



TOWN OF AMENIA

Amenia Town Clerk

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DEC 18 2017

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TOWN OF AMENIA PLANNING BOARD

Resolution # 14 for 2017

Granting Amended Site Plan Approval for the Wastewater Treatment Plant at the Silo Ride Field Club

December 13, 2017

WHEREAS, in October 2013, Silo Ridge Ventures, LLC (the "Applicant") submitted applications to the Planning Board to develop a mixed-use resort community on 670+/- acres located west of NYS Route 22 and north and south of US Route 44 in the Town of Amenia identified as parcel numbers 7066-00-732810, 7066-00-860725, 7066-00-742300, 7066-00-670717, 7067-00-709177, 7066-00-628131; and

WHEREAS, a portion of the resort community would also be developed on a portion of an adjoining tax parcel 7066-00-870350 owned by the Harlem Valley Landfill Corp ("HVLC Property") and located in the Town of Amenia; and

WHEREAS, the resort community includes, among other things, 52 attached condominiums, 159 single-family detached homes on separate lots, 13 townhomes on separate lots, 21 hotel-condominium lodging units, a winery-themed restaurant, an 18-hole golf course, a clubhouse/lodge (with restaurant, bar/lounge and golf pro shop), family activity barn and lake pavilion, fitness spa, yoga center, golf academy, sales center and general store, village green, an "Artisan's Park Overlook," water and waste-water plants, recreational and open space amenities and related improvements to be owned and maintained by one or more homeowner's associations and condominium associations (the "Modified Project"); and

WHEREAS, in connection with the Modified Project, the Applicant applied to the Planning Board for, among other things: (1) an amended Special Permit/Master Development Plan approval pursuant to Section 121-18(C)(3) of the Zoning Code ("Special Permit"); (2) Special Permit approvals for the golf maintenance facility, golf course improvements and waste water treatment plant to be located on a portion of the HVLC Property in the OC Zoning District pursuant to Section 121-10(B) of the Zoning Code; (3) a Site Plan approval for the first phase of the Modified Project including the golf maintenance facility, golf course improvements and waste-water treatment plant ("WWTP") to be located on a portion of the HVLC Property ("Phase 1 Site Plan"); (4) a Preliminary Subdivision approval and lot line adjustments to incorporate a portion of the HVLC Property pursuant to Chapter 105 (the "Subdivision Law") of the Town Code; (5) Special Permit approval for storage at the golf maintenance facility of more than 500 pounds of fertilizers and pesticides/herbicides pursuant to Town Code 121-15(E)(1); and (6) certain waivers and supplementary approvals under the Town's Zoning Code and Subdivision Law (collectively the "Applications"); and

WHEREAS, the Planning Board, with the assistance of its technical and legal consultants, engaged in a detailed review of the Applications (including all materials submitted by the Applicant in support of the Applications) over a period of two and half years; and

WHEREAS, on July 29, 2015, the Planning Board adopted an Amended and Restated Findings Statement (with mitigation measures) for the Modified Project under the State Environmental Quality Review Act (“SEQRA”) (the “2015 Amended SEQRA Findings”); and

WHEREAS, on July 29, 2015, pursuant to Sections 121-18 and 121-65 of the Zoning Code, the Planning Board adopted Resolution 12 of 2015 approving the Site Plan for Phase 1 of the Modified Project entitled “Silo Ridge Resort Community Phase 1 Site Plans” prepared by VHB Engineering, Surveying & Landscape Architecture, P.C. (“VHB”) dated March 3, 2014 (last revised January 8, 2015) and containing numerous conditions pursuant to the Zoning Law and Section 274- of the New York State Town Law (the “Site Plan Approval”); and

WHEREAS, the procedural history of the Planning Board’s SEQRA review and subdivision review of the Modified Project is set forth in detail in the Site Plan Approval and is not repeated here; and

WHEREAS, pursuant to Article IX of the Town of Amenia Zoning Code (the “Zoning Code”), on or around October 16, 2017, the Applicant submitted an application to the Planning Board seeking an amended site plan approval to allow for a new proposed waste water treatment plant system for the Silo Ridge Field Club (the “WWTP Project”); and

WHEREAS, the documents submitted by the Applicant as part of its application consisted of, among other things, (1) a Land Use Application; (2) a Short Environmental Assessment Form; (3) a site plan prepared by prepared by VHB Engineering, Surveying & Landscape Architecture, P.C. (“VHB”) dated March 3, 2014 (last revised August 31, 2017); (4) Building drawings and specifications prepared by Hart Howerton; (5) an Agricultural Data Statement; and (6) the requisite filing fee and escrow amount for the application (the “Application”); and

WHEREAS, the Planning Board reviewed and considered all of the above referenced documents submitted by the Applicant as part of its Application; and

WHEREAS, the Planning Board has determined that the WWTP Project qualifies as a minor project under Section 121-60(C) of the Town’s Zoning Code because the Application entails the construction of a facility or structure for a non-residential use covering less than 3,000 sq. ft. of building footprint; and

WHEREAS, on November 8, 2017, the Planning Board deemed the amended site plan Application to be complete for purposes of scheduling a public hearing and referring the Application to the Dutchess County Department of Planning and Development (“County Planning Department”) for their review and recommendation as required by the Zoning Code and the NYS General Municipal Law and thereafter caused the necessary referral and public hearing notices to be made; and

WHEREAS, the County Planning Department reviewed the WWTP Project for countywide and intermunicipal impacts and issued a report dated November 30, 2017, stating that the WWTP Project was a matter of local concern; and

WHEREAS, a properly noticed public hearing was held by the Planning Board, on December 13, 2017 in accordance with Section 121-66(F) of the Zoning Code, and Section 274-a of the New York State Town Law. The hearing was closed the same day; and

WHEREAS, the Planning Board has determined that the WWTP Project is consistent with the 2015 Amended SEQRA Findings because the system is proposed in the same location, the building footprint is smaller and the new system only contains three small aboveground containers; and

WHEREAS, the Planning Board has determined that the WWTP Project will comply with all zoning district and other specific requirements of the Zoning Code and other chapters and regulations of the Town Code, and will be consistent with the purposes of the Zoning Code; and

WHEREAS, the Planning Board has determined that the Project will comply with the applicable site plan criteria in Section 121-65(D) of the Zoning Code and will not adversely affect neighboring properties; and

WHEREAS, the Planning Board's determinations outlined above are based on the Applicant's representations contained in all of the Application materials submitted to the Planning Board and the Applicant's compliance with the Town Code including the Zoning Code.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 121-66 of the Zoning Code, the Planning Board hereby approves, with conditions, the amended site plan for the WWTP Project prepared by VHB Engineering, Surveying & Landscape Architecture, P.C. ("VHB") dated March 3, 2014 (last revised November 8, 2017) ("Amended Site Plan Approval For WWTP") including the following sheets:

1. Cover Sheet, Silo Ridge Site Plan-Phase 1, dated March 3, 2014 last issued November 8, 2017 (the "Cover Sheet").
2. Drawing C4.00-Overall Site Layout Plan, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated March 31, 2014 last revised August 31, 2017.
3. Drawing C4.10-Site Layout Plan 10, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated March 31, 2014 last revised August 31, 2017.
4. Drawing C4.14-Site Layout Plan 14, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated March 31, 2014 last revised August 31, 2017.

5. Drawing C5.08-Traffic Circulation and Signage Plan 8, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated June 19, 2014 last revised August 31, 2017.
6. Drawing C6.10-Grading and Drainage Plan 10, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated March 3, 2014 last revised August 31, 2017.
7. Drawing C6.14-Grading and Drainage Plan 14, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated January 8, 2015 last revised August 31, 2017.
8. Drawing C6.21-Drainage Profiles 1, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated March 3, 2014 last revised August 31, 2017.
9. Drawing C7.10-Water System Plan 10, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated January 8, 2015 last revised August 31, 2017.
10. Drawing C9.10-Wastewater System Plan 10, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated January 8, 2015 last revised August 31, 2017.
11. Drawing C9.21-Wastewater System Profiles 1, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated January 8, 2015 last revised November 8, 2017.
12. Drawing C9.32-Wastewater System Profiles 12, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated January 8, 2015 last revised August 31, 2017.
13. Drawing C12.10-Erosion and Sediment Control Plan 10, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated January 8, 2015 last revised August 31, 2017.
14. Drawing A3.41-Maintenance Facility Building Elevations, Silo Ridge Site Plan Phase 1. Prepared by Hart/Howerton, dated January 8, 2015 last revised October 3, 2017.
15. Drawing A3.42-Wastewater Treatment Facilities Elevations, Silo Ridge Site Plan Phase 1. Prepared by Hart/Howerton, dated January 8, 2015 last revised October 3, 2017.
16. Drawing L1.14-Materials Plan Enlargements, Silo Ridge Site Plan Phase 1. Prepared by Hart/Howerton, dated March 3, 2014 last revised October 3, 2017.

17. Drawing L3.10-Planting Plan Tile 10, Silo Ridge Site Plan Phase 1. Prepared by Hart/Howerton, dated March 3, 2014 last revised October 3, 2017.
18. Drawing L3.14-Planting Plan Enlargement, Silo Ridge Site Plan Phase 1. Prepared by Hart/Howerton, dated March 3, 2014 last revised October 3, 2017.
19. Drawing P1.02-Non-Residential Independent Parking Plan, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated June 19, 2014 last revised November 8, 2017.
20. Drawing P1.03-Non-Residential Joint-Use Parking Plan, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated January 8, 2015 last revised November 8, 2017.
21. Drawing SL1.08-Maintenance Area, WWTP Light Locations & Photometrics, Silo Ridge Site Plan Phase 1. Prepared by VHB Engineering, Surveying & Landscape Architecture, PC, dated May 23, 2014 last revised November 8, 2017.

BE IT FURTHER RESOLVED, that pursuant to Section 274-a of the New York State Town Law, the Planning Board imposes the following conditions on the Amended Site Plan Approval for WWTP granted by this resolution:

1. Prior to the execution of the approved site plans by the Planning Board Chairperson and issuance of any building permit for the WWTP Project, the Applicant shall:
 - (a) Submit to the Planning Board, an amended permit required by the New York State Department of Health and/or Dutchess County Department of Health for the WWTP Project; and
 - (b) Address all comments contained in the memorandum dated December 11, 2017 from Rohde, Soyka & Andrews Consulting Engineers, P.C. (“Town Engineer”) to the Engineer’s satisfaction;
 - (c) Revise Note No. 2 on the Cover Sheet to read as follows: “All terms, conditions, notes and obligations as more fully detailed in the Town of Amenia Planning Board Resolution 12 of 2015, dated July 29, 2015, approving the Site Plan for Phase 1 of the Modified Project entitled ‘Silo Ridge Resort Community Phase 1 Site Plans’ shall remain in full force and effect unless modified herein.”; and
 - (d) Pay the outstanding invoices of the Planning Board’s consultants incurred in connection with reviewing this Application.
2. At all times, the Applicant shall comply with the conditions set forth in the Town of Amenia Planning Board Resolution No. 10 of 2015, dated July 29, 2015, approving a special permit for the original wastewater treatment plant in the OC Zoning District, among other things.

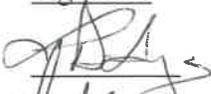
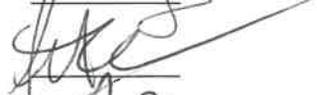
3. At all times, the Applicant shall comply with the conditions set forth in the Town of Amenia Planning Board Resolution No. 12 of 2015, dated July 29, 2015, approving the site plans for Phase 1 of the Silo Ridge Field Club.
4. As required by previous approvals for the Modified Project, the Applicant is required to post an operation and maintenance bond for the sewage works system and WWTP Project, in an amount to be determined by the Town Engineer.
5. Any change to this Amended Site Plan Approval for WWTP may require additional amended approvals from the Planning Board.

BE IT FURTHER RESOLVED, that the Planning Board hereby authorizes the Planning Board Chairperson to stamp and sign the approved site plans upon the Applicant's satisfaction of all applicable conditions, if any, and the submission requirements stated herein, if any; and

BE IT FURTHER RESOLVED, that in accordance with Section 121-68(E) of the Zoning Code: (1) this Amended Site Plan Approval for WWTP shall expire if the Applicant fails to commence construction, to obtain the necessary building permits, or fails to comply with the conditions of this Amended Site Plan Approval for WWTP within 18 months of its issuance. The Planning Board may grant a one-time six-month extension; (2) this Amended Site Plan Approval for WWTP may be revoked by the Planning Board if the Applicant violates the Amended Site Plan Approval for the WWTP or its conditions or engages in any construction or alteration not authorized by this approval; and (3) any violation of this Amended Site Plan Approval for WWTP or its conditions shall be deemed a violation of the Zoning Code and shall be subject to enforcement action; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be filed in the office of the Town of Amenia Town Clerk within five (5) days of the date of this Resolution, and shall be mailed to the Applicant within the same five (5) day period.

The foregoing resolution was voted upon with all members of the Planning Board voting and signing as follows:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	<u>Signature</u>
Larissa DeLango, Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Peter Clair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
John Stefanopoulos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
David Rosenberg	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Anthony Robustelli	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Erich McEnroe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Matthew Deister	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Dated: December 13, 2017
Amenia, New York


Larissa DeLango, Chairperson
Town of Amenia Planning Board