letter to Alec Ciesluk. An analysis of this property has concluded that the Belleayre Resort project will not be visible from this property.

Please contact me should you have any questions regarding this matter.

Sincerely,



Kevin J. Franke

For  
The LA Group, P.C.

Enc.



DEPARTMENT OF THE ARMY  
NEW YORK DISTRICT, CORPS OF ENGINEERS  
JACOB K. JAVITS FEDERAL BUILDING  
NEW YORK, N.Y. 10278-0090

REPLY TO  
ATTENTION OF:

Regulatory Branch

JUL 18 2003

SUBJECT: Permit Application Number 2000-00748-YS  
by Crossroads Ventures, LLC

Richard P. Futyma  
The LA Group, P.C.  
40 Long Alley  
Saratoga Springs, New York 12866

Dear Mr. Futyma:

On January 15, 2003, the New York District Corps of Engineers received a request for Department of the Army authorization for the discharge of fill material into waters of the United States for the construction of road crossings in association with the construction of the Belleayre Resort at Catskill Park. The site is located in the Town of Shandaken, Ulster County, New York and the Town of Middletown, Delaware County, New York.

By letter dated February 15, 2002, this office confirmed the extent of waters of the United States within the project boundary. These waters of the United States consist of approximately 17.27 acres.

The work would be accomplished in accordance with the submittals entitled "Wildacres Resort With The Highmount Golf Club & Highmount Estates Master Plan", Drawing MP-1; "Big Indian Resort & Spa Big Indian Country Club Belleayre Highlands Master Plan", Drawing MP-4; "Wildacres Resort With The Highmount Golf Club Grading Plan", Drawings SG-1 through SG-3; "Wildacres Resort Highmount Estates Grading Plan", Drawing SG-4; "Big Indian Plateau Belleayre Highlands Grading Plan", Drawing SG-5; "Big Indian Plateau Big Indian Resort & Spa Big Indian Country Club Grading Plan", Drawings SG-6 through SG-10; "Belleayre Resort At Catskill Park PCN Details", Drawings D-1 through D-3; all prepared by the LA Group Landscape Architecture and Engineering, P.C., Drawings MP-1, MP-4, and SG-1 through SG-10 dated December 11, 2002, Drawings D-1 through D-3 dated April 15, 2003, Drawings SG-1 through SG-4 last revised April 22, 2003, and Drawings SG-5 through SG-10 last revised April 28, 2003.

The above referenced drawings indicate that the total impacts to waters of the United States would involve the discharge of fill material into a maximum of 0.0993 acres of wetlands in association with the construction of bridges and golf cart paths. Woody vegetation within approximately 2.51 acres of jurisdictional waters would be cleared to allow golf balls to be hit over the wetlands. As described in the above referenced drawings, no discharge of fill material would occur in association with the clearing of the woody vegetation. Within most of these cleared areas, elevated golf cart paths would be constructed on 10-inch diameter concrete piers. Approximately 3,000 linear feet of Giggle Hollow Brook, 6.39 acres of waters of the United States, including wetlands, and 1.90 acres of isolated, non-jurisdictional waters, would be permanently protected by a deed restriction, as mitigation.

Based on the information submitted to this office, and accomplishment of notification in accordance with the applicable federal requirements, our review of the project indicates that an individual permit is not required. It appears that the activities within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Number 14. The nationwide permits are prescribed as an Issuance of Nationwide Permits in the Federal Register dated January 15, 2002 (67 FR 2020). The work may be performed without further authorization from this office provided the activity complies with the permit conditions listed in Section B, No. 14, Section C, any applicable New York District regional conditions, the following special conditions, and any applicable regional conditions added by the State of New York, copies enclosed.

#### Special Conditions

(A) The permittee shall comply with all of the stipulations set forth in the letter from the New York State Office of Parks, Recreation and Historic Preservation (SHPO), dated January 6, 2003. Copies of all correspondence with the SHPO shall be forwarded to this office in order to comply with the requirements of Section 106 of the National Historic Preservation Act.

(B) The permittee shall secure a conservation easement or deed restriction on the mitigation sites, as described above, to guarantee their preservation for wetland and wildlife resources. Copies of the instrument(s) effecting such easement shall be submitted to the New York District Corps of Engineers for approval prior to execution, and the instrument(s) shall be executed and recorded with the Delaware and Ulster County Registrars of Deeds within one year of the commencement of jurisdictional activities on site.

This determination covers only the work described in the submitted material. Any major changes in the project may require additional authorizations from the New York District.

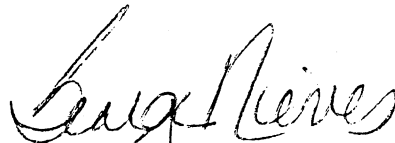
Care should be taken so that construction materials, including debris, do not enter any waterway to become drift or pollution hazards. You are to contact the appropriate state and local government officials to ensure that the subject work is performed in compliance with their requirements.

This verification is valid for a period of two years from the date of this letter, unless the nationwide permit is modified, suspended or revoked. This verification will remain valid for two years from the date of this letter if the activity complies with the terms of any subsequent modifications of the nationwide permit authorization. If the nationwide permits are suspended, revoked, or modified in such a way that the activity would no longer comply with the terms and conditions of a nationwide permit, and the proposed activity has commenced, or is under contract to commence, the permittee shall have 12 months from the date of such action to complete the activity.

Within 30 days of the completion of the activity authorized by this permit and any mitigation required by this permit, you are to sign and submit the attached compliance certification form to this office.

If any questions should arise concerning this matter, please contact Brian A. Orzel, of my staff, at (212) 264-0183.

Sincerely,



FOR/ Richard L. Tomer  
Chief, Regulatory Branch

Enclosures

cf: NYSDEC - Region 3  
Town of Middletown  
Town of Shandaken



DEPARTMENT OF THE ARMY  
 NEW YORK DISTRICT, CORPS OF ENGINEERS  
 JACOB K. JAVITS FEDERAL BUILDING  
 NEW YORK, N.Y. 10278-0090

REPLY TO  
 ATTENTION OF:

CENAN-OP-RH

NATIONWIDE PERMIT COMPLIANCE CERTIFICATION AND REPORT FORM

Permittee: Crossroads Ventures, LLC Permit No. 2000-00748

Date Permit Issued: JUL 18 2003

Location: Town of Shandaken, Ulster County, New York and  
Town of Middletown, Delaware County, New York

Within 30 days of the completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the address at the bottom of this form.

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of said permit, and required mitigation was completed in accordance with the permit conditions.

\_\_\_\_\_  
 Signature of Permittee

\_\_\_\_\_  
 Date

Fold this form into thirds, with the bottom third facing outward. Tape it together and mail to the address below or FAX to (212) 264-4260.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Place Stamp  
 Here

Department of the Army  
 New York District Corps of Engineers  
 Jacob K. Javits Federal Building  
 ATTN: CENAN-OP-RH  
 New York, New York 10278-0090



August 5, 2003

Ken Graham  
Crossroads Ventures, LLC  
72 Andrew Lane Road  
PO Box 267  
Mt. Temper, New York 12457

Re: Construction Noise Due to Revised Cut and Fill  
Belleayre Project Construction  
ENSR Project No. 8736-132

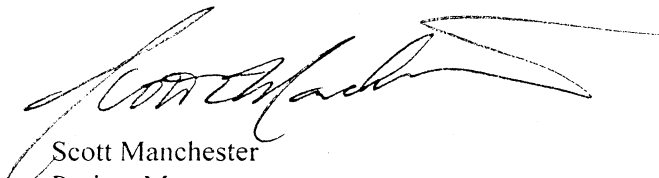
Dear Mr. Graham:

Based on you fax to me on May 23, 2003, construction cut and fills for the Belleayre Project have been balanced, and there is no longer a need to transport 90,000 cubic yards of cut/fill from Wild Acres to Big Indian during the first two years of construction. Noise from trucking of this cut/fill was assumed in Section 4.2.1 of our initial assessment of construction noise for the Project (January 2002).

Since trucking of the 90,000 cubic yards of cut/fill will no longer be required, the noise associated with transporting that material would be eliminated. Therefore, overall construction noise from the Project would be reduced and ENSR's initial construction noise assessment for the Project would present an even more conservative prediction of Project construction noise.

If you have any further questions regarding this issue, please do not hesitate to contact me.

Sincerely,  
**ENSR International**



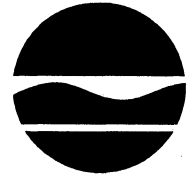
Scott Manchester  
Project Manager  
New York Operations

**New York State Department of Environmental Conservation  
Division of Environmental Permits, Region 3**

21 South Putt Corners Road, New Paltz, New York 12561-1696

Phone: (845) 256-3054 • FAX: (845) 255-3042

Website: [www.dec.state.ny.us](http://www.dec.state.ny.us)



Erin M. Crotty  
Commissioner

July 1, 2003

Gary Gales  
Project Liaison Consultant  
Crossroads Ventures LLC  
P.O. Box 267  
Mount Tremper, NY 12457

Re: Notice of Incomplete Application  
DEC Application No. 3-9903-00059/00001  
Belleayre Resort  
Big Indian Plateau Sewage Works Corp.  
Wildacres Resort Sewage Works Corp.

Dear Mr. Gales:

A review of the latest application submission, received May 23, 2003, for SPDES permits to provide for wastewater discharges from the referenced proposed wastewater treatment works for the Belleayre Resort project, indicates that additional information is necessary before the applications can be found to be complete. The required information relates to the Department's established Total Maximum Daily Load (TMDL) allocations for phosphorous in the watersheds tributary to NYC reservoirs: specifically, Pepacton Reservoir for the Wildacres Resort Sewage Works Corp. and the west basin of the Ashokan Reservoir for the Big Indian Plateau Sewage Works Corp.

In October 2000, the United States Environmental Protection Agency (EPA) approved the New York State Department of Environmental Conservation's (DEC) "Phase II Phosphorus Total Maximum Daily Loads for Reservoirs in the New York City Water Supply Watershed," dated June 2000. This document is available on the DEC website at:

<http://www.dec.state.ny.us/website/dow/nycjune2000.pdf>

A general overview of what a TMDL is and the authority to develop one are described on the first two pages of the TMDL. The TMDL identifies 9 reservoirs where the critical load of phosphorous is currently exceeded (water quality limited) and 10 reservoirs where the critical load is currently not exceeded (effluent limited). The Ashokan (West) and Pepacton reservoirs are both effluent limited for phosphorous. A TMDL provides two allocations to sources of pollutants after a margin of safety is incorporated. These allocations are for Waste Load Allocations (WLA) which are point sources and Load Allocations (LA) which are non-point sources. For both reservoirs, the WLA has been assigned at a maximum loading equivalent to the allocations allowed for the current permitted point sources in each of the watershed basins. The actual nonpoint load for both reservoirs is currently less than the allocation and there is loading available for non-point sources.

Gary Gailes  
Crossroads Ventures, LLC  
Page 2  
July 1, 2003

The provisions of the approved TMDL for the Ashokan (West) and Pepacton reservoirs prevent the introduction of additional WLA source loading. Therefore, you must present a feasible proposal for demonstrating compliance with TMDL requirements. This information must be provided to the Department in order to further evaluate your permit application. In your submission, please provide data and information sufficient to address the following points for each proposed development:

1. Determine the project's loading of phosphorous to the watershed. This must include the following:
  - a. Projected point source loadings which include the maximum flow (gpd), the effluent limit (mg/l), total yearly loading (lbs/day) and the annual loading (kg/yr). This includes construction and post-construction stormwater point sources.
  - b. Existing and projected additional post-construction non-point source loadings (kg/yr).
2. Determine if there are point source WLA available from existing permitted point source discharges.
  - a. If there are, you must identify the specific existing permitted point source and the amount of loading allocation being transferred for use by the new project. A letter from the owner/operator or SPDES permit holder of the point source discharger who is allowing the transfer of their WLA must also be provided.
  - b. If there are no transferable WLA, you must determine if there is additional capacity from the LA to be transferred and used as a WLA for the project.
3. Determine how much of the currently available TMDL LA will be utilized by nonpoint source loadings for the project.
4. Provide a summary of the applicant's proposed overall modification to the TMDL which will result in the total TMDL allocation not being exceeded. If you propose a reallocation of LA to WLA, you must make a formal request for a revision to the approved TMDL for the affected reservoir.

Once the above information is submitted, the Department will evaluate it with the permit package and make an agency decision regarding the proposed allocations and any potential revisions to the TMDL.

Gary Gailes  
Crossroads Ventures, LLC  
Page 3  
July 1, 2003

If you have any questions on TMDL , please feel free to contact Mr. Charles St. Lucia at 518-402-8246.

Sincerely,

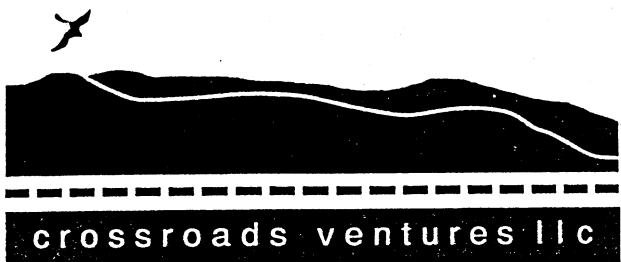


Alexander F. Ciesluk, Jr.  
Deputy Regional Permit Administrator  
Region 3

AFC/jjc

C:\My Files\Jennifer\Belleay1.wpd

cc: M. Moran  
C. Krebs  
S. Allen  
J. Myers  
C. St. Lucia  
K. Markussen  
T. Rudolph  
F. Sievers  
W. Clarke  
M. Alteri  
C. Leece  
P. Freehafer  
K. Rieke, NYC DEP  
T. Bakner, Whiteman, Osterman & Hanna



August 22, 2003

Alexander Ciesluk  
 Deputy Regional Permit Administrator  
 NYS Department of Environmental Conservation  
 Division of Environmental Permits, Region 3  
 21 South Putt Corners Road  
 New Paltz, NY 12516-1696

Re: Notice of Incomplete Application  
 DEC Application No. 3-9903-00059/00001  
 Big Indian Plateau Sewage Works Corp.  
 Wildacres Resort Sewage Works Corp.

Dear Mr. Ciesluk:

Crossroads Ventures, LLC is pleased to provide this letter along with the attached documents in response to the above referenced Notice of Incomplete Application issued by NYSDEC on July 1, 2003. Included with this correspondence is documentation from Delaware Engineering, P.C. discussing in detail the analysis of the proposed Belleayre Resort at Catskill Park relative to the Department's established Total Maximum Daily Load (TMDL) allocations for phosphorus within the watersheds tributary to the New York City drinking water reservoirs.

Our team of project engineers and scientists determined the project's loading of phosphorus to the watershed, including projected point source loading, as well as existing and projected post-construction non-point source loadings. In addition, a determination of the ability to transfer Load Allocation (LA) to Waste Load Allocation (WLA) without causing the TMDLs to be exceeded is incorporated. On the basis of this analysis, modifications to both TMDLs are recommended in order to accommodate the Belleayre Resort at Catskill Park.

Therefore, Crossroads Ventures, LLC formally requests revision to the approved TMDL for each of the affected reservoirs in the following manner:

**ASHOKAN RESERVOIR WEST BASIN**

<b>Big Indian Plateau</b>		
8,026	kg/year	Available Load Allocation
48	kg/year	Non-point Contribution from Big Indian Plateau
7,978	kg/year	Load Allocation Remaining after Big Indian Non-point
60	kg/year	Point Source Contribution from Big Indian
7,918	kg/year	Load Allocation Remaining After Transfer of 60 Kg/Year from LA to WLA

**PROPOSED CHANGE TO TMDL FOR ASHOKAN RESERVOIR WEST BASIN:**

1. Dedicate 48 kg/year Load Allocation to non-point source contribution from Big Indian resulting in 7,978 kg/year remaining Load Allocation.
2. Transfer 60 kg/year from Load Allocation to Waste Load Allocation to accommodate point source contribution from Big Indian resulting in a new Load Allocation of 7,918 kg/Year.

Waste Load Allocation Facility	NYC Rules & Regulations			Permit Flow
	Kg/year	lbs/day	mg/l	GPD
Existing Facilities	268	1.6		530,000
Big Indian WWTP	60	0.36	0.5	87,000
Totals	328	1.96		617,000

**PEPACTON RESERVOIR (@ 20 ug/L)**

Wildacres Resort		
33,923	kg/year	Available Load Allocation
22	kg/year	Non-point Contribution from Wildacres Resort
33,901	kg/year	Load Allocation Remaining after Wildacres Non-point
78	kg/year	Point Source Contribution from Wildacres
33,823	kg/year	Load Allocation Remaining After Transfer of 78 Kg/Year from LA to WLA

**PROPOSED CHANGE TO TMDL FOR PEPACTON RESERVOIR:**

1. Dedicate 22 kg/year Load Allocation to non-point source contribution from Wildacres resulting in 33,901 kg/year remaining Load Allocation.
2. Transfer 78 kg/year from Load Allocation to Waste Load Allocation to accommodate point source contribution from Wildacres resulting in a new Load Allocation of 33,823 kg/Year.

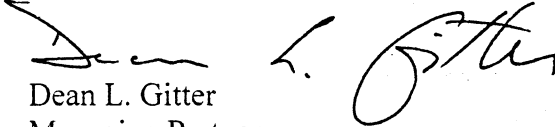
Waste Load Allocation Facility	NYC Rules & Regulations			Permit Flow
	kg/year	lbs/day	mg/l	GPD
Existing Facilities	386	2.4		530,000
Wildacres WWTP	78	0.47	0.5	112,400
Totals	464	2.87		642,400

It is our understanding, based on the Department's July 1, 2003 letter that DEC technical and legal staff will review this information and an agency decision will be made regarding the proposed allocations and these requested revisions to the TMDLs.

If you have any questions regarding our proposed modification to the TMDLs or the underlying analysis, please do not hesitate to contact us.

Sincerely,

CROSSROADS VENTURES, LLC



Dean L. Gitter  
Managing Partner

Enclosures

C: G. Gales, K. Graham, T. Bakner, D. Ruzow, M. Bianconi, G. Kerzic, K. Franke,  
D. Long



# New York State Department of Environmental Conservation

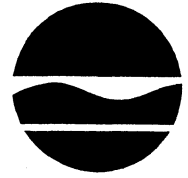
## Division of Water

### Bureau of Water Permits

625 Broadway, Albany, New York 12233-3505

Phone: (518) 402-8111 • FAX: (518) 402-9029

Website: [www.dec.state.ny.us](http://www.dec.state.ny.us)



Erin M. Crotty  
Commissioner

September 22, 2003

Gary Gailes  
Project Liaison Consultant  
Crossroads Ventures, LLC  
P.O. Box 267  
Andrew Lane Road  
Mt. Tremper, NY 12457

Re: Belleayre Resort - TMDL Revision Estimates  
DEC Application No. 3-9903-00059/00001  
SPDES Permit No. NY 027 0661 - Wildacres Resort  
SPDES Permit No. NY 027 0679 - Big Indian Plateau

Dear Mr. Gailes:

This is in response to your letter of August 27, 2003, which addresses the Department's *Notice of Incomplete Application* from Alexander Ciesluk, Jr., dated July 1, 2003. The Department requests further clarification on the TMDL estimates provided in your letter, as described below.

The revised TMDL estimates in your letter allocate 60 kg/yr and 78 kg/yr to Point Source Contributions from the Big Indian WWTP and Wildacres WWTP, respectively, and 48 kg/yr and 22 kg/yr to Non-point Contributions, respectively. From the tables provided in your letter, it appears that all point source loading estimates are allocated to the WWTPs only.

However, noting that the Department considers the Micropool Extended Detention Ponds, which will be collecting and treating the storm water from the sites, as point sources (as will be reflected in the SPDES permits), the phosphorus loadings from these point sources should also be included in the Point Source Contributions category in the tables. This would result in a higher number being attributed to the Point Source category for both reservoirs, and a lower number being reflected in the Non-point Category.

Please provide the information for the requested TMDL revision with the above-described modifications to the tables, i.e., with the Point Source Contributions for each basin reflecting the storm water outfalls to be included in the permit.



**Mr. Gary Gailes**

**2.**

Also, after the above-noted revisions are made to the TMDL estimate breakdown, the Department requests copies of the model runs which generated the revised estimates for the TMDL revision request.

Please contact me at (518) 402-8122 if you have any questions on this matter.

Sincerely,



William P. Mirabile  
Environmental Program Specialist II

WPM

cc: Dean Long - LA Group  
Mary Beth Bianconi - Delaware Engineering  
R. Draper, Central Office  
L. Meyerson, Reg. 3  
A. Ciesluk, Reg. 3  
P. Ferracane, Reg. 3  
K. Kosinski, Reg. 4  
P. Freehafer, Reg. 4  
C. St. Lucia, Central Office  
B. Mirabile, Central Office



October 14, 2003

Alexander Ceisluk  
Deputy Regional Permit Administrator  
NYS Dept. of Environmental Conservation, Region 3  
21 South Putt Corners Road  
New Paltz, NY 12561

Re: Belleayre Resort – TMDL Revision Estimates  
DEC Application No. 3-9903-00059/00001  
SPDES Permit No. NY 027 0661 – Wildacres Resort

Dear Mr. Ceisluk:

This letter is provided in response to your letter of September 22, 2003 to Mr. Gary Gales of Crossroads Ventures, LLC as well as the comments of Department staff at a project meeting held in the office of Delaware Engineering on September 29, 2003 regarding revisions to the TMDL modification request initially submitted by Crossroads Ventures on August 27, 2003.

The Department has noted that the discharge of treated stormwater from the proposed Micropool Extended Detention Ponds to surface water is considered a point source and will be permitted as such under a State Pollutant Discharge Elimination System permit. In the analysis of contributions of phosphorus from the proposed project as presented in the August 27, 2003 Crossroads request for TMDL modification, the proposed wastewater treatment plant discharges were categorized as the only point sources. Given the Department's determination that the surface water discharges from the Micropool Extended Detention Ponds are to be considered point sources, this letter is submitted as a revision to the August 27, 2003 TMDL modification request.

***The Big Indian Plateau***

Since none of the proposed Big Indian Plateau Micropool Extended Detention Ponds will discharge to surface water, the calculations provided in August 27, 2003 letter from Crossroads remain unchanged.

Resort will be captured, treated and eventually discharged to surface water through permitted State Pollutant Discharge Elimination System outfalls accounting for 18.55 kg/year, the remaining actual non-point source contribution of phosphorus to the Pepacton from the Wildacres Resort is 2.3 kg/year (refer to attached summary table).

### ***Conclusions and Requested TMDL Modification***

Shifting a portion of what was previously categorized as non-point source contribution of phosphorus for the Wildacres Resort to point source contribution does not affect the determination that, based on the analysis of the pre and post development conditions together with a review of the approved TMDLs for the reservoirs, there is Waste Load capacity available respectively in both reservoirs to accommodate the proposed non-point source discharges from the Belleayre Resort at Catskill Park. In addition, after having accommodated the Waste Load from the Project, the Load Allocations for both reservoirs also have enough capacity to allow the TMDL's to be modified to transfer Load Allocation to Waste Load Allocation respectively to allow capacity for the proposed point source discharges from the Project. These findings, for the Wildacres Resort, are summarized as follows:

### **PEPACTON RESERVOIR (@ 20 ug/L)**

<b>Wildacres Resort</b>		
33,923	Kg/year	Available Load Allocation
2.3	Kg/year	Non-point Contribution from Wildacres Resort
33,920.7	Kg/year	Load Allocation Remaining after Wildacres Non-point
96.55	Kg/year	Point Source Contribution (WWTP and Stormwater) from Wildacres
33,824.15	Kg/year	Load Allocation Remaining After Transfer of 96.55 Kg/Year from LA to WLA

### **PROPOSED CHANGE TO TMDL FOR PEPACTON RESERVOIR:**

1. Dedicate 2.3 kg/year Load Allocation to non-point source contribution from Wildacres resulting in 33,920.7 kg/year remaining Load Allocation.
2. Transfer 96.55 kg/year from Load Allocation to Waste Load Allocation to accommodate point source contribution from Wildacres resulting in a new Load Allocation of 33,824.15 kg/Year.

<b>Waste Load Allocation Facility</b>	<b>NYC Rules &amp; Regulations</b>			<b>Permit Flow</b>
	<b>kg/year</b>	<b>lbs/day</b>	<b>mg/l</b>	<b>GPD</b>
Existing Facilities	386	2.4		530,000
Wildacres WWTP & Stormwater	96.55	0.58	0.5*	112,400*
Totals	482.55	2.98		642,400*

\* WWTP Contribution

As a result of this analysis, Crossroads Ventures requests revision of the approved TMDL for both the West Basin of the Ashokan Reservoir, as previously described in the August 27, 2003 request, and the Pepacton Reservoir as described herein, to transfer Load Allocation to Waste Load Allocation to accommodate the proposed Belleayre Resort at Catskill Park.

As requested in the Department's September 22, 2003 letter, modeling information has been provided to the Department separately by The LA Group. Should you require additional information or have any questions, please contact us.

Sincerely,



Mary Beth Bianconi  
Project Manager

C: W. Mirabile, DEC Central Office  
G. Gales, Crossroads Ventures, LLC  
T. Bakner, WOH  
K. Franke and D. Long, The LA Group

Attachment

**Wildacres Resort/Highmount Estates Total Phosphorus (TP) Loading**  
**(Shaded Values are Non-Point/Groundwater Discharges)**

HydroCAD	SPDES	HydroCAD Contributing	Post TP	Post TP	Pre TP	Pre TP	Net
Pond #	Outfall #	Subcatchments	(lbs/yr)	(kg/yr)	(lbs/yr)	(kg/yr)	(kg/yr)
<b>Wildacres</b>							
13	NA	1,2,3,4,7,17,18,66,77,300	24.25	<b>11.00</b>	30.92	<b>14.02</b>	<b>-3.02</b>
2	NA	5,8,9,10,11,12,55,88				<b>0.00</b>	<b>0.00</b>
1	003		29.44	<b>13.35</b>	18.73	<b>8.49</b>	<b>4.86</b>
22	004	21	9.64	<b>4.37</b>	8.85	<b>4.02</b>	<b>0.36</b>
14	006	14	5.15	<b>2.34</b>	2.69	<b>1.22</b>	<b>1.12</b>
10	005	20	9.43	<b>4.28</b>	6.72	<b>3.05</b>	<b>1.23</b>
17	NA	16	6.14	<b>2.79</b>	3.178	<b>1.44</b>	<b>1.34</b>
15	NA	15	8.45	<b>3.83</b>	4.50	<b>2.04</b>	<b>1.79</b>
24	NA	22	11.31	<b>5.13</b>	5.77	<b>2.62</b>	<b>2.51</b>
23	NA	13,23	5.09	<b>2.31</b>	5.57	<b>2.53</b>	<b>-0.22</b>
20	007	24	1.05	<b>0.48</b>	3.34	<b>1.51</b>	<b>-1.04</b>
110	008	110	5.08	<b>2.30</b>	3.01	<b>1.37</b>	<b>0.94</b>
109	009	109	5.07	<b>2.30</b>	2.51	<b>1.14</b>	<b>1.16</b>
108	010	108	11.00	<b>4.99</b>	7.83	<b>3.55</b>	<b>1.44</b>
21	NA	121	10.03	<b>4.55</b>	8.09	<b>3.67</b>	<b>0.88</b>
11	011	111	6.73	<b>3.05</b>	6.04	<b>2.74</b>	<b>0.31</b>
5	NA	102,105	19.01	<b>8.62</b>	10.56	<b>4.79</b>	<b>3.83</b>
7	014	107	3.63	<b>1.65</b>	2.63	<b>1.19</b>	<b>0.45</b>
12	013	112	6.47	<b>2.93</b>	3.26	<b>1.48</b>	<b>1.46</b>
16	012	103,104,106	15.13	<b>6.86</b>	8.75	<b>3.97</b>	<b>2.89</b>
NA*		25,200	31.90	<b>14.47</b>	53.82	<b>24.41</b>	<b>-9.94</b>
NA*		40,41,42	35.59	<b>16.14</b>	13.36	<b>6.06</b>	<b>10.09</b>
"pond" 60*		101	24.45	<b>11.09</b>	15.47	<b>7.02</b>	<b>4.07</b>
		<b>WILDACRES SUBTOTAL</b>	<b>284.04</b>	<b>128.84</b>	<b>225.59</b>	<b>102.33</b>	<b>26.51</b>
<b>Highmount Estates</b>							
1	NA	1	4.20	<b>1.91</b>	7.569	<b>3.43</b>	<b>-1.53</b>
6	NA	4-6	10.20	<b>4.63</b>	4.3413	<b>1.97</b>	<b>2.66</b>
3	NA	5	0.70	<b>0.32</b>	0.3306	<b>0.15</b>	<b>0.17</b>
4	015	2	3.13	<b>1.42</b>	8.5405	<b>3.87</b>	<b>-2.45</b>
2	NA	3	18.39	<b>8.34</b>	28.319	<b>12.85</b>	<b>-4.50</b>
		<b>H'MOUNT SUBTOTAL</b>	<b>36.62</b>	<b>16.61</b>	<b>49.10</b>	<b>22.27</b>	<b>-5.66</b>
		<b>TOTAL</b>		<b>145.45</b>		<b>124.60</b>	<b>20.85</b>
		<b>Point/Surface Water</b>		<b>134.92</b>		<b>116.38</b>	<b>18.55</b>
		<b>Non-Point/Groundwater</b>		<b>10.53</b>		<b>8.22</b>	<b>2.3</b>
* overland flow to surface water							