



# TOWN OF AMENIA

4988 Route 22, AMENIA, NY 12501  
TEL: 845-373-8860, x106 FAX: 845-373-9147

## SITE PLAN & SPECIAL USE APPLICATION PROJECT DESCRIPTION

APPLICANT: Bittersweet Landscapes and Nurseries, LLC  
OWNER: Jamuel Bailey (Property owner) and Domenick Lopane  
PROPERTY ADDRESS: 3417 Route 343, Amenia, NY 12501  
GRID NUMBER(S): 132000-7167-00-435620-0000  
PROJECT NAME: Proposed Landscaping + Nursery Business

PROJECT SITE DESCRIPTION: Provide a description of the Project Site, include the existing conditions of the site, the natural resources and environmental features of the site (e.g., wetlands and watercourses, vernal pools, steep slopes, forest, wildlife habitat, prime and statewide important agricultural soils, active farmland, and scenic viewsheds), current use/development of property (e.g., structures, roads, fences), and known past uses of the site. A conservation analysis complying with section 121-20(A) of the Zoning Law may be substituted for this Project Site Description.

See Schedule A. Site currently used for retail sale of stone. Project will use front portion of the site. Much of the parcel contains wetlands, project will utilize non-wetlands area. There are pre-existing road/driveways and structures as shown on the map that has been provided.

PROJECT DESCRIPTION: Provide a description of the Project including: a general description of the nature of the Project; the type, number and approximate square footage of proposed buildings to be constructed; the approximate amount of land to be disturbed; the approximate length and/or surface area of proposed driveways, internal roads, and parking areas; the municipal, state and/or federal approvals and permits that will be required, and any waivers or variances that will be requested from the Town.

See Schedule A. No new structures or roads/driveways will be constructed. Current project at the site Stone Resources has prior site plan approval.

# Town of Amenia Planning Board

Town of Amenia  
4988 Route 22  
Amenia, NY 12501

(845) 373-8860 / (845) 373-9147 fax

## LAND USE APPLICATION

Type of Application: Check all that apply

Site Plan       Special Permit       Zoning Permit       Subdivision

**Grid Number(s):**

132000 - 7167-00 - 435620 - 0000

Bittersweet Landscapes + Nurseries, LLC

**Name of Project:** Nurseries, LLC

**Property Address:** 3417 Route 343  
Amenia, NY 12501

**Primary Contact Person:**

Lawrence Moore, Esp.

**Address:** PO Box 36, 3319 Route 343  
Amenia, NY 12501

**Telephone Number:** 445-416-8112

**Email:** L.Moore99@yahoo.com

**Name of Property Owner:**

Samuel Bailey

**Address:** PO Box 11  
Sharon, CT 06069

**Telephone Number:** (860) 309-7015

**Name of Applicant (if different):**

Bittersweet Landscapes + Nurseries LLC

**Address:** 700 McGhee Hill Rd  
Millerden, NY 12546

**Telephone Number:** (845) 518-0632

**Email:** Dlopore-jr@gmail.com

**Relationship of Applicant to Owner (e.g. contract vendee, option holder, lessee):**

Lessee

**Plans Prepared By:**

Name: Lyndon Chase

Address:

**Telephone Number:**

**E-mail:**

**Zoning District(s):** RA, RR, HM, HR, SR, HC, OC, M

**Overlay District(s) (if any):** Floodplain, Stream Corridor, Scenic Protection, Aquifer, Mixed-Use Institutional, Soil Mining, Historic Preservation, Mobile Home Park, Resort Development

**Current Use(s):** Retail Sale of Stone  
**Proposed Use(s):** Retail Sale of Plants/Landscaping Service

**Parcel Size:** 26.88 Acres

**Type of Activity:** New structure , Alteration of existing structure, Expansion of use or structure

Change of use in existing structure, Subdivision

**Total Square Footage of Structures:**

Current 0 Proposed 2000 sq. ft.

**Footprint of Structures:** 20x100

**Deed Reference:** Liber 22006

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Date 4/19/06

**Filed Map Reference:** Lot # Map #

Does the property contain a farm operation located within an agricultural district or is the property boundary within 500 feet of a farm operation located in an agricultural district:

0 yes  no

If yes, submit an Agricultural Date Statement.

Will the development be phased? Yes  No

If yes, how many phases? 2

Is there an existing Special Permit, Site Plan and/or Subdivision approval for the property? Yes  No

If yes, provide certified copies of those existing approvals with this application.



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## TOWN OF AMENIA PLANNING BOARD AUTHORIZATION OF AGENT

I, Samuel Bailey, am the owner of the property  
located at 3417 Route 343, Amenia, New York, identified as  
Grid Number 132000 - 7167 - 00 - 435620 - 0000

I hereby authorize Domenick Loyane and/or Lawrence Moore to act as my agent in an  
Application to the Town of Amenia Planning Board for Bittersweet Landscapes  
(Name of Project) and Nurseries, LLC

Print Name Samuel Bailey

Signature Sam Bailey

Date 3/22/13

# Town of Amenia Planning Board

Town of Amenia  
4988 Route 22  
Amenia, NY 12501

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*The undersigned hereby makes application in accordance with all applicable laws and other requirements of the Town of Amenia, Dutchess County, New York. All owners of record must sign.*

  
\_\_\_\_\_  
*Signature of Record Owner*

Date: 4/13/13

\_\_\_\_\_  
*Signature of Record Owner*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Applicant (if different)*

Date: \_\_\_\_\_

---

Date stamp of submission  
(Office Use Only)

TOWN OF AMENIA  
ESCROW FOR PROFESSIONAL SERVICES

Date:

4/13/13

Applicant:

Bittersweet Landscapes and Nurseries, LLC

Project Name:

Proposed Landscaping and Nursery Business

Location:

3417 Route 343, Amenia, NY 12501

Description of Project:

Proposed New Retail Nursery Business and Landscape Service Business

Amount Requested: \$

2500

Minimum Balance: \$

The Town of Amenia

Planning

Board is currently reviewing your application for

Site Plan Approval

. This Board is requesting that you place in escrow sufficient funds to be used to defray reasonable costs incurred by the Town for professional services and inspections required throughout the entire review process, as authorized by the Town Code of the Town of Amenia.

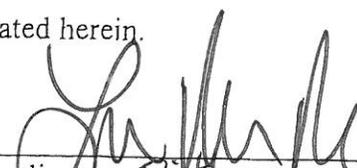
Based on estimated review costs, you are requested to deposit \$ 2500 in the escrow account. Should the balance of this account fall below \$ \_\_\_\_\_, you will be notified and requested to replenish the account to the requested amount.

This escrow account does not provide for the other development, application and filing fees set forth in the Town of Amenia Town Code and Schedule of Fees. The applicant must make timely, direct payment of those other fees as a prerequisite to continued review of the application.

All parties agree to the terms and conditions stated herein.

\_\_\_\_\_  
Town of Amenia \_\_\_\_\_ Board  
By:

Applicant:

  
Bittersweet Landscaps and Nurseries, LLC  
By: Lawrence Moore, Attorney  
Samuel Bailey and Domenick Lopane



# TOWN OF AMENIA

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## Agricultural Data Statement

1. Applicant Name

Bittersweet Landscapes and Nurseries, LLC

Address

700 McGhee Hill Rd  
Millerton, NY 12546

2. Application Type (check all that apply)

Subdivision

Site Plan

Special Use Permit

3. Does the application include land that contains a farm operation\* within an Agricultural District?

Yes

No

4. Does the application include lands within 500 feet of a farm operation\* within an Agricultural District?

Yes

No

5. If you answered yes to questions 3 or 4, provide the name and address of the owners of land containing the farm operation below and attach a tax or other map to this sheet with the farm operation indicated, along with the Section, Block, and Lot number for the farm operation parcel:

_____	_____
_____	_____
_____	_____
_____	_____

6. Provide a description of your project and attach a separate map showing the entire property that is included in your application.

See Description Attached Hereto

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* Farm operation means the land used in agricultural production, farm buildings, equipment and farm residential buildings.

**Appendix C**  
**State Environmental Quality Review**  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
 For UNLISTED ACTIONS Only

**PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR Bittersweet Landscapes and Nurseries LLC	2. PROJECT NAME Proposed Nursery and Landscape Business
3. PROJECT LOCATION: Municipality <u>Amenia</u> County <u>Dutchess</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 3417 Route 343 Amenia, NY 12501	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: New landscape service and retail nursery to be located on portion of Stone Resource retail stone sale business	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres    Ultimately <u>1</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Describe: <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals: site plan approval for retail stone sale business	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Domenick Lopane and Samuel Bailey</u> Date: <u>3/22/13</u> Signature: <u>Sam Bailey</u>	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**

**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4?  Yes  No If yes, coordinate the review process and use the FULL EAF.

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.  Yes  No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?  Yes  No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  Yes  No If Yes, explain briefly:

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)

## SCHEDULE A

Applicant proposes to operate a business for the retail sale of plants and nursery items on the premises. In addition, Applicant will operate a landscape business from the premises that will work in conjunction with the current business operated thereon. Samuel Bailey, one of the members of the applicant Bittersweet Landscapes and Nurseries, LLC, currently owns and operates a retail business for the sale of stone known as Stone Resource on the premises. Prior site plan approval was granted by the board to allow for that use.

Many of the customers of Stone Resource also require plants and landscaping services for their projects and Applicant plans to fulfill that need. The business will be run by experienced landscaper and nursery owner Domenick Lopane together with Mr. Bailey.

The portion of the premises intended to be used for the nursery and landscape operation is wholly within the Hamlet Mixed zoning district. The use is a combination of a retail business (the nursery) and service business (the landscape business). These uses are each allowed in the HM district as of right with site plan approval.

The proposed new use will be located on a portion of the premises located along Route 343 at the western side of the parcel. The area affected by the new use will be less than 10,000 sq. ft. and as such this should be considered a minor site plan. There will be no new driveways, roads, parking areas or structures added to the property.

The plants to be sold at the site will be sourced off site from Mr. Lopane's other Nursery business or will be purchased wholesale by the applicants

Previously, a Nursery was operated directly across Route 343 from this site for many years until approximately 2010 so the proposed use will not be out of character for the area based on its history.