

Amenia Town Clerk

OCT 01 2019



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# TOWN OF AMENIA

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## TOWN OF AMENIA PLANNING BOARD

Resolution #19 for 2019

### Resolution Granting Minor Site Plan Approval to SL Keane Stud, LLC

**WHEREAS**, SL Keane Stud, LLC (the "Applicant") is the owner of 466.6 acres of land located at 216 Depot Hill Road in Amenia, New York (the "Property") which is situated in the Town's Rural Agriculture (RA) Zoning District and Resort Development Overlay (RDO) District; and

**WHEREAS**, pursuant to Section 121-37(E)(3) of the Town of Amenia Zoning Code (the "Zoning Code"), minor site plan review approval is required for agricultural structures with a footprint greater than 10,000 square feet; and

**WHEREAS**, in accordance with Section 121-67 of the Zoning Code, on or around September 3, 2019, the Applicant submitted an application to the Planning Board seeking site plan approval to allow for expansion of the existing horse barn ( $\pm 11,170$  SF), construction of a covered arena ( $\pm 20,880$  SF), pony barn and sand ring riding arena ( $\pm 4,400$  SF), which will be open to the public, and other ancillary improvements, including associated parking and utilities (the "Project"); and

**WHEREAS**, pursuant to the Zoning Code, riding facilities are a permitted use in the RA district with site plan approval from the Planning Board; and

**WHEREAS**, the documents submitted by the Applicant as part of its application consisted of, among other things, (1) a Land Use Application; (2) site plan prepared by VHB Engineering; (3) a Short Environmental Assessment Form; (4) an Agricultural Data Statement; (5) the requisite filing fee and escrow amount for the application; and (6) a variety of additional documentation (the "Application"); and

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

**WHEREAS**, the Project is a Type II action under the State Environmental Quality Review Act ("SEQRA") because it entails the construction, maintenance and repair of farm buildings and structures; and

**WHEREAS**, in accordance with Section 121-67(D) of the Zoning Code, the Planning Board determined that no public hearing was required for this minor project site plan; and

**WHEREAS**, the Planning Board has determined that the Project requested in the Application will comply with all Zoning district, overlay 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 the RA Zoning District and applicable overlay districts; and

**WHEREAS**, the Planning Board has determined that the Project requested in the Application 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 of Amenia Code including the Zoning Code; and

**NOW, THEREFORE, BE IT RESOLVED**, in accordance with Section 121-67 of the Zoning Code, the Planning Board hereby approves the following Site Plans for the Project titled:

<b>No.</b>	<b>Drawing Title</b>	<b>Latest Issue</b>
C1 01	Legend and General Notes	August 29, 2019
C2 00	Overall Existing Conditions Plan	August 29, 2019
C2 01	Existing Conditions Plan	August 29, 2019
C3 00	Overall Plan	August 29, 2019
C3 01	Layout Martials land Utility Plan	August 29, 2019
C4 01	Grading, Drainage and Erosion Control Plan	August 29, 2019
C5 01	Site Details 1	August 29, 2019
C5 02	Site Details 2	August 29, 2019

prepared by VHB Engineering, dated August 29, 2019 (the "Approved Site Plans") subject to the following conditions:

- (1) The Applicant shall pay all of the outstanding invoices for the Planning Board's consultants prior to the signing of the Approved Site Plans by the Planning Board Chairman and prior to the issuance of a building permit by the Building Inspector.
- (2) Prior to the issuance of a building permit for the Project, the Applicant shall address comments prepared and submitted by John Andrews via email dated September 25, 2019.
- (3) Prior to the issuance of a Certificate of Occupancy for the Project, the Applicant shall obtain and provide copies of the necessary permits/approvals from the Dutchess County Department of Behavioral and Community Health for the private water and septic systems.
- (4) At all times, the Applicant shall comply with the Approved Site Plans including, without limitation, all notes set forth on the plans.

**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 compliance with all applicable conditions; and

**BE IT FURTHER RESOLVED**, that in accordance with Section 121-68(E) of the Town's Zoning Code: (1) this site plan approval shall expire if the Applicant fails to commence construction, to obtain the necessary Building Permits, or fails to comply with the conditions of the site plan approval within 18 months of its issuance. The Planning Board may grant a one-time six-month extension; (2) this site plan approval may be revoked by the Planning Board if the Applicant violates the site plan approval or its conditions or engages in any construction or alteration not authorized by the site plan approval; (3) any violation of the site plan approval 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>
Robert Boyles Jr., Chairman	✓	_____	_____	_____	
Peter Clair	✓	_____	_____	_____	_____
John Stefanopoulos	_____	_____	_____	✓	
Anthony Robustelli	✓	_____	_____	_____	_____
Matt Deister	✓	_____	_____	_____	_____
Erich McEnroe	_____	_____	_____	✓	_____
Walter Brett	_____	_____	_____	✓	_____

Dated: September 25, 2019