



TOWN OF AMENIA

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PLANNING BOARD SPECIAL MEETING TUESDAY, SEPTEMBER 16, 2008

PRESENT: Chairman George Fenn
Tony Robustelli
James Walsh
Gina Mignola
Norm Fontaine
Bill Flood
Michael Hayes, Attorney

ABSENT: Nina Peek

Chairman George Fenn opened the Special Meeting for Silo Ridge at 7:00 P.M.

Michael Hayes spoke to the Board regarding a memo he sent on the consultants' meeting this past Thursday. There were additional responses to the issues discussed at that meeting. On Friday, Mr. Hayes sent another set of comments which were mainly housekeeping and have been resolved. Regarding the winery visual analysis, he wanted to know if the two extra photos driving down Route 44 were done. Mike Dignacco stated that was done, after Mr. Janes presentation, we will show a picture similar to that. Mr. Hayes also asked with respect to the key maps that show the buildings you can see in the unmitigated view; make sure they are all updated. Mr. Dignacco said those are included in the package. Michael Hayes went on to say the language in Appendix G was somewhat inconsistent as in screened versus partially screened. We set up definitions so that screened means not visible, obstructed, and anything less is partially screened. In the height waiver section, there was some inconsistency with five or six of the buildings. In one section there was representation that the mitigation would obstruct the view of certain structures, and then the next sentence talked about partially screening. The revision made was in each of those instances that the phrase partially screened was deleted entirely. In deleting that sentence, that sentence is also the one that talks about extending the existing tree knoll. Will the applicant extend the tree knoll? Mike Dignacco said no. Those particular buildings extending the tree knoll is not mitigation, as it does not affect that particular building. The last point Mr. Hayes wanted to make was part of the question for Dr. Klemens. In Exhibit F, of the Habitat Management Plan there was a discussion regarding the box culverts. It was agreed to use the box culvert, however the applicant could ask on a case-by-case basis for an arched culvert if appropriate and Dr. Klemens signs off. On page 41 of the September 12th Chazen memo – regarding arched versus boxed culverts and the type of species that will use any particular underpass. Dr. Klemens said that language Carl Strauss and he had in exchanged e-mails. He wanted that to be clear that that should also be a consideration to allow the arched culverts.

George Janes made a presentation on the projects visual impact simulations. He proceeded to go over a letter given to the Board. There have been many changes in the visual simulations since July 22nd. The poster size plots make it much easier to review. There was more screening vegetation added. The vineyard cottages have been changed to set back from the 100 foot green

buffer along Route 44. There have been more trees added. Are these accurate; are the buildings in the right place, tall enough? Grading to the vineyard cottages is another change. Do they show worst case scenario – unmitigated is worst case scenario. Do the simulations represent a reasonable mitigation program? Is what you see is what you will get? From Viewpoint 1 the unmitigated version and the mitigated version – a white building with no tree plantings versus one with tree plantings. Can you plant trees in such a way to completely screen the development? This is the open question. This goes way beyond typical screening that you see in visual simulations. There is not a very detailed landscape plan as the landscape plan is developed during the site plan. The developer is trying to show they will provide ample screening. The vineyard building while it is camouflaged it is still very visible. Again looking towards the winery building, it has not changed from the July 22nd version. My technical comment is that there should be a large band of trees as shown in the previous version and in this version you don't see them. The trees were added in image processing software as opposed to a 3D model. Therefore, you can't see the screening that is being offered. You screen things so you can't see it; however, screening vegetation blocks views. If you have wide expansive views and plant trees, you don't have wide expansive views anymore, and this would moderately impact this view looking outward. The other issue was color selection, from Viewpoint 2 looking down to the hotel and village green neighborhood this is your pallet. The hotel and conference center are supposed to be white or cream. It doesn't matter as you can't really see these buildings as they are screened by vegetation. You just see the tops. My concern is dealing with the landscaping and screening, the camouflage and color. The final versions have not been determined yet. This is determined in site plan so you know what you are evaluating. At that point then you have the information to evaluate the intent shown her versus what is actually going to happen in site plan. Gina Mignola asked if the Board is firm in site plan analysis and makes sure the site plan matches what this intent is, we will be good? Mr. Janes answered yes.

Gina Mignola asked Mr. Hayes if that is adequate protection. Michael Hayes agreed that the process is one that's available, however wanted to be clear that it is not a matter of filling in the gap. It is a matter of confirming in site plan that the applicant is living up to the standard that was established in the SEQR review. This cannot be figured out in site plan. What is stated is the applicant has represented both narrative and through simulations that they can achieve this level of screening. In some instances certain buildings will not be visible from selected viewpoints, others that only a portion of certain buildings will be visible. Mr. Janes had a number of concerns about the extraordinary level of screening that is being proposed, the extraordinary results and whether that was going to be borne out, and also had a number of technical concerns related to that. This was discussed last week at the consultant's meeting and made clear that this is really a policy decision that the Board has to make. It was discussed that if the applicant is prepared to be held to the standard that it set forth and believes that the simulations and narrative are reasonable description of the level of mitigation that can be achieved, then if the Planning Board is comfortable with that level of mitigation, felt that that mitigation mitigated the visual impacts to the maximum extent practicable, then they would have taken the hard look and satisfied the obligations under SEQR. When we get to site plan and there is a landscaping plan, there is more detail that's been put into where the buildings are going to be sited and part of your findings at the conclusion of the SEQR process, Mr. Hayes would recommend you impose a condition that the applicant produce another set of visual simulation that either confirms they have achieved the level of screening they agreed to and the mitigation that comes with it, or shows they have not achieved it. If they have not achieved it then they must either do more with the landscaping and engineering until you reach a level of the standard that was set during SEQR or go back and reopen SEQR. I understand that the applicant is prepared to stand by the level of screening that is shown in the documents that have been presented. All the findings that are made through the conclusion of the SEQR process are going to be things that you can go back and check and make sure the applicant is living up to. The process may end up

on the Findings Statement, but as the approval process continues you get into more detail, engineering and site specific design work. Then when you go back and look at the Findings Statement and the promises that were made and make sure the applicant is keeping them. We may ask for another set of visual simulations and site plan. Norm Fontaine asked if the applicants are comfortable in being able to mitigate to that extent. Mike Dignacco said yes. Bill Flood asked if some of the mitigation was done over a five year period. Michael Hayes said it was based on a five year period. Can these trees represented, really survive that close together in order to achieve the level of screening shown. That you would see as part of the landscaping plan in the site plan review. George Janes would look at the visual simulations from a technical standpoint as well as an arborist or a landscape architect. The other option is to say the applicant must do another set of visual simulations to address the technical comments and concerns that Mr. Janes has described.

Dr. Klemens had a couple of points. One is the applicant is to use native species. I feel there is not many native species you can screen in that manner with. To achieve that level of screening you need conifers. After 25 to 30 years conifers exhibit what is called conifer fatigue. You will need to replace them over time. The Board needs to protect from what will happen when these trees grow up. Mr. Janes agreed with Dr. Klemens comment.

Mr. Leary agreed with what Michael Hayes said about the process.

Chairman Fenn felt that every consultant has clearly and finally signed off on the process. He then read the Resolution relating to the State Environmental Quality Review of the Silo Ridge Resort Community project.

Dan Leary, Attorney for the Silo Ridge Project interjected that in one of the whereas clauses when you identified the properties by tax map parcel, there is an additional parcel representing the Miller property that is not listed there. The tax map identification parcel number is 132-000-7066-00-628131, so the acreage will be 670 acres and the resolution read plus or minus 668 acres.

MOTION TO ACCEPT THE RESOLUTION RELATING TO THE STATE ENVIRONMENTAL QUALITY REVIEW OF THE SILO RIDGE RESORT COMMUNITY PROJECT was made by Bill Flood seconded by Norm Fontaine.

ROLL CALLED:	James Walsh	Yes
	Tony Robustelli	Yes
	Gina Mignola	Yes
	Nina Peek	Absent
	Joseph Fontaine	Yes
	William Flood	Yes
	Chairman Fenn	Yes

MOTION CARRIED

MOTION TO CLOSE THE SPECIAL MEETING FOR SILO RIDGE was made by Norm Fontaine, seconded by James Walsh

MOTION WITHDRAWN

Dan Leary spoke to the Board about dates for the Silo Ridge presentation for the public. Michael Hayes felt the document should be on line and sent to the interested agencies by the end of the week.

You could present to the public and have a video of one of them available so it could be shown on the public access channel. It was decided that Saturday, September 27th from Silo Ridge 9-11AM and Monday evening, September 29th at 7 PM from the Town Hall which can be broadcast on TV. Mr. Leary added he wanted to confirm the format. This is a presentation and after we would be willing to receive questions from the people in attendance, however the presentation itself is being directed as part of the resolution.

Mr. Torres asked regarding the prints for the visuals. They are very expensive and we are talking about 50 books. That is a lot of money and paper being wasted. Do we really need to have the 50 for all the involved agencies being done in 30 by 60? Michael Hayes felt that if the covering letter offers them the opportunity to request the full printouts, then any involved agency for which the visuals are important are being told up front that upon request they will get them. Mr. Torres then asked about the MDP's. Mike Dignacco stated the last time they printed half sizes for certain agencies and full sizes for other agencies. Dan Leary added with the letter stating if they want full size, it will be made available to them. Michael Hayes asked if the Board was fine with that? Chairman Fenn said yes.

MOTION TO CLOSE THE SPECIAL MEETING FOR SILO RIDGE was made by James Walsh, seconded by Gina Mignola.

VOTE TAKEN – ALL IN FAVOR

Respectfully submitted,

Susan M. Metcalfe
Planning Board Secretary

The foregoing represents unapproved minutes of the Town of Amenia Planning Board from a Special Meeting held on September 16, 2008 and are not to be construed as the final official minutes until so approved.

_____ Approved as read

_____ Approved with: deletions, corrections, and additions