



# TOWN OF AMENIA

4988 Route 22, AMENIA, NY 12501  
(845) 373-8118, Ext. 124  
Fax (845) 373-9147

**PLANNING BOARD MEETING  
WEDNESDAY, JULY 24, 2019 7 P.M.  
2nd FLOOR MEETING ROOM**

**RECEIVED**  
**MAR 17 2020**  
Amenia Town Clerk

**REGULAR MEETING: WESTERLY RIDGE – SITE PLAN REVISIONS**

**PUBLIC HEARING: TROUTBECK – WELLNESS CENTER**

**PUBLIC HEARING: IWF, LLC – Subdivision**

**OTHER MATTERS: Minutes from June 26, 2019 meeting**



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## PLANNING BOARD MEETING WEDNESDAY, JULY 24, 2019

PRESENT: Robert Boyles  
Peter Clair  
John Stefanopoulos  
Matthew Deister

ABSENT: Erich McEnroe  
Walter Brett  
Tony Robustelli

CONSULTANTS: David Everett, Town Attorney  
John Andrews, Town Engineer

ALSO PRESENT: Rebecca Valk, Matthew Allen,  
Cara Whalen, John Watson-Troutbeck  
Liza Vann Smith – Westerly Ridge  
Timothy Cole and Dennis Johnson - IWF, LLC  
Andrew Maggio  
Richard Savarese  
Sharon Kroeger

The meeting was called to order at 7:00 pm by the Chairman Robert Boyles, Jr. The Pledge of Allegiance was recited and the exits were announced in case of emergency.

The first agenda item was the revisions for the **Westerly Ridge Lot #9 application**. Rebecca Valk from Cuddy & Feder talked about the most recent revisions to the application. The Amenia Fire District submitted an informal response in writing from Assistant Chief – Matt Deister stating there are concerns about the driveway and access with a fire truck. It is extremely narrow in a couple of spots and there is rock on both sides at one point. Some widening and other remedial work and a profile for the driveway will be needed to meet specifications. It was suggested to have the Fire Chief, and engineers from the town and the applicant meet at the site to determine the specifications for areas of concern to complete the job. Other issues discussed were water supply and where it would

come from for a fire. The driveway site plan will need to address these conditions and all would need to be complete prior to issuance of a Building Permit. Also addressed were comments issued by Visual consultant, George Janes. One was pertaining to color. The color must be stated, not “neutral” or “earth tone” Must say gray, or brown, or tan. Be specific on plan in “notes”. And be specific as to the minor septic field as to what & where. The tree removal process needs also to be noted. The statement provided by the engineer stating that the subdivision approval from the early 200’s has been verified and all items for approval have been or will be satisfied needs to be on his letterhead and certified and signed. Applicant requested a draft resolution after next submission for approval at late August Meeting, if ready.

Next on the agenda was the **Troutbeck-Wellness Center Public Hearing**. The applicant submitted a new revision (by a new engineer) Insite Engineering. John Watson spoke briefly about the project in its entirety and the revisions that were made. Dutchess County Dept of Planning referral has been filed and is a “matter of Local Concern”. The SEAF has been revised and resubmitted, (by the board and town engineer) at tonight’s meeting. A current NYSDEC Permit will satisfy the water and wastewater specifications on the premises for the project. All documentation has been filed. The calculations were submitted for the natural recharge and water consumption for this parcel and they are less than natural recharge. Parking information has been noted and shown on the plan set as required for the facility. Primarily, it is within walking distance for guests who are staying at the facility, but parking is being made available nearby at an existing gravel parking lot and a stone walkway will be provided for access to the building. A final DCDOH approval is needed before a C.O. and some small, unobtrusive signs will be needed for the location and for parking of the Wellness Center. The public was asked for comment, and Joerg Meili asked to see the map for its location and questioned whether it could be seen from Route 343. He was told that it would not be seen. The Board then approved the **Negative Declaration Under State Environmental Quality Review Act (“SEQRA”) for the Troutbeck Wellness Center**. The board voted accordingly as follows:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Robert Boyles, Chairman	X			
Peter Clair	X			
John Stefanopoulos	X			
Anthony Robustelli				X
Matthew Deister	X			
Erich McEnroe				X
Walter Brett				X

The Resolution for **Approving Special Use Permit and Site Plan for the Troutbeck Wellness Center** was approved also by the board's votes indicated below:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Robert Boyles, Chairman	X			
Peter Clair	X			
John Stefanopoulos	X			
Anthony Robustelli				X
Matthew Deister	X			
Erich McEnroe				X
Walter Brett				X

The next item on the agenda was the **IWF, LLC – Subdivision – Public Hearing**. Dennis Johnson, Tim Cole's attorney spoke briefly of the application stating that the application is solely for the subdivision of a one parcel piece of land into two parcels. The Board accepted a completed SEAF Part 2 & 3 SEAF – Subdivision for the IWF, LLC – Subdivision application from John Andrews. All Board members present; P. Clair, M. Deister, R. Boyles, and J. Stefanopoulos voted in roll call to accept this form as completed. Chairman will sign document.

Law requires a Negative Declaration before a Public Hearing. The Neg. Dec. primarily defines permissive segmentation which is what this subdivision is performing. The Board voted as follows on the Negative Declaration filed:  
**Adopting a Negative Declaration Under State Environmental Quality Review Act("SEQRA") for Minor Two-Lot Subdivision for IWF, LLC.** The board voted accordingly as follows:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Robert Boyles, Chairman	X			
Peter Clair	X			
John Stefanopoulos	X			
Anthony Robustelli				X
Matthew Deister	X			
Erich McEnroe				X
Walter Brett				X

The Chairman then opened the Public Hearing on the matter. Mr. Andrew Maggio spoke saying the following: " Andrew Maggio – The Subdivision is illegal. The segmentation is illegal. The proper Environmental Reviews are not being done. Its fraud for Mr. Cole's attorney to come in here and say that this subdivision has nothing to do with the Savarese application...it has everything to do with the

Savarese application. And if Mr. Cole wanted to sell this property – subdivide it, he should have done this subdivision 5, 6, 7 years ago, whenever he put this property on the market. The other thing – the answers to those questions are all wrong...they're all wrong because they're not looked at in light of the Savarese project, if you look at the Savarese project those are all yes' they're not no's and the fact that it's subdivided by 22 doesn't mean anything – yes it's a separate lot, but it's a separate lot for Savarese's operation and Savarese's operation has significant environmental impacts. I'll tell you where this ends Dave – in Supreme Court. I'm going to bring an Article 78. As soon as we get done with this dance at the Town level, we're going to court, We're going to sue the Town and sue everybody here. It's going to get very expensive, very embarrassing, very quickly. I can't believe this is going on! I can't believe it! You think this has nothing to do with Savarese? It's everything with Savarese.”

Chairman Boyles asks if there is any more Public Comment. Dennis Johnson, attorney for IWF, LLC takes exception to Mr. Maggio's comments and threats and states that all proper paperwork and necessary requirements have been submitted by law for the above subdivision and is seeking its approval by the Planning Board. The Public hearing is closed after no other Public Comment is heard.

The **Resolution Approving Minor Two-Lot Subdivision for IWF, LLC** was read and approved by Planning Board members as follows:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Robert Boyles, Chairman	X			
Peter Clair	X			
John Stefanopoulos	X			
Anthony Robustelli				X
Matthew Deister	X			
Erich McEnroe				X
Walter Brett				X

In other matters, Mr. Segelken drafted a memo to the Planning Board regarding another structure (Yurt w/deck) to be built at Maplebrook School. The question at hand was, since there is now a master plan, is site plan approval still necessary for all new construction? The answer is yes, all new structural construction still needs Planning Board Approval even after acceptance of a master plan and then the permit process may begin. J. Wesftall will contact Ken Hale for drafting of Site Plans for the Yurt.

The minutes of the June 26, 2019 meeting were approved after a motion was made by P. Clair and seconded by M. Deister.

The next meeting was scheduled for Wednesday, August 14, 2019.

The meeting was then adjourned at 8:00pm after a motion was made and seconded by P. Clair and J. Stefanopoulos and carried

Respectfully Submitted,



Judith Westfall

Planning Board Secretary

The foregoing minutes are taken from meeting of the Planning Board held on June 26, 2019 and are not to be construed as the official minutes until approved.

Approved as read

Approved with: additions, corrections and deletions