

Jerry A. Fairbairn
SUPERVISOR
Town of Hardenburgh
75 Fairbairn Road
(845) 586 4108
FAX (845) 586 5138

COPY

January 12, 2008
Daniel T. Whitehead - Environmental Analyst
New York State Department of Environmental Conservation
Division of Environmental Permits
625 Broadway, 4th Floor
Albany, NY 12333-1750

Sir,

Subject - Crossroads Ventures LLC permitting process

Mr. Whitehead;

I represent the Township of Hardenburgh which is contiguous with the Towns of Shandaken and Middletown in the Counties of Ulster and Delaware respectively. Crossroads Ventures LLC has a proposed Resort Complex situate at our Town borders which shall have huge impacts on our community and its residents. It is this Resort Complex and the permitting process that we submit the following input.

We suspect that you are acutely aware of the Article 78 proceeding which has been filed against numerous entities including the Governor and various State Agencies. We are in concert with said filing and agree that the Agreement in Principal (AIP), in its entirety, is an illegal document. This being said we respectfully request that all current proceedings respective to the permitting process of Crossroads Ventures LLC be tabled until the Article 78 is adjudicated.

Regardless of the outcome of the Article 78 proceedings our Township has numerous grave concerns concerning the proposed Resort. County Rt. 49A serves as our roadway to East bound Rt. 28 destinations by residents in District 2. Currently there are times that portions of Rt. 28 are over 100% of capacity. We require a complete traffic study of Rt 28 inclusive of not only this Resort Complex but also in consideration of the expansion of State of New York Ski Complex that uses Ulster Co. Rt. 49A and also of the planned development of a Resort in the neighboring Township of Andes situate in the County of Delaware. Rt. 28 will serve as a corridor for traffic to these entities for visitors traveling from all destinations east of intersection of NYS Rt. 28 and Ulster County Rt.49A. We also seek a detailed layout of all ingress and egress Resort connecting Roadways onto Ulster County Rt. 49A. This document needs to include, but not limited too, exact points of entry, NYSDOT recommended lines of sight, grade and traffic control devices.

We are a rural community and as such hold high regard for our Community Character. As we analyze the effect that all large Resorts have on their respective local Community Character we find detrimental results in ALL cases. While Community Character must be part of any Review Process concerning this Resort we emphatically state for the record that the negative effects in this category on ours and neighboring communities is UNACCEPTABLE & CANNOT BE MITIGATED!

A high priority concern for our Township is any construction at high peak elevations of over 2500 feet. The state of Vermont uses the elevation of 2500 feet as a benchmark and restricts many forms of development above this elevation. Proposed Resort development by Crossroads Ventures sites buildings and ancillary development above this elevation. These proposed buildings at this elevation pose a visual impact on a relatively large population of our Township. Soils at this elevation and above have scientifically been proven to be extremely fragile and cannot withstand the impact of current construction methods. We reiterate that any buildings above 2500 feet of elevation is **UNACCEPTABLE & CANNOT BE MITIGATED!**

We have not seen documentation as to the amount of bedrock blasting that will be undertaken by the construction of this Resort. We request a report on this blasting and its effects on neighboring wells, springs and building foundations to the perimeter of the shockwave activity. Mitigation of springs and wells to these effected owners **MUST** include a "clause in perpetuity" that protects all owners against loss of water due to blasting or a lowering of the watertable by Resort "draw down" during construction and operation. We are concerned about where this blasted rubble will be stored, how it may be camouflaged to negate visual impacts to surrounding communities. We need to know, for the record, the initial size of the rubble and any proposed reuse of same. If reuse is planned we need to mitigate dust, sound, and visual impacts during processing of said material. If reuse is intended for use in concrete we need an independent "Testing Laboratory" to certify on a daily basis that the "hardness" of said material meets current standards. To that same note this "Lab" must certify that the fines "sand" meets these same current standards.

There must be a "clause in perpetuity" that forbids Casino Gambling by any and all entities, current and future. This "clause in perpetuity" must be irrevocable and extend to all owners of record and governments now and forever recognized in the United States of America.

We recognize that the presented Golf Course states that it will be "green" for a period of five years. It would seem that course of action must be extended by the owners of record in perpetuity. Corporations are notorious for finding "Professionals" who, for a price, will find extenuating circumstances to curtail the cost of "Green".

We also did NOT see a heliport nor airstrip location detailed on the Resort Mapping submitted. Except for **EMERGENCY ONLY** needs we find that locating same, within proximity of our community, for guests is **UNACCEPTABLE & CANNOT BE MITIGATED.**

Other disputed facts set forth in the original DEIS submitted by Crossroads Ventures LLC and their means of mitigation are water quality, environment for wildlife, construction erosion, affordable housing, means to address emergencies (fire, ambulance service, law enforcement, etc.) upon operation, workforce availability & "Safety Net" benefits for that same workforce drawing part-time salary, a long range study on community taxation (school & property), and numerous other shortcomings.

Respectfully,


Jerry A. Fairbairn
Town of Hardenburgh Supervisor