

**TOWN OF AMENIA
PLANNING BOARD MEETING
THURSDAY, AUGUST 2, 2007**

PRESENT: Chairman George Fenn
Bill Flood
Nina Peek
Tony Robustelli

Michael Hayes

ABSENT: Gina Mignola
Jim Walsh
Jay Dedrick

**TAYLOR PYNE -LOT LINE ADJUSTMENT -LEEDSVILLE ROAD-PUBLIC HEARING
CONTINUED**

Chairman George Fenn opened the meeting and continued the Public Hearing for Taylor Pyne – Lot Line Adjustment. Present were Taylor Pyne and Kevin Battistoni. Mr. Battistoni explained what they want to do is to put land into the Conservancy and then merge the existing parcels into one parcel. The original subdivision map from 1973 was presented. The properties encompassed four lots at that time. When merged it will be a 54-acre parcel with one home on it. Michael Hayes, Attorney told Mr. Pyne and Mr. Battistoni that according to our Town Code a new map was needed signed by a licensed surveyor before the Planning Board could grant this.

MOTION TO CONTINUE THE PUBLIC HEARING ON THE LOT LINE ALTERATION UNTIL THE SEPTEMBER MEETING was made by Bill Flood, seconded by Nina Peek

VOTE TAKEN – ALL IN FAVOR

KEAN STUD/DEPOT HILL FARM – DRAFT DEIS – DEPOT ROAD, AMENIA

Brandee Nelson of Crawford Associates presented the Board with the draft DEIS. She will mail the document to all absent board members.

PUBLIC HEARING

**MECHANIC STREET – LOT LINE ADJUSTMENT – MECHANIC STREET, AMENIA
SIDEWALK PROJECT**

MOTION TO OPEN THE PUBLIC HEARING FOR THE MECHANIC STREET SIDEWALK PROJECT was made by Bill Flood, seconded by Nina Peek.

VOTE TAKEN – ALL IN FAVOR

When asked for public comments Janet Reagon spoke in favor of the project. There were no other comments.

MOTION TO CLOSE THE PUBLIC HEARING was made by Nina Peek, seconded by Bill Flood

VOTE TAKEN – ALL IN FAVOR

MOTION TO OPEN THE REGULAR MEETING was made by Tony Robustelli, seconded by Nina Peek

VOTE TAKEN – ALL IN FAVOR

All fees have been paid.

MOTION TO CONSTITUTE THE PLANNING BOARD AS LEAD AGENCY FOR AN UNCOORDINATED REVIEW was made by Bill Flood, seconded by Nina Peek.

VOTE TAKEN – ALL IN FAVOR

MOTION TO ADOPT A NEGATIVE DECLARATION WITH RESPECT TO THE ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTION was made by Nina Peek, seconded by Tony Robustelli.

VOTE TAKEN – ALL IN FAVOR

MOTION TO APPROVE THE LOT-LINE ADJUSTMENT AND AUTHORIZE THE PLANNING BOARD CHAIRMAN TO SIGN THE MYLAR was made by Bill Flood, seconded by Nina Peek

VOTE TAKEN – ALL IN FAVOR

REGULAR MEETING:

It was decided there will be a Special Meeting for Thursday, August 9, 2007 at 7 PM to be held in the Court Room to discuss with Ted Fink and Mike Soyka the comments regarding Silo Ridge.

GEORGE PETRIDES – 2-LOT SUBDIVISION – SEPARATE ROAD, AMENIA, N.Y.

Mr. Petrides spoke to the Board, explaining there is a 21-acre lot, which he wants to put into conservation. He has been working with and advised by the DLC and has a letter stating they will accept the lot in conservation easement. There is an appraiser involved and the appraiser has asked for a sketch plan approval subject to environmental form, set up escrow account, for review by attorney and engineers, and conduct a Public Hearing. This will show that Mr. Petrides has made some progress with no intention of getting a building lot. Chairman Fenn stated that information is what was in the letter he provided for Mr. Petrides. Mr. Petrides wanted the letter to state “sketch plan approval with certain conditions” not “sketch plan review”. Ms. Peek asked why he would need sketch plan approval if you were just going to put this into conservation easement.

Mr. Petrides stated that he would establish a value for the lot that he would be giving to the DLC. There would be no development rights. He would agree with the DLC never to develop this lot, therefore getting a reduction on the value of the land. It will become a tax deduction. Ms. Peek then summarized that one must establish the value of the parcel that will go to the DLC if it were buildable with a home on it and that would be the value for which the tax deduction is based.

Mr. Petrides stated yes that was correct. Ms. Peek then asked what the guarantee would be that if the Board gives sketch plan approval that Mr. Petrides would not build on this lot. Mr. Petrides stated that he would have to come back to the Planning Board to seek a buildable lot. He stated he was not

seeking a subdivision. Harry Bly speaking for the applicant stated that first to approach the Board stating that this was not an application for a subdivision as there is no intention to go through with it. When the IRS looks at a gift of development rights, they will place a value on it other than just selling the land. I would suggest that if enough detail is shown and we have an engineers report on feasibility and then Town Engineer reviews this. He in turn states the land had that potential. All that would be needed would be a letter stating that if all these steps were done, the Board would be able to approve. With the new zoning in place, there are many more issues that need to be addressed, and there are limitations on what can be done with the land. Chairman Fenn asked about the driveway. Mr. Petrides showed the Board the driveway grade. His engineer looked over and found a suitable place to place the driveway. The Board was reluctant to entertain this any further tonight. Mr. Petrides stated he wants to put this into conservation, as the adjoining areas are in conservation. If I cannot prove through the appraiser that this transaction generates a deduction for me, I cannot do it. I may or may not do the whole process. I really do not want another buildable lot. I am asking to define what I need to do to get the minimum comfort to the appraiser so that I can complete the transaction.

OTHER MATTERS –

Janet Reagon spoke to the Board regarding getting together with the Town Board and Planning Board in regards to the subdivision regulations. Everyone was given a draft. Chairman Fenn stated there were very few changes and felt it could be done in one meeting. Ms. Reagon will try to set September 6 as a joint meeting with the Town Board and the Planning Board at 7:00 P.M. A training session for Planning Board and ZBA members on the new zoning will be set up in the near future.

MOTION TO ADJOURN INTO EXECUTIVE SESSION FOR ATTORNEY-CLIENT PRIVILEGE ON THE PETRIDES PROPOSAL was made by Bill Flood, seconded by Nina Peek

Meeting adjourned.

Respectfully submitted

Susan M. Metcalfe
Planning Board Secretary

The foregoing represents unapproved minutes of the Town of Amenia Planning Board from a meeting held on August 2, 2007 and are not to be construed as the final official minutes until so approved.

Approved as read
 Approved with: deletions, corrections, and additions