



TOWN OF AMENIA

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PLANNING BOARD MEETING WEDNESDAY, January 12, 2022 VIA ZOOM

PRESENT VIA ZOOM: Robert Boyles, Jr, Chairman
Tony Robustelli
Walter Brett
Matt Deister
John Stefanopoulos
Neal Kusnetz
Nina Peek

OTHERS PRESENT - John Andrews – Town PB Engineer
VIA ZOOM: Dave Everett – Town Planning Board Attorney
Rich Rennia – Engineer for Wassaic Firehouse
Patrick O’Leary- SILAND
Rich Rennia and Peter Sander– Engineers for Troutbeck
David Rosenberg – Wassaic Fire Co (Applicant)
Rich Howard, Aaron Howard, Jr, Aaron Howard, Sr.
Joshua Frankel
Mary Maillet
Stacy Mantel

The meeting was held VIA ZOOM with Chairman Rob Boyles and Secretary Judy Westfall at Town Hall in the Planning/Zoning Secretary’s Office. Chairman Boyles announced the Opening of the meeting at 7:04pm. The Pledge of Allegiance was recited and the exits were announced in case of emergency. Member Matt Deister announced that, since there was a large number of attendees on ZOOM, that the participants should keep their audio on mute so as to prevent feedback during the meeting.

**WASSAIC FIRE COMPANY – LOT LINE ADJUSTMENT & SITE PLAN
APPROVAL – 27 Firehouse Rd**

Chairman Boyles asked to be recused from this presentation and Public Hearing as he is a member of the fire company. He appointed Tony Robustelli deputy chairman for this portion of the meeting. The motion was made by M. Deister, seconded by, J. Stefanopoulos to open the Public Hearing. Deputy chairman Robustelli asked for any comments from the public. No public comments were submitted to the secretary prior to the meeting and there were no members of the public to speak on ZOOM either. Rich Rennie spoke briefly about the project. It involves both a subdivision and a site plan approval. The subdivision is happening from the neighbors Frankel and Biddle with adjoining property, (1.6 acres) to be gifted to the Wassaic Fire Co. This will allow the Fire Company to have more land to put a new facility. The proposed addition (garage) is to be 60' X 60'. It will allow space for 3 new engine bays to the west of the existing fire house. He then shared the site plan on the screen. Highlights included the new septic system (already DOH approved). He also showed what the additional donated acreage will do to the existing property to gain the extra space for the addition as well as the easement through the parking area. The easement to the owner's property is being left on the plan and will show on the new submission. The new parking will also be shown on the new submission. There will be an updated Lot line adjustment map showing both. Dave Everett says the Fire Department would like to finish the Lot Line Subdivision part of the application but keep the Site Plan application public hearing open for more updates and revisions. There are still issues with the septic system, etc. A proposed resolution has been drafted read aloud and a motion was made by T. Robustelli and seconded and carried by W. Brett to approve **Resolution #1 2022 to Approve a Minor Subdivision/Lot Line Adjustment for the Wassaic Fire Company**. The vote was as follows:

Robert Boyles, Jr. Chairperson	- Recused
John Stefanopoulos, Member	- Yes
Walter Brett	- Yes
Neal Kusnetz	- Yes
Matthew Deister	- Yes
Nina Peek	- Abstain
Anthony Robustelli	- Yes

John Andrews says no major issues, mostly technical. He defers to the board to have the Public Hearing remain open for the Site Plan Approval. The Lot Line/Subdivision of the application can be approved. Dave says the project is a Type II action and therefore no SEQRA is necessary.

A motion was made by T. Robustelli, seconded by M. Deister and carried with N. Peek and R. Boyles abstaining, to close the Lot Line/Subdivision part of the Public Hearing and keep the Site Plan application open until the next submission is made on January 26, 2022.

Rich then showed the plan for the proposed easements on the shared screen.

AMENIA FIRE COMPANY – REVISIT SITE PLAN – 36 Mechanic Street

Matt Deister asks for recusal from this portion of the meeting as he is a member of the Amenia Fire Co. Chairman Boyles asks John Andrews to speak about the new revisions and submission. Chairman Boyles asked John Andrews to speak about his comment memo date January 7, 2022. He spoke about the Front Yard Setback and that the board accepted it as 72.3 ft. The Planning Board is allowed to set that footage because it allows for maneuvering and parking in front of each bay without intruding upon the right of way. The Planning Board did declare its intent to be Lead Agency and circulation did occur. No acceptance or determination of significance has been made yet on this project. The SEAF has been revised for the requirements for a NYSDEC Permit. Rich Renna says the application for the NYSDEC Permit has been field. Still needed are:

- Flood Plain Development Permit
- Water Supply and wastewater disposal – have revised the EAF – saying that the water feed would be from the existing Firehouse but after speaking with the Water System Operator the plan is for a new tap and service into the proposed new building for heat and minor domestic use only; there are no restrooms in the proposed structure. A 2” pipe is proposed for water supply from public water system.
- Bog Turtle – Report was not found that is referenced in the revision submission

Rich says it is with the NYSDEC paperwork – J. Andrews couldn’t find it

- Parking – Board looked at the issue. Once the existing Firehouse is repurposed, parking in the front of that building will be for the responders will be available as well as a couple more in back by the pavilion. Board needs to know for future events such as pancake breakfasts, where the parking will be, perhaps using the neighbor’s property (Judge Manning). Notes will have to be put on the plans about when that happens.

The limits of disturbance – because of the turtles a “turtle barrier” is required

Storm water discharge will go underdrain to the wetland area by adding a silt/sand filter in front of the retaining wall.

A wetland permit plan 1-6 with the site plan...should be 1-7 for the wetland permit. All should be incorporated into the set.

- Need response back from NYSDEC on the wetlands issues, and Bog Turtle and other threatened and endangered species before moving forward.
- Also need input from SHPO

Rich Rennie says these last two comments are pending and any comments will be submitted when they get them

Dave Everett brings up the internally illuminated sign issue with the current Zoning Code and allowing such sign. Is it compliant? Asks Rennie to double check.

Board needed to designate itself Lead Agency. Motion was made by T. Robustelli seconded by N. Peek and carried with M. Desiter Recused, to declare Lead Agency for The Amenia Fire Co. – New Truck garage Project. A motion was made by T. Robustelli, seconded by W. Brett and carried to set a Public Hearing for The Amenia Fire Co. – New Truck Garage project on Wednesday, January 26, 2022 at 7pm.

SL KEANE STUD SUBDIVISION – SKETCH PLAN

Chairman Boyles asked Rich Rennie to go through the most recent changes to the plan. He made a brief description of the project. The project entails over 700 acres within that are 27 proposed lots/parcels to be created all greater than 10 acres with a few proposed flag lots as well. The existing equestrian parcel is proposed to remain as is. The current submission focuses on a presentation of the visual impacts put together by Peter Sander. Chairman Boyles invited John Andrews to discuss any concerns he has with the recent submission. John did not have a written comment memo. He did review the current submission but spoke about his two previous memos date 9-22-21 and 10-27-21. Response was made to both by Rennie's office with a huge submission. The submission is for a Conventional Subdivision. John says that the submission is premature because a Conservation Analysis is needed first. The findings have to be generated and it is in those findings that the project can or cannot move forward. From these findings, a Conservation Subdivision may be required per law. Some aspects of the current submission have been completed but others John is uncomfortable with. With the documentation that is submitted on the visual impact, John reaches a different conclusion than is captured in their submission. He suggests that Rich and Peter go over all of their ideas as to the visual impacts of the project to the board as it is their decision to make. Dave

reminds the board of the legal provisions: The Zoning Code says that an applicant for a conventional major subdivision in these zoning districts must submit to the board a Conservation Analysis (which has been done) and then the board, using written conservation findings, must determine that the proposed conventional subdivision will adversely affect the towns' rural landscape or natural resources, an application for a Conservation Subdivision may be required. They could also make some changes to the current proposed layout so that a determination of such can be made and that it will not have an adverse effect. The biggest issue is the impact on the SPO because it is a highly visible site. The other issues such as SEQRA cannot be looked at until this determination is made. Rich speaks to the 27 lot presentation as opposed to the true conservation subdivision with deed restrictions vs. the size that it could be with the acreage that it involves. It will not be all in a condensed area as far as visual concerns. He also says that each building envelope per lot will come back to the Planning Board as to what is actually put on each lot and where on the lot it will be (agriculturally, etc.). Peter describes the visual presentation. He spoke of the Route 44 Scenic Overlook which is the prime visual concern. The analysis included several conceptual drawings showing different scenarios. There are 3 major places that these lots will be seen from. The Overlook area, Old Route 22 and from Route 22. Existing vegetation breaks up the view from Old Route 22 and Route 22 as his drawings show. The largest view of the proposed subdivision will be from the Overlook area on Route 44. It is suggested that these lots, being larger than the comparable lots at Silo Ridge, will "get lost" in the topography and combined with earth tone colors they will be less visible as well. He also showed a hillside of agricultural buildings as an example. The entire hillside could be filled with barns, etc. without having to get Planning Board Approval because of the AG Exemption. In the case of this project, the Planning Board would have the final approval of ANY of the proposed subdivision sites. A subdivision does not have to be only residential. The project proposes both agricultural and residential. The Board would still have to know where the building envelopes were for the houses. Dave Everett and John Andrews have concerns about the process and making the building envelopes part of a later date decision. They recommend certain building envelopes now so that the board can see what they will be. John says that compared to Silo, they did provide a more thorough job to convey what the development would look like with the large number of homes that were proposed. They are not there yet on a full analysis. Dave suggests that they screen share the envelopes. John says "rural character" means different things to different people. The building envelopes shown on screen share suggests that the farm HOUSES are in the middle. That's where the Planning Board will need to be

making decisions. Dave again suggests a lot by lot analysis for SPO, steep slopes, wetlands, etc. to look at. Matt Deister would like to move this along by getting envelopes for Lots 7,8,9 for a concern for visual aspects from all around, mostly Route 44. Dave says the board could also do partial Conventional and partial Conservation Subdivision. John Stefanopoulos confirms that there is no commercial development either on this 700 acre development. Rich says it is in the RDO district (Resort Development Overlay). He says that ultimately, the Planning Board needs to go through a lot to lot basis to determine specific building envelopes for each. Walter Brett still is not convinced, after the presentation, that these lots with buildings are not going to be visible from the scenic overlook and route 22 or Old route 22. And it will take away yet another of the iconic views of this area, and there will be buildings, etc. This is farmland, and he wants to keep it open and as is. But he'll keep looking at the plans. To get to the next step, Dave Everett asks if the board would like any further information. Chairman Boyles says he needs to see more information. Rich will put together better building envelopes with color tones and better descriptions. Dave asks Rich to go lot by lot explaining why the building envelope etc. Neal asks for a worst case vs. a best case scenario for all 27 lots; something that would be more illustrative to the board. Dave asks if there is any plan to conserve any land within this 700 acre subdivision. Rich says yes there is existing tree lands shown on the maps that are to be conserved which would be owned by the HOA and with no development. These areas which are proposed to be conserved are a total of 109 acres. Dave asks Rich to show this better to the Board. John asks to define their version and intent for a building envelope. How many parcels are included in the proposal? Rich says it is 3 different owners which have been submitted through Renna, then they all sign the subdivision plat. Up until now, The declaration for Lead Agency has not been determined and cannot be until the layout of the lots etc. is determined by the board. Dave says the plans should be more precise before sending it out to other agencies. Rich will be back with what the Planning Board still needs to see after this discussion.

OTHER MATTERS: SILAND RECREATIONAL FACILITY – Update

Patrick O'Leary indicated that they have provided another update of plans prior to the Public Hearing on the 26th. The Hearing was re-noticed in the legal ads to show a Site Plan and Special Use Permit approval. Issues that came up at the last meeting included the Whalens speaking about noise from the Paddleball courts. A sound study has been conducted and the written study will be submitted. It was explained that normal operating conditions would show under the threshold necessary for

noise issues. They also identified the sounds that could be heard at the apartments owned by the Whalens at that location. SILAND has been working with the Whalens and are very close to a final agreement. The Whalens will be present at the Public Hearing on January 26th. Part of the agreement that has been worked on is an 8 foot tall wood or other material fence along the property line. They will also provide some additional deciduous trees on the Whalen's side for screening as well. Patrick will provide the exhibit for the meeting on the 26th. Dave Everett asks Patrick about his comments about the easement exhibit. Patrick says they will leave the overall plan for the easement and then extract an easement plan to adhere any other notes that apply can be incorporated into one. Comments came back from the Fire Department (Wassaic) regarding the new buildings and roads to get apparatus in and out. Per A letter, the plans, as revised, did meet all of their requirements and expectations and that will be part of the submission as well.

Walter questions why the Public doesn't get more access to the facilities, and why is just for civic groups and non-profits? Could it be open 1 day a week to the public? He feels that Amenia gets nothing in the form of any benefits from this project at all. Is there any talk about anything like this on a limited basis? Patrick says that there is no talk of making this a public facility and it would completely change the character of it; including traffic, etc. The facility will be leased in part to Silo Ridge residents and not open (except for non-profits for fundraising or blood drives, etc) to the public. Matt Deister spoke positively about the fact that applicant has worked well with the Whalens to make the changes necessary to help buffer the sound and lights, and is pleased that the project has moved this far along. They provided updated plans on Thursday, January 6th. These will provide John Andrews time to review them and issue another comment memo if needed at the Public Hearing on the 26th.

A motion was made by W. Brett, seconded by M. Deister, and carried to approve the minutes from the combined Planning/Zoning Board meeting on Wednesday, December 8, 2021. The next meeting is on January 26, 2022 at 7pm.

A motion was made by M. Deister, seconded by W. Brett and carried to adjourn the meeting at 10:00pm.

Respectfully submitted



Judith Westfall

Planning Board Secretary