



Town Of Amenia

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PLANNING BOARD MEETING THURSDAY, OCTOBER 1, 2009

PRESENT: Chairman William Flood
Tony Robustelli
Norm Fontaine
George Fenn
Nina Peek
Peter Clair
James Walsh
Michael Hayes, Attorney
Dr. Michael Klemens
MaryAnn Johnson – Greenplan

MOTION TO CALL THE MEETING TO ORDER AT 7:04 P.M. was made by Chairman Flood, seconded by Peter Clair

AMENIA HILLS/SYMS – DISCUSSION/STATUS – DEPOT HILL RD. PRELIMINARY SUBDIVISION APPROVAL

Chairman Flood turned the meeting over to Michael Hayes. Mr. Hayes stated there is an application from the applicant asking to come before the Board with a revised plan for providing water for the 19 lot subdivision. SEQRA was previously conducted on this and preliminary subdivision approval was granted on this. The town could not move forward to expand the water district as DEC and DOH stated the town does not have sufficient water as it currently stands to support the new subdivision. The issue before the Board tonight relates to the amount of time that has passed since the preliminary subdivision approval was granted, about three years. The Amenia Town Code and NY State Town Law contains a provision that states a Planning Board may revoke preliminary subdivision approval if it is not converted into final. There is also a provision that the applicant may ask for multiple extensions from the 6 month period with a cap of three extensions, maximum would be two years. The applicant has never asked for extensions. Also to be addressed is SEQRA; regarding the water supply would come from the Town. Will SEQRA need to be reopened regarding the water issue. SEQRA was based on a water district not digging new wells. Chairman Flood stated that the Water Committee also voted not to expand the district.

Michael Sirignano representing the applicant, Richard and Eve Syms, spoke to the Board. The preliminary approval was made in June 2006, however, with the fact the Town had a problem with a new well, and time was lost. The Syms then searched elsewhere for water with their engineers. Two test wells were drilled on their property across the street from the subdivision. All tests were done and the results are in Appendix L attached to the revised DEIS that the Board received.

Mr. Sirignano felt that Condition 5 has been met. Because the Resolution is silent and the regulations do not create automatic 6 month expiration, this is still a valid preliminary approval. In regard to reopen SEQRA, Mr. Sirignano felt it was not necessary until the Planning Board engineers look at the project and consult with the Syms engineers.

Michael Hayes continued the type of technical review you may want in order to make a meaningful, educated decision on the SEQRA issue and whether or not preliminary subdivision approval should be revisited. A fair thing to do is to take a look and see if there change of circumstances that is significant enough to revoke the preliminary approval or if not it can stay in place then move forward with any other issues the consultants point out.

Kean Stud is drilling, Syms want to drill – the Boards concern is not overusing the water we have. Peter Clair asked the depth of the wells. Mr. Sirignano was not sure but would get the information. Ms. Peek was concerned in Appendix L the engineering report was not attached. Also she asked did each of the wells yield 35 gpm (gallons per minute) or both wells together yield 35 gpm? Mr. Sirignano will get an engineer to answer. Ms. Peek continued, was the storm water retention basins on site for recharging, was that part of the original site plan? Norm Fontaine felt there should be a retest during a dry time of the year. The Planning Board is open to a review of the technical issues first, then any issues that come out of the technical and environmental review could be addressed by reopening the SEQRA process and not having to reopen the subdivision approval. Mr. Sirignano will get a set of all for the Board members who have not seen them before. MaryAnn Johnson asked for an update on the conditions for the preliminary approval. Ms. Peek asked for a copy of the original Finding Statements. Chairman Flood asked for the escrow account to be brought up to date to \$5000.00. Dr. Klemens was concerned with the drawdown in AM 10 that has not been addressed. He will send what is needed for his review to the engineers.

OTHER MATTERS:

DEPOT HILL - Chairman Flood stated that Kean Stud had met with Dutchess County Planning. There will be no more review until the applicant comes back to the Planning Board.

TROUTBECK – Chazen is working with Troutbeck regarding land for Dutchess Land Conservancy about 248 acres. Chazen will be in touch with the Planning Board regarding this.

MOTION TO ACCEPT THE MINUTES OF SEPTEMBER 3, 2009 was made by Chairman Flood, seconded by Nina Peek.

VOTE TAKEN – ALL IN FAVOR

MOTION TO ADJOURN THE MEETING AT 8:30 P.M. was made by Nina Peek, seconded by Peter Clair

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 October 1, 2009 and are not to be construed as the final official minutes until so approved.

_____ Approved as read

_____ Approved with: deletions, corrections, and additions