



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 4, 2010 @7:00PM

Chairman	William Flood Anthony Robustelli Joseph Fontaine Peter Clair James Walsh Gorge Fenn
Absent	Nina Peek

Chair opened the meeting opened at 7:03PM

Palen/VonMerkatz **Subdivision** **Leedsville Road, Amenia NY**
Represented by Joel Chase, Zarecki & Associates

Motion to re-open the Palen/VonMerkatz Public Hearing
Motion made by J. Walsh; Seconded by G. Fenn; All in favor

NO PUBLIC COMMENTS

Motion to close the Public Hearing
Motion made by T. Robustelli; Seconded by J. Walsh; All in favor

*Motion to approve the subdivision with two (2) conditions. The conditions being approval of project from the Dutchess County Department of Health **and** Department of Public Works.*
Motion made by T. Robustelli; Seconded by J. Walsh; All in favor.

Chairman completed and reviewed the Negative Declaration.

Motion to accept Negative Declaration as project will not result in adverse conditions.
Motion made by G. Fenn; Seconded by T. Robustelli; All in favor.

Motion to authorize chair to sign mylar pending approval by the DC DOH & Public Works.
Motion made by J. Walsh; Seconded by P. Clair; All in favor

Smithfield Farms Lot-line Adjustment Smithfield Way, Amenia NY
Represented by Kirk Horton

Motion to Open Public Hearing

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

NO PUBLIC COMMENT

Motion to Close Public Hearing

Motion made by T. Robustelli; Seconded by J. Walsh; All in favor

Motion to approve lot-line adjustment

Motion made by J. Walsh; Seconded by G. Fenn; All in favor

Chairmen completed and reviewed the Negative Declaration.

Motion to accept Negative Declaration

Motion made by G. Fenn; Seconded by P. Clair; All in favor

Motion to approve the lot-line and to authorize the chairman to sign the mylar as presented.

Motion made by T. Robustelli; Seconded by W. Flood; All in favor

Silo Ridge Community Resort Resolution for MDP & Special Route 22, Amenia
Use Permit Renewal

Others Present: Michael Dignacco, Millbrook Ventures- Applicant Consultant
 Dan Leary, Esq. Applicant's Attorney

Chairman read aloud Resolution – Silo Ridge Resort Community dated February 4, 2010.

Motion to accept resolution as read aloud (attached).

Motion made by W. Flood; seconded by J. Fontaine

Vote:

Chairman Flood	Yes
P. Clair	Yes
G. Fenn	Yes
J. Fontaine	Yes
N. Peek	absent
T. Robustelli	Yes
J. Walsh	Yes

Motion carries.

OTHER MATTERS

Motion to approve January 4, 2010 and January 28, 2010 minutes as written

Motion made by T. Robustelli; seconded by P. Clair; All in favor

Motion to adjourn

Motion made by G. Fenn; seconded by J. Fontaine; All in favor

Respectfully submitted,

Dawn Marie Klingner
Planning Board Secretary

The foregoing represents unapproved minutes of the Town of Amenia Planning Board from the meeting held on February 4, 2010 and are not to be construed as the final official minutes until so approved.

_____ Approved as read

_____ Approved with deletions, corrections, additions

RESOLUTION

Silo Ridge Resort Community

WHEREAS, on or about January 8, 2009, the Planning Board completed its SEQRA review of the Silo Ridge Resort Community project ("Project") by adopting a Findings Statement that imposes numerous conditions that are designed to avoid or minimize the potential adverse environmental impacts of the Project to the maximum extent practicable; and

WHEREAS, on or about June 25, 2009, the Town of Amenia Planning Board approved the Master Development Plan ("MDP") and Set of Plans, and adopted a Special Use Permit and MDP Approval Findings Statement, subject to the Conditions of Approval set forth therein; and

WHEREAS, pursuant to section 121-18(C)(3)(f) of the Zoning Law, the Planning Board granted conceptual site plan approval to the Project on or about June 25, 2009, subject to the requirement that applicant obtain final site plan approval prior to commencing construction or obtaining building permits for any portion of the Project; and

WHEREAS, the Project must also receive subdivision approval from the Planning Board before the necessary building permits can be issued; and

WHEREAS, the Conditions of Approval set forth in the Special Use Permit and MDP Approval require the applicant to satisfy certain conditions prior to filing a site plan application, including without limitation selecting a qualified conservation organization acceptable to the Planning Board to hold the requisite conservation easement, and securing a Memorandum of Understanding between the Town, County and developer regarding the wastewater treatment plant and the excess capacity being constructed and reserved exclusively for the hamlet of Amenia; and

WHEREAS, pursuant to section 121-62(H) of the Zoning Law, the Special Use Permit and MDP Approval will expire on or about June 25, 2010 if the applicant fails to obtain the necessary building permits and to satisfy the Conditions of Approval, unless the Planning Board grants an extension from that anticipated date of expiration; and

WHEREAS, the applicant has submitted satisfactory evidence that it is diligently pursuing satisfaction of its obligations under the Conditions of Approval, and that it is diligently preparing the site plan and subdivision applications; and

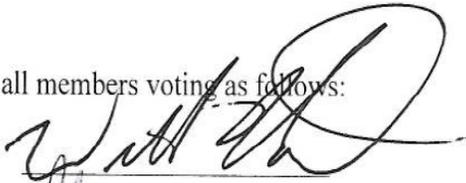
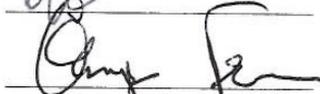
WHEREAS, the applicant has notified the Planning Board that despite these diligent efforts, it has become apparent that applicant will not be able to obtain site plan and subdivision approval prior to the anticipated expiration of the Special Use Permit and MDP Approval on June 25, 2010; and

WHEREAS, the applicant has requested a twelve (12) month extension of the Special Use Permit and MDP Approval through June 25, 2011; and

WHEREAS, the Planning Board concludes that the requested extension is reasonable given the complex nature of this large-scale resort development, the extensive Conditions of Approval contained in the Special Use Permit and MDP Approval and in the SEQRA Findings Statement, and based upon the applicant's demonstration of its continuing diligent efforts to prepare the necessary application materials and to satisfy the Conditions of Approval.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby extends the Special Use Permit and MDP Approval for an additional twelve (12) months through and including June 25, 2011, subject to the Conditions of Approval set forth therein.

The foregoing resolution was voted upon with all members voting as follows:

William Flood, Chairman	<input checked="" type="radio"/> Yes	No	
Peter Clair	<input checked="" type="radio"/> Yes	No	
George Fenn	<input checked="" type="radio"/> Yes	No	
Joseph Fontaine	<input checked="" type="radio"/> Yes	No	
Nina Peek	Yes	No	Absent
Tony Robustelli	<input checked="" type="radio"/> Yes	No	
James Walsh	<input checked="" type="radio"/> Yes	No	

DATED: Amenia, New York
February 4, 2010