



# TOWN OF AMENIA

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## TOWN OF AMENIA PLANNING BOARD

Resolution # 7 for 2023

### RESOLUTION GRANTING SITE PLAN APPROVAL FOR PHASE 1 OF TROUTBECK ADAPTIVE REUSE PLAN

July 12, 2023

**WHEREAS**, pursuant to Town of Amenia Zoning Law (“Zoning Law”) §§ 121-14.2(I) and 121-65 and NYS Town Law § 274-a, Troutbeck Holdings, LLP (the “Applicant”) has applied to the Town of Amenia Planning Board (“Planning Board”) for Site Plan approval of the first phase (“Phase 1”) of an approved adaptive reuse plan (the “Troutbeck Adaptive Reuse Plan”) for the preservation of the historic character and the reuse and expansion of the use of buildings and property located at 515 Leedsville Road in the Town of Amenia, Dutchess County, New York (Tax Parcel # 132000-7267-00-227675) (the “Project Site”); and

**WHEREAS**, the Project Site is located in the Zoning Law’s Rural Residential Zoning District and Historic Preservation Overlay (“HPO”) District and also includes lands in the following overlay districts: Floodplain Overlay District; Stream Corridor Overlay (“SCO”) District; and Scenic Protection Overlay (“SPO”) District. Pursuant to the Zoning Law’s regulations for the adaptive reuse of historic properties in the HPO District set forth in Zoning Law § 121-14.2(I), on June 28, 2023 a Special Permit was issued by the Planning Board for the Troutbeck Adaptive Reuse Plan (the “Special Permit”). Under the regulations for the adaptive reuse of historic properties set forth in Zoning Law § 121-14.2(I), the underlying density and dimensional standards for the RR Zoning District provided Zoning Law § 121-11 and the parking and loading requirements in Zoning Law § 121-38 are superseded by the issuance of the Special Permit, which establishes the allowed uses and the density and dimensional requirements for the Troutbeck Adaptive Reuse Plan except for those set forth in Zoning Law § 121-14.2(I)(6)-(8). Pursuant to Zoning Law § 121-14(I)(4), Site Plan approval is required for Phase 1, the first of eight phases of the Troutbeck Adaptive Reuse Plan, based on the issuance of the Special Permit for the Troutbeck Adaptive Reuse Plan by the Planning Board; and

**WHEREAS**, Site Plan approval is also required for a proposed structure included in Phase 1 that exceeds 500 SF feet, namely the Gatehouse (766± in size), because of its location in the SPO District pursuant to Zoning Law § 121-14.1(D)(1); and

**WHEREAS**, pursuant to Zoning Law § 121-14(D), the Planning Board may allow, as part its Site Plan review of Phase 1, a proposed accessory deck within 50 feet of Webatuck Creek in the SCO District because it is less than 200 SF in size; and

**WHEREAS**, since Phase 1 is proposed in connection with the Special Permit, a major project, it is subject to the Site Plan review requirements for a major project pursuant to Zoning Law § 121-60(B); and

**WHEREAS**, the Applicant has submitted information to the Planning Board in support of Phase 1 of the Troutbeck Adaptive Reuse Plan including: (1) a land use application; (2) the “Troutbeck Adaptive Reuse Plan and Phase 1 Site Plan SEQR Documentation” prepared by Rennia Engineering Design, PLLC, dated August 29, 2022, last revised April 10, 2023; (3) the “Troutbeck Adaptive Reuse Plan Set” prepared by Rennia Engineering Design, PLLC, dated December 1, 2021, last revised June 22, 2023; (4) the “Troutbeck Phase 1 Site Plan” prepared by Rennia Engineering Design, PLLC, dated August 29, 2022, last revised June 26, 2023; 5) the “Troutbeck Inn Adaptive Reuse Plan, Historic Preservation & Conservation Analysis,” prepared by Rennia Engineering Design, PLLC, last revised February 8, 2022; (6) a letter dated July 11, 2023 from Troutbeck Holdings, LP; and (7) related documents (collectively, the “Application”); and

**WHEREAS**, Phase 1 of the Troutbeck Adaptive Reuse Plan, as shown on the Troutbeck Phase 1 Site Plan, includes the following proposed development as part of Phase 1:

- A single-story, 766± SF gatehouse and associated driveway and parking improvements. The proposed Gatehouse will be located in the SPO District;
- Four (4) single-story cabins to serve as Lodging Facilities, consisting of two 698± SF, one-bedroom cabins and two 1094± SF, two-bedroom cabins with associated driveway, parking and pedestrian path improvements;
- Conversion of an existing garage w/ apartment into a bakery w/ apartment for use as a Lodging Facility amenity and staff housing, including a 105± SF addition and a less than 200± SF deck overlooking Webatuck Creek. The proposed deck will be located in the SCO District within 50 feet of Webatuck Creek;
- A 1,800± SF platform tennis court and 350± SF warming hut adjacent to the existing tennis courts as Lodging Facility amenities; and
- All associated septic, water, and electric services utilities, stormwater management improvements, pedestrian connections, and all associated landscaping/lighting features; and

**WHEREAS**, Phase 1 of the Troutbeck Adaptive Reuse Plan includes uses that are allowed based on the uses established by the Special Permit and complies with the bulk and dimensional standards provided in Zoning Law §§ 121-14.2(I)(6)-(8) and other bulk and dimensional standards shown on the “Troutbeck Adaptive Reuse, Overall Master Plan” (Sheet 2 of 6) prepared by Rennia Engineering Design, PLLC, dated September 15, 2021 and last revised on June 22, 2023 and the “Troutbeck Adaptive Reuse, Vehicle Circulation/Parking Improvement Plan” (Sheet 6 of 6) prepared by Rennia Engineering Design, PLLC, dated October 10, 2022 and last revised on February 3, 2023; and

**WHEREAS**, on February 9, 2022, the Planning Board adopted findings (“Conservation Findings”) based on the Historic Preservation & Conservation Analysis identifying over 50% of

the lands on the Project Site having the most conservation value and that should be permanently protected from development by conservation easement; specifically:

- An open water pond;
- Wetlands and wetland buffers;
- Stream corridors, including lands within the SCO District along Webatuck Creek;
- Existing vegetative buffers along the property perimeter, together with any scenic areas highly visible to the public or from offsite, including, but not limited to land in the SPO District, and other lands on the Site which exhibit attractive rural and historic qualities;
- Existing agricultural land and prime agricultural soils;
- Steep slope areas; and
- Forested areas, including numerous mature tree species and specimen trees; and

**WHEREAS**, as required by Zoning Law § 121-14.2(I)(5), the Application also includes a draft conservation easement for the preservation of 54.2% “of the total land area of the parcel...by a conservation and/or a historic preservation easement based on the conservation and historic preservation analyses.” The lands included in the easement were identified by the Planning Board in the Conservation Findings made pursuant to Zoning Law § 121-20 based on the Applicant’s Historic Preservation & Conservation Analysis; and

**WHEREAS**, on November 9, 2022 the Planning Board held a duly-noticed public hearing on the Application as required by the Zoning Law and Town Law. Due to the significant public interest in the Application, the Planning Board continued the public hearing twice, to December 14, 2022 and then to February 8, 2023. Even after closing the public hearing, the Planning Board formally allowed additional time for written public comment and has continued to receive public comment on the Application for inclusion in the record since the hearing was closed; and

**WHEREAS**, the Planning Board referred the Application to the Dutchess County Planning Department (“DCPD”) in April 2023 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 and provided no additional comments for the Planning Board’s consideration; and

**WHEREAS**, as reflected in findings attached to this approval, the Planning Board has reviewed and considered all of the information in the Application submitted in support of Phase 1, as well as all of the extensive input received from other agencies and the public, including with respect to Phase 1.

**WHEREAS**, the State Environmental Quality Review Act and its implementing regulations in 6 NYCRR Part 617 (collectively, “SEQRA”) require the Planning Board to evaluate the potential environmental impacts of the Project prior to taking any action on the Application; and

**WHEREAS**, the Planning Board determined that the Project is a Type 1 action pursuant to SEQRA and stated its intention to serve as the lead agency for purposes of conducting and

coordinating the environmental review of the Project on behalf of all involved and interested agencies as required by 6 NYCRR § 617.6 of the SEQRA regulations; and

**WHEREAS**, no involved or interested agencies objected to the Planning Board serving as the SEQRA lead agency for the Project; and

**WHEREAS**, on November 10, 2021, the Planning Board established itself as the lead agency for conducting and coordinating the environmental review of the Project under SEQRA; and

**WHEREAS**, on July 128, 2023, the Planning Board completed its comprehensive, coordinated review of the Project's potential environmental impacts under SEQRA and adopted a Negative Declaration concluding that the Project will not have any significant adverse impacts on the environment. This Negative Declaration includes consideration of all of the information provided by the Applicant, including information that has been provided by the Applicant in response to public comments during and after the public hearing on the Project, as well as comments received from the public and other agencies during the course of the Planning Board's review of the Project; and

**WHEREAS**, pursuant to the Zoning Law, the Planning Board has reviewed Phase 1 for compliance with the standards for Site Plan approval provided by Zoning Law § 120-65(D) and, with respect to Gatehouse, with the standards for Site Plan approval for construction of a structure over 500 SF in the SPO District provided by Zoning Law § 120-14.1(F)-(J) and makes and adopts the specific findings for Site Plan approval set forth in the attached "Site Plan Approval Findings," concluding that Phase 1 and the Gatehouse comply with those standards as applicable; 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, the Planning Board hereby grants Site Plan approval for Phase 1 ("Phase 1 Approval") and approves the following site plans/reports/documents for Phase 1 (the "Approved Site Plans"):

1. Title Sheet prepared by Rennia Engineering Design, PLLC, dated 8/29/2022, last revised 6/26/2023;
2. Existing Conditions/Demo Plan prepared by Rennia Engineering Design, PLLC, dated 8/29/2022, last revised 6/26/2023;
3. Phase 1 Site Plan prepared by Rennia Engineering Design, PLLC, dated 8/29/2022, last revised 6/26/2023;
4. Phase 1 Proposed Grading/Utilities Plan prepared by Rennia Engineering Design, PLLC, dated 8/29/2022, last revised 6/26/2023;
5. Phase 1 Proposed Stormwater Management Plan prepared by Rennia Engineering Design, PLLC, dated 8/29/2022, last revised 6/26/2023;
6. Phase 1 Erosion & Sediment Control Plan prepared by Rennia Engineering Design, PLLC, dated 8/29/2022, last revised 6/26/2023;
7. Phase 1 Threatened & Endangered Species Impact Avoidance Plan prepared by Rennia Engineering Design, PLLC, dated 8/29/2022, last revised 6/26/2023;
8. Phase 1 Lighting Plan prepared by Rennia Engineering Design, PLLC, dated 8/29/2022, last revised 6/26/2023;

9. Phase 1 General Construction Details-1 prepared by Rennia Engineering Design, PLLC, dated 12/28/2022;
10. Phase 1 General Construction Details-2 prepared by Rennia Engineering Design, PLLC, dated 12/28/2022;
11. Phase 1 Stormwater Management Details prepared by Rennia Engineering Design, PLLC, dated 12/28/2022, last revised 6/26/2023;
12. Phase 1 Erosion & Sediment Control Details prepared by Rennia Engineering Design, PLLC, dated 12/28/2022;
13. Phase 1 Planting Schedule prepared by Reed-Hilderbrand, dated January 31, 2023 last revised 2/14/2023;
14. Phase 1 Gatehouse Tree Planting Plan prepared by Reed-Hilderbrand, dated January 31, 2023 last revised 2/14/2023;
15. Phase 1 Gatehouse Shrub Planting Plan prepared by Reed-Hilderbrand, dated January 31, 2023 last revised 2/14/2023;
16. Phase 1 Gatehouse Groundcover Planting Plan prepared by Reed-Hilderbrand, dated January 31, 2023 last revised 2/14/2023;
17. Phase 1 Cabin Tree Planting Plan prepared by Reed-Hilderbrand, dated January 31, 2023 last revised 2/14/2023;
18. Phase 1 Cabin Shrub Planting Plan prepared by Reed-Hilderbrand, dated January 31, 2023 last revised 2/14/2023; and
19. Phase 1 Cabin Groundcover Planting Plan prepared by Reed-Hilderbrand, dated January 31, 2023 last revised 2/14/2023;

**BE IT FURTHER RESOLVED**, that the Planning Board Chairman is authorized to sign the Approved Site Plans, certifying them as the Final Approved Site Plans, upon receipt of the following items:

1. Confirmation that any outstanding comments from the Planning Board's Engineer have been satisfactorily addressed, including providing an updated set of site plans based on those comments; and
2. Confirmation that the Planning Board's Engineer has reviewed and accepted the technical details of the Project's SWPPP and proof of coverage of Phase 1 under the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002); and
3. Proof of approval from the Dutchess County Department of Behavioral and Community Health ("DCBCH") for the water supply and onsite wastewater treatment system serving the Phase 1 facilities; and
4. Drafts of the proposed conservation easement and the historic easement/declaration consistent with the Planning Board's Conservation Findings and the Special Permit (including legal descriptions) determined to be acceptable to the Planning Board's Chairman and Attorney; and

5. Confirmation of payment to the Town of any and all outstanding escrow or other fees related to the Application; and

**BE IT FURTHER RESOLVED**, that no building permit shall be issued for Phase 1 until the Planning Board has received the following:

1. Proof of recording with the Dutchess County Clerk of a conservation easement and historic easement/declaration consistent with the Conservation Findings that has been determined to be acceptable by the Planning Board's Chairman and Attorney; and
2. Payment of any and all outstanding escrow or other fees related to the Application; and

**BE IT FURTHER RESOLVED**, that no Certificate of Occupancy shall be issued for elements of Phase 1 until the Planning Board has received the following:

1. Confirmation from the Planning Board Engineer that the approved acoustical reduction barriers on the existing tennis courts and the platform tennis court have been installed; and
2. Confirmation from the Planning Board Engineer that proposed landscaping for Phase 1 and any other landscaping for approved by the Special Permit scheduled to be planted has been installed in accordance with approved landscaping plans; and
3. Proof of any DCBCH permit to operate the water supply and onsite wastewater treatment systems to service Phase 1; and
4. Proof of coverage under P/C/I SPDES General Permit GP-0-15-001 or issuance of an individual SPDES Permit whichever the NYSDEC deems appropriate for the onsite wastewater treatment facilities serving Phase 1.
5. Confirmation by the Planning Board Engineer that all improvements shown on the Final Approved Site Plans with respect to Phase 1 have been fully installed or completed. To obtain such confirmation, the Applicant shall file with the Code Enforcement Officer a complete set of certified as built plans and the written certification of a NYS licensed engineer that the improvements have been installed or otherwise completed in conformance with the Final Approved Site Plans with any deviations noted and explained. The as built plan and certification will serve as the basis for a determination by the Planning Board's Engineer that the Project has been constructed in accordance with the Final Approved Site Plans, as may be amended.

**BE IT FURTHER RESOLVED**, that all landscaping that is planted pursuant to the Phase 1 Approval and/or the Special Permit shall be maintained until it is successfully established and any dead or dying landscaping shall be replaced in-kind no later than the following planting season and similarly maintained; and

**BE IT FURTHER RESOLVED**, that in accordance with Zoning Law § 121-68(E): (1) this Phase 1 Approval shall expire if the Applicant fails to commence construction, to obtain the necessary building permits, or fails to comply with the conditions of this Phase 1 Approval within 18 months of its issuance. The Planning Board may grant a one-time six-month extension; (2) this Phase 1 Site Plan Approval may be revoked by the Planning Board if the Applicant violates the Phase 1 Approval or its conditions or engages in any construction or alteration not authorized by the Phase 1 Approval; (3) any violation of the Phase 1 Approval or its conditions shall be deemed a violation of the Zoning Law and shall be subject to enforcement action; 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 also be mailed to the Applicant within the same five (5) day period; and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately.

Motion by: *Tony Robustelli*  
 Second by: *Matthew Deister*

The foregoing resolution was voted upon with all members of the Planning Board voting as follows:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Robert Boyles, Jr., Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Stefanopoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
James Walsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neal Kusnetz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Matthew Deister	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nina Peek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Robustelli	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: July 12, 2023  
 Amenia, New York

VOTE IS CERTIFIED BY:

*Judy Westfall*  
 Judy Westfall, Planning Board Clerk

THE RESOLUTION IS HEREBY APPROVED AND ORDERED TO THE RECORD BY:

  
\_\_\_\_\_  
Robert Boyles, Jr., Chair

  
\_\_\_\_\_  
Date



## TOWN OF AMENIA PLANNING BOARD

### SITE PLAN APPROVAL FINDINGS FOR PHASE 1 OF THE TROUTBECK ADAPTIVE REUSE PLAN

July 12, 2023

- Project:** Phase 1 of the Troutbeck Adaptive Reuse Plan (“Phase 1”) approved by Special Permit issued by the Planning Board on June 28, 2023 (the “Special Permit”). Phase 1 consists of:
- A single-story, 766± SF gatehouse and associated driveway and parking improvements. The proposed Gatehouse will be located in the SPO District;
  - Four (4) single-story cabins (“Creekside Cabins”) to serve as Lodging Facilities, consisting of two 698± SF, one-bedroom cabins and two 1094± SF, two-bedroom cabins with associated driveway, parking and pedestrian path improvements;
  - Conversion of an existing garage w/ apartment into a bakery w/ apartment for use as a Lodging Facility amenity and staff housing (the “Bakery”), including a 105± SF addition and a less than 200± deck overlooking Webatuck Creek separated from the Bakery by an at-grade cobblestone patio.
  - 1,800± SF platform tennis court and 350± SF warming hut (“Warming Hut”) adjacent to the existing tennis courts as Lodging Facility amenities; and
  - All associated septic, water, and electric services utilities, stormwater management improvements, pedestrian connections, and all associated landscaping/lighting features; and
- Project Site:** A 43.5± acre parcel owned by the Applicant located at 515 Leedsville Road in the Town of Amenia, Dutchess County, New York (Tax Parcel # 132000-7267-00-227675)).
- Applicant:** Troutbeck Holdings, LLP
- Application:** (1) Land use application; (2) the “Troutbeck Adaptive Reuse Plan and Phase 1 Site Plan SEQR Documentation” prepared by Rennia Engineering Design, PLLC, dated August 29, 2022, last revised April 10, 2023; (3) the “Troutbeck Adaptive Reuse Plan Set” prepared by Rennia Engineering Design, PLLC, dated December 1, 2021, last revised June 22, 2023; (4) the “Troutbeck Phase 1 Site Plan” prepared by Rennia Engineering Design, PLLC, dated August 29, 2022, last revised June 26, 2023; (5) the “Troutbeck Inn Adaptive Reuse Plan, Historic Preservation & Conservation Analysis,” prepared by Rennia Engineering Design, PLLC, last revised February 8, 2022; (6) a letter dated July 11, 2023 from

Troutbeck Holdings, LP; and (7) related documents (collectively, the “Application”).

**Jurisdiction:** The Project Site is entirely located in the Zoning Law’s Rural Residential (“RR”) Zoning District and Historic Preservation Overlay (“HPO”) District and also includes lands in the following overlay districts: Floodplain Overlay (“FPO”) District; Stream Corridor Overlay (“SCO”) District; Scenic Protection Overlay (“SPO”) District and Aquifer Overlay District. Under the regulations for the adaptive reuse of historic properties set forth in Zoning Law § 121-14.2(I), the underlying density and dimensional standards for the RR Zoning District provided Zoning Law § 121-11 and the parking and loading requirements in Zoning Law § 121-38 are superseded by the issuance of the Special Permit, which establishes the allowed uses and the density and dimensional requirements for the Troutbeck Adaptive Reuse Plan except for those set forth in Zoning Law § 121-14.2(I)(6)-(8). Pursuant to Zoning Law § 121-14(I)(4), Site Plan approval is required for Phase 1 based on the issuance of the Special Permit for the Troutbeck Adaptive Reuse Plan. In addition, Site Plan approval is required for the Phase 1 construction of the Gatehouse in the SPO District because of the size the structure.

**THE PLANNING BOARD HEREBY FINDS THAT PHASE 1 OF THE TROUTBECK ADAPTIVE REUSE PLAN COMPLIES WITH THE STANDARDS FOR SITE PLAN APPROVAL SET FORTH IN ZONING LAW § 121-65(D) AS FOLLOWS:**

**Finding:** Phase 1 will comply with Zoning Law § 121-65(D)(1) regarding layout and design as follows:

- All development proposed in Phase 1 will “be located to preserve the natural features of the site and to avoid wetland areas, steep slopes, significant wildlife habitats and other areas of environmental sensitivity.” No significant wildlife habitats, particularly for rare, threatened or endangered species, exist on the Project Site based on a habitat assessment conducted by the Applicant’s consultant, which was confirmed by NYSDEC. Construction of Phase 1 elements will not involve any disturbance of wetlands, steep slopes or stream corridors. A conservation easement on the Project Site will preserve 54.2% of the lands of the Site, including those resources, visual resources within the SPO District and buffer areas surrounding them.
- All structures proposed as part of Phase 1 are integrated with existing structures and each other as part of the approved Troutbeck Adaptive Reuse Plan and connected by driveways and pedestrian pathways. In issuing the Special Permit, the Planning Board found that the Troutbeck Adaptive Reuse Plan, including Phase 1, will “preserve the historic character of the site and be in harmony with surrounding land uses and the purposes of the HP Overlay District.” Zoning Law § 121-14.2(I)(4).
- It is not anticipated that any structure in Phase 1 except the Gatehouse will be visible from public roads. The Gatehouse will be architecturally compatible with existing historic structures on the Project Site. Based on the Visual Impact Analysis prepared by the Applicant’s consultant: “the Gatehouse, will be partially visible from Leedsville Road as

shown in Vantage Point 4. The architectural aesthetic of the Gate House is derived from the “Benton Cottage” (aka “Century Lodge”) consistent with examples of early American colonial architecture present on the site and consistent with the surrounding area. It is a diminutive, painted clapboard structure entirely in keeping with similar structures nearby. All painted architectural elements will follow those guidelines published by the National Park Service and in keeping with the practice employed by ownership to date.”

- Except for the Gatehouse, which is purposefully intended to be located near the entrance to Troutbeck from Leedsville Road, all development proposed in Phase 1 is substantially set back from surrounding roads at least as far as nearby development and screened by existing vegetation from public roads.
- No public parks are provided in Phase 1 or as part of the Troutbeck Adaptive Reuse Plan, however, the Applicant will file an easement to permanently preserve 54.2% of the 43.5-acre Project Site, including surface waters, wetlands and open space, maintaining the park-like setting surrounding the Troutbeck property.
- No “[t]rademarked architecture which identifies a specific company by building design features” is proposed in Phase 1 or any phase of the Troutbeck Adaptive Reuse Plan.
- Phase 1 will have no impact on historic and cultural resources. Phase 1 is the first phase of the Troutbeck Adaptive Reuse Plan, which the Planning Board has determined in the Special Permit will “preserve the historic character of the site and be in harmony with surrounding land uses and the purposes of the HP Overlay District.” Zoning Law § 121-14.2(I)(4). Further, after reviewing the information submitted by the Applicant’s consultants, the New York State Historic Preservation Office has determined that the Troutbeck Adaptive Reuse Plan, including Phase 1, will not have an adverse effect on historic or cultural resources.

**Finding:** Phase 1 will comply with Zoning Law § 121-65(D)(2) regarding landscaping as follows:

- Phase 1 will implement a landscaping plan to supplement existing vegetation along the Project Site in the vicinity of Leedsville Road as shown in the Visual Impact Analysis and Phase 1 Landscaping Plan prepared by the Applicant’s consultants. Existing and proposed landscaping will limit the visibility of the cabins and the Gatehouse from Leedsville Road. Limited removal of trees along Leedsville Road north of the main driveway will be undertaken to maximize sight distance for vehicles turning left out of the driveway as recommended by the Applicant’s traffic consultant. Due to distance, topography and existing vegetation separating the other elements of Phase 1 from surrounding roads, no additional landscaping is required.

**Finding:** Phase 1 will comply with Zoning Law § 121-65(D)(3) regarding parking, circulation and loading as follows:

- The Applicant prepared a Vehicle Circulation Exhibit prepared by Rennia Engineering Design, PLLC, dated 1/10/2023 that demonstrates how circulation and parking for Phase 1 will occur. Small parking areas will be provided at the Gatehouse for employees (2 spaces) and for the four cabins (4 spaces), with a cobblestone surface. The driveway entering the Project Site from Leedsville Road will pass the Gatehouse and the entrance to

the parking for the cabins, connecting those elements of Phase 1 with the interior of the Project Site where most existing and proposed development is located.

- Guests, busses and delivery vehicles will use the Leedsville Road entrance to the Project Site, while employees will primarily access the Site from Yellow City Road.
- No new parking is proposed in association with the bakery or the platform tennis court. Access will continue to be provided through existing internal driveways.
- The Creekside Cabins, Gatehouse and Bakery will all be accessible to emergency vehicles based on the Phase 1 Site Plans.

**Finding:** Phase 1 will comply with Zoning Law § 121-65(D)(4) as the Phase 1 site plan does not contain any residential units except for a staff apartment to service the uses on the Project Site. Moreover, as required by the Zoning Law, the Troutbeck Adaptive Reuse Plan will result in the permanent preservation of 54.2% of the Project Site by a conservation easement.

**Finding:** Phase 1 will comply with Zoning Law § 121-65(D)(5) as follows:

- Neither the Gatehouse, the Creekside Cabins, Bakery or Warming Hut are expected to produce excessive noise through their use. It is not anticipated that the new platform tennis court will produce excessive noise, alone or in combination with the existing tennis courts on the Project Site. Notwithstanding, the Applicant has proposed to install noise control barriers for the existing tennis courts and the new platform tennis court intended to reduce noise from those facilities.
- As part of the design of Phase 1, lighting will be provided for internal access drives, parking areas, pedestrian pathways, and security lighting around buildings and will be designed to comply with the guiding principles of the International Dark-sky Association. Those principles include: (1) Using light only if it is needed, including consideration of how the use of light will impact the area, including wildlife and their habitats; (2) Directing light so it falls only where it is needed by using shielding and careful aiming to target the direction of the light beam so that it points downward and does not spill beyond where it is needed; (3) Using the lowest light level required, being mindful of surface conditions, as some surfaces may reflect more light into the night sky; (4) Using light only when it is needed by using controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when not needed; and (5) Using warmer color lights where possible in order to limit the amount of shorter wavelength (blue-violet) light to the least amount needed. Further, the lighting proposed for Phase 1 of the Project includes full cut-off, downward-directed fixtures with limited light spillage and no impact to neighboring properties.
- After treatment, stormwater will be managed on-site by infiltration, reducing surface water runoff. Moreover, the stormwater management system is designed to provide water quality treatment and includes appropriate measures to control the rate of stormwater runoff to less than pre-development rates for a full range of storm events from the 1-year storm to the 100-year storm. Further, stormwater runoff will be collected and treated in close proximity to its point of origin and consistent with existing drainage patterns.
- Solid waste generated by Phase 1 will be managed through private solid waste management services. During construction, solid waste generation disposal is anticipated to temporarily increase during the course of construction. It is anticipated that construction

activities, especially during particularly active construction periods, will produce ±8 tons of solid waste weekly. This waste will consist of construction debris and will vary significantly depending on the construction activity (i.e: site work, framing, finishing, etc.) taking place that week. During construction, solid waste will be placed in a roll off dumpster and, when filled to capacity, taken off site and disposed of by the contractor/waste disposal company.

- Sewer, water and electrical utilities and some stormwater management elements for Phase 1 will be placed underground. No materials are proposed to be placed below the finished grade of the Project Site during Phase 1 other than utilities, sand, gravel, rocks, and soil that are uncontaminated by any solid waste or hazardous materials.
- The Gatehouse, Creekside Cabins, Bakery and Warming Hut will be located, constructed and insulated to prevent on-site noise from interfering with the use of adjacent properties. Construction noise will be limited by primarily focusing construction activities from November through March and limiting construction to weekdays and daytime hours (8 am – 6 pm). All of the structures will be insulated to reduce noise. Further, distance, topography and existing and proposed vegetation will limit most noise impacts from these buildings on neighboring properties.

**THE PLANNING BOARD HEREBY FINDS THAT PHASE 1 OF THE TROUTBECK ADAPTIVE REUSE PLAN COMPLIES WITH THE STANDARDS FOR SITE PLAN APPROVAL FOR BUILDINGS IN THE SPO DISTRICT SET FORTH IN ZONING LAW § 121-14.1(f) AS FOLLOWS:**

The construction of the Gatehouse and associated improvements also requires Site Plan review because of its location in the SPO District. Based on the Application, the Planning Board finds that the Gatehouse will comply with the SPO District regulations provided in Zoning Law § 121-14(1)(F) for the following reasons:

- The Gatehouse will not significantly impair scenic character and will be aesthetically compatible with its surroundings. The Gatehouse will be architecturally compatible with existing historic structures on the Project Site. Based on the Visual Impact Analysis prepared by the Applicant's consultant the Gatehouse "will be partially visible from Leedsville Road as shown in Vantage Point 4. The architectural aesthetic of the Gate House is derived from the 'Benton Cottage' (aka 'Century Lodge') consistent with examples of early American colonial architecture present on the site and consistent with the surrounding area. It will be a painted clapboard structure entirely in keeping with similar structures nearby. All painted architectural elements will follow those guidelines published by the National Park Service and in keeping with the practice employed by ownership to date."
- Based on the Visual Impact Analysis prepared by the Applicant's consultant, Phase 1 as designed within the SPO District will minimize the removal of native vegetation to only that which is required for construction of the elements of the project. This includes the limited removal of trees along Leedsville Road north of the driveway to maximize sight distance for vehicles turning left out of the driveway as recommended by the Applicant's traffic consultant. Additionally, proposed landscaping will further mitigate visual impacts

of the Gatehouse when viewed from Leedsville Road. According to the Analysis, “[a]dditional landscaping is proposed at the entrance to the proposed project at Leedsville Road entry and incorporating the Gatehouse. Additional evergreen and deciduous landscaping around this border is proposed to limit visual impacts.... Plantings are to nestle the proposed building for a sense of place upon arrival as well as to screen views from Leedsville Road.”

- The Gatehouse will be located 66.1'± from the centerline of Leedsville Road. Visual impacts will be mitigated as discussed above and as shown in the Visual Impact Analysis. Given the welcoming purposes of the Gatehouse as described in the Troutbeck Adaptive Reuse Plan, i.e. “to provide incoming guests with a first point of contact, directing them into the Project Site to avoid nuisance noise and traffic due to guests ending up in off-property locations,” locating the building where some visibility is possible for guests entering from Leedsville Road is appropriate.
- Phase 1 construction within and outside the SPO District is not on or within 40 feet of the crest line of any ridge. The Gatehouse is a single-story building and, as shown in the Visual Impact Analysis, will be located well below the surrounding tree line when viewed from Leedsville Road.
- Phase 1 does not propose development involving a single-family residence inside or outside the SPO District so the 30,000 SF limit on building area standard does not apply. Notwithstanding, Phase 1 improvements within the SPO District, including the 766± SF Gatehouse, two parking spaces and the minor expansion of the entry in the vicinity of the Gatehouse will involve far less building area than allowed for a single-family residence.
- As shown in the Visual Impact Analysis and on the Phase 1 Landscaping Plan, a continuous green buffer of more than 50 feet will be maintained along Leedsville Road in the vicinity of the Gatehouse and entry to the Project Site consisting of native trees and shrubs, as well as fields, meadows, and lawn areas
- Existing shade and other trees are provided within 25 feet of the Leedsville Road right-of-way. Compliance with this standard with respect to the Gatehouse will be enhanced by the proposed planting of trees as shown on the Visual Impact Analysis and on Phase 1 Landscaping Plan prepared by the Applicant’s consultants.
- Based on the Visual Impact Analysis prepared by the Applicant’s consultant, Phase 1 as designed within the SPO District will minimize the removal of native vegetation to only that which is required for construction of the elements of the Project. Additionally, proposed landscaping involving native trees and vegetation will further mitigate visual impacts of the Gatehouse when viewed from Leedsville Road.
- Trees as proposed by the Visual Impact Analysis and Phase 1 Landscaping Plan will be planted to reduce visibility of the Gatehouse from Leedsville Road.
- No clear-cutting of trees on or near the crest-line of any ridge is proposed inside or outside of the SPO District as part of Phase 1 or any other phase of the Troutbeck Adaptive Reuse Plan.
- All existing structures on the Project Site are proposed to be retained with the exception of the Garden House, which is proposed for demolition as part of a separate phase of the Project. As required by the Zoning Law, the Applicant consulted with SHPO regarding the proposed demolition of the building and by letter of June 8, 2023 that agency determined that the Garden House had no historic significance. Proposed alterations to the Delamater House, a historic structure on the Project Site, have been reviewed by SHPO

and the Applicant has committed to comply with SHPO's recommendations with respect to those alterations. As discussed above, the Gatehouse will be consistent with the architecture of existing historic buildings on the Project Site.

- The Gatehouse will have a peaked roof with a slope of 8:12 and windows will be vertically proportioned and balanced on facades, with width to height ratios ranging from 1:2 to 3:5.
- No fences are proposed for Phase 1 or any other phase of the Troutbeck Adaptive Reuse Plan.
- Phase 1 within the SPO District will comply with the rural siting principles in Zoning Law § 121-31 because it involves the reuse and improvement of an existing driveway; will not affect any existing stonewall or hedgerows; does not involve placement of any building within an open field; will use existing vegetation and new landscaping to screen the Gatehouse; will minimize clearing along Leedsville Road except as necessary for traffic safety purposes; locates the single-story Gatehouse below the surrounding tree line; and does not involve the crossing of steep slopes by the existing driveway.