



TOWN OF AMENIA

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TOWN OF AMENIA ZONING BOARD OF APPEALS

Resolution # 6 for 2022

Resolution Memorializing Determination to Grant An Area Variance Related to An Accessory Structure

November 21, 2022

WHEREAS, by Application dated October 3, 2022, Maplebrook School (the "Applicant") applied for an area variance to install a 2,400 sf pole barn (the "Project") on property located at 94 Old North Road, Tax Parcel ID: 132000-7168-00-383003 (the "Property"); and

WHEREAS, Town of Amenia Zoning Code Section 121 Attachment 2 limits nonresidential structures in the Suburban Residential (SR) Zoning District to 1,000 sf; and

WHEREAS, the Application provides that the proposed Project will enable the school district to store equipment incidental to property maintenance for the adjacent campus; and

WHEREAS, Pursuant to 6 NYCRR Part 617.5(c) (10), this action is a Type II action pursuant to the New York State Environmental Quality Review Act ("SEQRA"), and is thus not subject to review pursuant to SEQRA and its implementing regulations; and

WHEREAS, in accordance with Amenia Zoning Code Section 121-59 G, a public hearing was held on the Application on November 21, 2022, and the public was invited to comment on the Application at the hearing or submit comments prior to the hearing for consideration by the Board; and

WHEREAS, Pursuant to General Municipal Law § 239-m the matter was referred to Dutchess County Planning & Development, which issued a report dated November 18, 2022 stating that the Project was a matter of local concern; and

WHEREAS, at its November 21, 2022 meeting, the Board made the findings below, which are being memorialized by this Resolution.

NOW THEREFORE, BE IT RESOLVED, the Board finds that the granting of the requested area variance will not result in a detriment to the health, safety, or welfare of the neighborhood or community. In so finding, the Board notes that granting of the variance will not create an undesirable change in the character of the neighborhood, nor will there be a detriment to nearby properties; that the variance is substantial; that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood; and that

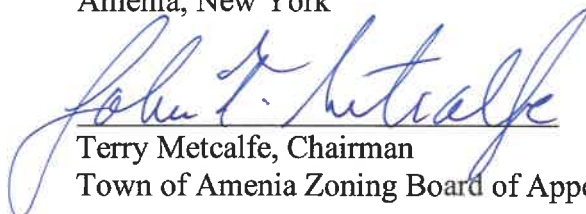
the difficulty is self-created, by virtue of the existing location of the school. The Board finds that on balance, the Applicant's request for area variances shall be granted; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be filed in the office of the Town of Amenia Town Clerk within five (5) days of the date of this Resolution and shall be mailed to the Applicant within the same five (5) day period.

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>	<u>Signature</u>
Terry Metcalfe, Chairman	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
David Menegat	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Paula Pelosi	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Jim Wright	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Tracy Salladay	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Dated: November 21, 2022
Amenia, New York


Terry Metcalfe, Chairman
Town of Amenia Zoning Board of Appeals