

September 17, 2007

Honorable Eliot Spitzer, Governor
State of New York
Executive Chamber, State Capitol
Albany, New York 12224

Dear Governor Spitzer:

I write regarding the recent agreement on the proposed Belleayre Resort at Catskill Park between Crossroads Ventures LLC, certain environmental groups, New York State and New York City. As always, it was a pleasure to see you at the announcement in Kingston this past week. Your leadership and the exemplary work of your advisors, particularly that of Judith Enck, ought to be commended. The environmental protections, land conservation measures and local smart growth opportunities included in this proposal are a clear result of your office's intervention and determination to protect the unique character of our region.

However, as you are well aware, this project is quite controversial in the Hudson Valley/Catskill Mountain region and has been met with strong positions from area residents and organizations. The absence of certain key local organizations as signatories to this agreement -- namely the Catskill Watershed Heritage Alliance, Friends of Catskill Park, the Pine Hill Water Coalition and the local chapter of the Sierra Club -- suggests that there is still a significant amount of local unease with this agreement going forward in its current iteration. While I recognize that not everyone will ever be fully satisfied, I believe it is critically important that the state provide these groups along with the residents and businesses located in the surrounding region ample opportunity to have their concerns heard, vetted and responded to in a public, transparent and accessible manner.

It has long been my policy when considering development to look to the integrity of the process put in place by the New York State Legislature to evaluate projects and to ensure that all parties' rights are protected and views heard in accord with that process. I publicly took this position when Mr. Gitter advanced his initial proposal calling for 400 hotel rooms, five restaurants, a conference center, 351 time-share apartments and two golf courses and I continue to stand by it now in the face of this latest proposal. I am enclosing my letter dated January 12, 2005 to former DEC Commissioner Erin Crotty, regarding the Belleayre Resort at Catskill Park Adjudicatory Hearing. I strongly believe that the concerns expressed therein must still be applied to the project before us. It is critical that your efforts to forge an agreement allowing the Belleayre Resort to move forward not come at the expense of the opportunity for a full and public airing of the community, environmental, public safety, social and economic impacts on our region.

Chief among the outstanding concerns is that of the potential for the development's contribution to the flood epidemic that has ravaged our region in recent years. The exponential increase in impervious surface cover both during and after construction coupled with the deforestation that will likely occur to accommodate the new facilities will absolutely upset the area's delicate ecosystem. It is imperative that a comprehensive storm water assessment be undertaken to

determine the possible impact on the surrounding communities as well as those situated well downstream. Flood mitigation must be a key component of any final product.

The labor market for the proposed resort deserves careful consideration. I have reviewed a document prepared in May, 2007 by the New York State Department of Labor entitled, "Labor Market Analysis of the Belleayre Resort Project," and I would suggest that an additional analysis may be in order. In considering the labor pool, the Department examined 2006-2007 unemployment claimants by zip code within the Ulster, Delaware and Greene Counties. It appears as though the Department is using this data to suggest that there will be an ample supply of workers willing to commute from these locations to be employed at the resort. In doing so, the Department seemingly failed to factor in the actual travel time to the area which, as you know, has limited road access.

The commute from many of the listed municipalities is clocked at one hour or more in absence of traffic congestion. While this may be a negligible factor for many of the higher wage construction jobs expected to be generated, I would suggest that the lower paying service sector positions that will make up a bulk of the employment opportunities once the resort is operational will not be a significant draw for workers residing in these communities. In light of this arduous daily round trip it would be fair to anticipate an influx of new residents to the area that will certainly have an impact on education, police, fire, social services and affordable housing. These potential repercussions must be studied.

It is anticipated that increased traffic will become a major burden for communities situated along Route 28, the only main artery connected to the proposed site. The road would be overloaded with trucks and other vehicles at the onset of construction and ultimately with several hundred more vehicles per hour including delivery, supply trucks, employees and visitors once the project is complete. There are very few alternatives to Route 28 for local residents to utilize to carry out their daily activities, a situation that has at times been greatly exacerbated by the New York City Department of Environmental Protection's decisions to deny access to certain roads near the Ashokan Reservoir. County Route 49A, a two-lane road, would be expected to carry all of the traffic for the Belleayre Ski Center, Wildacres Resort and the Highmount Resort. The presumed impact of this increased burden on our local thoroughfares must be assessed and appropriately dealt with to ensure minimal disruption to area residents and businesses.

Finally, there is the outstanding question of water supply. There is concern that a significant amount of blasting will be necessary for certain phases of the development that could have adverse effects on nearby homes and potentially on the aquifer and residential wells. In addition, it is my understanding that there has only been preliminary testing on the wells that are to be the resort's primary water source. In determining whether the development will have a viable water source, it is equally important to conduct comprehensive studies of neighboring wells to ascertain any ancillary impacts on the water supply to existing homes.

In closing, I wish to assure you that I have no doubt in your commitment to ensuring that all voices have an equal opportunity to be heard. The intent of this correspondence is merely to lend my voice to those who were unable to share in your accomplishment. As always, thank you for your consideration.

Sincerely,

Kevin A. Cahill
Member of Assembly

KAC:cb

cc: Pete Grannis, Commissioner, Department of Environmental Conservation
Judith Enck, Deputy Secretary for the Environment
Willie Janeway, Regional Director, New York State Department of Environmental Conservation
Judith Wyman, Friends of Catskill Park
Richard Schaedle, Catskill Heritage Alliance
Carolyn Zolas, Sierra Club
Michele Wooten, Pine Hill Water Coalition
Dean Gitter, Crossroads Ventures LLC