

SPECIAL USE PERMIT

Pursuant to § 232-23 of the Town of Copake Zoning Code

§ 232-23(D)(2)(a) through (q)

A

§ 232-23(D)(2)(a) Compatibility with surrounding properties and the natural and built environment

The proposed resort hotel, cultural venue, and wellness program represents an adaptive reuse of the existing Roeliff Jansen Central School — a large-scale institutional building that has anchored this location on Route 22 for decades. The scale, massing, and programmatic intensity of the proposed use is entirely consistent with the MU–Mixed Use zoning designation, which expressly accommodates moderate to large-scale hotels, resort hotels, resort lodges, cultural venues, and outdoor recreation.

The existing 94,000 SF main building already defines the built character of this location; its adaptive reuse preserves that physical presence while activating it productively. The proposed cabins and lodge units are distributed across the 41-acre parcel at densities and in locations that respect the wooded and open landscape character. Adjacent properties — the Roeliff Jansen Community Library, the Roeliff Jansen Park trail system, the Harlem Valley Rail Trail, and extensive agricultural land to the south and west — are complementary neighbors to a resort and wellness destination of this kind.

The new Hotel Wing, cabins, and lodge units are architecturally sympathetic to the historic main building and are sited to integrate with the natural topography and existing vegetation, maintaining the rural and small-town character of Copake. The lodge units in particular are positioned to minimize visibility from neighboring properties and public roads, utilizing natural terrain and mature vegetation as screening.

We believe the proposed use is compatible with surrounding properties and the natural and built environment. We propose that this criterion is satisfied.

B

§ 232-23(D)(2)(b) Adequacy of parking and use of shared parking where feasible

Our parking analysis demonstrates that 470 spaces are required for the full proposed program. The site plan provides 490 spaces across six parking areas (P1–P6), including future spaces to accommodate occasional overflow. The parking program reflects shared-use principles: hotel guests, restaurant patrons, spa visitors, event attendees, and farm store customers draw upon a common supply that peaks at different times. The proposed lot coverage analysis confirms 57,194 SF of impervious drive and 177,872 SF of pervious drive, reflecting a design philosophy that prioritizes permeability.

We believe the parking is adequate and appropriately distributed with shared-use efficiencies. We propose that this criterion is satisfied.

C

§ 232-23(D)(2)(c) Accessibility to fire, police, and emergency vehicles

The site is accessed from State Route 22, a state-maintained arterial roadway with a 1,545-foot frontage, providing multiple points of ingress and egress. The site plan shows a continuous internal circulation loop with sufficient turning radii and aisle widths to accommodate fire apparatus. The enclosed loop road around the retention ponds provides redundant access to all building clusters without dead ends. The existing entrance geometry, designed for school bus and service vehicle standards, is capable of accommodating emergency apparatus.

CONDITION: Prior to issuance of building permits for any new construction, we will obtain written confirmation from the Hillsdale-Copake Fire District that the internal circulation plan meets apparatus access requirements.

We believe, subject to the foregoing condition, accessibility to fire, police, and emergency vehicles is adequate. We propose that this criterion is satisfied conditionally.

D

§ 232-23(D)(2)(d) Suitability of the property considering size, topography, vegetation, soils, hydrology, and screening

Size: The 41.083-acre parcel is of exceptional suitability for the proposed use. It is large enough to accommodate the full program while maintaining all required setbacks: the 100-foot stream buffer from the Roeliff Jansen Kill, the 100-foot wetland buffer, the FEMA-mapped floodplain, the 50-foot front setback from Route 22, the 20-foot side setbacks, and the 60-foot rear setback — all of which are mapped and respected on the submitted plans. Significantly, after 27 years on the market, a luxury resort represents the only economically viable permitted use capable of generating sufficient revenue to fund the substantial capital investment required to rehabilitate and preserve the property's historic structures.

Topography: The existing school building sits at approximately 621–627 feet above sea level, the maximum elevation on the property, comfortably below the SCOZ Subdivision K ridgeline structure trigger of 650 feet (west of Route 22). Other than new structures, internal roadways, and parking areas, the project does not materially alter the existing topography.

Vegetation: The wooded vegetation buffer along the Kill, the existing mature perimeter trees, and the deep setback from Route 22 provide substantial natural screening. The landscape design being developed employs local endemic vegetation in a manner that reinforces and enhances the natural character of the site.

Soils and Hydrology: The wetland delineation survey (flags A1 through A51) has been incorporated into the site plan, and no development is proposed within mapped wetland areas or the 100-foot buffer. The pervious drive system (177,872 SF) far exceeds the impervious component (57,194 SF), preserving the infiltration capacity of the existing soils across the majority of the parcel.

Buffer and Screening: The required 10-foot landscaped buffer strip with shade trees and evergreen hedge per SCOZ § 232-10(F)(5) screens front parking from Route 22. This landscaped berm also serves a dual purpose as a highway sound attenuation feature, protecting the resort's own guest experience from road noise — a self-reinforcing design that simultaneously serves regulatory compliance and resort quality objectives.

We believe the property is well-suited to the proposed use and is capable of appropriate screening. We propose that this criterion is satisfied.

E

§ 232-23(D)(2)(e) Protection of natural environmental features; no excess noise, dust, odors, nuisances, or glare

The 100-foot wetland buffer and 20-foot streamside vegetated buffer along the Kill are shown and respected on all plan sheets. Three on-site retention ponds manage stormwater, reducing runoff rates and improving water quality. The pervious drive system (177,872 SF) far exceeds the impervious component (57,194 SF), reflecting a stormwater management approach that prioritizes infiltration.

As a luxury resort, the project is operationally incentivized to maintain minimal noise levels for the quiet enjoyment of its guests, who specifically choose Hillsdale to experience the area's natural tranquility. This operational reality functions as a self-enforcing noise standard that goes beyond regulatory compliance.

Proposed farm, greenhouse, and agricultural operations are low-impact and will generate no industrial odors or chemical hazards. The resort's lighting program is conditioned to conform to § 232-15 and SCOZ § 232-10 standards, including the 0.2 footcandle lot-line maximum, fully-shielded fixtures, and no facade floodlighting.

Dust control will be employed during construction in conformance with the NYSDEC SPDES permit requirements to ensure that dust is properly managed to not impact neighboring properties. This includes procedures such as covering dump truck and dumpsters when in transport, spraying water on construction roadways and sweeping any tracked materials from onsite roads or Route 22. Upon project completion, the resort operations will not be a source of dust generation. The project construction and operation will not result in ongoing odor generation beyond any typical construction project. The proposed Wastewater Treatment Plant (WWTP) is an aerobic treatment process that is inherently low odor producing. The system is an enclosed process that is vented with active carbon filtration to nearly eliminate ambient odor. This is a critical component not only neighboring properties, but also for the experience of resort guests.

CONDITION: A photometric lighting plan compliant with § 232-15 and SCOZ § 232-10 shall be submitted and approved prior to issuance of any building permits.

We believe, subject to the foregoing condition, natural environmental features are protected, and nuisances are adequately mitigated for noise, dust, odor and lighting. We propose that this criterion is satisfied conditionally.

F

§ 232-23(D)(2)(f) Vehicular traffic access, circulation, and intersection adequacy

The project fronts State Route 22 with 1,545 feet of frontage. The site plan shows a primary entry from Route 22 via the existing school entrance and a secondary access point serving the northern parking areas. The existing entrance geometry — developed to school bus and service vehicle standards — is inherently capable of supporting resort traffic volumes. The internal circulation system is designed as a continuous loop road connecting all parking areas and building clusters, enabling efficient distribution of arriving and departing guests.

CONDITION: Prior to Planning Board site plan approval, we shall provide a Traffic Impact Study by a licensed traffic engineer and submit it to NYSDOT for review, addressing any required improvements at the Route 22 access points. We have met with the NYSDOT and Hillsdale and Copake Fire Companies to review the proposed entrances, as well as onsite circulation for traffic and emergency egress. Written correspondence will be provided to the Planning Board as it becomes available.

We believe, subject to the foregoing condition, vehicular access and circulation is adequate. We propose that this criterion is satisfied conditionally.

G

§ 232-23(D)(2)(g) Pedestrian traffic access and circulation provided in a safe and effective manner

The master plan demonstrates a resort-scale pedestrian network connecting the main hotel building, all cabin and lodge clusters, the retention pond perimeter promenade, recreation facilities, the farm and greenhouse cluster, and the pedestrian suspension bridge on the western boundary of the property.

The proposed future pedestrian bridge over the Roeliff Jansen Kill will provide Copake and Hillsdale residents with safe, traffic-free pedestrian access to the resort's restaurants and amenities — a direct and lasting community benefit. The bridge also connects the resort to the Harlem Valley Rail Trail, enabling guests and community members alike to access the broader trail network on foot or by bicycle without crossing Route 22. We will further propose connecting the resort's trail network to the Roe Jan Library on the property's northern boundary and, in the future, to the Roeliff Jansen Park trail system across Route 22, creating a meaningful community trail nexus.

CONDITION: Prior to Planning Board site plan approval, we shall submit a pedestrian circulation plan demonstrating ADA-compliant access to all principal structures and amenities.

We believe, subject to the foregoing condition, pedestrian access and circulation is safe and effective. We propose that this criterion is satisfied conditionally.

H

§ 232-23(D)(2)(h) Compatibility with neighborhood character and the rural and small-town character of Copake

The resort's principal structures are concentrated on the footprint of the existing historic buildings, preserving the site's established relationship with the surrounding landscape and maintaining the scale and pattern that the community has known for generations. Accessory structures — the Hotel Wing, cabins, and lodges — are architecturally sympathetic and sited to integrate with the natural terrain, sustaining the rural and small-town character of Copake.

The primary structure — the adaptive reuse of the Roeliff Jansen Central School — is a familiar landmark of the Hillsdale/Copake community. Its Colonial Revival architecture, brick masonry, cupola, and formal portico are integral to the visual identity of this Route 22 corridor. The proposed renovation preserves and restores this character.

The 2nd Floor Spa Addition is shown at 25.5 feet and the new 48-room Hotel Wing at 40 feet — both at or below the MU district's 40-foot maximum height. The cabin and lodge units are distributed within wooded areas at a scale and massing consistent with rural residential character.

NOTE: The Hotel Wing is shown at exactly 40 feet — the maximum permitted. We understand that this measurement is taken to the mean roof height consistent with the Town Code definition, and will confirm prior to Planning Board site plan approval.

We believe the design is compatible with neighborhood and rural character. We propose that this criterion is satisfied.

I

§ 232-23(D)(2)(i) Landscaping appropriate as a visual and/or noise-detering buffer

Existing vegetative buffers along the Kill corridor and perimeter wooded areas provide primary screening. These natural buffers are supplemented by the landscaped highway berm alongside Route 22, designed using local endemic vegetation. This berm serves a dual purpose: it fulfills the required SCOZ § 232-10(F)(5) 10-foot landscaped buffer strip with shade trees and evergreen hedge required by SCOZ § 232-10(F)(5) to screen front parking from Route 22, and simultaneously functions as a highway sound attenuation feature that protects the guest experience from road noise. This dual-purpose design serves regulatory compliance and resort quality objectives together. Retention pond perimeters are proposed to be landscaped with native plantings.

CONDITION: A comprehensive landscape plan, prepared by a licensed landscape architect, demonstrating SCOZ compliance including species selection, buffer widths, and long-term maintenance commitments, shall be submitted and approved prior to Planning Board site plan approval.

We believe, subject to the foregoing condition, landscaping is appropriate as a visual and noise buffer. We propose that this criterion is satisfied conditionally.

J

§ 232-23(D)(2)(j) Adequacy of park and recreational facilities

While this criterion primarily addresses multifamily residential developments, the Board addresses it in the context of the resort's exceptional recreational program: two swimming pools with hot tubs, 2 tennis courts, 4 pickleball courts, a 17,847 SF fitness and spa complex with yoga studio, Pilates studio, access to the Harlem Valley Rail Trail for hiking and biking, and future access to Roeliff Jansen Park for cross-country skiing and snowshoeing. This program constitutes a significant community and regional recreational amenity.

We believe that the recreational facilities are more than adequate and provide a substantial community benefit. We propose that this criterion is satisfied.

K

§ 232-23(D)(2)(k) Adequacy of stormwater and drainage, sanitary waste, water supply, solid waste disposal, and snow removal storage

The site plan incorporates three on-site retention ponds and an extensive pervious drive system that together manage stormwater from developed areas.

CONDITIONS: (1) A Stormwater Pollution Prevention Plan (SWPPP) compliant with NYSDEC GP-0-25a-001 or its successor shall be submitted prior to Planning Board site plan approval. (2) Confirmation of adequate water supply for both domestic use and fire suppression, including source identification and flow rates, shall be provided prior to Planning Board site plan approval. (3) A sanitary waste disposal plan demonstrating compliance with § 232-11(B)(2) (minimum 150-foot setback from the Kill for any septic field) shall be submitted and approved prior to any building permits. (4) Snow storage areas shall be designated on the site plan, located to avoid impairment of stormwater infiltration and contamination of stream buffers.

We believe, subject to the foregoing conditions, infrastructure systems are adequate to serve the proposed use. We believe that this criterion is satisfied conditionally.

L

§ 232-23(D)(2)(l) Safeguarding the character, neighborhood values, and protection against noise, glare, unsightliness, and objectionable features

The conversion of a vacant former school — which currently generates no economic activity, tax revenue, or community benefit — into a productive resort, cultural, and agricultural campus is unambiguously beneficial to neighborhood character and property values. The alternative to a well-designed resort is continued deterioration of a significant community building.

A well-managed resort of this caliber — with its hospitality employment, its cultural venue programming, its farm and farm store, its trail access, and its architectural stewardship of a cherished community landmark — is precisely the investment that safeguards neighborhood character. Outdoor event activities, if any, shall be conditioned to comply with the Town noise ordinance. Glare is addressed through the SCOZ-compliant lighting standards conditioned under criterion (e) above.

We believe neighborhood character and property values are safeguarded. We propose that this criterion is satisfied.

M

§ 232-23(D)(2)(m) No significant negative impact on historic, scenic, or natural environmental features

To the contrary, the restoration and preservation of the Roeliff Jansen Central School — a significant historic property, which has deteriorated through 27 years of vacancy — is the central purpose of this project. The proposed adaptive reuse is not merely compatible with historic, scenic, and natural features; it is the instrument of their preservation.

The Roeliff Jansen Central School may qualify for listing on the State and National Registers of Historic Places. The proposed adaptive reuse preserves the building's exterior architectural character and avoids demolition of a potentially significant historic resource. We plan to pursue NYS SHPO Historic Tax Credit eligibility.

The scenic character of the Route 22 corridor is protected by: the front setback and landscaped buffer required by SCOZ; the siting of new structures within existing wooded areas rather than on open agricultural land; and the property's maximum elevation of 627 feet — below the SCOZ Subdivision K structure trigger of 650 feet (west of Route 22) — exempting the project from ridgeline visibility tests. The Kill, mapped wetlands, and FEMA floodplain are comprehensively mapped and respected.

We believe the proposed use will not significantly negatively impact historic, scenic, or natural environmental features. We propose that this criterion is satisfied.

N

§ 232-23(D)(2)(n) Compatibility of location, size, intensity, site-to-use ratio, and site layout with existing uses and environment

The 41.083-acre site is of a scale that can absorb the proposed program without undue intensification of any single area. The proposed lot coverage of 259,941 SF represents approximately 14.5% of the parcel — within both the MU 20% maximum and the amended SCOZ 15% threshold (268,436 SF), resulting in an 'OKAY' determination in our lot coverage sheet. At 185 guest rooms distributed across 41+ acres, the project yields a density of only 4.5 rooms per acre — a low density by rural resort development standards, and well below comparable Hudson Valley resort projects.

The nature of operations — hospitality, food service, wellness, agriculture, and cultural programming — is precisely what the MU district was designed to accommodate. The intensity of 108 hotel rooms, 15 stand-alone lodges and 13 cabins, multiple F&B venues, spa, and cultural venue is commensurate with the parcel size and consistent with comparable rural resort operations in the Hudson Valley region. The site layout concentrates intensive uses around the existing building while distributing lower-intensity uses across the broader landscape.

We believe the location, size, intensity, and site layout are compatible with existing uses and environment. We propose that this criterion is satisfied.

O

§ 232-23(D)(2)(o) No substantial diminishment or impairment of use, enjoyment, or property values in the immediate vicinity

The closest residences to the east are located approximately 400 feet from the nearest project building, across Route 22, and are further screened by the landscaped highway berm. The closest residence to the west is over 1,100 feet away, across the Roeliff Jansen Kill, making it unlikely that resort operations would produce any perceptible sound or light impact on those neighbors.

The adjacent Roeliff Jansen Community Library will benefit from increased foot traffic and community engagement generated by the resort's programming. The Roeliff Jansen Park and Harlem Valley Rail Trail will gain an anchor connection point. Adjacent agricultural lands will not be impaired. The resort's own farm and greenhouse program is complementary to the agricultural character of the surrounding district.

Property values in the vicinity can be expected to benefit from the conversion of a vacant institutional building into a professionally managed hospitality destination with regional draw.

We believe the proposed use will not substantially diminish or impair the use, enjoyment, or property values in the immediate vicinity. We propose that this criterion is satisfied.

P

§ 232-23(D)(2)(p) No impediment to orderly development of surrounding property

The property is physically self-contained: it is bounded on the north, west, and south by the Roeliff Jansen Kill and associated drainage, and on the east by Route 22. This natural and infrastructural boundary means the proposed use is structurally incapable of impeding the orderly development of surrounding parcels. The proposed resort is contained entirely within the subject 41-acre property and does not alter, encumber, or otherwise impair the development rights of any surrounding parcel. The MU, RU, and HWB zoning designations surrounding the site are not affected by this approval, and the permitted use envelopes of adjacent parcels remain intact. Road access improvements to Route 22 conditioned herein may, if anything, improve intersection geometry for surrounding properties.

We believe the proposed use will not impede the orderly development of surrounding properties. We propose that this criterion is satisfied.

Q

§ 232-23(D)(2)(q) Impact on existing agricultural operations in the district

The subject parcel is zoned MU—Mixed Use and is not currently used for agricultural purposes. The adjacent Main Farm LLC parcel (Copake 157.-2-6) to the south operates agricultural land visible on the satellite imagery. The proposed development does not impinge on, encroach upon, or interfere with those agricultural operations. The site plan preserves the existing tree buffer along the Kill, which provides a natural separation between the resort development and the agricultural fields to the west.

The resort's own farm, greenhouse, and farm store program actively supports the agricultural economy of the district by creating a local market for farm products and educating visitors about agricultural practices.

We believe there is no negative impact on existing agricultural operations; the proposed use makes a modest positive contribution to agricultural viability in the district. We propose that this criterion is satisfied.

SUMMARY OF CONDITIONS

1. **Fire District Confirmation:** Prior to issuance of building permits for any new construction, we will provide written confirmation from the Copake Fire District that the internal circulation plan meets apparatus access requirements.
2. **Photometric Lighting Plan:** We will submit a photometric plan compliant with § 232-15 and SCOZ § 232-10 (0.2 fc lot-line maximum, fully-shielded fixtures, no facade floodlighting) for approval prior to any building permit issuance.
3. **Traffic Impact Study:** A Traffic Impact Study by a licensed traffic engineer will be submitted to NYSDOT for review addressing Route 22 access point improvements and will be completed prior to Planning Board site plan approval.
4. **Pedestrian Circulation Plan:** An ADA-compliant pedestrian circulation plan covering all principal structures and amenities will be submitted prior to Planning Board site plan approval.
5. **Hotel Wing Height Confirmation:** We shall confirm in writing that the 40-foot Hotel Wing height is measured to the mean roof height per Town Code, prior to Planning Board site plan approval.
6. **Landscape Plan:** A comprehensive landscape plan prepared by a licensed landscape architect, demonstrating SCOZ compliance including species selection, buffer widths, and maintenance commitments, will be submitted prior to Planning Board site plan approval.
7. **Stormwater (SWPPP):** A Stormwater Pollution Prevention Plan compliant with NYSDEC GP-0-20-001 or successor will be submitted prior to Planning Board site plan approval.
8. **Water Supply:** Confirmation of adequate water supply (source, flow rates) for domestic use and fire suppression will be provided prior to Planning Board site plan approval.
9. **Sanitary Waste:** A sanitary waste disposal plan demonstrating § 232-11(B)(2) compliance (minimum 150-foot setback from the Kill for any septic field) will be submitted prior to any building permit issuance.
10. **Snow Storage:** Designated snow storage areas, located to avoid stormwater infiltration impairment and stream buffer contamination, will be shown on the site plan prior to Planning Board site plan approval.
11. **Concurrent Site Plan Review:** We understand that this Special Use Permit approval is conditioned upon our completing the site plan review and approval by the Town of Copake Planning Board. We also understand that no building permits will be issued until site plan approval is obtained.
12. **Historic Resources:** We are pursuing NYS SHPO evaluation of the Roeliff Jansen Central School building and, if the project is eligible, we will apply for NYS Historic Tax Credits.