

**TOWN OF AMENIA
PLANNING BOARD MEETING
THURSDAY, DECEMBER 3, 2009**

PRESENT: Chairman William Flood
Tony Robustelli
Peter Clair
Nina Peek
George Fenn

Michael Hayes, Attorney

ABSENT: Norm Fontaine
James Walsh

Chairman Flood opened the meeting at 7:05 P.M.

PUBLIC HEARING

Palen/VonMerkatz

Public Hearing Continued

**Leedsville Road
Amenia, NY**

MOTION TO REOPEN THE PUBLIC HEARING CONTINUED FROM 11/17/09 was made by Peter Clair, seconded by George Fenn

VOTE TAKEN – ALL IN FAVOR

Dr. Klemens then went over his memo of December 2, 2009 (in file). He also introduced a letter from the DEC dated July 11, 2009 (in file) regarding timber rattlesnakes from Tara Salerno. There are a couple of issues from DEC and general subdivision issues that relate to the natural resources. DEC had concerns regarding the protection of waters, Freshwater Wetlands and State list Species specifically the bog turtle and timber rattlesnake. Dr. Klemens visited the site and felt that a two lot subdivision was sufficient however the rear portions of both proposed parcels have not been surveyed and questions any future subdivision. The applicants do not wish any restrictions put on the property for future ability to subdivide. Dr. Klemens felt that biologically, the two lots would be maximum. Dr. Klemens felt there were no 12.4 acre wetlands on the site. Regarding the rattlesnakes, Dr. Klemens was not sure what den the DEC was referring to. He felt there was no rattlesnake on the property.

Mr. Palen asked if this was done could in the future their heirs come back for further subdivision. Michael Hayes stated this is being done as a small scale development for a parcel less than 20 acres the most one could subdivide would be 3 new lots and 1 existing lot. If not done now then there must be a note on the map stating this can only be 4 lots. However, this must be done with Planning and Zoning approval. The wetlands issues,

the cedar knolls issues and the bog turtle issues must then be looked at with environmental studies. With the environmental and zoning constraints it would be unlikely that there would be able to have any other lots created. Mrs. VonMerkatz asked about a conservation subdivision. Chairman Flood stated with the water line rights and septic issues the application would have to be changed. It would have to be shown what was asked for was done now. Jonathan Walsh stated that the applicants did not want a note added to the plat for no future subdivision. Mrs. Casey was concerned regarding the water line. This water right was noted and surveyed and is on the map, and is a deeded right.

The Board still has not heard back from the other involved agencies so the Public Hearing will be adjourned till the January 7, 2010 meeting.

MOTION TO CONTINUE THE PUBLIC HEARING AT THE JANUARY 7, 2010 METING was made by Peter Clair, seconded by Nina Peek.

VOTE TAKEN – ALL IN FAVOR

Troutbeck	Lot Line Adjustment	Leedsville Road/ Yellow City Road Amenia, NY
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MOTION TO OPEN THE CONTINUED PUBLIC HEARING FOR TROUTBECK was made by Peter Clair, seconded by Tony Robustelli

VOTE TAKEN – ALL IN FAVOR

The Public Hearing was published and all persons within 500' for the property were notified.

Martin Bayard from Chazen represented Troutbeck Golf Venture and Troutbeck Homeowners Association for a lot line change. Mr. Bayard showed the Board two maps the first showed Troutbeck HOA with 127 acres and Troutbeck Golf Ventures with 217 acres. They are going to reconfigure these parcels; about 66 acres the HOA will convey to Golf Venture and Golf Venture will convey about 74 acres to HOA. As part of the approval, there will be a note stating any prior approvals for the golf property have expired.

Sharon Kroger had a question regarding a survey marker fence on her property. Chairman Flood will take care of with Mr. Bayard.

PUBLIC COMMENTS:

Sharon Kroger read a letter addressed to the Chairman and the Planning Board. There are several inaccurate statements within the prepared documents which should be corrected for the record. (Letter on file).

- The Agricultural Data Statement #5 shows that there are only 4 agricultural operations. There are more.
- Morehouse Farms should be included as a farm operation. It is on the county map as well.
- Taylor Pine's two properties #65 and #68 are being developed as a tree farm and are in the Amenia Agricultural Overlay District.
- Brian Tarps #41 and #55 is in the process of being developed as orchard lands and was part of the old Downey Farm.

On the Full Data Assessment Form on page 3 question 6 should be answered yes not no since the Lewis Mumford Leedsville Home is on the Register of Historic Places. It should also be noted that all the early houses on Leedsville Road are also eligible for the Register of Historic Places.

Michael Hayes suggested that the applicant submit a revised Data Statement that would include the Morehouse Farms which is on the county map.

Rudy Eschbach asked if down the road the applicant (Golf Ventures) will do future development. Mr. Bayard told him there things in the works to conserving that land. He did not see any further development for the land. Mr. Eschbach also asked regarding the realignment of the property there were some legal approvals that had expired. Mr. Bayard said the approval of 2001 had expired. Ms. Kroger asked if whoever owned the land could farm it. Mr. Bayard felt that was correct.

MOTION TO CLOSE THE PUBLIC HEARING was made by Peter Clair, seconded by Tony Robustelli

VOTE TAKEN – ALL IN FAVOR

Since the Planning Board had all read the Resolution, it was incorporated by reference. (in file)

MOTION TO ADOPT THE RESOLUTION SUBJECT TO REVISING THE DATA STATEMENT was made by Peter Clair, seconded by Nina Peek

ROLL WAS TAKEN – ALL IN FAVOR

Chairman Flood	Yes
Nina Peek	Yes
Tony Robustelli	Yes
George Fenn	Yes
Peter Clair	Yes
Norm Fontaine	Absent
James Walsh	Absent

REGULAR MEETING –

Silo Ridge

Update

**Route 22
Amenia, NY**

On December 2, 2009 at the office of Michael Hayes, Chairman Flood, and Peter Clair met with Clark, Patterson and Lee, the engineers for Silo Ridge as well as Pike Company, construction management and a contingent from Silo Ridge. They came with a layout of who will review what part of the project. They hope to set up a website to keep the Board and consultants connected to the process, and that would be a repository of all the site plan documents they put together. The consultants and the Board will log in and be able to see those documents. The County Attorney has had the MOU for the sewage treatment plant since October. In regards to the conservation easements, Silo has met with Dutchess Land Conservancy and the North American Land Trust. Silo will have a meeting with both in the next two weeks and see what can be worked out.

MOTION TO APPROVE THE MINUTES OF NOVEMBER 17, 2009 was made by Tony Robustelli, seconded by Peter Clair

VOTE TAKEN – ALL IN FAVOR

The next regular meeting will be held on January 7, 2010.

MOTION TO CLOSE THE MEETING was made by Tony Robustelli, seconded by Nina Peek

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 December 3, 2009 and are not to be construed as the final official minutes until so approved.

_____ Approved as read

_____ Approved with: deletions, corrections and additions