

PUBLIC HEARING
AMENIA ELEMENTARY SCHOOL
MAY 24, 2007 - 7:00 PM

The meeting was called to order by Supervisor Reagon at 7:00 p.m.
Salute to the Flag was conducted.

Emergency Exits were pointed out by the Supervisor.

Roll Call:

Councilwoman Perotti	Present
Councilman Euvrard	Present
Councilwoman Doyle	Present
Councilman Russell	Present
Supervisor Reagon	Present

OPEN PUBLIC HEARING ON COMPREHENSIVE PLAN UPDATE AND NEW ZONING LAW

The Public Hearing was opened by Supervisor Reagon who read the Public Hearing notice. She then reviewed the ground rules for speaking: each speaker will be given 5 minutes and allowed to speak only once. Each speaker should say and spell their name, for the recorder.

Graham Trelstad from AKRF said that 2 versions of the latest draft Comprehensive Plan Update and Zoning Law were on the Town website: the "red line" version showing all changes in red and the "cleaned up" version with all changes incorporated in the text. He then summarized the comments received since the last Public Hearing, which are incorporated in the latest draft:

- Taconic DDSO: new language is more reflective of the Town's commitment to the future of the facility and the intention to attract capital investment in the northern section of the property which is now privately owned.
- Traditional Neighborhood Design (TND) is better defined.
- Route 22 area north of hamlet center - a special area plan is suggested for this part of town.
- Some small changes made to the zoning map.
- Census data [which was challenged as incorrect at the last public hearing] has been verified and is correct. The data shows a significant decrease in residential population. This could be due to DDSO reporting differences (between the two census years) or to changes in definitions used in the census data collection and reporting.

Joel Russell highlighted changes to the Zoning Law, since the last draft:

- Page 1: design guidelines were changed from "mandatory" to "advisory".
- Sect. 121-12.1, page 17,18: option for specific plan must have landowner consent.
- Sect. 121-16, page 33: MCO district changed to recognize DDSO and clarify references to the privately-owned portion.
- Page 38, 39: RDO clarification. Public access spelled out to minimize the "gated community" effect.
- Page 42, 49: small scale development gives new options for landowners to split off 1 to 3 lots which may be from 1 to 1 ½ acres.
- Hudsonia Habitat Report - references added in several places.
- Map changes: some hamlet mixed-use was changed back to hamlet residential. At south end of hamlet, small piece of land went back to hamlet mixed-use.

PUBLIC HEARING COMMENTS

- Stan Avy, Amenia, 22-year resident:
 - Gave a brief history of his property going back to the 1984 Young subdivision, referring to county map #6825. Much foresight was used in this map and it should be respected today. His property has been challenged twice (1994, 2007) by people who want to change the zoning. The new zoning law will protect residential properties. He also supports the Comprehensive Plan Update.

- Sally Leafe, Wassaic:
 - Said that cards and letters presented at the last CPIC meeting were not reflected in the minutes. She then read a sample card which stated:

"I have many concerns about the proposed Master Plan/Zoning Law/EAF Updates. I need more explanation of performance zoning and district overlay zoning that is being considered. There has not been enough time for the public to ascertain all the impacts of these changes and the fact that the EAF was NOT given to the public at all for any review before going to the county, made it difficult to review. Due to uncertainties of the amendments and possible changes, a public referendum should be held. If the Board decides a referendum is not necessary, I feel strongly that this significantly changed comprehensive plan should receive a positive SEQRA declaration."

- Comprehensive Plan comments:
 - Page 18, top paragraph: refers to "hamlet of Dover". Sally thought this language had been removed.
 - Page 44: affordable housing. Rental rates in this area have not gone up as much as elsewhere, with gross rentals at \$500 to \$749. This area has more rentals than most other areas in the county.
 - Sally then presented a bag of letters [quoted above] to the Town Board.

- Tom Werner, Amenia:
 - Stated that he represented the south part of town. Although this area has two-thirds of the population and 90% of the employment, the Comprehensive Plan takes little interest in it.
 - Two requests of Plan: (1) Recreation overlay; and (2) north side of DDSO should be zoned commercial because it has lots of parking and is right off Route 22. Keane Stud developers wanted to put 24 units of workforce housing on the site. It is a bad idea to bunch worker housing in one place.

- Richard Cantor, attorney with Teahan & Constantino, representing Emil Panichi:
 - Emil Panichi owns two properties on Route 44 used by Welsh Sanitation: (1) 3-acre parcel zoned OC; (2) 9-acre parcel in the back zoned SR. Request that both properties be zoned OC.

- Bob Riemer, Amenia resident for 40 years:

- o Noted that he could not find a summary of the last public hearing in the press.
 - o Selfishness has shown itself in the comments of some of the town residents. CPIC had an honest attitude and used impartial professional planners, not self interest, to guide their decisions. CPIC should be commended rather than denounced.
- Arlene Iuliano, Amenia resident since 1934:
 - o Arlene's property (less than 1 acre) on Route 22 is near Stan Avy and borders Perotti property on 2 sides.
 - o We do not have that many walkers in Amenia so why should the TND be used to encourage walkability?
 - o Sect. 121-12.1 discusses TND and villages. Amenia has no villages so comparisons to other villages are not valid. Using TND on Route 22 north will result in strip development along Route 22.
 - o Arlene objected that she was not allowed to continue talking after her 5 minutes were up.
- Linda Gregory, Amenia:
 - o Letters and comments sent to Town Hall since January 2007 have been lost. A FOIL request for all comments received from January 2007 to May 2007 (related to the Comprehensive Plan) gave a result of only 6 letters. Penal Law code 240.65 states that it is illegal to intentionally destroy public records. Some comments were in Mark Doyle's home. After CPIC committee was disbanded, his involvement was over, so why were records in his home? Because of the conflict of interest raised by Mark being married to Vicki Doyle (Town Board member), Vicki should recuse herself on this issue.
 - o Town Board should slow down this process and stop pandering to wealthy developers. Dutchess County Planning is not aware of all the objections to this Plan.
- Denise Clair:
 - o Wrote to the Town Board on April 25, but the letter disappeared.
 - o Amenia needs more business, not more homes, or else we will become a ghost town.
- Alison Hale, Amenia resident since 1971, DDSO retired after 20 years:
 - o Proud of her association with both the Taconic DDSO and Imagine Amenia. Imagine Amenia helped people to understand how Amenia could be a small town, yet walkable. Let's have business and reasonable homes.
 - o No one can influence NY State OMRDD (Office of Mental Retardation and Developmental Disabilities), so how could the Town Board have any affect on Taconic DDSO? People should not get carried away by passion and rumor.
- Stephen Perotti, Lone Pine Farm:
 - o Owns 18 acres in Town on west side of Route 22 north of the hamlet of Amenia, originally purchased from Mrs. Palmer.
 - o Requesting highway commercial or highway mixed-use zoning, similar to what the Katz Brothers have. (FreshTown plaza owners).
 - o Intersection at Cascade Road and Route 22 is dangerous and will become more so once the Firehouse moves to that area. Cascade Road should be redirected to come out (onto Route 22) across from FreshTown.

- o We propose small scale retail or department store to replace Ames. The rear could be a park, senior housing, etc.
 - o FreshTown plaza is built on a wetland so nothing more should go in there. Perotti property has good drainage, gravel, temporary stream never overflowed in the April flood.
 - o The Comprehensive Plan should not cater to a few people with money.
 - o Stephen Perotti objected to not being allowed to speak beyond the 5-minute limit.

- Evelyn O'Connell, Amenia:
 - o Read letter about the impact of Master Plan on Taconic DDSO.
 - o Comprehensive Plan allows the north part of the Taconic DDSO property to be developed, perhaps with a state partnership. This north campus has first priority for a sewer. The owner, Allan Shope, is a big developer with deep pockets. He can apply pressure for the closure of Taconic DDSO. There is nothing in the Comprehensive Plan to stop him (Allan Shope) from doing this.
 - o Town Board claims to be business-friendly, but squelched development on the west side of Route 22. We need more commercial development to add to the tax base and offset the housing boom. The west side of Route 22 is the most viable area for this development.
 - o Councilman Russell once stated: "Whatever the Katz Brothers want is OK."
 - o Town Board has lost our letters (about the Comprehensive Plan).

- Darlene Riemer, Amenia:
 - o CPIC listened to the people and was open-minded.
 - o Every business that came to CPIC was "grandfathered in" and allowed to vary their usage for housing or business expansion.
 - o There were no special interests represented in CPIC. We have the possibility for a sewer, business, and a walkable community.

- Jerry Thompson, Amenia:
 - o Read a letter that summarized the Comprehensive Plan process.
 - o Valuable corrections have been made to the draft Comprehensive Plan Update as a result of residents' input. But now we have reached the point of re-hashing the same objections, which fall into two categories: (1) people asking for a change which would allow them to do something on their own property, that would not be allowed under the proposed Plan and Zoning; and (2) objectors who feel the entire plan is flawed and don't want it passed at all.
 - o Town Board should reject demands that do not fit in with larger Town goals, and should move forward to adopt the Comprehensive Plan Update and Zoning Law.

- Pat Nelligan, Wassaic and Amenia resident for 60 years:
 - o Town Board and Supervisor should be complimented on what they have done since they received the draft Comprehensive Plan and Zoning Law. They did not give rubber stamp approval.
 - o The Town needs the new Comprehensive Plan and new Zoning Law; the current zoning law cannot be enforced.
 - o The RDO (Resort Development Overlay) district is a pay-off to the wealthy and a result of special real estate interests present on the CPIC committee. It would be better to have a new RDZ zone just for the golf course. The RDO undercuts all the rural and agricultural parts of our town and is the death knell to a rural community.

- o EAF is a disaster and totally inadequate.
- Neila Cardus, Millbrook, PEF union representative:
 - o Thanks for the changes made so far.
 - o A quote from Dutchess County Planning newsletter says: "If you don't already live in this town, you probably can't afford to." In February 2006, the workforce and affordable housing [in Comprehensive Plan] went down from 20% to 10%. If this continues there will be no affordable housing in Amenia. About 900 workers commute to Taconic DDSO, mostly from Poughkeepsie.
 - o The five largest property owners in Amenia have property assessed at \$49 million, but they have a \$20 million tax exemption. They are paying half the taxes they should.
 - o Joel Russell was directed (by Allan Shope memo of February 2006) to write for the closure of Taconic DDSO.
- Peter Riva, Amenia resident for 18 years:
 - o In early 1990s, the Harlem Valley Partnership was funded by local towns to create a lobbying block with Dutchess County Economic Development to get some benefits in the eastern part of the county. At that time, Albany said they were thinking about closing the Taconic DDSO and they encouraged the towns to come up with ideas to reuse the buildings. One such idea involved Apple, Corp. At the same time, Albany sent cement trucks to pour cement down the drains of the abandoned buildings. If the DDSO closes, we should have some idea what to do with the site.
- Elizabeth Whaley, Wassaic, wife of DDSO employee:
 - o Happy with the Comprehensive Plan Update and encourage its adoption.
 - o Thanks for the many opportunities to give input: CPIC met at least 150 times in 4 ½ years. Meetings were also held at Wassaic Firehouse, Silo Ridge, Amenia Elementary.
 - o The 196 acres for sale (Shope property, north campus of DDSO) is not a development.
 - o No development is allowed on the Katz land next to FreshTown plaza.
 - o People passing petitions acknowledge that they are trying to prevent the Town Board from acting and accomplishing anything.
 - o The Comprehensive Plan is a good plan for Amenia. We do not want Amenia to look like Fishkill.
- Tara Osborne, DDSO employee:
 - o Happy with changes in Comprehensive Plan.
 - o Lives next to Allan Shope and doesn't care what he does with his property.
 - o Commercial development on west side of Route 22 should be supported. There is no room for business in the hamlet center which is mostly residential rental space. It is not fair to middle class people who want to give business to the local community.
- Michael Chamberlin, Amenia Union:
 - o Impressed by the skill of the CPIC members.
 - o Comprehensive Plan articulates a vision for Amenia with common sense approach for guidelines.
 - o It is time for the Comprehensive Plan to be adopted and implemented.
- Mark Doyle, Amenia:

- o Today spent some time on top of hill of Coons Farm at 1100 feet. The view was fantastic and reminded us that there are good reasons to keep the land as it is.
 - o In rough numbers, the Town takes about \$1100 per household (1800 parcels) in taxes. Webutuck School District spends \$11,627 per students while Dover spends \$8,126, for an average cost of about \$9,000 per student per year. The five largest properties assessed at \$49 million pay about \$337,000 in taxes or about \$67,000 each. This tax money helps to support the town and offset taxes paid by the other property owners.
 - o Linda Gregory was not truthful in her remarks [related to missing CPIC letters].
- Betty Rooney, Amenia:
 - o Neila Cardus' remarks about affordable housing in Amenia are incorrect. The Affordable Housing committee was started as a result of a moving presentation by Orpha Thomas in support of senior citizens and the difficult choices they must make between paying the rent or buying their prescription drugs.
 - o The Comprehensive Plan is everyone's plan: it is not a DDSO plan; it is not a Jack Gregory plan; it is not a Perotti plan. The paid professionals who were consulted on the plan had nothing to gain or lose from this plan. The plan was developed by honest fair-minded people.
 - o The Comprehensive Plan ensures that residential property will be protected. Sprawl cannot be reversed.
- Cheryl Morse, Amenia, DDSO employee:
 - o When Amenia is written up in the New York Times, it brings more people into town.
 - o Lack of commercial development space is a concern. Impervious surfaces can be built with rain gardens to keep storm water out of sewers. Commercial development can "fit in" very well, for example on the west side of Route 22.
 - o There were not enough print copies of the Comprehensive Plan for people who do not have access to computers.
 - o EAF: two big resort developments will have an impact on infrastructure.
 - o Cheryl lives on Route 22 south of the traffic light in Amenia: the traffic study is a joke.
 - o There is not a house being built in this town that Cheryl feels she can afford.

CLOSING REMARKS

Supervisor Reagon explained that comments would be accepted until Tuesday May 29 when Joel Russell will review all the comments in preparation for the Town Board meeting on May 31. Comments may be via mail, email, phone, in person.

The 1991 Master Plan envisioned the closure of Taconic DDSO, yet that plan did not produce the controversy of this plan.

There will be a sewer meeting on June 6 with representatives of the state, county wastewater, Town wastewater, and Dover to discuss the feasibility of sharing DDSO sewer plant.

CLOSE PUBLIC HEARING

Supervisor Reagon closed the Public Hearing.

Respectfully submitted,

Gail Hermosilla,
Amenia Town Clerk

Approved by Town Board: 11/15/07

Draft to Town Board: 11/10/07 (email), paper to C/Euvrard, Perotti

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