



Town Of Amenia

4988 Route 22, PO BOX 126, AMENIA, NY 12501
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PLANNING BOARD MEETING THURSDAY, JUNE 2, 2011

PRESENT: Chairman Flood
Nina Peek
Norm Fontaine
Peter Clair
James Walsh
Michael Hayes, Attorney
George Janes, Consultant

ABSENT: Tony Robustelli
Larry Moore

MOTION TO OPEN THE PLANNING BOARD MEETING OF JUNE 2, 2011 was made by James Walsh, seconded by Norm Fontaine

ALL IN FAVOR - MOTION CARRIED

MOTION TO OPEN AND CONTINUE THE PUBLIC HEARING FOR MAPLEBROOK SCHOOL DINING HALL FOR THE JULY 7, 2011 MEETING was made by Norm Fontaine, seconded by James Walsh

ALL IN FAVOR - MOTION CARRIED

REGULAR MEETING –

Deda – Affordable Housing

770 Old Route 22

Amenia, NY

Dan Wheeler, Engineer for the applicant gave a history of the building. A Site Plan approval and Special Use Permit is the present goal. Chairman Flood, the applicant and their engineer have met with Ann Saylor of Dutchess County Planning. We have prepared a plan with Ms. Saylor's help for affordable housing. The original 9 – 1 bedroom apartments has been scaled down to 6 apartments – 3 -1 bedroom and 3 – 2 bedroom. The structure and septic remain the same and are awaiting BOH approval. The septic was approved in 1978 and the BOH is now reviewing it. The EAF was submitted and reviewed by the Town Attorney. All questions have been answered and the only matter now pending is the endangered species. The maps have been sent to DEC in Albany for their review. All questions from the Town Engineer in December 2010 have been answered as well. Mr. Wheeler will forward Mike Soyka's comments to the

Board for their review. Michael Hayes' comments have been satisfied regarding the EAF. The lighting diagram is being finished up and working towards a total submittal to the Board. Once the Planning Board has given Site Plan and Special Use Permit approval then Dutchess County Planning outsources part of it to Hudson River Housing. DC Planning oversees and gives final approval for a renter after Hudson River Housing has seen the application. Then the Workforce Housing Board of Amenia will handle the administration. Wayne Euvard stated that this will be the first affordable housing project in Eastern Dutchess. Mr. Wheeler will get submissions to Lana by June 9th.

Ridgecrest Farms

Town Board Referral: Zoning Amendment Report

Sinpatch Road Town of Amenia

Chairman Flood on Sunday, met with Nina Peek and James Walsh for a walk through with Mr. Holback at the project site. Michael Hayes stated the Town Board has referred the zoning petition to the Planning Board for any report or recommendations the Board may want to provide. The Public Hearing on this is June 16th. Any comments or recommendations by the Board will be presented that night. No decision will be made that night by the Town Board. The Board must decide on what recommendations they may have and how they want it delivered to the Town Board. The Town Board must decide whether or not to add the parcel to the SMO. The Town Board will also impose that Mr. Holback place the land in conservation easement once the project is finished. Mr. Holback is planning on building a house on the site.

The Planning Board members made the following comments:

- James Walsh felt this was a viable, environmental friendly plan. This has been well thought out.
- Norm Fontaine stated this is the logical location for a project like this with other surrounding SMO property. There will be minimal visual impact.
- Peter Clair has not yet seen the property but it sounds like a good location and plan.
- George Janes felt this was a good location and Mr. Holback will be reclaiming as the project proceeds.
- Nina Peek was concerned that the materials were going to be trucked over Kent Road to be processed at Harlem Valley Sand and Gravel mine. Then after processing it will be shipped out. Ms. Peek was under the impression this would be trucked to Route 22 then out of the area.

Michael Hayes explained to the Board that the criteria that the Zoning Law provides is whether the property is in an area not visible from major roads, reasonable distances from residential neighborhoods and environmental resources, that have convenient and direct access to state and county highways and have readily accessible sand and/or gravel deposits. If the property meets those standards it would be a good candidate for the SMO. The Planning Board would like to be treated as an interested agency.

Included in the report to the Town Board will be:

- The Planning Board did a thorough review of the documents submitted
- They conducted a site visit

- They discussed the project between the members of the Board.
- They issued a positive recommendation subject to the project actually being developed consistent with the representation and promises the applicant has already made and consistent with the recommendations provided by the Town’s consultants.
- The Town Board will also impose a requirement that Mr. Holback place the land in conservation easement once the project is finished.
- The request that the Planning Board be identified an interested agency during the subsequent SEQRA review which the DEC will conduct as the lead agency.

MOTION TO REQUEST MICHAEL HAYES COMPOSE A LETTER TO THE TOWN BOARD VOTE IN FAVOR OF ENDORSING THE PROPOSED REZONING OF THE SITE was made by James Walsh, seconded by Norm Fontaine

ALL IN FAVOR - MOTION CARRIED

Norm Fontaine	Yes
Nina Peek	Yes
Peter Clair	Yes
James Walsh	Yes
Chairman Flood	Recuse

Hudson River Health Care

Chairman Flood stated that Dr. Klemens met with project manager and landscaper of Hudson River Health Care and everything will be corrected. Norm Fontaine asked about the lighting issue. Chairman Flood spoke with the project manager today about this and they have turned them down and will shut off at 10 p.m. There is a NYSEG flood light on a pole; however NYSEG will change if it continues to be a problem.

Scenic Protection Overlay Map

George Janes

During the Depot Hill Project George Janes caught an issue with the SPO district. Along with the Town Board it was decided that the whole SPO should be looked at again. Mr. Janes has been working on it with Mark Doyle, Nina Peek Chairman Flood, and Michael Hayes and they have come up with a proposal.

The SPO text from the Town’s zoning repeatedly mentioned protecting highly visible ridgeline areas. In both Findings and Purpose as well as the Boundaries the ridgeline areas are spoken of. The SPO map found in the zoning has text which says “Ridgeline Visual Protection Zone includes areas with slopes over 25% AND visibility from 3 or more viewpoints”. But that text is incorrect, the current SPO doesn’t have anything to do with slopes or elevations; it is defined as areas visible from three or more viewpoints. These 32 viewpoints were defined back in 1986 and are shown on the SPO map. The current SPO covers most of the ridgelines, but not all of them. It also includes some of the lowest, flattest areas of the Town. Mr. Janes then showed a series of scenic photographs of the Town. He discussed what made these views scenic and pointed out that in most of the views he showed, the farmland in the foreground was not in

the SPO, while the hills in the background were. Mr. Janes showed a panoramic picture from DeLaverge Hill. He then showed the current SPO on the panorama. The hills were largely covered by the SPO, while the farmland was largely uncovered. The working group thought the view from DeLaverge Hill was special enough that it should be treated separately.

The group came up with two methods: one being a view shed based method and the other a data driven algorithm. The view shed method is if you see the land from an important viewpoint it is covered. For a town such as Amenia with many scenic areas it is difficult to use this method exclusively, because most of the land in the town would be in the SPO. There are two elements that go into the data driven algorithm method:

1. Quantity; highly visible land should be in the SPO
2. Quality – protecting good things you like about the town.

Agricultural lands were used as a proxy for quality. Parcels that have the agricultural tax base or the agricultural exemption are agricultural parcels. The wetlands and forest lands on the agricultural parcels are then removed from agricultural land for this process. This is then combined with the results of the visibility analysis, which identified the most visible parts of the town. Mr. Janes showed that the recommended SPO was built from 17% visibility; 7% agricultural land use, 6% view shed from DeLaverge Hill for a total of 30% of the town. Mr. Janes also showed other potential SPO's the working group considered and showed how they all differed from the existing SPO.

Michael Hayes stated the text for the Ridgeline SPO may have to be revised. Norm Fontaine asked if this would have any effect on present projects before the Board. Michael Hayes felt there would be none.

Other Matters:

MOTION TO RELEASE THE ESCROW ACCOUNT FOR LEJEUNE LOT LINE CHANGE was made by James Walsh, seconded by Peter Clair

ALL IN FAVOR - MOTION CARRIED

MOTION TO CLOSE THE PLANNING BOARD MEETING was made by James Walsh, 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 June 2, 2011 and are not to be construed as the final official minutes until so approved.

Approved as read
 Approved with: deletions, corrections, and additions

