



Town Of Amenia

AMENIA TOWN CLERK

received

9-7-09

MLB

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

Planning Board Meeting
July 30, 2009 @ 7:00PM

Chairman William Flood
Anthony Robustelli
Joseph Fontaine
Peter Clair
James Walsh

Absent Nina Peek
Gorge Fenn

PUBLIC HEARING

Smithfield Farm Lot-line/Subdivision **Flint Hill Rd/County Rt. 83, Amenia**
Presented by Kirk Horton.

Motion to open the Smithfield Farm Public Hearing

Motion made by J. Walsh; Seconded by J. Fontaine
All in Favor

NO Public Comments.

Currently there is a conservation easement with the Dutchess County Land Conservancy. Applicant submitted a letter from DC Land Conservancy with their approval determining that the project is permitted under the terms of the easement.

Motion to close the public hearing.

Motion made by P. Clair; seconded by J. Fontaine
All in Favor

Board reviewed the completed short EAF form.

Subdivision has been approved subject to a new map showing the entire easement site since creation of easement. The new map is to include a notation that this is the final subdivision for this parcel.

Applicant will provide mylar to B. Flood for his signature.

Motion to authorize Chairman Flood to sign the mylar.

Motion made by P. Clair; seconded by J. Fontaine
All in favor

REGULAR MEETING

Palen/ Von-Merkatz Subdivision 326 Leedsville Road, Amenia
Presented by Jeffrey Hecker, Zarecki & Associates, LLC

Presented maps of the proposed subdivision and explained that there is a current deeded easement that dates back to the 1800's permitting the parcel who reside across the street the rights to the access of the natural water stream that runs through the property identified as 326 Leedsville Road. The Current owners James and Cynthia Casey will not give up this deeded easement right; therefore the Palen/Von-Merkatz subdivision has made modifications to their proposed layouts and presented was a new small sketch of the new proposed plan design. The movement of the house and septic is to also ensure compliance with DEC and the required footage of the easement. As a result of moving the building structure towards the road this has affects the road footage requirements. In 1996 and 1997 a zoning variance was approved. With new Zoning adopted the applicant was advised to contact Attorney Michael Hayes to find out if the road footage variance is still accepted, or if the new zoning footage of 400 feet is now required.

Per the result of M. Hayes Esq. determination, the applicant will submit \$1,500 for escrow, and application will be forwarded to consultants for review.

Applicant has been informed that the Timber Rattler has been noted within a mile of the parcel. Dr. M. Klemens will make final determination with regards to the findings of the Timber Rattler.

Approval of Minutes

Motion to approve June 25, 2009 minutes

Motion made by J. Fontaine and Seconded by A. Robustelli

All in favor

Other Matters

Chairman Flood updated the board with regards to the Depot Hill/Keane Stud Farm escrow account. They are in need of replenishing their account, they were contacted and informed to submit \$50,000, in response to the Towns request the applicant submitted \$10,000.

Motion to adjourn at 8:30pm

Motion made by W. Flood seconded by J. Fontaine

All in favor

Respectfully submitted,

Dawn Marie Klingner

Acting Planning Board Secretary

The foregoing represents unapproved minutes of the Town of Amenia Planning Board from the meeting held on July 30, 2009

_____ Approved as read

_____ Approved with deletions, corrections, additions