



# TOWN OF AMENIA

---

PLANNING DEPARTMENT  
4988 Route 22, AMENIA, NY 12501  
(845) 373-8118, Ext. 122-124 Fax (845) 373-9147

**PLANNING BOARD MEETING  
WEDNESDAY, JULY 13, 2022  
7:00 P.M. – IN-PERSON  
AMENIA TOWN HALL 2<sup>ND</sup> FLOOR MEETING ROOM**

**REGULAR MEETING:**

- 1. SBA – RESOLUTION FOR 6 MONTH EXTENSION**
- 2. 4905 RTE. 22 – ROOF SOLAR PANELS -SITE PLAN**
- 3. SL KEANE STUD SUBDIVISION – BUILDING  
ENVELOPES AND VISUAL IMPACT STUDY**
- 4. AMENIA DRIVE-IN – ADDITIONAL AIRSTREAM  
CAMPER – SITE PLAN AMENDMENT**

**OTHER MATTERS: Minutes – June 22, 2022**



# TOWN OF AMENIA

4988 Route 22, AMENIA, NY 12501  
(845) 373-8118, Ext. 122-124 Fax (845) 789-1132

## PLANNING BOARD MEETING WEDNESDAY, JULY 13, 2022 IN-PERSON AT TOWN HALL 2<sup>ND</sup> FLOOR MEETING ROOM

**PRESENT:** Robert Boyles, Jr, Chairman

Tony Robustelli

Nina Peek

John Stefanopoulos

James Walsh

**ABSENT:** Matt Deister

Neal Kusnetz

**OTHERS PRESENT -** John Andrews – Planning Board Engineer

Paul Van Cott – Planning Board Attorney

Louis Johnson – Property Owner 4905 Rte 22

Peter Sander - Rennia Engineering

Rich Rennia - Rennia Engineering

Nathaniel – Empire Solar VIA Telephone

Victoria Perotti – Supervisor TOA

The meeting was held IN-PERSON at Town Hall. Chairman Robert Boyles, Jr. opened the meeting with all those present Reciting the Pledge of Allegiance at 7pm. The exits were announced in case of emergency.

Chairman Boyles opened the Regular Meeting. **The SBA / NEXTEL RESOLUTION FOR A 6 MONTH EXTENSION** was the first item on the agenda. Discussion included the following:

1. Generator and the 90 day clause to report back to both boards on the plan to get the generator for the property and have it installed, etc.
2. Who the carriers are and documentation for the files
3. Line of sight Analysis – DOT Permit
4. Landscaping

J. Walsh – question about line of sight for Emergency Vehicles. Answered: All is open and properly maintained.

P. VanCott then read the Now “Therefore Be It Resolved” clauses of the Resolution #9 **Granting 6-Month Extension to Satisfy Certain Conditions of Renewal of Site Plan Approval For SBA 2012 TC Assets, LLC**. A motion was made by R. Boyles, seconded by T. Robustelli and carried to approve the resolution voting as follows:

Robert Boyles, Jr., Chairman	Yes
John Stefanopoulos	Yes
James Walsh	Yes
Neal Kusnetz	Absent
Matthew Deister	Absent
Nina Peek	Yes
Anthony Robustelli	Yes

Item #2 on the Agenda was **The 4905 Route 22 (Johnson)Roof Mounted Solar Project**. Nathaniel from began the discussion about the presentation of the application. It is for a Roof Mounted Solar Energy System. Since the property is located in the Historical Protection Overlay District, a Site Plan Approval is needed from the Planning Board. The permitted structure must have a CO and be capable of the Solar Panels being mounted. The proposed area is approximately 507 Square Feet in size and considered a minor project and a Type II project under SEQRA which is not listed and not eligible to be listed on the National/State Historic Places and is not subject to environmental review. The documentation is insufficient for proper evaluation of the proposal.

1. Does the current residential structure meet current setbacks – this needs to be confirmed by Empire Solar and Property Owner with a current survey.
2. The Applicant/Owner must provide more photos showing that the solar panels will not be seen from the street from cars heading North on Route 22. The planning Board has to make a determination whether or not the historic character of the setting will be altered or enlarged in any way from adding these panels.
3. The roof panel Layout for proposed Array #1 is at variance with the roof line of the structure depicted on the photographs that accompanied the application. There is a change in roof slope and direction that is not accounted for; and

additionally there is no scale indicated for the layout. This documentation is needed to complete the application.

4. A true Site Plan is needed that shows the drawing of the property with boundary lines, setbacks etc. of the layout of the building and any accessory structures as well. (Owner Louis Johnson was present and says he did a recent survey which he can use for the Site Plan.

Jim Walsh asked if a variance is needed. The ZBA did not have to look at it first because the correct course of action was to send it to the Planning Board for approval. If the Planning Board found something out of the ordinary, then the project would be sent back to the Zoning Board. If Site Plan Approval is granted from the Planning Board then there will be no reason to go back to the ZBA for a variance. Nathaniel from Empire says that he could use a program to show superimposed modules on the roof as well as get the survey. John Andrews say that the Filed Map# at Dutchess County is 11417 dated 7-9-2002. This could be used as the basis for the "formal site plan" for their application.

Since the application has to be referred to Dutchess County for their determination, J. Westfall asked about the documentation to send to the County. She was told to wait for the newest submission which would have the formal site plan and other required documents. The referral from the County would be a Condition of Approval of the draft resolution.

The Planning Board has the authority to waive the Public Hearing in this case and with a motion made by J. Walsh, seconded by J. Stefanopoulos and carried has said it is not necessary to have a Public Hearing. A motion was also made by J. Stefanopoulos, seconded by J. Walsh and carried to authorize the drafting of a proposed resolution prior to the next meeting if all of the proper documentation has been supplied in the above minutes by the deadline for the next meeting.

Item #3 on the Agenda was the **Keane Stud Subdivision Application – Building Envelopes and Visual Impact Study**. Peter Sanders from Renna Engineering discusses the application and the proposals in the current submittal. He briefly updated people about the application. It is a 29 Lot Proposed Subdivision located on 713 Acres on Depot Hill. Of the 29 lots 4 are existing and 1 is the existing Equestrian Facility. The last time the Planning Board met on this project, the major discussion involved the visual impacts that it would have. A few minor adjustments to the Plan have been made since last seen. A relocation of a rural road, and a proposed roadway and a few lot line adjustments. And J. Andrews

said that the Lot numbers were changed so are not consistent with the original documentation and have to be updated. He then outlined the Visual Analysis that was submitted for review. This stems from the Conservation Analysis. As per code, key areas in the subdivision that could be preserved for whatever conservation purpose are identified. In the Visual Analysis, shown is the low density unit for development for this site and that it does conform with the intent of Amenia Zoning. #1. Shows the visual intent of the underlining zoning (which discusses the Comprehensive Plan and the Zoning Code in particular) #2 Exhibit for an existing viewshed conditions, #3 potential buildout scenarios, #4 proposed viewshed conditions (the prepared visual renderings for this meeting), and #5 proposed visual impact mitigation to implement. The Town of Amenia Zoning Code for Comprehensive Plan dictates the regulations for the development and Master Plan in the case of this application. The application complies with the goals and the code for The Town of Amenia. Included in those points for compliance are:

- To achieve a broad balance between rural, historic, agricultural beauty of the Town as it is in need for appropriate smart economic growth and development
- Preservation of Open Space
- Private Ownership will help preserve open areas
- Zoning Districts RR and RA minimum of 5 and 10 acre zoning are Low Density agrarian development areas (Many of the proposed subdivision lots are 2 and 3 times the minimum)
- There are 27 developable lots in the proposed subdivision development (in different ways) of an available 70 on the total acreage and what is allowed
- The SPO District of the proposed subdivision will control how the development looks
- This will make most of the Building Envelopes (Subdivision) have the necessity for Site Plan Review prior to their development in Planning Board approval i.e. how is site laid out, what is being constructed, etc.

Rural sighting principles were discussed and the guidelines in rural areas. So as to say that the development would be away from ridge lines, or along existing hedgerows, the preservation of agricultural roadways and a limitation of sight clearing. These will continue to preserve rural development and keep a rural sighting. From the Route 44 Scenic Overlook area, the vast majority of the proposed project can be seen. The AG field along Old Route 22 and the ridgeline are forested areas and will not be touched for anything but conservation

area. Nina had them go over the number of lots for proposed subdivision again. The confusion is in the existing Equestrian Center which is proposed as a lot line adjustment for that extra lot making the count in the proposal 25 NEW Lots. (with 27 of them developable) And the other 4 lots will be preserved for a total of 29 existing lots in the proposal. This will to close-out JUST the Conservation Analysis part of the project. Is there any definitions on what tools were used to perform the visual analysis. I.E., camera, DEC, height from the ground, etc? Peter says he'll get it from the Visual Consultants for our records. Paul VanCott lets the Board know that the Conservation Analysis is required because the applicant requested a Conventional Subdivision. Is the Board okay to continue reviewing materials submitted or is more needed? Or does the Board want to require them to submit more materials for the Conservation Analysis? Does the Board want to have applicant find lots for development that might be less visible? How should this project proceed? Peter then discussed the "No Subdivision Buildout" aspect. He says that some things can be constructed "as of right" under this. Some could be built to an agricultural extent without obtaining Planning Board Approval. (even within the SPO) per Amenia Zoning Code. Several conceptual drawings and examples were shown in the analysis and discussed with the Board. Depending upon the different scenarios and uses, the conceptual designs for each parcel were different, and which the AG lots are uncontrollable and the others are subject to Planning Board Approval. The applicant still has some work to do to bring the entire application together and show consistency in that the numbers of the lots are consistent with the documentation, etc. John Andrews suggests the Board spend their time review the Section 4 of the submitted documents; the proposed viewshed conditions of the subdivision. He states that maybe after looking at this, the Board may not be so overly concerned about the (negative) visual impact the subdivision may have.

The goal for this land is to have large agricultural lots NOT a housing subdivision. The previous Depot Hill proposed subdivision was briefly mentioned as a lot of pertinent documentation from 2007 can be used in this proposal. Peter then discusses Section 4 – Proposed Viewshed Conditions. It shows renderings that were developed by 2 separate visual companies to show the site with renderings. It shows renderings from 1 mi. high looking from the west of Old Route 22. In this the visual shows that most of the land is preserved for agricultural use. All residences shown in this section, all residences shown are 3,000.00 s.f. in size. It



also shows a mixture of structures for agricultural uses such as barns. Another visual that was supplied was a drone view showing additional renderings and building envelopes. And this shows the rural (AG) aspects as well. Peter then describes the rendering from the Route 44 Scenic Overlook. It shows the proposed barns, roadways, residences etc from the most scenic part of the valley. The visual analysis shows it blending in to the hillside with the other homes and agricultural structures in the area. He then shows another photo which shows how little the area is affected. Lastly, they included the addition of hedgerows and additional roadways in the proposed subdivision. They are really trying to minimize the visual impact on the proposed subdivision.

John says the Conservation Analysis is still being reviewed. There are still unfinished areas and he recommends authorizing findings and make a determination on conservation subdivision is appropriate or is a conventional subdivision necessary. There are technical issues that have to be addressed and corrected as part of the visual analysis. Once that is received and in the proper context it can be re-packaged with the documentation that it is consistent with. Typo in the word Realty saying Reality needs to change throughout the document as well. Once all the documentation is complete then a determination can be made. Victoria Perotti asked the applicant about the water supply noted in the presentation. She was told by the applicant that each individual lot will have a proposed well on their lot, and there will not be any additional water tower for the development. An existing water district is within the proximity of the development and should be considered first says V. Perotti. N. Peek then discusses 4b and new barns and new structures. The existing conditions on the submission doesn't appear to be current as to what is there. It is pointed out that neither Visual Company has a current aerial photo of the property to show actual buildings and measurements etc. of the property. The application documentation must show everything current. The 60% of the land being agricultural is not only pertinent to the SEQRA part of the application but to the Conservational subdivision as well. Documentation is needed to support this in the application. It would be necessary for the Board to see all documentation showing the Open Space vs. the AG space of the subdivision as well as the proposed building envelopes space. A new Site Plan that shows and includes ALL CURRENT buildings, hedgerows, driveways, roads etc. and lots with lot#'s overlaid on the area must be submitted.

Item #4 on the Agenda was the application for **Amenia Drive-In Additional Airstream Camper – Site Plan Amendment**. Member John Stefanopoulos was granted recusal from the Chairman from this discussion due to conflict of interest. John Andrews describes the application as relatively simple. The most recent application from the same applicant was for an Amended Site Plan for an Airstream Camper and Tent Sites. This application would add another Airstream Camper to the Site Plan. It is 76 sq. ft. with a 9.5' X 5' deck with new onsite wastewater disposal system which will serve both campers. The application says the previously approved tent sites will be eliminated in favor of the proposed new camper. This qualifies for a minor site plan because the proposals do not exceed the thresholds of the Town Code Section 121-60.C. The project is subject to Dutchess County Planning Department referral because of its closeness to a State Road (NYS Route 22/44). The project is considered a Type II action under SEQRA. And that is not subject to further environmental review. Email documentation from DC Health Department from the previous application indicate that the permit threshold is 5 or more campsites and they are adding one and eliminating 3 it remains below the threshold and no permit is required. Rich Renna says there is a mistake. Applicant wants 2 Camper sites and 2 Tent sites. John says an amended application is necessary. The onsite wastewater system must be approved by the DC Health Department for the 2 Campers. The plan shows no connection to the water supply or notation. Where is the water source? Future submittals shall address this issue and full details of the OWTS should be provided.

The Deck is not noted or shown on the drawings or Site Plan, nor does it indicate a concrete slab. The Plan should have notation stating the overnight accommodations are limited to one night and 2 sites only for this use only. Other notations need to be "cleaned up" on the Site Plan from prior submittals, i.e., "under construction" and handicap parking noted as "proposed". A limited disturbance of 31,396 Sq.Ft. is not reflected on the plan, and would seem to be much less than that with only 1 camper and OWTS connections. The Plan should also note the source and date of the survey used in its preparation. J. Westfall asks if this submission or a revised one should be sent to The Dutchess County Planning & Development Department for referral. Since this application needs revision, the Revised application and documents need to be attached for the referral. A motion was made by J. Walsh, seconded by T. Robustelli and carried to authorize J. Westfall to circulate the



revised application submittal when done and after John Andrews's review to Dutchess County Department of Planning & Development for referral.

In Other Matters, J. Walsh made a motion, seconded by T. Robustelli and carried to approve the planning Board Meeting minutes from the June 22, 2022 Meeting. A motion was made by J. Walsh, seconded by J. Walsh and carried to adjourn the meeting at 8:55pm.

Respectfully submitted

A handwritten signature in cursive script, reading "Judith Westfall".

Judith Westfall

Planning Board Secretary