



Town Of Amenia

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PLANNING BOARD MEETING THURSDAY, JUNE 7, 2012

Present: Chairwoman Nina Peek
Jim Walsh
Peter Clair
Nathan Roy
Larry Moore
Ian MacDonald, Attorney
Julie Mangrillo, Consulting Engineer

Absent: Tony Robustelli
Norm Fontaine

MOTION TO OPEN THE PLANNING BOARD MEETING FOR JUNE 7, 2012 was made by Jim Walsh, seconded by Nathan Roy

ALL IN FAVOR - MOTION CARRIED

Dollar General

Site Plan

**Route 343
Amenia, NY**

Frank Redl spoke to the Board stating that after the last meeting they took all comments into consideration and modified the plan based upon the Board's suggestions. The project proposes landscaping along the west side of the building (Mechanic Street); and they will also provide a 3foot 6inch planted median along the entire length of the property on East Main Street. Additional landscaping will be provided at both corners of the property and planters framing the front entrance. At the last meeting Ms. Mangarillo provided her comment letter and Mr. Redl has prepared a response memo for review by Ms. Mangarillo. Mr. Redl provided a hard copy of the plan set for the Planning Board to send to Dutchess County Planning for their referral. If the Planning Board receives response from Dutchess County Planning before the June 28th

workshop, Dollar General will be placed on the agenda. If not, the Application will be on the agenda for the July meeting.

770 Old Route 22

Site Plan

**770 Old Route 22
Amenia, NY**

Dan Wheeler represented the applicant Mr. Gazivoda. Mr. Wheeler reviewed and provided discussion of Ms. Mangarillo's memo of May 30, 2012. Mr. Wheeler asked the Board for a possible contingent Final approval based on his answers to Ms. Mangarillo's memo and the Board denied his request. Mr. Wheeler responded to some of Ms. Mangarillo's comments as follows:

1. Water – Marco D'Antonio had not seen anything regarding the project. The only thing he might want to see is a shut off valve along the line. The owner of the property is a plumber and two years ago in order to put a meter in that building, a shut off valve was installed in the line. Mr. Wheeler will show on the drawings the location of the shut off valve.
2. Aquifer recharge calculations – consumption of water in accordance with 121-15. Using the formula provided in the Town's Zoning Code, it was determined that the project's consumption rate exceeds its recharge. Mr. Wheeler had issue with the methodology and also had issue with an article written by Russell Urban Meade of Chazen Associates, which he provided to the Board. Attorney MacDonald stated per the requirements of the Town's Zoning, because the project's consumption exceeds the recharge, it is considered a Type I Action resulting in a significant adverse environmental impact. This is not a discretionary determination of the Planning Board, but rather a requirement of the Town's Zoning Code. Ms. Peek noted that if the Applicant would consider reducing the unit count to 5 units (from 6) the project would fall under the threshold established in the Zoning Code for consumption/recharge evaluation. Mr. Wheeler stated that the Applicant is not willing to reduce the unit count. As such, the Application will be declared a Type I Action, under SEQRA, and the Applicant will be required to complete a Long Form EAF, provide mitigation for the significant impact identified and be subject to additional regulations and circulation requirements. Mr. Wheeler understands the obligation and will comply with the requirements. The Board will declare a Type I and Mr. Wheeler will respond to that.
3. Lighting - Iso-lumen diagram – There is a portion of the diagram that does not show numbers – Mr. Wheeler noted that there are grassed areas where there will be no parking or walking. Ms. Peek felt it was important to show what the light is going to be at all site locations, because this is a rural residential area and the Applicant should be sensitive to his neighbors. Because the legend on the plan set is too small to read, it is difficult to

determine which light levels are proposed where. Mr. Wheeler will revise the plan. Peter Clair felt there were too many light poles and wall mounted fixtures – and requested that Mr. Wheeler review the plan and reduce the number of fixtures. Mr. Wheeler stated they look at two things, accidents and security. The project proposes 10 foot candle, where the minimum standard is 1 foot candle. Mr. Wheeler will revise the plan to reduce the fixtures. Ms. Mangarillo requested that Mr. Wheeler provide specs for the poles and fixtures, and Mr. Wheeler agreed.

4. Soil - Soil disturbance over 1 acre? Ms. Mangarillo noted that the site is overgrown and will require some reclamation or resurfacing, which may result in soil disturbance. Mr. Wheeler and Mr. Gazivoda noted that below the significant weeds, there is a gravel/crushed stone parking lot. The Applicant proposes to clear only the foliage/weeds leaving the compacted gravel on the surface. The Applicant noted that there may be some additional gravel/stone added to the surface, but no paving and there will be no soil disturbance. The Applicant does not propose any stockpiling of earth and confirmed that there will be no treatment on the site and no use of pesticides or weed killers to clear the brush and weeds.
5. Endangered species – Mr. Wheeler noted that he did not receive any correspondence from the US Department of Fish and Wildlife or NYSDEC regarding the presence of rare, threatened or endangered species on the site. Mr. Wheeler reviewed the DEC Environmental Resource Mapper which did not reveal the presence of endangered species. A copy of that notation was provided. There was no mention regarding the potential for habitat.
6. EAF – The EAF will be revised to correct the discrepancies and update the information, where necessary.
7. Federal Funding – Ms. Mangarillo reiterated her request that the Applicant identify the funding source for the project. Mr. Wheeler noted that he had been coordinating with DC Planning (Anne Saylor) and Hudson River Housing (Mary Linge) to apply for funding, but noted that it is competitive and the project may not be able to get Federal Funding. Mr. Wheeler noted that in 2009 there was money for Federal Funding; in 2011 there was no Federal Funding. Mr. Wheeler noted that the project is applying to Home Investment Partnership Program – from Dutchess County Department of Planning and Development – Anne Saylor of July 2011. They are in the process of preparing that application.

Attorney MacDonald asked if they had Department of Health approval. Mr. Wheeler stated that they already have DOH approval. Mr. MacDonald noted that the Amenia Housing Board and the Amenia Planning Board are involved agencies.

8. Drawings – Ms. Mangarillo noted the requirement for handicapped accessible parking space and aisle signage and Mr. Wheeler agreed to provide and revise the plans to indicate the handicapped sign and no parking anytime sign. Chairwoman Peek asked if

the gravel parking meant that the Applicant was going to put in a gravel parking area. Mr. Wheeler stated it implies an existing gravel parking area exists. Mr. Walsh stated the area for parking is where they need to remove approximately 15 years' worth of vegetation growth. There will be now a soil mixture. Mr. Walsh inquired if the applicant proposed a layer of gravel over that space? Mr. Wheeler stated that this would depend on the condition of the gravel, which they won't know until the vegetation is cleared. But as of now, the applicant is not going to put any more gravel and Mr. Wheeler maintains that the additional surface traffic will prevent new vegetation from growing. Mr. Walsh stated in other words that the Applicant will restore the parking area and if it needs gravel then it will be put on. Ms. Mangarillo stated this would not be a disturbance. Mr. Wheeler stated that the Applicant does not currently propose any landscaped screening for the parking lot and Ms. Peek and Ms. Mangarillo requested some screening. Mr. Wheeler concurred and noted that they will also provide landscaping along the entire perimeter of the property line and agreed to add some on the Ducillo side.

9. Mr. Wheeler stated they would provide a copy of the Site Plan application and Special Permit application to Ms. Mangarillo.
10. The full EAF – Mr. Wheeler will provide a response for intended purpose of site reclamation – the text will be revised to state there will be no site reclamation.

Under New Comments:

1. The revised dumpster location has been completed.
2. The revision dates have been taken care of, although they will have to be amended based on this meeting.

In summation Ms. Peek stated Mr. Wheeler would get Ms. Mangarillo and the Board fully revised materials, including a new response to the comment memo of Ms. Mangarillo, a new full plan set incorporating all comments, a new fully revised EAF, including mitigation for the water consumption, and all agency documentation with attached letters. The whole package will be re-submitted to the Planning Board. Because the project is a Type I action, additional circulation/noticing requirements will apply and it will require an additional 30 days added to the project.

Other Matters:

Next Planning Board Meeting: Ms. Peek asked the Board if anyone had a problem with moving the Planning Board meeting from July 5th to Tuesday, July 10th. This was due to the July 4th holiday and the fact that the next Thursday (July 12th) was not possible for Ian

MacDonald and Julie Mangarillo. The Board concurred, and so the regular July meeting will be held on Tuesday, July 10th at 7:00 P.M.

Cumberland Farms: John Fenton received an email from Cumberland Farms Corporate office asking if a Red Box DVD vending machine could be installed outside Cumberland Farms. Ms. Peek recommended to John Fenton, Zoning Officer that they should be encouraged to locate the Red Box DVD machine inside the Cumberland Farms store. Dover Plains received the same letter and they too have recommended to Cumberland Farms Corporate office to locate it inside the store. Mr. Clair and Mr. Walsh noted that they would prefer the box to be located inside the store. If Cumberland Farms determines that it would not be possible to locate the vending machine inside, they would have to file a minor Site Plan application. Because they are located in the historic district, they would need to comply with all those regulations.

Leedsville Road Addition: At this time it is still unclear what will happen to that project. Ian will meet with them in the near future. Mr. Skibsted submitted a letter stating the house has an existing footprint of 2966 square feet X two floors, the proposed addition has a footprint of 755 square feet and the pool house has a footprint of 2144 square feet for a total of 2899 square feet calculating shows 48% of the total existing.

MOTION TO CLOSE THE PLANNING BOARD MEETING was made by Peter Clair, seconded by Larry Moore

All IN FAVOR - MOTION CARRIED

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 7, 2012 and are not to be construed as the final official minutes until so approved.

 X Approved as read 06-28-2012

 Approved with: deletions, corrections, and additions