

Town of Amenia
Comprehensive Plan Implementation Committee
September 7, 2005

Present: Harry Clark, Chairman, Mark Doyle, Rudy Eschbach, Bill Flood,
Dolores Holland, Darlene Riemer,
Joel Russell, George Fenn, Chairman, Planning Board.

Agenda: Review and discussion of Working Draft 2 of the Revised Zoning Law.

H. Clark mentioned that, following the review, the next big step will be the creation of maps. Following that, the Town Board will be informed that the Committee is prepared to hold public hearings. M Doyle added that Greenway, which is providing a grant for funding this project will pay the town once proof is offered that work has been done.

Pg. 5 121.3 B J. Russell said that an Open Space Plan, once it is completed, does not belong into this paragraph but should be referred to in the section on Open Space Development.

Pg 6 The underlined sections show where changes have been made - they will NOT be deleted.

121-3 G: The phrase containing the words " a manner that unreasonable restricts or regulates..." is taken almost verbatim from a state law which states that no town can do that. Meaning, that there can be no restrictions on farmers doing the things that farmers need to do and are used to doing. If a town imposes 'unreasonable conditions' on a farmer, he can appeal and the restrictions will, in most, if not all, cases be overruled by the state.

M Doyle said that it is important to be very clear on this point: as things stand now, a farmer seeking a building permit from the town for a barn on a farm property on exempt land, he is being told that he does not need one which is not correct.

Pg. 7 121.4B: A 2-page summary of "Greenway Connections" will be added to the document at a later date. However, J. Russell does not see the need for that, as long as readers are informed as to where they can find it.

121.5: B. Flood questioned the use of the word 'mandatory'. J. Russell explained that refers to sections in which architectural and other standards are clearly defined. If these standards are not mentioned, they are not mandatory.

Pg 12: In response to a question from H. Clark, J. Russell said that a glossary of terms would in some way be included on this page. H. Clark also noted that there should be a footnote, explaining the difference between Camp, Type 1 and Type 2.

The difference between a 'Bed and Breakfast' and a 'Lodging Facility' is scale - a B&B may not have more than 5 bedrooms and must be owner-occupied.

Pg 13 E: (unless the Town Board....) H. Clark would like that phrase to be more definitive. Change from "unless" to "except where the Town Board....)

13 F: If an operation is changed to one which generates more traffic, it needs to be re-evaluated in reference to the percentage of 'trip generation'. 10% might be changed to 20% where appropriate.

Pg 14 I: J Russell pointed out the changes in that section which allow greater flexibility.

H: J. Russell: In an area where larger structures are permitted, (i.e. office buildings, light industrial) large open space buffers ought to be provided. The Zoning Board will be the final authority for the distribution of space- the percentage may change to 50%/50%, etc.

Pg. 15: M Doyle questioned the height restrictions for agricultural buildings (barns, silos).

footnote 9: change 'E' to 'D'.

NOTE: Find out, whether the Fire Department is able to service 45' high buildings. Flag this section.

Comment from J. Russel: the dimensional table is set up the way it is to encourage clustering. Waste disposal of the future will be more efficient than they are now, each parcel may have a small self-contained unit and smaller lots will be possible and desirable.

Pg. 18 B: add Amenia Creek.

R. Eschbach said that the Overlay Regulations are difficult to imagine without maps and may even have to be changed once the maps are available.

Pg 19: SPO: J. Russell: this (new) section is designed to prevent

developments from falling through the cracks.

Pg 20 E1: B. Flood suggests the creation of some kind of sight plan for agricultural uses, if someone wants to put up a huge barn (20,000 to 30,000 sq ft). J. Russell agreed that there should be a limited site plan review process for buildings above a certain size.

G; D. Holland: is 'native' trees a definite criterium? J. Russell stated that they are preferred due to their better chance of survival in this climate.

H: J. Russell: these conditions apply mainly to structures which are visible from the road and may exclude a rear addition to a house which would not be visible. He will clarify that point.
The numbers referring to roof pitch can be adjusted depending on the location of the building. If the town wishes to preserve a traditional look, some guidelines should be provided.

Aquifer District: NOTE: suggest to the Town Board that Russell Urban-Mead be invited to instruct the Board and the Committee on the intricacies of this section.

Pg 27 121.16: J. Russell: the area is hard to plan because it has so many possibilities: Hamlet, commercial office or rural , possibly playing fields, public facilities - but it will not be suburban sprawl. Any reference to 'underlying district' is still not specific as the committee has not determined what exactly the underlying district will be. J. Russell said that the zon has to be mapped twice: once for the underlying district and once for the overlay.
John Clarke will make a study of the area and will make recommendations.

Pg 30 121.17.3: The wording gives the town options as to what future use of the land might be - it is not locked into the restriction of conservation.

D5: J. Russell: the State has tied the Town's hands: only sections 1 through 4 can be conditions - section 5 merely provides negotiating leverage to the town.

DEC does not have a say in this - the town has discretion - even with a DEC permit the mining operation can not proceed without the town permit. So far this has not been tested in the courts.

M. Doyle: the mapping of this area will be very precise and should take care of most of the criteria. R. Eschbach: does the presence of a processing plant change the criteria , is it included in the special permit and do we have provisions in place anywhere? J. Russell believes that such an operation would fall under 'manufacturing' and not be

included but he will study the matter further and see what can be done.

Pg 32 4: this section is meant to encourage agricultural use - it may require a cap on the size of agricultural buildings.

Pg 33: note the change from 'private road subdivision' to 'limited development subdivision'. This section is meant to be an incentive to landowners to limit density voluntarily in return for the privilege of having a private road.

Pg 34 A4: G Fenn questioned the use of the term 'endorse' - J. Russell said that it was a legal term used in a section about sketch plan reviews and is appropriate in this context.

Pg 40 B 3: If the town has to take over maintenance of a poorly maintained road, this paragraph ensures that the town will be reimbursed for any costs incurred.

J Russell suggested that the mapping process should begin right away and will bring samples to the next meeting on September 20th at 7:00 PM.

Submitted by Monique Montaigne
September 17, 2005