

Durst proposal needs scrutiny

Public hearings are set on what could become one of the largest private developments in Dutchess County history. Ironically, the proposal is set in the county's two smallest towns - Milan and Pine Plains. That's why local officials must continue carefully into the next phase of the process of reviewing the plan for the former Carvel property. And citizens must arm themselves with information and ask legitimate questions about the possible effects this project could have on the area.

This starts with what would happen to schools, local roads and government or emergency services, even though the development is a proposed golfing, recreational, vacation and second-home community with presumably a good percentage of residents living there part-time.

Most of the proposed 951-home development by the Durst Organization for the former Carvel property off the Taconic State Parkway would be in Pine Plains, but some would spill over into Milan. To put this in perspective, add the last census numbers for both rural towns and it doesn't reach 5,000 residents. Combine the number of families in the two towns, and the total is barely over 1,300.

Durst purchased the property five years ago for \$12 million. Tom Carvel, the late ice cream magnate, had initially purchased the site and built an 18-hole golf course.

The proposal calls for 884 homes in Pine Plains and 67 in Milan. It also would have hiking trails, swimming, field sports, lakefront activity area, natural open space preservation parcels and a clubhouse containing spa facilities, indoor recreation activities and dining facilities.

The Pine Plains planning board - lead agency on this mammoth project - has ruled that the draft Environmental Impact Statement is complete, opening the way for public comment. A series of hearings is scheduled for February and March before the final environmental statement is prepared.

The draft is part of the state environmental review process and outlines the steps Durst must take to address concerns raised about the project, including the effect on schools should there be permanent residents in the development and the potential need for paid emergency services, instead of the volunteer services that exist now in such rural communities.

Meanwhile, Pine Plains has extended a moratorium on large projects by another six months. The ban is giving officials time to update the local zoning ordinances. If the new laws are passed, the number of homes allowed for the Carvel project could be reduced. In Milan, a new master plan is in place, but zoning changes aren't yet, and the town must address this issue as well.

Should the Durst project become reality, two tiny rural towns would become home to a huge, upscale housing development and resort. People who live in this area should seek out the information available

and start asking questions about the profound impact such a large plan would have on their communities.

Milan officials are pushing ahead with plans to challenge a recent legal judgment against their plans to eliminate mining in the town.

This month, the Milan town board decided to go forward with plans to redraft its comprehensive plan. The town board is doing this in response to February's judgment in state Supreme Court ruling the comprehensive plan was invalid. The comprehensive plan, a document used to control growth and development in the town, has language recommending eliminating the floating light industrial zone. The zone allows operations such as mines, creameries and bottle plants to exist in areas not zoned for them.

Red Wing Sand and Gravel filed the lawsuit last year claiming town officials skipped steps in the state environmental review process when they passed its comprehensive plan and eliminated the floating zone. The sand and gravel company is trying to get approval for a mining operation in the town on a 69-acre property off Turkey Hill Road.

"We knew they were going to do it," Frank Doherty, president of Red Wing, said about the town's recent decision. "We're still consulting with our attorney. All I can say is that we're moving forward with a draft Environmental Impact statement for the [site] and we're close to completing our application with the state Department of Environmental Conservation."

Milan officials decided to eliminate mining after residents voiced concern over potential noise, dust and truck traffic the operation could bring.

The town has already re-adopted the law eliminating its floating light industrial zone and officials believe re-adopting the comprehensive plan will give them more legal protection.

"We already told our attorney to file an appeal," Milan town board member Ross Williams said, "This move just gives us a little bit more insurance in the comprehensive plan process."

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