



# TOWN OF AMENIA

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## TOWN OF AMENIA ZONING BOARD OF APPEALS

Resolution # 2 for 2022

### PLANNING BOARD REFERRAL OF SILAND RECREATION FACILITY

### MAJOR PROJECT SPECIAL PERMIT APPLICATION

February 14, 2022

**WHEREAS**, the Town of Amenia Zoning Board of Appeals (“ZBA”) has received a referral from the Town of Amenia Planning Board (the “Planning Board”) in connection with an application from Siland Commercial Property LLC (“Applicant”) for Special Permit and Site Plan Review approval of a recreation business which includes a field and pool house, ice-house, warming hut, and tennis, pickle ball, and paddle tennis courts, supported by associated parking and utilities. (the “Project”); and

**WHEREAS**, the Project is proposed to be constructed on a 53± acre parcel owned by the Applicant consisting of Parcel # 32000-7066-00-910219 situated at 4391 NYS Route 22 in the Town of Amenia, Dutchess County, New York (the “Site”); and

**WHEREAS**, the Site is located in the Office/Commercial/Industry and Rural Agricultural zoning districts under the Town of Amenia’s Zoning Law (“Zoning Law”), where the Project is a permissible use on the Site subject to Special Permit and Site Plan Review approval by the Planning Board pursuant to Article IX of the Zoning Law; and

**WHEREAS**, the Applicant has submitted information to the Planning Board in support of the proposed Project including: (1) a land use application; (2) site development and construction plans; (3) a stormwater pollution prevention plan; and (4) a SEQRA Full Environmental Assessment Form (“FEAF”), Part 1 (collectively, the “Application”); and

**WHEREAS**, in November 2021, the Planning Board referred the Application to the Dutchess County Planning Department (“DCPD”) for a recommendation as required by NYS General Municipal Law § 239-m and the DCPD has responded that the Project is a matter of local concern only; and

**WHEREAS**, on December 8, 2021, the Planning Board established itself as the lead agency for conducting and coordinating the environmental review of the Project under SEQRA; and

**WHEREAS**, the Planning Board referred the Application to the Zoning Board of Appeals pursuant to §121-6(E)(4) seeking written comments from the ZBA; and

**WHEREAS**, the ZBA has reviewed and considered all of the information in the Application submitted in support of the Project, inclusive of the latest review memorandum prepared by Town Engineer John V. Andrews, Jr. P.E., dated as of January 26, 2022; and

**NOW, THEREFORE, BE IT RESOLVED**, that based on the Application made pursuant to Article IX of the Zoning Law and NYS Town Law §§ 274-a and 274-b, and the presentation and question and answer session conducted by the Applicant's representative at the February 14, 2022 ZBA meeting, the ZBA offers the following comments to the Planning Board for its consideration:


- The ZBA observed that the proposed development could be viewed as an expansion of the Silo Ridge project. The ZBA was concerned about other elements of the Silo operation creeping into this project site. The ZBA wanted it clearly established in the record that this was separate and distinct from the Silo project, under separate ownership and that in the event any changes in ownership, operational control or other elements were to occur they would be subject to appropriate land use approvals. Given the large size of the parcel and the fact that Siland owned other lands not included in this application, ZBA was concerned that this had the potential for future expansion.
- The ZBA underscores the importance of the development and implementation of a clear, concise operations plan that is incorporated in the Planning Board approval. Concerns of the ZBA involved hours of operation, largely with respect to the possible use of lighting for the recreation facilities. Like the Planning Board, the ZBA felt that the use of the facilities by Civic Organizations should be more fully developed, largely in part given its linkage with parking and use of the Route 22 access point. Certain representations were made during the discussion, no food service, no use of the outdoor courts after dusk should be incorporated into the final operational plan.
- The ZBA requests that the project's parking requirements be clearly and consistently identified in the Application materials as well as the Planning Board approval. Please also see the interconnection with the operational plan. The parking numbers were inconsistent on the plan set. The Board was unclear as to vehicular traffic versus golf cart traffic and how that tied into the parking plan.
- The Planning Board approval should be mindful of minimizing off-site visual impacts from the project, including project lighting. The ZBA had concerns related to what could be seen from Route 22 and potentially even the rail trail. They were unsure as to the impact of the domes over the courts on visibility. This was directly related to the issue of lighting which fostered the operational discussion related to hours of operation and court availability. The cross-sections were not available for the ZBA. The ZBA wanted to ensure that these cross sections were reviewed by the Planning Board and

that the existing and proposed screening properly minimized the visual aspects of the proposed facilities.

The foregoing resolution was voted upon with all members of the Zoning Board of Appeals voting and signing as follows:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
David Menegat, Acting Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terry Metcalfe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paula Pelosi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Wright	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tracy Salladay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: February 14, 2022  
Amenia, New York

  
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David Menegat, Acting Chairman  
Town of Amenia Zoning Board of Appeals