

directed Mrs. Patel to speak with Lana Anguin-Cohen regarding identifying neighbors within 500 feet. Tony Robustelli also stated that the applicant should provide a rough sketch of what the signage will look like on the building.

Jordan

Special Use Permit

**4905 Route 44
Amenia, NY**

Tom Whalen stated he is representing the property owner, Neal Jordan, in relation to the project and introduced Neil Wilson of LRC Consultants. This project was in front of the Planning Board at a workshop meeting in September. Since then, Brian Houston has conducted field work and prepared a rendered site plan survey. The proposed use for the property is a restaurant. In October 2010, the applicant signed a lease with a tenant, but that tenant did not immediately begin operating the business. Mr. Whalen stated that the lease was signed with five months remaining of the one year non-conforming statute and contends the use of the premises should be lawfully established in conformity with the historic use of the property. The application in front of the Planning Board was filed in December, but for various reasons this is the first meeting since the submittal. Mr. Whalen believes that this project should be straight forward because the use of the property is historically a restaurant/tavern going back many decades and the proposal is to continue the use. He also stated that the location and placement of the building does not lend itself to a residential use.

Neil Wilson provided an overview of the package that was prepared for the Planning Board. The applicant is also requesting Site Plan Approval as part of the application package. Mr. Wilson also requested that a public hearing be scheduled for the application. Discussion ensued regarding the potential opening date of the restaurant. Jim Walsh asked if the application was premature without a specific opening date. Mr. Whalen stated he believes it is not. Mr. MacDonald stated that if the approval is granted and expires, the applicant would need to return to the Planning Board and reapply. Discussion ensued that the new Zoning Ordinance requires Special Use Permit approval through the Planning Board and that no approval would be required from the Zoning Board of Appeals. Norm Fontaine stated the application appeared to be complete.

MOTION TO SET PUBLIC HEARING FOR FEBRUARY 23, 2012 by Norm Fontaine, seconded by Jim Walsh.
ALL IN FAVOR – MOTION CARRIED.

Mr. Whalen asked proper notice procedure and was directed to speak with Lana Anguin-Cohen.

MOTION TO SET ESCROW AT \$200.00 by Larry Moore, seconded by Peter Clair.
ALL IN FAVOR – MOTION CARRIED.

Deda

Affordable Housing Site Plan

**770 Old Route 22
Amenia, NY**

Dan Wheeler introduced himself to the Planning Board as representing the applicant. The application was last in front of the Planning Board in June 2011. The submittal in front of the Planning Board was a cover letter provided a status update, a revised Environmental Assessment Form, updated drawings and a written response addressing previous comments. Norm Fontaine asked for clarification for the prolonged hiatus between the previous submittal and present date. Mr. Wheeler provided an overview of the proposed project and the history of the property. The current zoning made the property non-conforming because of how the project was originally approved and constructed in the 1970's. The project has not been occupied for over 10 years. The applicant approached the Town's affordable housing committee and Dutchess County to apply for affordable housing status. The building as currently configured is for nine (9) apartments; to comply with Town Code, the applicant is proposing six (6) apartments. The Town attorney at the time and the Dutchess County Health Department each approved of the proposed configuration. Mr. Wheeler proposed to contact the Town Engineer to ensure that he has the most up-to-date application. Tony Robustelli asked what the status is of the grant application with Dutchess County. Mr. Wheeler stated that there was no grant money available for their application,

but they plan on re-applying. Discussion ensued that there were outstanding questions regarding the last version of the application. Mr. Wheeler stated he would like permission from the Planning Board to re-circulate and re-open the discussion with the Town Engineer.

Jim Walsh asked if the parking issue had been resolved. Mr. Wheeler believes it has been addressed, but is unsure if it has been resolved with the Town Engineer. Tony Robustelli asked if there was any money left in the escrow account. Mr. Wheeler is unsure, but will verify with Lana Anguin-Cohen. Discussion ensued regarding the existing escrow balance. Mr. MacDonald inquired about the SEQRA process. Mr. Wheeler believes the outstanding issues need to be resolved with the Town Engineer before a determination is made. Mr. MacDonald stated that he needs to determine where the project is in the SEQRA process. Mr. Wheeler requested to be placed on the agenda in February. Discussion ensued that scheduling was premature without following up with the Town Engineer.

Other Matters

Meeting Minutes

MOTION TO ACCEPT THE MEETING MINUTES FOR THE DECEMBER 8 AND DECEMBER 15, 2011 by Peter Clair, seconded by Norm Fontaine.

ALL IN FAVOR – MOTION CARRIED.

MOTION TO CLOSE MEETING by Peter Clair, seconded by Larry Moore.

ALL IN FAVOR – MOTION CARRIED.

Respectfully submitted,
Sunny McCool
Planning Board Secretary
Approved 04-26-2012