



TOWN OF AMENIA

4988 Route 22, AMENIA, NY 12501
TEL: 845-373-8860, x118 FAX: 845-373-9147

TOWN OF AMENIA PLANNING BOARD MEETING THURSDAY, AUGUST 21, 2014

PRESENT: Chairman Fontaine
Peter Clair
Anthony Robustelli
Nathan Roy
Erich McEnroe
Bill Kroger

ABSENT: John Stefanopoulos

CONSULTANTS: Dave Everett, Attorney
George Janes, Visual
Julie Mangarillo, Engineer

Pledge of Allegiance

Tamarack Preserve

Public Hearing

**4754 Route 44
Amenia, N. Y.**

Chairman Fontaine opened the Public Hearing for Tamarack Preserve and gave a brief outline of what Tamarack is proposing. Julie Mangarillo was set with everything she needed for the project with the exception of the conditions.

PUBLIC COMMENT:

Donald Rosendale – Amenia – Mr. Rosendale informed the Board he did not receive a notice of the Public Hearing. Chairman Fontaine said he would look into the matter. He also gave the Board a copy of part of the original application from 1990 that stated “no new structures of any kind will ever be constructed”. Chairman Fontaine had looked into this prior and felt it was part of the application process, however not part of the approval. Mr. Everett stated it said “no residence within 4000 feet”. It was not very clear.

Dave Everett asked Mr. Renna, Engineer for the Tamarack Project to detail the project for the benefit of the public and Mr. Rosendale. Mr. Renna stated the Tamarack Cabins Project consist of five cabins, four of them will be sleeping cabins for overnight members and one cabin with fitness equipment for members. This will be on the 800 acre parcel which is primarily used as a shooting preserve so the cabins will be an accessory use. A new driveway is proposed as the one

on an existing road is too steep. The new driveway will be approximately 1250 feet. The total area of disturbance is 3.74 acres and since there is over an acre of disturbance the Applicant's Engineer has prepared a full Storm Water Pollution Prevention Plan which the Town Engineer has reviewed and approved. There will be a septic for the five cabins, proposed 768 gallons per day capacity. That is currently before the Dutchess County Board of Health. There will be a new well drilled for the water. After meeting with the Amenia Fire Company, they have approved everything with only two minor changes to the site plan. They have asked to extend the dry pipe that was shown another 30 feet across Turkey Hollow Road so the Fire Company would not have to lay hoses across the road and asked that the gravel surface driveway that is proposed for 12 feet wide to make it 14' wide. The applicant has no problem with either of these changes. The Amenia Fire Department will provide a letter to the Planning Board. Mr. Renna then held up a map of the site plan and went over it and asked if there were any other questions.

John Reagon, Vice President of Tamarack Preserve stated he received and personally signed for a certified mailing in a timely fashion regarding Tamarack Public Hearing.

There were no other Public Comments.

Read into the Minutes was the Resolution to Adopt a Negative Declaration for SEQRA indicating the Board has reviewed the EAF Part I and II for the project and that there are no significant adverse environmental impacts. The second resolution is to approve the Amended Special Use Permit subject to (9) nine conditions.

Resolution to Adopt a Negative Declaration for SEQRA

ROLL

Chairman Fontaine	Yes
Peter Clair	Yes
Anthony Robustelli	Yes
Nathan Roy	Yes
Erich McEnroe	Yes
Bill Kroger	Yes
John Stefanopoulos	Absent

RESOLUTION APPROVED

Chairman Fontaine then read the nine (9) conditions on the Resolution to Amend the Special Use Permit for the Tamarack Preserve.

Resolution to Amend the Special Use Permit for Tamarack Preserve subject to nine (9) conditions:

ROLL

Chairman Fontaine	Yes
Peter Clair	Yes
Anthony Robustelli	Yes
Nathan Roy	Yes
Erich McEnroe	Yes
Bill Kroger	Yes
John Stefanopoulos	Absent

RESOLUTION APPROVED

MOTION TO CLOSE THE PUBLIC HEARING FOR TAMARACK PRESERVE was made by Peter Clair, seconded by Nathan Roy

MOTION CARRIED

Silo Ridge

Application Complete

**4651Route 22
Amenia, NY**

Chairman Fontaine stated what the Board needs to determine tonight is whether Silo is ready to proceed to the Public Hearing that will be scheduled for September 4, 2014. There are several areas the Board asked Silo to complete by tonight in order to proceed. George Janes, Visual Consultant, is here to give the Board an overview of his concerns. This presentation in its entirety may be viewed by following the link below:

https://www.dropbox.com/s/zn9g9v4tvfh11dp/silo_confirmatory_e_numbered.pdf?dl=0

Mr. Janes stated last month Silo produced a new book of visual simulations and he will speak of the remaining of technical issues with that book. The new book addressed nearly all the issues that were brought to the Board at the July 3rd meeting and is a substantial improvement.

The Base image is the most serious. The photos were washed out and when they don't have contrast, things blend. The photos were taken in raw image format. The consultant for the applicant did not do any adjustment to the raw image format. This does not capture color or shades as the eye would see them. When the raw image was taken there was also a standard format jpeg. He had asked for the jpeg to see how close the two images are and as of yesterday, they were not able to get the jpeg. When you don't have color contrast – things blend and this understates the projects visibility. My suggestion is to adjust the settings of the photo to approximate the jpeg that was taken with the raw images. Do this for the existing conditions photo. Charles Lear who worked on the project stated there was no format specified. The photos in the book were taken in early April when there was still snow on the ground and the grass was brown. Contrast has nothing to do with color. Mr. Janes felt if they could provide one image in jpeg form it would be seen. Mr. Lear felt it was wasting his time.

A minor issue – Image 7.5 was not in the May version, it was added in the July version. A house was missing from the photo.

A suggestion about text was to make it a more neutral document when talking about what you are seeing.

Confirmatory Visual Simulations – Mr. Janes addressed the level of screening for the project. Pictures were shown as examples. He had compared the 2009 FEIS plan to the 2014 plan. Pedro Torres asked to address the Board stating two things that need to be aware between the two simulations, the FEIS did not include the houses on the southern end of the property and this application we took 80' roads and put in 50' clearing paths. Additionally, the feeling that the applicant took from the Planning Board in December 2013 was to keep plantings lower even if the tops of the buildings were seen in order to keep the views open from Delavergne Hill.

After the Public Hearing, the Planning Board will assess all the public comments and then the Findings Statement will need to be changed. Chairman Fontaine asked Mr. Everett what the best way was to address changing the Findings Statement. Mr. Everett stated the Planning Board must change the Findings Statement. Silo will provide the Planning Board with a red lined version of the proposed changes based upon the official submission. After the Public Hearing and the written comments from the public and interested/involved agencies, the Board will have to decide how you want to change the Findings Statement. You will need to look at what George Janes is saying and what the applicant consultants are saying and come to a conclusion as to how it needs to be changed.

SPO Compliance – Mr. Janes went on to state most of this section is ok. Section 4 deals with how the project complies with the SPO standards. Number 3 “will locate cluster buildings and other structures in a manner that will minimize their visibility” – for mitigation purposes more buildings have been moved in this section – Phase 2 in the south. The 2009 approved MDP had 17 houses there are now in 2014 26 houses. These houses are very visible and not clustered. Amanda DeCesare stated they are for Phase 2 so they are generally sited at this time.

Fences – “Chain Link, stockade or other fence design that block visual access to land that is in a scenic road corridor shall be prohibited, unless such fences are needed to screen a pre-existing use that does not conform to the requirements of this section”. The hedge uses a fence and the WWTP has a fence. The WWTP is in the scenic road corridor and also in the green buffer zone of the scenic road corridor. Pedro Torres felt the fence around the WWTP was for security. Mr. Janes went on talking of the new maintenance facility is in within the Trail Scenic Protection Corridor for the most part. His question to the Board is do you have enough information to evaluate it visually? Mr. Torres added the trail is 20' below the elevation of the section. Ms. DeCesare stated it was 100' buffer from the road and there is proposed screening. Mr. Janes felt this was not studied to the same level of detail as everything else. He continued the SPO has three components: the Scenic Protection Zone, the Scenic Road Protection Zone and the Trail Protection Zone. Nathan Roy felt that even though there is planning; there may be a need to have a process in place to revisit any issues that we find. Mr. Everett asked what information might be helpful. Mr. Janes felt he would love to see at minimum a line of site profile from the trail, a photograph.

He continued the WWTP is barely visible in viewpoint 7.5; however it is located not only in the Scenic Road Corridor but mostly within the Green Buffer of the Scenic Road Corridor very close to the road. Dave Everett asked what type of landscaping is proposed there. Ms. DeCesare stated it is an expanded landscape plan. Mr. Everett went on would it provide suitable screening? Ms. DeCesare stated the building acts as part of the screening. Mr. Janes said there is an expanded landscape plan, and are the trees large enough to screen the buildings. Mike Dignacco said not initially, probably 10' trees.

Chairman Fontaine asked if there was any discussion for the Board to proceed with the Public Hearing for September 4, 2014. The Board members felt it should be taken now for public comments. Mr. Fontaine continued

- The Board to take George Janes recommendations – Mr. Janes to send short summary to the Board along with the power point presentation.
- Discuss what else is needed
- Mr. Janes submit written summary by next week so it is readily available to the public.

Chairman Fontaine continued:

- ❖ Subdivision Plat submission – given – Julie Mangarillo to look over.
- ❖ Before Public Hearing submission must be able to be reviewed by the public before the Public Hearing – will be at the Town Hall, Library and the Website.
- ❖ Dutchess County Planning must have full application submission 08/25/2014
- ❖ Amenia Fish & Game Club – Silo submitted a footprint of where the underground shooting ranges will be located to the Building Department. Dave Everett asked Silo if they could submit a narrative on the underground shooting range by early next week.
- ❖ Chairman Fontaine will be speaking with Victoria Perotti regarding the Artisan Park.
- ❖ The Amenia Fire Company – letter to come to the Board.
- ❖ SWPPP went to Julie Mangarillo – Ms. DeCesare stated there were a few minor text changes.
- ❖ Mary Ann Johnson – TND memo - OK
- ❖ Comprehensive Waiver List – OK
- ❖ Dr. Klemens List – OK
- ❖ Water Report – Budget and Quality – Julie Mangarillo to look over.
- ❖ Propane - Underground storage tanks for propane for the homes. DEC does not regulate anything under 1100 lb.; however under the aquifer protection the Town Code does. Dave Everett suggested make the tanks over 1100 lb. or get an interpretation from John Fenton, CEO stating this section does not cover propane only petroleum products or seek a variance from the ZBA.

Amanda DeCesare stated that the MDP and Site Plans that the Board has are complete and that the Planning Board Secretary has electronic copies.

Tom Werner suggested that the Artisan Park be done so that people could view both north and south. Chairman Fontaine told him it was suggested this should be done at the beginning of the project. Elaine LaBella, Director of Land Protection for the Housatonic Valley Association she has had a difficult time trying to get documents from the Planning Board Office and was glad to

hear that they are now in electronic form. Chairman Fontaine stated everything should be uploaded by Monday. Tonia Shoumatoff stated the consultants comments, the Town Clerk stated cannot be look at until September 19th. Chairman Fontaine said he would take care of that problem. Pedro Torres stated those comments would be on the web site. Dave Everett then explained the steps of a FOIL.

Chairman Fontaine stated there will be a Public Hearing on September 4, 2014, it will be held in the auditorium and will limit the public speaking time to 3-5 minutes per person. Silo will prepare a presentation to be viewed by the public. Mr. Everett suggested the Board may want to extend the Public Hearing in order to receive public comments after the hearing. The Public Hearing will be recorded as the meeting cannot be televised live from the auditorium.

MOTION TO DEEM THE APPLICATIONS COMPLETE AND SCHEDULE A PUBLIC HEARING RELATED TO THE SILO RIDGE RESORT COMMUNITY was made by Peter Clair, seconded by Nathan Roy

ROLL

Chairman Fontaine	Yes
Peter Clair	Yes
John Stefanopoulos	Absent
Nathan Roy	Yes
Anthony Robustelli	Yes
Erich McEnroe	Yes
Bill Kroeger	Yes

RESOLUTION APPROVED

MOTION TO CLOSE THE MEETING AT 9:10 P.M. was made by Tony Robustelli, seconded by Peter Clair

Respectfully submitted,

Susan M. Metcalfe
Planning Board Alternate Secretary

The foregoing are unapproved minutes taken at a Planning Board held on August 21, 2014 and are not to be construed as final official minutes until approved.

_____Approved
_____x_____Approved with/deletions, corrections or additions,