



Town Of Amenia

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

Planning Board Meeting
February 5, 2009 @7:00PM

Chairman William Flood
Anthony Robustelli arrived at 7:05pm
Nina Peek
Joseph Fontaine
Peter Clair
James Walsh
Absent Gorge Fenn

Others Present: Michael Hayes, Town Attorney

Motion to open public hearing- *Town of Amenia Subdivision Regulations-
Amending Chapter 105 of the Town Code* at 7:00PM

Motion made by W. Flood
Seconded by J. Fontaine
Motion carries 7/0

Public Comments

Darlene Riemer inquired about the where to find language regarding the formation of a Transportation Corporation for the wastewater treatment plant. Additionally, Darlene inquired about the time frame for the formation of Transportation Corporation. The transportation corporation can be found in section 105-25E; "In the event the offer of dedication is not accepted at the time of final plat approval, the system shall be owned and operated by transportation corporation formed under the laws of the State of New York for this purpose, and the offer of dedication of the system with appurtenances and without coasts; shall remain open and shall be binding on transportation corporation."

Sharon Kroger inquired about the tax rates calculated for condominiums in the Town. Her concern was that condominiums are typically taxed at a much lower rate that single-family residential uses, which results in a net increase to taxes paid by the remainder of the Town. She requested the location as to where in the proposed document you can find mention of condominiums. This is first mentioned in the document in section 105-2N; "When site plan approval is required for development that is the functional equivalent of a land subdivision but which is structured for ownership for purposes as a condominium project, the objectives and review criteria set forth in this chapter shall be equally applicable to the planning boards review of that application."

Jim Walsh further inquires about homestead vs. non-homestead for establishing tax rates for condominiums - the consequences and benefits. Michael Hayes explained that the Town Board is looking into determining how to tax condominiums to inform their policy decision.

Mark Doyle made the following recommendations/comments

1. Access of the document- requests that the document be posted on the Town website and be available in PDF format for easier searches
2. Add a table of contents
3. What constitutes minor/major subdivisions- would like this to be clarified
4. When is a Conservation analysis required – clarity is needed because the subdivision regulations refers you to the Zoning Law document rather than answering it – and the Zoning Law is equally confusion
5. Regarding the letter from Cuddy & Feder requesting the elimination of the requirement to deduct slopes in excess of 30 percent to calculate site density, Mark strongly disagreed and further noted that the standard is 25 percent, and Dutchess County recommended that the Town tighten up our standard to 25 percent as well.
6. Add to the requirements a process that would include a basic conservation analysis required for all applications including the following maps from the GIS- Contour map, steep slope map, DEC and Federal wetlands, Flood plans and stream corridor maps and the Hudsonia Map
7. Recommend that a projector be purchased.
8. Recommend that all applicants be required to provide their drawings in a digital format, which could be projected as an overlay on environmental mapping.

Cuddy & Feder comment letter dated February 4, 2009 makes the following three comments

1. Projects under RDO and have received a full SEQRA review should be exempt from the proposed conservation analysis requirement for subdivisions. Where appropriate, components of the conservation analysis would still be required.
2. Remove the requirement that areas in excess of 30% be deducted from lot area to determine density. The Board disagreed. This provision will stay.
3. Performance guarantee language is not consistent with this section 121-34c of the Zoning Code. M. Hayes agrees to amend the language between the zoning code and the subdivision regulations and will make the recommendation to the Town Board that the language in this section be revised to reflect section 121-34c of the Zoning Code.

Other Matters

W. Flood reported that he met with Mary Ann Johnson, from GREENPLAN Inc. and Mike Dignacco, Millbrook Ventures regarding the MDP for the Silo Ridge Resort Community. The applicant will stop submitting incomplete application materials, and will be making a submission on or before the March 12th deadline to be on the March 26th agenda.

Anne Saylor from the DC Planning has been emailed the calculations for workforce housing completed by Millbrook Ventures in re: the Silo Ridge project for her review.

Depot Hill Farm - Mary Ann Johnson will send an email to the board with an update as to where the project is and where it was last left off. At this time the Planning Board is awaiting the submission of the visual simulations. The Applicant is interested in meeting with the Board to discuss whether the project qualifies as a TND, though the Board and its consultants have previously indicated that the proposed project layout would not be considered a TND, but rather a rural residential subdivision.

George Petrides has not submitted an application or escrow fees regarding his application discussed at last week's workshop. He has not made any contact since his last attendance on January 29, 2009.

Motion to approve the January 8, 2009 and January 29 2009 minutes as written.

Motion made by A. Robustelli

Seconded by J. Walsh

Motion carries 7/0

Motion to adjourn

Motion made by W. Flood

Seconded by P. Clair

Motion carries 7/0

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 February 5, 2009 and are not to be construed as the final official minutes until so approved.

_____ X _____ Approved as read

_____ Approved with deletions, corrections, additions