



Town Of Amenia

36B MECHANIC STREET, PO BOX 126, AMENIA, NY 12501
TEL: 845-373-8860 x106 FAX: 845-373-9147

Planning Board Meeting March 6, 2008

Meeting was called to order by Chairman Fenn at 7:03pm

Members present: Chairman George Fenn
Norm Fontaine
Nina Peek
James Walsh
Tony Robustelli

Members Absent: Bill Flood
Gina Mignola

Others Present	Michael Hayes, Esq.	Town Attorney
	Dr. Michael Klemens	Town Environmental Consultant
	MaryAnne Johnson	GREENPLAN Inc. Consultant
	Michael Soyka, PE	Town Engineer

Santo Pizzeria & Restaurant Site Plan

Represented by Dante Mazzotta

1. Motion to serve as lead agency for the environmental review

Made by J. Walsh
Seconded by N. Peek

Chair Fenn	Yes	N. Peek	Yes
W. Flood	absent	G. Mignola	absent
J. Fontaine	Yes	J. Walsh	Yes
Tony Robustelli	Yes		

Motion passes 5/0

2. Motion to adopt Negative Declaration

Made by J. Walsh
Seconded by A. Robustelli

Chair Fenn	Yes	N. Peek	Yes
W. Flood	absent	G. Mignola	absent
J. Fontaine	Yes	J. Walsh	Yes
Tony Robustelli	Yes		

Motion passes 5/0

3. Motion to grant site plan approval

Made by J. Walsh
Seconded by N. Peek

Chair Fenn	Yes	N. Peek	Yes
W. Flood	absent	G. Mignola	absent
J. Fontaine	Yes	J. Walsh	Yes
Tony Robustelli	Yes		

Motion passes 5/0

4. Motion to set public hearing date of March 27, 2008 at 7:00PM

Made by J. Walsh
Seconded by A. Robustelli

Chair Fenn	Yes	N. Peek	Yes
W. Flood	absent	G. Mignola	absent
J. Fontaine	Yes	J. Walsh	Yes
Tony Robustelli	Yes		

Motion passes 5/0

Dosher, Joseph Lot Line Realignment
Represented by: Jonathan Walsh, PE Zarecki and Associates

Presented map indicating overlays showing the buffers

Dr. Klemens reiterated the need for a letter from the NY National Heritage Program. Applicant will contact planning board when in receipt of said letter.

Houlihan, Claire Site Plan
Represented by: Jessica Senator- CRISP Architects

Secretary received check # 14252 in the amount of \$450.00 for fees.

Discussion regarding the grade and length of driveway.

The map presented does not show topographical information, the set backs, elevations etc.

Applicant has been advised to follow the guidelines as indicated in the town’s Zoning Law on page 109.

Applicant has been handed a copy of the Policy and Procedures as adopted by the board last month.

Applicant will obtain the missing information and contact the office to be added on the next available calendar date.

Depot Hill Farm/ Kean Stud, LLC DEIS Review and follow up
Represented by: Jeff Stark Applicant
 Brandee Nelson Crawford Associates

M. Soyka reviewed his comment memo with Brandee and Jeff. Brandee agreed to address all of M. Soyka’s comments. Brandee indicated that they want to meet with DOT . Changing the signal timing may be necessary going from North to South.

Review and Discuss Dr. Klemens comments on the Depot Hill DEIS Completeness Review dated March 2, 2008

Page 1

Item 5- Applicant will add Robyn Niver to list. Dr. Klemens states that the letter sent to Robyn Niver dated August 24, 2007 – and her response letter should be included in DEIS as should all additional correspondence.

Items 13-14 Applicant and Board agree that if the DEC writes letter stating not concerned about wastewater running into AM-16 then they will be satisfied.

Page 2

Discussion regarding the addition of the Housatonic Valley Association to the list of interested agencies.

page 23- Applicant questions board why the addition of a new agency at this time – M. Hayes opined that because the DEIS had not been accepted as complete, the Housatonic Valley Association should be included on the distribution list.

Discussion regarding the additional comments on this page; applicants agrees and will comply. This will be true for this entire document review of Dr. Klemens letter.

Page 3

Discussion regarding completing responses the EAF, and Applicant will not revise the EAF because all unresolved EAF issues will be covered in the DEIS and FEIS

Dr. Klemens is concerned that the applicant has not provided the level of detail in the DEIS that is required in the scope with regard to wetland functions and degradation. Brandee cited section of the DEIS (found in section 3.2- page 72 of DEIS) and agreed to add one or two sentences with regards to each wetland area; and degradation.

Page 4

Missing Bog Turtle documents will be added by applicant

Review and Discuss GREENPLAN document dated March 6, 2008

Page 21

Item 115- Applicant discussed the ongoing environmental remediation of contaminated materials on site. DEC is overseeing and continues to monitor the remediation process. The contaminated soil has been removed down to the rock. The Applicant asserts that the soil is clean, and this project would not result in any disturbance, other than grading for a parking lot in that area. The Applicant agreed to provide additional detail on this process in the DEIS.

Roads

The grading for the roads will range from 1-15%. The steeper grades will occur in selected spots for the purpose of maintaining the natural contours. All roads will be paved. In neighborhood 1 the approximate grade is 15%; in neighborhood 2 the grade is 13.7% and in neighborhoods 3 & 4 10%. The RDO does allow for flexible grading in road design. Applicant discussed if they had to cut and create grading less than 10% then they would be creating new contours and the environmental and visual impacts would be greater than the current design of 15%.

Discussions among the board with regards to setting a precedent for future applications.

Visual

Items 138-139- will remove sentence with ‘clearcutting’

Item 282- will move into mitigation section

Discussion with regards to the color scheme used in the photos-red is used, and it is inquired why they have not used white or contrasting color. They plan is to use neutral colors and applicant felt that red was a bold enough color.

Discussion with regards to the environmental and socio- economic impacts; market feasibility, and the ability of the Applicant to obtain financing for the project ; bonding; etc. Jeff Stark noted that it is beyond the responsibility of the Planning Board to require than an Applicant provide detailed financial information regarding the financial feasibility of the project. No houses will be built on spec, all units will be pre-sold, and the applicant offered a water tower and a well. Michael Hayes will write a legal opinion to answer some of the questions that have been raised this evening not only with regards to this project but will help with other big projects also going on regarding the amount of information that an Applicant may be requested to provide in terms of overall financial feasibility of the project.

SILO RIDGE Comments- reiterating comments are dueto the Planning Board by March 25th.

Approval of Minutes

5. Motion to approve Jan 3; Jan 31 and Feb 6 minutes

Made by A. Robustelli
Seconed by J. Walsh

Chair Fenn	Yes	N. Peek	Yes
W. Flood	absent	G. Mignola	absent
J. Fontaine	Yes	J. Walsh	Yes
Tony Robustelli	Yes		

Motion passes 5/0

Meeting Adjourned.

Minutes Approved 04-05-08

Respectfully Submitted

Dawn Marie Klingner
Acting Planning Board Secretary