



February 1, 2024

Town of Queensbury
Community Development Department
Town Hall, Bay Road
Queensbury, NY 12804

ATTN: Mr. Stuart Baker, Senior Planner

Re: The Woods at West Mountain PRD, Responses to November 14, 2023 Comments on October 23, 2023 Submittal

Dear Mr. Baker,

Attached are responses to Town Planning Department Staff comments pertaining to the October 23, 2023 Submission on the proposed Woods at West Mountain PRD.

Responses to comments "A" to "L" include both making the requested revisions and additions to the basic PRD submittal document, including attachments, as well as acknowledging some comments which do not require a response.

Responses to comment "M" pertains to comments made by Town Planning Staff dated 9/22/23 regarding the June 2023 submittal. Revisions to the basic PRD submittal document requested by comment "M" are also provided.

Yours truly,

S. Jeffrey Anthony, RLA, ASLA
For
Studio A Landscape Architecture & Engineering, D.P.C.

CC. Spencer Montgomery
Jon Lapper, esq.
Matt Steves

Comment A: Calculation of Base Density

The SEQRA Full EAF must be amended throughout to incorporate the requested code change amendment to §A183- 26(A)(4), as adoption of code changes are also subject to Town SEQRA review and will be done concurrently with the Planned Resort Development SEQRA review.

Response A:

The PRD approval process is by its very nature a “Zone Change.” As such, it incorporates all proposed amendments, variances and waivers that may be required for the approval of the project. The PRD application will encompass these changes and will be subject to the SEQR review process.

Comment B: Development of Ridgelines

3 story homes typically range from 30-45 feet in height, dependent upon building design. Further analysis of the potential visual impact of construction on slopes and the ridgeline may be required as part of the SEQRA process.

Response B:

Comment noted. The applicant understands that further visual impact analysis of the proposed project may be required by the Town Planning Board during the SEQR process related to construction proximate to the ridgeline.

Comment C: Shoreline Development Requirements

How the word “pond” is defined is subject to interpretation by the Zoning Administrator, as per §179-16-010(A)(5) of the Zoning Code.

The proposed raw water intake to be installed in the Hudson River for snowmaking will require a NYSDEC permit, which should be noted in the revised SEQRA FEAF at Part 1, Part B(g).

Response C:

Comment noted. We understand that the word “pond” is totally subject to interpretation by the Town Zoning Administrator.

The word “pond” as well as other words pertaining to naturally occurring water resources, such as “lakes,” “streams,” “rivers” and “wetlands” that are included in Zoning Laws usually relate to only such natural resources and not “man-made” water features such as swimming pools and decorative fountains in public plazas, etc.

The water feature proposed at the Base Alpine Village is a “man-made” element. Its shape and location will be designed to complement adjacent features such as paved patios along the water edges, walks along the water edge, etc. The water feature will include a water body with impervious liner that will contain the water and prevent it from percolating into the sandy soils below. The water source to fill the basin may include both stormwater runoff as well as “piped” water from the Town Municipal Water System for Replenishment of the pond water lost to evaporation.

Other elements will be included in the water feature such as decorative fountains, aerators, and underwater lighting. The water feature, as such, will be totally man-made and contained as well as maintained.

Applicant acknowledges that the raw water intake to be installed in the Hudson River will require a NYSDEC permit. As requested, the SEQR EAF, Part 1, Part B(g) has been amended.

Comment D: Suitability of Soils for Stormwater Management and Development

A review of the Test Pit Location Map compared with the project topographic map (dated 8/17/23) shows that Test Pit #6 is at an elevation of +670 – 675 feet, rather than the 650-foot elevation reported in Part 3 (On-Site Soil Investigation Results).

Response D:

On-site soil test pits were formed on October 6, 2023 by Matthew Huntington, PE. The soil test pit logs include the elevation of each test pit as measured in the field. A review of the field notes indicate that Test Pit #6 is at elevation 650+/- as originally reported.

The possibility exists that as that data was transferred to other maps, the elevation of Test Pit #6 may have been placed incorrectly on such maps.

Comment E: Drainway/Stream Proximate to Proposed Mail Marking Lot at Base Area Alpine Village

The NYSDEC letter of 10/13/23 to J. Pits of Gilbert VanGuilder Land Surveyors, PLLC confirms the status of the stream as C(T). Any permits required from NYSDEC for any proposed disturbance of that stream should be noted on the revised SEQRA FEAF at Part 1, Part B(g).

Response E:

Comment noted. As requested the EAF, Part 1, Part B(g) has been amended.

Comment F: Letter from K. Weed dated 10/18/23

The Nationwide Permit 39 from the Army Corps of Engineers should be noted on the revised SEQRA FEAF at Part 1, Part B(h).

Response F:

Comment noted. As requested, the SEQR, Part 1, Part B(h) has been amended.

Comment G: Deep Hole Test Pit Log

The elevation of Test Pit #6 should be confirmed. See the comment at D. above.

Response G:

See response to “Comment D” above.

Comment H: Petition for Change of Zone Application

- Page 1: The Applicant’s Name and Address should reflect all project property owners, including Mountain Top Ventures, LLC.

- Page 3. o The Applicant's Name and Address should reflect all project property owners, including Mountain Top Ventures, LLC.
- The Property Owner's name and address should reflect all project property owners, including Mountain Top Ventures, LLC.
- 9.b. requires a response.
- Page 4 o 9.b. requires a response.
- 9.c. requires a response.
- 11. The proposed project is a Planned Resort Development, per Article 12B of Town Code Chapter 179.

Response H:

Comment noted: The revisions and additions have been made. See Petition for Zone Change in Attachment Q.

Comment I: Revised Sheet S-6:

- How are roads proposed to be constructed in what is clearly labeled a "No Cut/No Build Ridge Line Buffer"?
- The clearing necessary for the three east/west segments of road shown to be within the "No Cut/No Build Ridge Line Buffer" may result in a visual impact upon the ridge line.

Response I:

Road alignments illustrated on revised Sheet S-6 are existing work roads used by West Mountain Ski Area for maintenance. While they may require some improvements, such as widening and correcting road alignment, installation of culverts, etc. these improvements will all be minimal.

Since the road segments exist, this has allowed natural vegetation to grow and become denser in areas adjacent to these roads. Additionally, the ridgeline area is wooded with mature trees. As such, they are visually buffered from view of land uses to the east and are not visible when viewing West Mountain from neighborhoods to the east, the northway, from within the City of Glens Falls or any other area east of West Mountain.

Comment J: Conceptual Stormwater Management Plan Narrative

- Phase I – Base Area Alpine Village: The 5th paragraph states that "The water feature may, or may not, be incorporated into the Stormwater Management Plan." This is contradicted by the Conceptual Stormwater Plan, Phases I – IV, which clearly shows stormwater is to be directed to the "water feature."
- Any overflow weir with piping proposed for the pond or "water feature" should be noted in response D.1.h. in Part 1 of the SEQRA FEAF.

Response J:

- The “man-made water feature” at the Base Area Alpine Village is shown as being incorporated into the conceptual stormwater management plan for the project. It should be noted that only conceptual plans, and not detailed engineering plans, exist for the project. As such, the applicant reserves the option to either incorporate the “man-made water feature” as a component of the stormwater management plan or not. A final decision on this issue will be made as detailed engineering plans are prepared for Site Plan Review by the Town Planning Board.
- Comment noted. In anticipation of the “man-made water feature” being incorporated into the stormwater management plan which may or may not require any overflow weir or piping, a notation has been made in Part 1, Part D(i)(h) as to that possibility.

Comment K: Conceptual Stormwater Plans, Phases I – V

- A level spreaders outfall on the south side of Phase III appears to direct sheet flow stormwater on to a ski trail. W@WM’s legal counsel has advised that this would be addressed by detailed engineering during subdivision review.
- The “water feature” is clearly shown as part of the conceptual stormwater management design, contradicting the Conceptual Stormwater Management Plan Narrative for Phase I – Base Area Alpine Village.
- Any overflow weir with piping proposed for the pond or “man-made water feature” should be noted in response D.1.h. in Part 1 of the SEQRA FEAF.

Response K:

Comment noted. The level spreader topic on the southside of Phase III, will be addressed during the engineering phase for the project and be an issue for review during the Site Plan Review process by the Town of Queensbury Planning Board.

See Response “J” above for comments pertaining to the “water feature” being or not being incorporated into the Stormwater Management Plan for the project.

Comment L: Draft Amendment to Zoning Ordinance submitted on 6/20/23

Maximum Building Height figures should be provided in feet, not stories to be consistent with the current standard used in Town Code, Chapter 179, Table 1: Table of Area Requirements.

Response L:

Comment noted. The Maximum Building Height figures have been changed to feet in the Draft Amendment to the Zoning Ordinance.

Comment M: Other Outstanding Comments

Please address the remaining staff comments sent on 9/22/23 regarding the June 2023 submittal.

Response M:

The following section provides Responses to comments sent on 9/22/23 regarding the June 2023 submittal. Comments and responses are organized to correspond with the order as included in that document.

Comment 1: Project Description

A. Base Area Alpine Village

Additional Comments:

- Shoreline buffer requirements in §179-8-040 “shall apply to all waterfront property and uses.” Refer to definitions for SHORELINE and WATER FRONTAGE in §179-2-010.
- § 179-6-050 Shoreline regulations also apply.
- A minimum shoreline setback requirement for proposed permitted uses should be included in the table in the *DRAFT AMENDMENT TO ZONING ORDINANCE*.

Responses to Additional Comments:

The PRD proposes a 0-foot setback to the “man-made water feature.” The Draft Amendment to Zoning Ordinance has been revised.

The existing DEC classified C(T) stream on the site is proposed to be adjusted and its course modified and/or piped which will require DEC and ACOE permits. After relocation and/or piping it will not be adjacent to any land use in the Base Alpine Village, therefore, no setbacks will apply.

F. Single Family Home Development

Additional Comments:

- Phase V:
- Sheet S-6 Phase V Plan: Will the Lone Oak Cabin Race Team Staff House be the only use proposed on Lot 51?
- How will Phase V be served by the public water and private sewer systems? Any easements to be created and maintained for connection of water or sewer to Phase IV should be shown on the Conceptual Master Plan as lands to be cleared and shown on Sheet S-1 Overall PUD Plan as land to be developed. Such easements should be also shown on the Phase IV and Phase V plans (Sheets S-5 & S-6). The land use/cover type calculation at E.1.b. in the FEAF should be adjusted accordingly.

Responses to Additional Comments:

- The Lower Oaks Cabin Race Team Staff House will be the only use proposed on Lot 51.
- Phase V will not be serviced by public water and private sewer systems. Phase V Single Family House lots will have individual on-site wells and on-site wastewater treatment systems.

Comment 2: Compliance of the Proposed Project with PRD Intent and Objectives

Additional Comment:

- See comments on Draft Amendment to the Zoning Ordinance beginning on Page 26.

Response to Additional Comments:

See Response to Attachment B. Draft Amendment to Zoning Ordinance.

A. Objectives

5. Harmony with the 2007 Town of Queensbury Comprehensive Plan. The following excerpts from the comprehensive plan are relevant to the design and review of the proposed PRD:

Additional Comments:

- While the narrative makes intent clear, it is contradicted by the topography and design of Phase V, which shows that at least 6 lots in Phase V will be at or immediately adjacent to the ridgeline. Lot 42 includes the peak of the ridgeline in the PRD area at approximately 1,471 feet in elevation. Phase V plans and lot/road layouts submitted must be consistent with the narrative regarding protection of the ridge line.
- See attached *Phase V contour elevation analysis 2 dots.pdf*

Response to Additional Comments:

Roadways in Phase V have been designed to align with existing maintenance roads used by West Mountain Ski Area. As such, the roads are surrounded by mature vegetation which buffer views to them from land uses to the east.

Additionally, the lot layout has been redesigned so that no home is located on the ridgeline. Homes are located both to the east and west of the ridgeline at elevations well below the ridgeline which will allow for a home with a normal building height to be built and not protrude above the ridgeline. Additionally, as previously stated, the ridgeline is covered by mature trees which add additional buffer above the ridgeline elevation. Therefore, by a combination of re-using existing work road corridors, subdivision re-design, sitting of homes on both sides of the ridgeline at elevations below the ridgeline, and maintaining existing wooded buffers, the existing character of the ridgeline will be protected and maintained in a vegetated condition. See revised subdivision layout for Phase V, Drawing S-6, "Woods at West Mountain – Phase V Plan."

Comment: Recommendation A.9: *Require conservation subdivision design for multi-unit projects that organize open space around the protection of rural character in the rural residential planning area.*

Additional Comments:

- The first statement in the above response contradicts the SEQRA FEA response at D.1.d.ii.
- The project does not comply with the following Conservation Subdivisions requirements set forth in Chapter A183, Article X:
- Criteria for preservation set forth in §A183-39(C)

▪ **Objectives A and B in § A183-37**

Response to Additional Comments:

- The EAF at D.1.d.ii has been revised to indicate that the project is proposed as a Conservation Subdivision.
- Criteria for Preservation set fourth in Section A183.39(c)

The proposed Conservation Subdivision is compatible with the criteria for preservation in that the West Mountain PRD is designed to cluster the majority of dense development at the base of the mountain and includes less dense development as elevations rise. As such, the majority of the upper elevations of the site are preserved as open space and designated for ski area open space recreation.

The parcel is within a designated scenic vista, however, as stated above, it is the upper elevations of the site which contribute to the sites importance as an open space residence. As such, care has been taken in the design of the site layout to buffer any development proposed at mid-to-upper elevations on the site. As such, the design is compatible with Criteria 1.

Criteria 2 (Lands along waterways), 3 (significant wildlife habitats), 5 (soils with depths to seasonal high ground water of 40 inches), 7 (site adjacent structures of historic significance), and 6 (critical environmental areas), do not apply.

While the site is on slopes greater than 15%, (criteria 4), as stated above the site layout respects natural topography and is designed to traverse such slopes. Additionally, when looking at the site from a macro-level, it appears to all be greater than 15% at its mid to upper elevations. However, interpreting the site topography at the micro-level, indicates that the parcel has significant areas that are less than 15% that are interspersed with steeper areas of 15%+, which allow for these areas to be designated for proposed development.

The site is exposed to views from Lake George (Criteria 6), however, the views are only to the ridgeline of West Mountain and its upper elevations. As mentioned above, roads and houses have been carefully sited to avoid development along the ridgeline.

The site in itself is an open space resource and is a component of the West Mountain Ski Area which is a public open space recreational resource and particularly amendable to active or passive recreation (criteria 8 and 10).

The proposed Conservation Subdivision also complies with and satisfies objectives A and B in Section A183-37.

- A. The development pattern preserves natural topography in that roadway alignments traverse topography and follow the areas of less steep slopes. As stated above, the project has been designed to preserve scenic vistas and views to its upper elevations and ridgeline with the majority of development proposed at the base of the mountain, or lowest elevation, which is not within any scenic view corridor. Additionally, the project does not disrupt network drainage patterns or impacts wetlands.
- B. As designed, the proposed Woods at West Mountain is a true Conservation Subdivision layout on that it clusters the densest development at the base of the mountain where

approximately 75-80% of the development is proposed. This results in a smaller natural of streets and utilities. Moderately dense development is proposed at the next upper level in the site, which is still not within any scenic corridors. This pattern of development has allowed for extensive areas of open space to be incorporated into the site at the mid to upper elevations of the site which are within the scenic corridor. It has also allowed for the dense development area at the Base Alpine Village to offer a total pedestrian experience in that sufficient parking has been planned for all uses so that occupants can elect to not use their vehicles. All areas are accessible by foot and bicycle.

Comment: Recommendation A.10: *In the rural residential planning area, provide guidance to developers and planning board members so that the goal of site plan review for multi-unit residential development is the protection of rural character.*

Additional Comments:

- See comment on page 3 regarding residential lots proposed on or adjacent to the ridgeline.
- The proposed development on Phases II, III, IV, and V would be on steep slopes:
 - Approximately 78.8% of the PRD has slopes in excess of 15%. This includes areas of Phases II, III, IV & V.
 - Approximately 58.4% of the PRD has slopes in excess of 25%. This includes areas of Phases II, III, IV & V.
- See attached documents:
 - [west mtn dev partners slope 20 wetlands aug 2023.pdf](#)
 - [slope map sept 2023 v1.pdf](#)
 - [Soils Suitability by Use by Phases.pdf](#)

Response to Additional Comments:

- Regarding development of lots adjacent to the ridgeline, See “Response I” to October 23, 2023 Submission, above.
- As previously stated, the project roadway and infrastructure system has been laid out to traverse slopes on the site and follow areas with less steep slopes. As reviewed on a macro level the site appears to possess only slopes in excess of 15% and 25% in Phases II, III, IV and V, however, upon closer examination micro-level topography it is fully expected that the area will have a mixture of less steep slopes which will allow for detailed site plans that will be prepared during the Site Plan Review process by the Planning Board that will be refined to take advantage of such flatter areas in the development plan.
- Comment noted.

1. 2003 Open Space Vision for the Town of Queensbury. This adopted document was included as an Appendix to the 2007 Comprehensive Plan and contains the following information relevant to the PRD project design and review.

Additional Comments:

See comment on page 3 regarding lots on or adjacent to the ridgeline.

Response to Additional Comments:

Regarding development of lots adjacent to the ridgeline, See "Response I" to October 23, 2023 Submission, above.

Comment: Mountain Ridges: The town should explore ways to provide incentives to property owners for protecting the mountain ridges from the blighting influence of adverse changes. Recognizing that change will occur, it is appropriate for the town to work with landowners to mutually develop guidelines for change that will responsibly direct home construction and other activities in a way that will complement the mountain landscape (and not become a blight). (Page 25 of Open Space Vision Plan)

Additional Comments:

See comment on page 3 regarding lots on or adjacent to the ridgeline.

Response to Additional Comments:

Regarding development of lots adjacent to the ridgeline, See "Response I" to October 23, 2023 Submission, above.

7. Comment: The adequacy of the water supply, sewage disposal and stormwater management facilities will be evaluated by the Town's engineering consultant. No information regarding conceptual design of stormwater management was provided.

June 2023 Response & Additional Comments:

A letter was received by the Town from StudioA on 9/13/23, providing additional discussion on stormwater management and soils. Please see comments regarding this letter on Page 11.

Response to Additional Comments:

Comment noted. Responses to Comments on Studio A's 9/13/23 letter will be provided in Queensbury Planning Department Staff comments regarding this letter on Page 11.

Concept Stormwater Management Plan

Five comments were included in this section relating to the Concept Stormwater Management Plan. All related to the suitability of on-site soils for stormwater management. All were based on USDA-Soil Conservation Soil Services Soil Data.

The applicant subsequently performed on-site soil testing. Six test pits were dug in the development area along with percolation tests. All six test pits confirmed that adequate soil exists on the project site for development and stormwater management. All six soil test pits contradicted the USDA-Soil Service data. As stated above, responses to comments regarding Stormwater Management and Soils will be provided

regarding the letter from Studio A on 9/13/23 in staff comments to this letter on Page 11 of these comments.

10.Comment: Tubing will not be part of the PRD, as no tubing facilities are proposed on the PRD project site according to the materials submitted. No existing or proposed walking or hiking trails are shown on the materials submitted for the project site.

Additional Comments:

§ 179-12B-030 Considerations.

In determining whether a planned unit development should be allowed, particularly as regards the intensity of land use, the Town Board shall consider the following factors:

E. The pedestrian circulation and open space in relation to structures, throughout the proposed development, and as part of an adjoining or future connecting Townwide open and linear pathway system, if applicable.

- The map below (also attached as *OSVP 2003 Map.pdf*) in the adopted 2003 Open Space Vision for the Town of Queensbury includes the ridge line at West Mountain as a potential trail or path.



Response to Additional Comments:

As previously stated, the development plan for the Woods at West Mountain includes hiking, mountain biking and cross-country ski trails. These trails will be accessible to both permanent residents as well as daily and weekly guests staying at the resort.

The Queensbury Open Space Vision Plan includes a ridgeline trail that traverses all of West Mountain. West Mountain and Northwest Mountain include land areas where this path may cross. The plan, however, clearly contains notes pertaining to the disposition of the use and inclusion of private lands in the plan as follows:

“Note:

2. Lands shown may not be publicly accessible. Access to private property is at the sole discretion of the property owner.
3. This map shows areas that the public has identified as desirable. For future consideration efforts and public use. Any land purchase will be based on a willing buyer and willing seller basis.”

The Plan is clearly a “Vision” for the future which is based on the cooperation by the Town and private landowners. While the Woods at West Mountain is envisioned as a private destination resort which will offer a network of hiking and cross-country ski trails for its residents and guests to use, the Woods at West Mountain will be receptive to discussions with the Town incorporating such trails, and/or a designated Town ridgeline trail, into the Town Open Space Vision Plan.

Comment: Reference is made to expanded ski trails accessing the resort. These proposed expanded trails must be clearly shown on the materials submitted.

Additional Comments:

- The location of the proposed new trail Full Monty must be shown in the same location on all plans submitted:
 - The survey map received by the Town on 8/23/23 included a proposed new ski trail labeled Full Monty, to be located under the proposed New Woods Flyer Chairlift. The proposed trail is shown in that location the Conceptual Master Plan.
 - Sheet S-1 Overall PUD Plan shows the location of the proposed Full Monty Trail between the New Woods Flyer chairlift and Mach.
- Please also confirm that all proposed new trails are included in the FEA calculation of proposed changes in forested acreage (E.1.b.)

Response to Additional Comments:

- The location of the new Full Monty trail has been properly illustrated on all plans. Sheet S-1 Overall PUD Plan has been revised to correctly show the location of the new Full Monty ski trail.
- Forest removal acreages have been checked and all new ski trail forest removal has been included in the proposed changes in forest acreage in EAF, E.1.b.

3. General PRD Requirements

C. Allowed Uses and Base Density

Additional Comments:

- Base residential density is prescribed by §179-12B-020(C) of Town Code, using the formula provided in §A183-26 of Town Code.

- Any requested change to Chapter 179, Article 12B of Town Code must be done through a Petition for Change of Zone application, providing in detail the proposed code language changes. If a Petition for Change of Zone is submitted, the SEQR FEA submitted must also be amended to include that Petition for Change of Zone.
- Since the PRD area changed with the June 2023 response submittal, a revised estimate of the base residential density was also calculated by Town staff, as per §179-12B-020(C) and §A183-26 of Town Code:
 - The current proposal is for an estimated 802,800 ft² of residential construction.
 - The base residential density in the Recreation Commercial (RC) zoning district for the PRD area is an estimated 280,759 ft².
 - The current proposal is for an estimated 286% of the allowable base residential density.

Response to Additional Comments:

See response to Comment 'A' above.

Comment: Mapping should be submitted that clearly shows the total surveyed land area, the total calculated area to be dedicated to recreation, and the total calculated area for other development.

Additional Comment:

- Only 56.1 acres ski trails and some of the base area are shown as Recreation Area on revised Sheet S-1 Overall PUD. This is +22% of the total PRD project area, and substantially below the 50% recreation land use area required for PRDs by §179-12B-020(C) of Town Code.

Response to Additional Comments:

Additional lands were incorporated into the PRD limits which expanded the site area from approximately 175+/- acres to 254 acres. Virtually all of the additional land is for open space recreation, skiing, etc. which increased the ratio of open space/developed land to approximately 77%/23%.

4. PRD Considerations

B. Adequacy of Water Service

Additional Comments:

- Please confirm that Phase V will be served by public water and that water demand calculations include Phase V lots.
- Any easements to be created and maintained for connection of water or sewer to Phase IV should be shown on Sheet S-1 Overall PUD Plan as land to be developed. Such easement areas should be also shown on the Phase IV and Phase V plans (Sheets S-5 & S-6). The land use/cover type calculation at E.1.b. in the FEA and on Sheet S-1 Overall PUD Plan should be adjusted accordingly.

Response to Additional Comments:

Phase V will not be serviced by public water. It will be serviced by individual on-site wells. As such, easements for waterlines are not required.

C. Adequacy of Wastewater Disposal

Comment: The Town understands that an alternative disposal method for treated sewage effluent is under consideration. Details of any alternative disposal method should be submitted and shown on the map at Attachment G.

Additional comments:

- The description of the Proposed Surface Water Discharge should make it clear that disposal of treated effluent disposal to the hydropower canal is the preferred scenario, while the alternative disposal field in Lake Luzerne is a backup plan. This same description should also state that coordination with Warren County will be required regarding required easements along West Mountain Road (a County highway).
- It is noted that the absorption field for the alternative sewage disposal method under consideration is in the Town of Lake Luzerne, which would make that municipality an involved party for SEQRA review if that option is pursued. According to USDA National Resources Conservation Service data, the soils at the proposed absorption field location have a suitability rating for septic absorption fields of Somewhat Limited to Very Limited.
- Please confirm that Phase V will be served by the private sewer system and that effluent calculations include Phase V lots.
- Any easements to be created and maintained for connection of water or sewer to Phase IV should be shown on Sheet S-1 Overall PUD Plan as land to be developed. Such easement areas should be also shown on the Phase IV and Phase V plans (Sheets S-5 & S-6). The land use/cover type calculation at E.1.b. in the FEA should be adjusted accordingly.

Response to Additional Comments:

- The discussion of the wastewater treatment system has been revised to state that discharge to the Hudson Park is the preferred option and that on-site discharge is the alternative.
- We understand that if the alternative sewage treatment systems location is pursued as the preferred option, that would involve the Town of Luzerne and make that municipality an involved agency under SEQR. On-site soils testing at that location were performed by Matthew E. Huntington, PE on October 3, 2022. On-site soil testing confirmed that the soils are suitable for an on-site wastewater treatment absorption system, as opposed to the generalized USDA_Soils data referred to in the "Additional Comments."
- Phase V will be serviced by individual on-site wastewater treatment systems for each lot. Phase V sewage will not be served by the proposed private sewer system.
- All wastewater and potable water systems for Phase V will be on-site systems. Therefore, no easements for utilities are required over Phase IV for the extension of utility lines.

I. Potential Impacts on Environmental Resources

Comment: Town staff review of publicly available National Wetlands Inventory data indicates that there are approximately 0.85 acres of federal wetlands on the project site, consisting of a portion of a NYS class C(T) stream and the existing pond. The existence of the wetlands and stream are also acknowledged in the Long EAF provided.

Additional Comments:

- Confirmation of the stream status from NYSDEC is necessary before project review can proceed. The response at Question E.2.h.4. of the revised SEQR FEAF continues to note the stream classification as C(T).
- Additionally, §179-6-050(D)(f) of Town Code prescribes local standards for stream crossings and stream bed disturbances, including a requirement that *Stream crossing, channelization, or piping is allowed only for utility crossings, logging roads, public roads (including subdivision roads to be accepted), approved private roads, and driveways to access private real property.*

Response to Additional Comments:

- Correspondence between Jacquelyn Pitts, Environmental Technician, Gilbert VanGuilder Land Surveyors and Amanda Vescovi, AWB, Aquatic Ecologist of the NYS Department of Environmental Conservation, dated October 13, 2023, confirms that the stream is a Class C, Standard C(T) Stream and is protected by the NYS DEC.

Response to questions E.2.h.IV notes the stream classification as C(T) which is correct.

- See Responses to "Comment A" above.

Comment: The existing pond is an "isolated wetland" as per USACE criteria. As such, it is not federally regulated. It is also not 12.4 acres in size nor unique, and therefore, not a state regulated wetland. As such, not being classified by either NYS nor the USACE, the pond is also not considered to be subject to wetland regulations or setback requirements by the Town of Queensbury.

Additional Comments:

- Both the pond and stream continue to be shown as a jurisdictional wetland on the NWI Wetlands Mapper website. A jurisdictional determination from the Army Corps of Engineers should be requested; town staff is aware that ACOE staff in New York State are continuing to issue jurisdictional determination letters.
- The pond is subject to all shoreline regulations of the Town of Queensbury. See §179-6-050 and §179-8-040 of Town Code.

Response to Additional Comments:

In relation to the stream, see "Responses to I, Potential Impacts on Environmental Resources, related to correspondence between Jacquelyn, Pitts, Gilbert Van Guilder Surveyors and Amanda Vescovi, NYD DEC.

As per the disposition of the existing pond, the pond is classified as an “isolated wetland.” Recent determinations by the USACE have classified such wetlands as “non-jurisdictional.”

Shoreline regulations pertaining to the “man-made water feature” are proposed to be modified by the PRD legislation. See response to comment I, Project Description, A. Base Area Alpine Village, to June 2023 submittal.

J. Ability of Lands to Support Proposed Development

Comment: A GIS analysis of the project area using digital elevation modeling indicates that 58.4% of the project area contains soils with slopes in excess of 25%.

Additional Comments:

§ 179-12B-030 Considerations.

In determining whether a planned unit development should be allowed, particularly as regards the intensity of land use, the Town Board shall consider the following factors: (J): The general ability of the land to support the development, including such factors as slope, depth to bedrock, depth to water table and soil type.

Response to Additional Comments:

The basis for Town Planning Department staffs comments pertaining to this topic is the United State Department of Agriculture – Soil Conditions Source (USDA-SCS), Soil Classification System. The USDA-SCS Soil Classification System is a regionalized inventory of soils. It does not result in the mapping of individual soils on individual parcels of land, however, only separates generalized soils information based on landforms or landform segments. As such, the USDA-SCS soils data is best used for general land planning and preparation of resource plans.

The USDA-SCS specifically states that “If intensive use of small areas is planned, on-site investigation is needed to define and locate soils.” As such, staff comments pertaining to the suitability of soils on the site for development and stormwater management are not based on site specific data.

On-site soil tests were performed on the Woods at West Mountain project site on Friday, October 6, 2023 by Matthew E. Huntington, PE. The results of this on-site soil testing confirm that soils on the project site are suitable for development and stormwater management practices. This data has been incorporated into the amended PRD application document.

As such, additional comments by Queensbury Planning Department staff are totally based on generalized USDA-SCS soils information and are not representative of actual on-site conditions. Therefore, responses to comments in this section will not be provided (Pages 12-19).

Comment: No preliminary stormwater management plan was submitted. Stormwater management facility designs could additionally affect the amount land available for roads and structures.

Additional Comment:

A conceptual stormwater design plan is to be submitted as discussed on 9/19/23.

Response to Additional Comments:

A conceptual stormwater management plan has been prepared for the project and has been incorporated into the amended PRD application.

Comment: The project will be subject to the design standards in Chapter 183A of Town Code (Subdivision of Land). Relevant design standards in this Chapter are found in Article IX of this Chapter.

- Note that §A183-27 states that "Town streets and roads shall include both public and private streets and roads in all sections of these regulations." §A183-27(l)(4) prohibits dead end streets in excess of 1,000 feet.

Additional comments:

- Emergency vehicle "turn-outs" must be shown on the Conceptual Master Plan, all Phase Plan Sheets and the Topographic Map.
- Provide the proposed conceptual length of the main development road as measured per §A183-27(l)(4) of Town Code.
- Provide the proposed maximum grade (slope) of the main development road.

Response to Additional Comments:

- All plan sheets have been revised to show emergency vehicle "turn-out" locations.
- The proposed conceptual length of the main development road as measured per Sections A 133-27(i)(A) of Town Code has been added to the plan sheets.
- The proposed maximum grade of the main development road has been added to the plan sheets.

5. Attachments

B. Attachment A: Conceptual Master Plan

Additional Comment:

- Also see comments on Page 25.

Response to Additional Comments:

Comment noted. Responses to comments on the conceptual master plan on page 25 will be provided therefore.

Comment: All proposed land areas that "may be conveyed to selected entities for development of the actual real estate improvements" (page 6) must be shown on the Conceptual Master Plan as lots to be potentially subdivided from the main project parcels.

Additional Comment:

- The total number of proposed lots, including "footprint ownership" lots, should be listed on each Phase Plan and noted in response D.1.d.iii. of the SEQRA FEAF.

Response to Additional Comments:

The total number of proposed lots, including “footprint ownership” has been added to each Phase Plan sheet and noted in D.1.a.iii.

Comment: The New Northwest Lodge, the Village Center building, and their associated hardscaping are proposed to be in close proximity to the pond and its associated federal wetlands.

Additional comment:

- See comment on Page 1.

The pond as it exists today is an “isolated wetland” and is non-jurisdictional by the USACE and NYSDEC. As such, it will be re-developed as a “man-made feature” and will be in proximity to the Base Alpine Village. It will be shaped and designed to function as a visual feature. As previously stated, it will have an impermeable liner to contain the water, similar to a swimming pool. No building setback requirements are proposed from this “man-made water feature.”

Comment: The proposed development shown seems to include “undergrounding” the existing class C(T) stream and its associated federal wetlands on the east side of the PRD project area.

Additional comment:

§179-6-050(D)(f) of Town Code prescribes local standards for stream crossings and stream bed disturbances, including a requirement that *Stream crossing, channelization, or piping is allowed only for utility crossings, logging roads, public roads (including subdivision roads to be accepted), approved private roads, and driveways to access private real property.*

Response to Additional Comments:

See response to I. “Potential Impacts to Environmental Responses” above.

Comment: The location of the pond proposed for snowmaking water storage must be shown on the Conceptual Master Plan, as noted in item D.1.h.i. of the Long EAF.

Additional comment:

- All alterations to the pond shoreline are subject to the standards of §179-6-050(D)(2) of Town Code.
- The stormwater narrative and *Conceptual Stormwater Design Plan* should include the proposed use of this pond for stormwater management. The FEA response provided at E.1.b. indicates that the pond will be expanded by 0.1 acres (or 4,356 ft²).
- Will this proposed expansion size be adequate for the pond’s proposed use in stormwater management?
- Will a dam or outfall structure be required? If so, amend the SEQRA FEA response at D.1.h. as appropriate.

Response to Additional Comments:

- The pond is classified as an “isolated wetland” and is non-jurisdictional by either the USACE or NYS DEC and, therefore, since not being a jurisdictional wetland by either agency is not subject to local jurisdiction.

- As previously stated, the pond is proposed to be re-developed as a “man-made water feature.” Reference to expanding the pond has been removed from EAF, Part E.1.b.
- The “man-made water feature,” if included as a component of the stormwater management plan, will be sized approximately during the Site Plan Review Phase of the project when detailed engineering will so allow.
- Should the “man-made water feature” be included in the stormwater management plan, and if an outfall weir will be required, will be determined during the Site Plan Review of the project when detailed engineering will so allow.

C. Attachment B: Phasing Plan

Comment: The Phasing Plan must adhere to the requirements of Article XI of Chapter A183 of Town Code (Subdivision of Land).

Additional comment:

A waiver from this requirement can only be granted by the Planning Board, as per §A183-50 of Town Code.

- The Overall PUD Plan (Sheet S-1), Phase V Plan (Sheet S-6) and the Conceptual Master Plan show roads extending south from Phase V to along the ridge to additional lands of Apex Capital, LLC.
 - What future development is proposed for these lands?
 - §A183-27(l)(4) of Town Code requires temporary turnarounds at street ends with expected future extensions.
- See also comments on page 27.

Response to Additional Comments:

- Comment noted. We understand that a waiver from the Planning Board must be requested for relief from Section A133-50 of the Town Code.
- No future development is proposed on lands south of Phase V. The road extensions represent existing work roads used by West Mountain Ski Area for maintenance. Hammerheads will be installed at the end of each road segment to facilitate turn-arounds for cars, emergency vehicles and maintenance vehicles. The overall PUD Plan (Sheet S-1), Phase V Plan (Sheet S-6) and Conceptual Master Plan drawings have been revised.
- The comments from page 27 pertaining to the Phasing Plan are addressed in responses to comments on Page 27.

A. Attachment I: Traffic Report

Additional Comment:

- Table 1: The Village Center should include Restaurant and Retail, as noted in the *DRAFT AMENDMENT TO ZONING ORDINANCE*, for a total of 32,000 ft². All subsequent calculations should include this square footage figure.

Response to Additional Comments:

- A total of 29,800 SF of restaurant, retail and office uses square footage was included in the basis for traffic analysis, not 32,000 SF.

Comment: 2.0 Existing Conditions. The Transit, Pedestrians and Bicyclists section does not contain any discussion of pedestrians and bicyclists.

Additional Comments:

- Note that 179-4-090(O) of Town Code has the following standard for bicycle facilities: Any use required to have 25 or more parking spaces shall supply one bicycle rack suitable for at least three bicycles per 25 spaces.
- Provision for bicycle racks should be considered in conceptual project design. West Mountain Road is part of the Priority Bicycle Network designated by the Adirondack/Glens Falls Transportation Council.

Response to Additional Comments:

- Comment noted. As more detailed plans are prepared for the project provisions will be made for one bicycle rack per 25 cars. Project drawings at this time are not at a sufficient scale to allow for the actual layout and placement of bicycle racks.
- As stated above, as more detailed drawings are prepared for Site Plan Review, provisions for the location of bicycle racks will be incorporated.

Comment: 4.0 Traffic Assessment: Traffic generation estimates should be based on the correct number of units per Land Use Codes.

Additional Comment:

Restaurant, retail and office uses square footage should also be included in trip generation figures.

Response to Additional Comments:

A total of 29,800 SF of restaurant, retail, and office uses square footage was included in the basis for estimating trip generation figures.

B. Attachment O: Long EAF

Additional Comments:

A. Project and Applicant/Sponsor Information:

- The project description should also include any amendments requested to Town Codes, with subsequent responses adjusted accordingly to address said code changes.

Response to Additional Comments:

As previously stated, the proposed PRD legislation includes documentation of any deviations from the Zoning Law and need not be addressed as amendments/variances or waivers.

B. Government Approvals:

c. City, Town or Village ZBA: Response should be "Yes," as variances from § 179-4-050 may be required.

Response to Additional Comments:

Comment noted. The EAF has been amended.

C. Project Details

D.1.c.i.: The response for units should also include figures for all non-residential construction proposed, not just the proposed hotel.

Response to Additional Comments:

Comment noted. D.1.c.i has been revised.

D.1.d.i.: Response should note a mixed use subdivision is proposed for Phases I & II, with single family residential subdivisions proposed for Phases III, IV & V.

Response to Additional Comments:

Comment noted. D.1.d.i has been revised.

D.1.d.ii.: The response here contradicts the revised narrative on Page 6 of the response submitted in June 2023.

Response to Additional Comments:

Comment noted. D.1.d.ii has been revised.

D.1.d.iii.: The number of lots proposed should include the total number of proposed lots to be created for individual commercial projects in the PRD (the “footprint ownership” lots).

Response to Additional Comments:

Comment noted. D.1.d.iii has been revised.

D.1.f.: Figures provided are not consistent with the phasing plans. The response should be:

One Family (four or more)	Two Family	Three Family	Multiple Family	
Initial Phase	0	16	0	316
At completion of all phases	65	56	0	316

Response to Additional Comments:

Comment noted. D.1.f has been revised.

D.1.g.: The responses should accurately reflect all Phase I & II proposed development as shown on the Conceptual Master Plan and the Overall PUD Plan (Sheet S-1).

- i.: This response should include all proposed structures on “footprint ownership” lots.

Response to Additional Comments:

Comment noted. D.1.g has been revised.

- D.1.h.: The responses should accurately reflect any use of an expanded pond for stormwater management.
 - D.1.h.i.: Response should note proposed enlargement of the pond consistent with the response at E.1.b.
 - D.1.h.ii. The proposed use of the pond for stormwater management is not included in the *Concept Stormwater Management Plan* narrative.
 - D.1.h.iv.: Estimated volume and surface area figures are required here for the proposed enlarged pond.
 - D.1.h.v.: Responses are required for proposed height and length of the enlarged pond.
 - D.1.h.vi.: Revise this response as necessary.

Response to Additional Comments:

- D.1.h.i.: The existing pond will not be enlarged. A new “man-made aesthetic feature” will replace the existing pond. Size to be determined.
- D.1.h.ii.: The “man-made aesthetic feature” is included in the concept stormwater management plan narrative.
- D.1.h.iv and v.: Both the volume and surface area and height and length of the “man-made aesthetic feature” will be determined during detailed engineering in Site Plan Review.
- D.1.h.vi.: Comment noted. D.1.h.vi has been revised.
- D.2.b.i.: The proposed use of the pond for stormwater management is not included in the *Concept Stormwater Management Plan* narrative.

Response to Additional Comments:

The use of the “man-made water feature” as part of the stormwater management plan has been included in the concept stormwater management plan.

- Responses are required for items D.2.b.ii. through D.2.b.v.

Response to Additional Comments:

Comment noted. Responses have been added to D.2.b.ii through D.2.b.v

- D.2.e.i.: Impervious surface figure must match that provided at E.1.b. response. The parcel size should equal PRD project size of 254 acres.

Response to Additional Comments:

Comment noted. The figures have been adjusted on D.2.e.i.

- D.2.e.iii.: *If stormwater will be directed to the on-site pond, it must be noted here.*

Response to Additional Comments:

Comment noted. D.2.e.iii has been revised.

- D.2.h.: Responses are required for subparts i and ii.

Response to Additional Comments:

Comment noted. Responses have been added for D.2.h.i and ii.

- D.2.j.viii: Bicycle facilities are required as per §179-4-090(O) of Town Code.

Response to Additional Comments:

Comment noted. D.2.j.viii has been revised.

- D.2.k.: Response to subpart i is required.

Response to Additional Comments:

Comment noted. Estimated annual electric demand can only be estimated once detailed engineering and architectural plans are prepared during Site Plan Review.

- D.2.r.: Responses to subparts i through iii are required.

Response to Additional Comments:

Comment noted. Estimated solid waste volume generation can only be estimated once detailed architectural and engineering plans are prepared during Site Plan Review.

E. Site and Setting of Proposed Action

- E.1.b.:
 - The impervious surface area figure must match the figure provided at D.2.e.i.
 - The non-vegetated area figures must meet or exceed the area figure provided at response E.2.b.
- Land use/coverage calculations should be adjusted to include any easements necessary between Phases IV and IV for water and sewer easements.

Response to Additional Comments:

- The impervious surface area figure has been corrected to match D.2.e.i.
- No estimate of non-vegetated area (random bedrock outcrops) is available from any source.
- Phase V will be serviced by individual on-site wastewater systems and potable wells. No easements are required between Phases IV and V for utility extensions.
- E.2.b.:
 - This figure must match with the response at E.1.b.

- The location of bedrock outcroppings must be shown on the Soils Diagram.

Response to Additional Comments:

- See Response to E.b.1 above.
- There is no map source that presents the location of rock outcrops on the project site, only a rough estimate in area of outcrops presented in the USDA-SCS soils descriptions. Therefore, the location of any bedrock outcrops on the site cannot be shown on any maps.
- E.2.e.: According to USDA NRCS data, based on the information provided in the Soils Diagram, only +90.6% of the PRD area is well drained. The remainder is excessively drained.

Response: As previously stated, the USDA NRCS data is not suitable for detailed site analysis and evaluation of soils. Please refer to on-site soil test pit data that was developed for the project site.

- E.2.h.iv: Confirmation of status from regulatory agencies about jurisdictional wetlands is required, with the approximate size of the wetlands provided.

Response: See communications between Gilbert VanGuilder, Surveyors and NYSDEC pertaining to wetland status.

E.2.n.: All responses for subsection *iii* must be provided.

Response: Comment noted. Responses have been added.

6. Review of Sketch Plan Requirements - §179-12B-O5O(A)(1)

Comment: The overall proposed drainage (stormwater) management system must be provided.

Additional Comment:

- Given the slopes and soil types prevalent on the project site, stormwater infiltration basins are likely to use a substantial land area throughout the development and may affect the number and location of developable lots in the PRD. A conceptual stormwater design plan is required to inform overall project design, as was agreed to at the 9/19/23 meeting.

Response to Comment: A Conceptual Stormwater Management Plan has been prepared and is included in the PRD application. Detailed on-site soils investigations have been performed and are also included. Actual locations of stormwater infiltration basins and other practices can only be established as stormwater plans for the project proceed into detailed engineering and Site Plan Review at the Planning Board.

Attachment A: Conceptual Master Plan

- The Existing Day Lodge should be labeled as expanded or replaced, as appropriate.

Response: The existing day lodge is to remain. It will be upgraded to visually be compatible with other new construction including exterior façade treatments, etc. Exterior patios or decks may be added. It is not intended to be expanded or replaced. It is labeled “existing” correctly.

- How many parking spaces are proposed below the 4 apartment buildings? Is this figure included in the estimated 700 parking spaces noted in the response to Question D.2.j. of the SEQR FEA?

Response: A total of 120 parking spaces are proposed below the four apartment buildings. They are included in the 760 +/- parking spaces noted in response to Question D.2.j of the EAF.

- The proposed height in stories for the 18 unit apartment buildings should be noted on this plan.

Response: The proposed height of three stories is noted on the plan correctly.

- Festival Area uses listed in the *DRAFT AMENDMENTS TO ZONING ORDINANCE* are not shown on the Conceptual Master Plan.

Response: There are no uses listed in the Draft Amendments to Zoning Ordinances. Such uses include outdoor functions such as Halloween/Fall Festival, Summer Car Shows, Camping Equipment Shows, RV Shows, etc.

- §A183-27(K) Street entrances to subdivision requires that *In all subdivisions of 15 lots or more, at least two entrances to the subdivision from an existing public street shall be installed.*

Response: Section A183-27(k) will be requested to be amended, or an exception issued, to allow for the proposed site plan to be approved.

- What are these white spaces circled below in Phase I? They are not shown as open space on Sheet S-1: Overall PUD Plan.



Response: They are the proposed outdoor "Festival Area." They have been labeled on the Master Plan.

- The Conceptual Master Plan, the Overall PUD Plan (Sheet S-1) and the Phase V Plan (Sheet S-6) show roads to extend south from Phase V to additional lands of Apex Capital, LLC.
 - What future development is proposed for these lands?
 - §A183-27(l)(4) requires temporary turnarounds at street ends with expected future extensions.

Response:

- No future development is proposed for these lands. The roads are existing West Mountain Ski Area work and maintenance roads.
- Hammerheads are proposed at the street ends and have been added to the Master Plan (Sheet S-J) and Phase V Plan (5-6).
- The proposed Full Monty ski trail location on the Conceptual Master Plan must be consistent with the trail location shown on Sheet S-1 Overall PUD Plan

Response: The proposed Full Monty ski trail has been correctly located on the Conceptual Master Plan and Sheet S-1, Overall PUD Plan.

- Emergency vehicle “turn-outs” should be shown on the Conceptual Master Plan, all Phase Plan Sheets and the Topographic Map.
- Emergency vehicle “turn-outs” have been added to the Conceptual Master Plan and all other Phase Plan sheets.
- Any easement required for water and sewer connection between Phase IV and Phase V should be shown as cleared land on the Conceptual Master Plan.

Response: As previously stated, the Phase V area will be serviced by individual on-site wastewater treatment systems and wells. No utility easements are required for extensions of utilities from Phase IV.

- The Indoor Gymnasium/Sports use listed in the *Draft Amendment to Zoning Ordinance* is not shown on the Conceptual Master Plan or Sheets S-1 and S-2.

Response: The Indoor Gymnasium/Sports use has been labeled on the Conceptual Master Plan and Sheets 5-1 and 5-2.

Attachment B: *DRAFT AMENDMENT TO ZONING ORDINANCE*

Additional Comments:

- You may want to consider creating the draft PRD Code table listing uses categorized by proposed project phase.

Response: Comment Noted.

- §179-12B-010(4) states, in part, that PRDs, as defined herein, may be established only in accordance with the procedure specified in this article. There is no language in Article 12B of the Zoning Code that enables the Town Board to waive any procedure or requirement contained therein.
- Response: Comment Noted.
- The Town Board cannot grant exemptions to Article IX of Chapter A183. Only the Planning Board has the authority to do so upon receipt such of a request with a subdivision application.

- Response: Comment Noted. The appropriate exemptions to Article X of Chapter A183 will be requested from the Planning Board at the time of Site Plan and Subdivision Review.
- Any exemption from Article IX, §A183-31 would directly contradict the narrative provided in the Concept Stormwater Management Plan.
- Response: Comment Noted.
- Proposed alternative design standards addressing all elements of Chapter A183, Article IX must be submitted for Town Board consideration and review.
- Response: Comment Noted.

Permitted Uses:

- Do not list Apartments twice. List once at 252 units total
- Response: Apartments are listed twice since there are two different types of apartments in the project which each have differing area and bulk requirements. Apartments in the Alpine Village are 2nd and 3rd floor units. Apartments in the four freestanding buildings above the below grade parking facility are in individual buildings.
- Indoor Gymnasium/Sports and Festival Area uses listed in the Draft Amendment to Zoning Ordinance are not shown on the Conceptual Master Plan.
- Response: The Indoor Gymnasium/Sports area is in the “Spa and West Athletic Club” and has been so labeled. The Festival Area has also been labeled on the Conceptual Master Plan.
- Ski Lodges: Density/Max # of Allowable Units should be two (2) to include both the existing and proposed lodges.
- Response: The two lodges are, as for apartments, each different and have different area and bulk requirements. The existing Day Lodge is a free standing building. The lodge in the Alpine Village is one segment of a larger building complex.

Area Requirements

- Road frontage requirements should be included in the table.
- It appears that all proposed lots in Phases II through V would fail to meet the public road frontage requirement of §179-4-050(A) of the Zoning Code and would require variances from the Zoning Board. This issue is subject to further review and consideration.
- Response: Comment Noted.
- Shoreline setbacks should be included in the table.
- §179-6-050 Shoreline regulations shall be applicable to development adjacent to ponds, streams and wetlands on the properties
- Shoreline buffers shall be applicable to the development adjacent to ponds, streams and wetlands on the properties as per §179-8-040(B)(2) and §179-6-050(B)

- Response: As previously noted, the applicant is proposing '0' setbacks to any surface waters in that the existing "pond" is "isolated" and non-jurisdictional by the ACOE and DEC and the existing DEC classified stream is proposed to be placed in a culvert and/or relocated, thereby, not requiring any building setback
- The following Proposed area requirements should be included as columns in this table:
 - Minimum Lot Width
 - Minimum Road frontage
 - Minimum Lot Depth
 - Minimum Shoreline setbacks
- Response: The proposed PRD Legislation will not require any minimum lot width, road frontage, lot depth and minimum shoreline setbacks. As a PRD, the legislation will replace any and all such requirements of the Town Zoning Ordinance with site specific, project specific "area and bulk" requirements appropriate only to the Proposed Woods at West Mountain project.

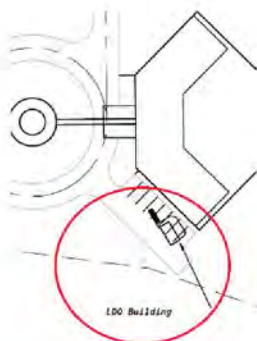
Parking

- Phase I parking appears to exceed the parking requirements of §179-4-090 of Town Code. 537 surface parking spaces are shown on Sheet S-2: Phase I Plan. How many parking spaces are proposed below the four 3-story apartment buildings?
- Response: There are a total of 120 parking spaces proposed below the four apartment buildings.
- Phase 2 parking as shown on Sheet S-3: Phase II Plan shows 80 parking spaces, which is less than the 100 spaces proposed to be required under the *DRAFT AMENDMENT TO THE ZONING CODE table*. It is also only approximately 25% of what is required if calculated under §179-4-090(G) of Town Code (assuming that the Indoor Gymnasium/Sports Center is to be located in Phase 2).
- Response: As detailed site planning and design proceeds, the site plan will be adjusted to 100 parking spaces. As a mixed-use project this parking will be shared between the conference center and hotel, since use of these facilities is shared.

Phasing Plans

- The total number of lots should be provided as a note on both the Phase I and Phase II plans
- Response: The total number of lots has been provided on both the Phase 1 and II plan sheets.
- Phasing Plans should clearly show and differentiate existing structures, structures to be expanded, proposed new structures and structures to be removed.
- Response: Labels have been added to the Phasing Plans to differentiate existing structures from those to be added, expanded or removed.

- Sheet S-1:
 - Overall PUD Plan appears to show a different location for the new Full Monty trail than as depicted on the Conceptual Master Plan.
 - Note that the circled structures pictured below also appear on Sheet S-1:
 - Overall PUD Plan
- Response: The Full Monty Ski Trail has been correctly located on all project drawings. The “circled structures” are graphic inconsistencies in the drawings and have been corrected or removed.
- Sheet S-2: Phase I Plan
 - Phase I Plan should show the proposed Amphitheater Space as shown on the Conceptual Master Plan
 - What are the structures shown circled in the image below? They do not appear on the Conceptual Master Plan.
 - What are the structures shown below? “A” appears to be the existing Day Lodge (to be removed/replaced/expanded?). “B” is not shown on the Conceptual Master Plan.
- Responses to Comments:
 - The Amphitheatre space has been correctly illustrated on the Phase 1 plan as shown on the Conceptual Master Plan.
 - The structures (or graphics) identified in the circled areas are graphic errors or line work that does not illustrate any proposed elements of the project. They have been corrected or removed from the drawings.
 - The structures shown at the Day Lodge and Base Area Alpine Village Lodge are graphic errors and have been removed from the drawings
- Sheet S-3: Phase II Plan
 - What is the structure shown circled in the image below? This structure also appears on Sheet S-2 but is not shown on the Conceptual Master Plan.



- Response to Comment:

The graphic illustrated in the circle is an “error.” The drawing is intended to illustrate parking spaces for several cars. The “image” has been removed.

- The northern edge of the A.O.A. ski trail appears to go through the southern portion of three lots in Phase II. Will this trail be relocated?

- Response to Comment:

The A.O.A. trail will not be relocated. The graphic representation of the trail in relation to proposed trail-side single-family lots has been corrected.

- Sheet S-4: Phase III Plan

- The northern edge of the A.O.A. ski trail appears to go through the southern portion of lots 44, 45 & 46. Will this trail be relocated?

Response to Comment:

The A.O.A. trail will not be relocated. The graphic representation of the trail in relation to proposed trail-side lots 44, 45, and 46 has been corrected.

- Sheet S-6: Phase V Plan

- According to the Topographic Map provided on 8-23-23, the approximate ridge line for the mountain appears to include lots 53, 54, 56, 60, 62 and 65.
- The Conceptual Master Plan, the Overall PUD Plan (Sheet S-1) and the Phase V Plan (Sheet S-6) show roads extending south from Phase V to additional lands of Apex Capital, LLC.
 - What future development is proposed for these lands?
 - §A183-27(I)(4) of Town Code requires temporary turnarounds at street ends with expected future extensions.

- Responses to Comments:

- The ridgeline in the Phase V area has been correctly illustrated on Revised Drawing S-6 in relation to the proposed roadway network and lots. Please see Revised Phase V Plan, Drawing S-6, Dated May 23, 2023.
- As previously stated, the roads extending south from Phase V to additional lands of Apex Capital, LLC are existing West Mountain Ski Area work and maintenance roads. No future development is proposed for these lands. As suggested, hammerheads are shown on the plans to be installed at these locations to facilitate Woods at West Mountain Phase V residents turnarounds at these locations.

- Sheet S-7: Alternative Wastewater Route

- This plan should be moved to Attachment F – Wastewater Plan and labeled as Sheet SS-7.
- Response: Comment Noted. The Sheet S-7 has been moved to Attachment F – Wastewater Plan and labeled S-7.

Attachment D: Soils Diagram

- The response to question E.2.b. in the SEQRA FEAF indicates that 5.6% of the project site (+14.22 acres) is comprised of bedrock outcroppings. The outcropping locations must be shown on the soils diagram.
- Response: The reported 5.6% of the site with bedrock outcrops was originally included in the EAF based on soils information from the USDA-SCS. Subsequent on-site soil testing by the applicant has determined that the USDA-SCS soils data is not accurate nor representative of actual conditions on the site. Additionally, no mapping of such bedrock outcrops exist from any known source, even the USADA-SC5. Therefore, actual locations of exposed bedrock, if even exists, cannot be illustrated on the project plans.

Attachment F: Wastewater Plan

- Sheet S-7 in the Phasing Plan (Attachment C of the June 2023 submittal) should be moved to this attachment and labeled as Sheet SS-7.

Response to Comment:

See Response above to Sheet S-7., Alternative Wastewater Route. Drawing SS-7 has been moved "Attachment F, Wastewater Plan."