

FEB 22 2018

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# TOWN OF AMENIA

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## PLANNING BOARD MEETING WEDNESDAY, June 14, 2017

PRESENT: Larissa DeLango  
Peter Clair  
Erich McEnroe  
David Rosenberg

ABSENT: Matt Deister  
Tony Robustelli  
John Stefanopoulos

ALSO PRESENT: David Everett - Attorney  
John Andrews - Engineer

Chairperson Larissa DeLango opened the Planning Board Meeting at 7pm with the Pledge of Allegiance. A motion was made by L. DeLango seconded by P. Clair to open the Extended Public Hearing for **KLM Monaco Subdivision**. Rich Rennia, engineer for the project spoke about the necessary paperwork still needed for the project's approval. He states that with the most recent submittal and the submittal of the Bog Turtle Report that he believes all important documents have been submitted to obtain a conditional approval for the project.

Chairperson L. Delango then went through the most recent submission of documents and the most recent comments from J. Andrews (RSA).

\*\* Spoke of Bog Turtle report from DEC's Jason Tesauro submitted for review by Environmentalist Karol Knapp saying there was "no evidence of bog turtles or any habitat of same" DEC has not yet given their written report but D. Everett says there is no obligation under SEQRA to wait for it.

\*\* applicant should ask for a waiver for the number of flag lots to use the common access driveway

\*\* need document from DCDOH re: water supply and waste water

\*\* Applicant states NYSDOT has flushed and cleaned out dirt (silt) from culvert by entrance to the property on NYS 22. Need to get this in writing and add note to the final resolution.

\*\* Applicant needs to provide the Common Driveway Agreement document. This can then be enforced by the Code Enforcement Officer.

\*\* a drainage easement must be provided. Applicant decides if one or two documents with details pertaining to drainage

\*\* the notes for the “vegetative buffer” should be noted on the plat with a separate restrictive covenant which will mean restrictions for each buyer of the four flag lots.

Planning Board Chairperson L. DeLango then asked for any Public Comment.

**Mr. David Noe resident at 5001 Route 22** raised some points to the board. They are as follows:

1. West side of Route 22 and water drainage located opposite Town Hall exit driveway is only water outsource on that side of road from 4 Bros. to Freshtown. How will this new subdivision and its drainage affect this already heavy flow of water drainage?
2. Concern about the Common driveway (proposed dirt or gravel) to 4 lots and drainage during heavy storms as well as concern about the septic systems and wells of the homes being built
3. Concern over who will maintain the common driveway when storms wash it out.
4. Responsibility for wetlands (part of largest parcel)
5. Re: “NO CUT ZONE” and notation on plat. How many feet? Applicant and board has already agreed on 20 feet.

**Ms. Wilhemina Doyle** owner of property located at **5019 Route 22**

1. Shared her concern as well for the vegetative buffer and asked if there is anything supporting that in the Town Code. She was informed of its presence in this particular proposal on the Proposed Plat.

The Board and its attorney will review the wording and language in the drainage easement for consideration of who will be the responsible party(ies) for the maintenance of the common driveway.

Planning Board Chairperson then read Part 2 of the EAF which will be filed in Town Hall for this project along with final paperwork. A motion was made and carried by P. Clair and seconded by D. Rosenberg to accept Part 2 of the EAF as read.

Planning Board Secretary read the necessary statements in the Resolution #9 for **Adopting a Negative Declaration Under the State Environmental Quality Review Act (“SEQRA”) for KLM Group Subdivision.**

A motion was made and seconded by P. Clair and seconded by D. Rosenberg to adopt the above resolution.

Roll was called:	Resolution #9
Larissa DeLango, Chairperson	yes
Anthony Robustelli, Deputy Chairperson	absent
Peter Clair	yes
John Stefanopoulos	absent
David Rosenberg	yes
Erich McEnroe	yes
Matthew Deister	absent

Motion carried.

At 7:33pm a motion was made and carried by P. Clair and seconded by E. McEnroe to close the Public Hearing.

Resolution #10 was then read, in part, for **Approving Preliminary Subdivision Plats for the KLM Group, LLC Subdivision** by J. Westfall, Planning Board Secretary. A motion was made and carried by P. Clair and seconded by D. Rosenberg to approve Resolution #10 as read.

Roll was called:	Resolution #10
Larissa DeLango, Chairperson	yes
Anthony Robustelli, Deputy Chairperson	absent
Peter Clair	yes
John Stefanopoulos	absent
David Rosenberg	yes
Erich McEnroe	yes
Matthew Deister	absent

Motion carried.

The second item on the agenda was **John Forbes / Lot Line change**.

A submission of a surveyor's map was submitted prior to the meeting and was difficult to understand. A preliminary discussion about the map ensued between applicant, surveyor, board, town attorney and town engineer. After the board, attorney and engineer understood what they were trying to tell them about the lot line change it was determined that they would need to get a new drawing with updated lines and **ONLY INCLUDE** the property (ies) in their name that are involved. They would need to show:

\*\* New boundary lines – showing metes and bounds as well as monumentation  
 \*\* area encumbered by federal wetlands, SCO and Flood Plain. These lines need to be delineated on the map as well.

\*\* Adjacent vacant lot with septic designs – are there future plans for this lot?

Is it BOH approved?

\*\* When there is a minor subdivision it is to create buildable lots- will they be buildable?

\*\* Get checklist from RSA – John Andrews office before coming to next PB meeting. Will need \$1,000 Escrow for minor subdivision fee for attorneys and engineers cost.

The third item on the agenda was **Paul Voorhees / 4204-4206 Route 22**

Special Use application submitted with Application Fee of \$450.00 only.

NO ESCROW FEE has been received. He asked to meet with the board to be heard. Distribution of his application to all the board was confirmed. A letter of denial from M. Segelken, Code Enforcement Officer, was included. Paul is operating rental needs and services out of this location which is a change of use. The attorney directed him to complete his use for site plan and special use permit for the entities he would like to supply out of this location i.e., Taxi service, U-Haul rentals, Bounce House rentals, Carnival ride rentals, other party rental supplies.

Applicant will have to supply \$2,500.00 Escrow fee for further review by Town's attorney and engineer. Will need:

1. \$2,500.00 Escrow Fee
2. Site plan with layout of property (RENTAL SERVICES)
3. Proper completion for Special Use Permit and Site Plan
4. List of waivers to be granted (for board approval)

He was told to be in touch with J. Westfall planning Board Secretary.

A motion was made and carried by E. McEnroe and seconded by D. Rosenberg to approve the minutes of the May 10, 2017 meeting.

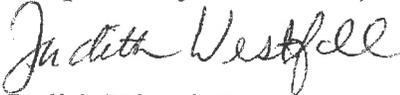
**Other matters:**

1. Discussion – Voorhees (Rental, Service business) Not property owner, Violations issued from Building Dept? Property Maintenance?
2. P.Clair questioned maintenance of the Dollar General shrubs in median. J. Westfall will look up resolution to see who is responsible.

The paperwork for the final approval for the “New Dorm” at Maplebrook School is from MA Day Engineering, and J. Andrews has reviewed for Conditional approval on the project.

A motion was made and carried by P. Clair and seconded by E. McEnroe to adjourn the meeting at 8:22pm. If there are no items for the agenda, the meeting scheduled for Wednesday, June 28<sup>th</sup> may be canceled and July 12<sup>th</sup> will be the next meeting.

Respectfully Submitted,



Judith Westfall

Planning Board Secretary

The foregoing minutes are taken from a meeting of the Planning Board held on June 14, 2017 and are not to be construed as the official minutes until approved.

\_\_\_\_\_  
Approved as read

\_\_\_\_\_  
Approved with: additions, corrections and deletions