

PUBLIC HEARING
AMENIA ELEMENTARY SCHOOL
April 28, 2007 - 9:00 AM

The meeting was called to order by Supervisor Reagon at 9:10 a.m.
Salute to the Flag was conducted.

Emergency Exits were pointed out by the Supervisor.

Roll Call:

Councilwoman Perotti	Present
Councilman Euvrard	Present
Councilwoman Doyle	Present
Councilman Russell	Present
Supervisor Reagon	Present

OPEN PUBLIC HEARING ON COMPREHENSIVE PLAN UPDATE AND NEW ZONING LAW

The Public Hearing was opened:

OPEN PUBLIC HEARING ON COMPREHENSIVE PLAN UPDATE AND NEW ZONING LAW

MOTION: C/Perotti
SECOND: C/Euvrard
ROLL CALL: C/Perotti - AYE C/Doyle - AYE
 C/Euvrard - AYE C/Russell - AYE
 S/Reagon - AYE
MOTION CARRIED 5 to 0.

Supervisor Reagon announced that there was another Public Hearing scheduled for Thursday May 24. Written (and oral) comments may be submitted at any time, but only those received by April 30 will be included in the next draft produced. Comments received after April 30 would be considered for future drafts.

PUBLIC HEARING COMMENTS

- Dave Garvin, Amenia:
 - o Comprehensive Plan has emphasis on Amenia town center but also the TOD (Transit Oriented Development) by train station. How can we do both? Pick a priority.
 - o Commercial zoning on Route 22: how can you not develop this? Where else can large business go?
 - o Dutchess County Planning did a plan. Can we have copies?
- Pat Nelligan, Amenia:
 - o Original Master Plan that CPIC was supposed to follow: 2003 Action Amendments had commercial development on the west side of Route 22.
 - o Zoning Law nomenclature came from the Dover Zoning Law. Joel Russell re-wrote the Dover Zoning Law with a few changes. The Dover Zoning Law should be entered into the public record.
 - o Wetlands control should not be left to DEC.
 - o Camping is regulated more than wetlands.
 - o Comprehensive Plan recommends an environmental enforcement officer. Zoning Law doesn't mention this.
 - o Resort Overlay zone - where did that come from? It was not in the Action Amendments. Silo Ridge development with 370 units plus a hotel will create their own 'community' and people will not need to come into the hamlet. This overlay undercuts the hamlets.

- Cheryl Morse, Amenia:
 - Master Plan should say simply what we want to be done with Taconic DDSO, close it or keep it open.
 - Zoning should reflect what we want; let developers follow the rules.
 - Do you want a Transit-Oriented Development, more smaller houses for younger people who are commuters? This is a tax negative for the Town. Mixed-use residential is better. High end communities would be good for Amenia.
 - 'Tax positive' development: be careful with this since courts are forcing towns to use this for all projects if they use it for some projects. Zoning should not be in the tax business.
 - Revise the Plan to allow clustering and density of residential units by percentage.
 - "Workforce housing" (section 121.42) cannot be achieved in a high end community. 10% goal is the highest I have ever seen and is not achievable by the developer.

- Michael Sirignano, attorney for Syms:
 - New Zoning map shows RR zone with 5-acre zoning. Syms agreed to provide a new water tower only if 108 Depot Hill Road (Jack's Parcel) was also included in the water district. Is this up-zoning fair to the Syms?
 - Joel Russell responded that the RR (Rural Residential) conventional subdivision called for 5-acre minimum lots. However, with clustering, greater density is allowed.

- Betty Rooney, Amenia:
 - New Zoning Law will uphold the vision for this Town. It was clear that the people want smart growth. [State Legislator] Pat Manning remarked that the people of Amenia still have what others have lost.
 - Affordable housing: I have taken the PACE University seminar and wonder if my granddaughter will be able to live in Amenia.
 - Affordable Housing provisions must be strong. Lack of sewer and water often hold up affordable housing.

- Charlotte Murphy, Amenia:
 - Public comments have been addressed and the Comprehensive Plan has been revised, especially in the area about the Taconic DDSO. We need to support this Plan to guide us into the future.

- Jerry Thompson, Amenia:
 - Comprehensive Plan has a vision to 2020.
 - Hamlet mixed-use and Hamlet residential: it is a good idea to use business in the hamlet zone to preserve the hamlet character and scale.
 - Section 121.12.1(I)1 (March 28 version) says that land contiguous to a particular zone may be rezoned by the Town Board. What is the purpose of this?
 - Joel Russell responded that drawing a zoning line is arbitrary. The new language opens the door to consider what might happen on the other side of the line.

- Andrew Durbridge, Amenia:
 - We need to put faith in the 4-year planning process and adopt this plan. "No plan" is not a solution.

- o Today's New York Times had an article on smart growth. It recommended that communities "guide growth and preserve natural beauty." "Areas will benefit by developing later than their neighbor." A beautiful area can be "crushed under new development."
- Donna Durbridge, Amenia:
 - o This Plan should be adopted so that Amenia will be what we want: a livable sustainable community.
- Sally Leafé, Wassaic, retired DDSO employee:
 - o There should be a public referendum and a positive declaration for SEQRA.
 - o EAF (Environmental Assessment Form) was not given to the town before the county.
 - o There should be more public hearings because the majority of the people do not want this Plan.
- Tom Werner, Amenia:
 - o CPIC has awakened the silent majority in this town.
- Stephen D. Bracey, Wassaic:
 - o Comprehensive Plan needs more work and more public hearings.
 - o I live near Taconic DDSO and I do not want shops there because it will attract criminals.
 - o Consider opinion of people who live here now, not recent residents or weekenders.
- Tara Osborne, Wassaic, DDSO employee:
 - o Damage has already been done by the 'closure' language that was in the Comprehensive Plan originally.
- Romia Kimball, Amenia:
 - o What is the reason to have Route 22 commercial development on just one side?
- Mary Beth Franks-Begor, Amenia, DDSO employee (3rd generation):
 - o Section 121-16-A of revised zoning (January 19 version) says "Former Wassaic Developmental Center". Joel Russell said this was an oversight and would be corrected.
 - o DDSO closure language was upsetting and DDSO employees support our community.
- Sue Gregory, Amenia:
 - o CPIC committee is a diverse group representing all of Amenia, and working for 4 ½ years. The Plan should be adopted.
- Glen Caldarelli, Amenia:
 - o The new zoning gives the developers carte blanche to do as they please.
 - o Taxes: every time a new person gets a tax abatement, the rest of the town taxpayers have to pick up the slack.
 - o The EAF has 21 serious omissions or errors in the first five pages. This did not get the hard look it deserved.
- Dwight Peiffer, Wappingers Falls, PEF union member:
 - o Pleased with the changes in the Comprehensive Plan and Zoning Law.

- Neila Cardus, Millbrook, PEF rep:
 - EAF: no problem with Joel Russell's work. Problem is that AKRF did not know how to read the census data. In 1990, DDSO had 1296 clients. In 2000, AKRF said 57 group residents when 395 clients can be found if you look.
 - There have been 8 versions of this plan. Much of the plan refers to DDSO closure, including 9 headings in one draft.
 - In March/April of 2006, the direction of CPIC changed, at the same time as CPIC received a letter from Allan Shope.
 - 2005 workshop at Silo Ridge said that there were violent inmates coming to DDSO. DDSO is not a high security facility; it is a developmental treatment facility.

- Steven Benardete, Amenia:
 - Supports CPIC and the entire Comprehensive Plan.
 - Most issues that came up today have already been agonized over. Compromise and consensus need to be used.
 - Taconic DDSO: Town of Amenia has shown overwhelming support for the Taconic DDSO clients, workers, families, etc. On page 4, a statement was removed that stated: "ensure that the site [DDSO] is not to be used for Department of Corrections." Why was this removed? Consider putting it back.

- Supervisor Reagon explained that in a meeting last Thursday, Albany authorities assured her that there is no plan to close DDSO nor to confine violent criminal there. Occasionally an individual there for treatment, may become violent. DDSO is also willing to work with Amenia to use the excess capacity in their sewage treatment plant for Town purposes. Supervisor Reagon then re-affirmed that the Town of Amenia values DDSO staff, clients, and service.

- Councilman Euvrard: In the 1990s, two studies were done and both agreed that the distance from DDSO site to Amenia was too long and too costly to make sharing the sewage treatment plant practical.

- Darlene Riemer, Amenia:
 - Comprehensive Plan is a conceptual plan that gradually came into focus.
 - The old zoning districts were too restrictive, so the new zoning law is more flexible. It is more concise and easier to read and understand.
 - We don't want Amenia to lose the image and vision of a town center. Millerton and Rhinebeck are good examples of towns that have an image.

- Mark Doyle, Amenia:
 - The Action Amendments to the Master Plan included a map with a yellow outline for "development overlay". There was no attempt to turn that into business goals.
 - The existing zoning calls for 1-acre lots up and down the valley. If that stays in place, we will have the disaster that people talk about.
 - The Comprehensive Plan balances smart growth with property owners' rights.
 - FreshTown landowners did not get special treatment in this Plan. In September 2005, they purchased the property that had been proposed for a Price Chopper. The existing plaza was zoned "highway commercial".

- o Pat Nelligan has asked that his property (Brick Yard Pond) be zoned to allow camping, tents, and parked RVs. Town Board should consider this request.
 - o Resort Development Overlay (RDO) zone requires 80% of the property to be set aside for open space and farm land. Current zoning law would result in 1-acre 'cookie cutter' development.
- Joel Russell explained that this new zoning law eliminates the unpredictability of performance zoning. Dover's zoning has served them well.
- Leo Blackman, Wassaic:
 - o This CPIC process has not been rushed.
 - o The Comprehensive Plan is incredibly smart and good for Amenia and the broader good of all.
 - o DDSO workers have hurt feelings about the original perceived closure language in the Plan. The union is now organizing against the plan and being used in an attempt to derail the process.
 - o Route 22 development: FreshTown plaza was a mistake and sapped energy from the center of town. Do not expand this mistake by allowing development on the west side of Route 22. Amenia is better than the endless sprawl of Fishkill.
- Tonia Shoumatoff, Amenia:
 - o 20 CACs (Conservation Advisory Councils) met in Shawangunk region and had heard about Amenia's Comprehensive Plan and zoning as state-of-the-art environmentally.
 - o What can be done to help the dysfunctional group dynamics that we now see in Amenia? Maybe we should offer a workshop in non-violent communication and conflict resolution.
 - o My community needs are not being met in Amenia; we need a town center.
- Bob Riemer, Amenia:
 - o West side of Route 22 has 50-60 acres available as ideal farmland or low density residential.
 - o Should there be commercial development on the West side of Route 22? Dutchess County Planning Department said no; NYS Supreme Court said no; an appeals court said no. [referring to Jack's Auto Body request for zoning change].
 - o If you want to see development along both sides of the highway, look at Pleasant Valley or Dover.
- Steve Perotti, Amenia:
 - o Read a letter from John T. Perotti of Lone Pine Farm about an 18-acres parcel on the west side of Route 22 north, currently zoned as 1-acre residential. Steve asked the Town Board to rezone this as highway commercial. An outlet road across their property would be allowed and current safety issues would be addressed.
- Lou Cesa, Amenia:
 - o A traffic circle on Cascade Mountain Road might help.
 - o Neighbors (on the west side of Route 22 north) have rights. Focus on developing the hamlet center.
 - o In favor of the current CPIC proposal of a Comprehensive Plan and zoning.

- Jean Washburn, Amenia, DDSO senior companion:
 - o DDSO people are helpful and wonderful and a joy to work with.
- Linda Gregory, Amenia, owner Jack's Auto Body:
 - o Overall the Comprehensive Plan is a good plan.
 - o We want the west side of Route 22 developed. Why can't the west side have the same future as the east?
 - o Jack's Auto Body proposes one building that will look like a barn.
 - o The balance [between commercial and residential zones] isn't quite there in this Plan.
 - o Make this Plan for all the community and look at the tax impact of no commercial zoning.

ADJOURN PUBLIC HEARING

There being no further public comment, it was moved to adjourn the Public Hearing at 11:55 a.m.:

MOTION: C/Perotti
 SECOND: C/Euvrard
 ROLL CALL: C/Perotti - AYE C/Doyle - AYE
 C/Euvrard - AYE C/Russell - AYE
 S/Reagon - AYE
 MOTION CARRIED 5 to 0.

Respectfully submitted,

Gail Hermosilla,
 Amenia Town Clerk

Approved by Town Board: 11/15/07
 Draft to Town Board: 11/8/07 (email), paper to C/Euvrard and Perotti

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 Gail home PC: C:\Gail\Town Clerk\ minutes\2007-04-28, PH Compr Plan, Zoning.doc, 11/8/07