



TOWN OF AMENIA

4988 Route 22, AMENIA, NY 12501
(845) 373-8860 x122
Fax (845) 789-1132

PLANNING BOARD MEETING WEDNESDAY, APRIL 12, 2023 IN-PERSON AT TOWN HALL Upstairs Meeting Room

PRESENT: Robert Boyles
James Walsh
Nina Peek
Tony Robustelli
Neal Kusnetz
John Stefanopoulos

ABSENT: Matthew Deiste

CONSULTANTS: Paul VanCott, Town PB Attorney
John Andrews, Town PB Engineer

ALSO PRESENT: Rich Rennia, Peter Sander – Rennia Engineering Designs
Josh Mackey – Attorney for Troutbeck
Stephanie Ferradino – Attorney for Meilis (Troutbeck Project)
Leo Blackman – Town Board Liaison
Barbara Meili
Alec Gladd – SBA / Nextel
Leila Hawken – Millerton News
Other members of the Public

Meeting Called to Order by Chairman Robert Boyles, Jr. at 7pm – Pledge of Allegiance recited and exits announced.

TROUTBECK ADAPTIVE REUSE PLAN – Revisions

Chairman Boyles asked the Troutbeck attorney, Josh Mackey to start the discussion. Josh states that a clarification statement from the applicant has been submitted that addressed a number of questions. The Board is to address the FEAF Part 2 and as questions arise, either he or Rich Rennia should be able to answer them regarding completing the FEAF. All of the changes should be apparent in the documentation that has been submitted. John Andrews states that there is no new

substantive information in the packet. Clarification is now documented with NYSEG and the electrical supply for the proposed site. They addressed the documentation to clean up and make uniform all of the language as the consultants asked. The project is an Adaptive Re Use Plan with a specific Phase 1. Paul VanCott echoes John's comments and states that they will both review the changes (NYSEG documentation) to make sure that all is in line with the project. The process will then continue with the documents being circulated to the agencies, Dutchess County Planning and historical societies as well as the CAC - from the Planning Board (Lead Agency). Rich asks if a new referral to Dutchess County Planning & Development is necessary as they already received the initial plan. Paul VanCott says it is necessary because of the substantive changes that were made to the proposed project. Chairman Boyles asked for any questions from the Board members. There were none. Nina says she has not had a chance to look at any new documentation since it just came in yesterday. Paul VanCott says the Board directed John and himself to assist the Board in completing Part 2 of the FEAF which documents the potential impacts of the project. They have provided the Board with their staff level assessment of the potential impacts of the Troutbeck Adaptive Reuse Plan application and proposal. The Part 2 FEAF questions environmental impacts in depth and whether or not there will be any impact from the project. After looking at these, then a determination must be made if a potential significant adverse impact will be made from the entire project or not. If such a determination is made, then an EIS (Environmental Impact Statement) is required. If there is no potential for a significant adverse impact then a Negative Declaration is appropriate for a conclusion of the SEQRA evaluation. I.E., Hudsonia report – mentions potential impact to the habitat and species along Webatuck Creek; with potential for erosion or septic to get into the stream, etc. and how that could cause problems. The Board must make its decision based on the context of the entire project. The project defines that over 50% of the property involved will be permanently preserved. The area of this creek is in the conservation area of the proposed project which means that the area and vegetation around it are protected. The SWPPP that will be undertaken as part of the project is designed to prevent erosion from occurring away from areas that are disturbed. There are only 2-3 acres that will be disturbed in the entire project. During construction and after, that land will be covered by a SWPPP which will prevent erosion into the subsequent resources. With regard to septic, a wastewater engineering plan documents a particular design that will avoid impacts to resources because of the separation distances. A moderate to large impact to a specific resource may not mean an adverse impact to the entire project. He and John have done a review of all of the impact areas as presented in Part 2 FEAF. If the Board, after discussing Part 2 of the FEAF, would like to move forward with presenting a

resolution at a future meeting to conclude this portion of the application. John Andrews suggests going through key points of the form and noting problem areas spoke of during public comment as potential significant impact items. Each item of the Form was discussed in the order it is on the form. For some of the items there are no issues. John and Paul have written content to support their statements and concerns. They still want to make some modifications and add some citations, but for the most part they have hit the issues. Paul makes a statement saying the focus for completion of this form is on:

Feb 15, 2023 submission, the deed restrictions, and all of the public comments made and filed. And the Board made its determination at the March 8, 2023 meeting that there is sufficient information in the record to make the SEQRA determination. Paul says in conclusion, that the Board has done its “hard look”. And they are now in more discussion to see where they end up after this section is completed.

Item 1 – Impact on Land – Proposed action may involve physical alteration and construction on the proposed site. (Answer is YES)

- Discusses action of construction on slopes 15% or greater – 84 % of the site has slopes less than 15%, narrative says that most of the slopes greater than 15% are located along the streambanks and other places. The majority of the greater than 15% slope is placed within the conservation easement and is not subject to development. The minimal areas to be disturbed have tried to avoid the slopes. A full SWPPP has been developed for the site. Impact is perceived to be small
- The creation of a pond, as part of Phase 7 (south end of site) which will be about ½ acre in size and 15,000 cubic yards. Soils are mostly sand and gravel distributed on the site. All are staying on the site for use filling, grading etc. This may be considered a moderate to large impact, there will be no soils going off-site, they will be used on-site for different needs.
- The project is proposed to be implemented in 8 phases over 6 years. Phase 1 can only occur if the Special Use Permit is granted by The Planning Board for the Adaptive Reuse. The phasing of the project has the potential to minimize environmental impact. i.e., particularly noise, and other construction related impacts and not concentrating them in a 12 month period. This also allows Troutbeck to keep their business going. The phasing focuses on “off periods” for the business; when the site won’t be at full use and outdoor activities won’t be happening. The smaller phases will not need as much time and construction effort is moderate, but because it is a smaller phase, is not a huge impact. Jim asks John about what water feeds the pond. John says their report suggests that it will be storm runoff from the site and buried springs by the pond that are

there. Concerns that have been publicly expressed have been addressed by the applicant and incorporated in the proposal and nothing supports that the action would result in a significant adverse impact as a consequence of the phasing structure.

Therefore, the overall project, with its proposed phases, would limit the probability of significant adverse impact for the project from land impacts.

Nina confirms that tonight there is no action on the FEAF Part2. The Board is just listening to and gaining knowledge about any significant adverse impact the project would have to the property, water, etc.

Nina discussed further saying that in the applicant's previous paperwork that they have committed to ONLY doing construction during the winter months because of the sensitive habitation on the property. A habitat assessment avoidance plan will be issued with each phase to recognize what habitats will be of concern during what months. i.e., bog turtles and timber rattlesnakes. The applicant's focus is on the fall / winter months for construction as it doesn't interfere as much with their business model, but may happen to fall outside of that window if necessary. Nina asks who from the Town or NYSDEC would be responsible for making sure that they would ONLY be doing construction between November and April. John says that it has not been determined and would be a Special Use Permit condition and it would need specification upon granting approval.

Item 2 - Geological features – No Impacts

Item 3 - Impacts on Surface Water

There is potential for multiple significant adverse impacts. They are creating a new water body (pond). Included in their EAF narrative is a detailed flood assessment study. There are no floodway or floodplain impacts. The base flood elevation is known for the site and the structures are set above that. Under Phase 1, they include installation of a dry hydrant in an existing pond. (requested for fire safety) Any disturbance to the bottom of the pond will be minimal and restored as quickly as possible. Total acreage to be disturbed on the entire project site is approx. 14 acres of which 3.5 are for additional impervious surface (total 8 acres impervious surface). A SWPPP has been developed and analyzed overall the entire project. They have incorporated this plan in each phase. In Phase 1 the SWPPP incorporates both temporary and permanent storm water management practices and includes specific measures for erosion and sediment control. The analysis also demonstrates there will be no changes to hydrogeology that increase the discharge rates from the site and that implementation of the SWPPP will reduce storm water runoff for both the 10 and 100 year storm events. Troutbeck is relying primarily on infiltration. The SWPPP conforms to the applicable requirements of the general permit as well as the design manual. The discharges from the site will likely meet

water quantity and meet quality standards. It will be collected, treated and discharged all from the same wastewater area of the site. Nothing indicates a significant adverse impact to surface water on the site.

Item 4 - Impact to Ground Water:

The proposed project does not create a NEW water supply but it does create more demand on the existing water supply. The bottom line is, as a result of all the calculations (as documented), the direct recharge calculations on a conservative basis, are about 67,000 gallons per day which, under a drought demand, reduces to about 44,000 gallons per day. Both are way over the estimated use of 20,500 gallons per day for the site. The usage vs. return to the ground water is a net of about 3,000 gallons a day lost. With proper treatment to sewage etc, there will be no impact on ground water. With regard to impacts on wells of neighbors, the hydrogeologist documented that the concerns about well water were not any problem and had no impact based on his findings. John explained for Nina that DC Health Dept, there are requirements with an on site waste water treatment system that discharges to ground to demonstrate that there is adequate land area that meets all necessary separation requirements and complies with the design standard to provide a complete 100% expansion area for that system. The applicant has provided documentation for this in the record. The applicant has not only met standards of DC Health Department but also the NYSDEC standards have been met with the sand and gravel on the site. Each system for each Phase will be subject to an approval. (i.e., conceptually designed, design based on appropriate design parameters). As the project moves forward, one of the conditions of any Site Plan for a subsequent phase will be Health Department Approval; both for the water supply and the waste water treatment.

Item 5 - Impact on Flooding

The record indicates that the creek runs through the project site. It does have a designated floodway. They are in the 100 year flood plain, but not in the 500 year flood plain. The special flood hazard zone on the site is identified by "AE" which means it has a defined base flood elevation. The base flood elevation as the creek enters the property is about 487 and as it goes across property to the end its discharge elevation is about 841. Other than the "Century House" none of the structures are in the flood plain. There are no proposed encroachments either to the flood plain or the flood way. In the case of the Century House (one of the oldest structures), the flood elevation in that area is approx. 486 ½. The finished floor at Century House is 487.7 which does seem to be above the base flood elevation. The impacts in the flood plain are therefore likely to be minor. Applicant has on file a Storm Water Management Plan. There are no anticipated impacts that would significantly be of adverse impact. Jim W. – asked about chemicals to be used in waste water treatment. John Andrews says there is no list provided. It would be the

standard list to treat standard commercial kitchen and household wastes. This will be under the NYSDEC Permit as well, but can be noted for further investigation.

Item 7 – Plants and Animals

The rare, threatened and endangered species of special concern was covered in a statement by Troutbeck's wildlife biologist that on the site there is no habitat for timber rattlesnake, bog turtle or cottontail. Noted was that there are some trees that are potential habitat for Indiana and Long Beard Bats and they would not be affected by the project. NYSDEC provided a letter dated January 17, 2023 inferring the reports of timber snakes and bog turtles and made no mention of the cottontail and recommended that Troutbeck undertake the measures to avoid or minimize impacts from the project on these species. The two species of bats indicated above were also not flagged by NYSDEC. Since Troutbeck has indicated that they will undertake construction activities primarily in the fall and winter, the timber snakes and bog turtle habitats will not be affected. Troutbeck has incorporated the avoidance and minimization measures into their Phase 1 Site Plan and propose to include them in every phase of the project. There is also discussion about the predominant species on the site such as the normal deer, squirrel, and others in the area. Only 1.5 acres of forest land and 2.0 acres of meadow/grassy lands in the proposed project will be affected for these species. No wetlands or surface waters will be affected. Other wastewater treatment areas that are disturbed will be restored upon completion of any habitat temporary disturbance. There are no pesticides or herbicides are proposed for use during this project. A SWPPP will be undertaken to watch for erosion and sediment control as well. There were no rare plants observed during the habitat assessment. Any that have been proposed for disturbance have already been either mowed or maintained already. There are minimal or no potential for impacts on these. In conclusion, the assessment is that while there is potential for moderate impacts to animals and other habitat, there is enough in the record to support a finding of no significant adverse impact to plants and animals from the project. Nina pointed out a new addition to the habitat section. Peter Sander from Rennia Engineering says it was to address Bald Eagles, Golden Eagles and common wildlife species, which were not identified by NYSDEC as potential habitats. It addresses concerns that were raised by the public and now have been added to the original document of Troutbeck's biologist.

Item 8 – Agriculture

The site itself is not located in the Agricultural District. There are portions of the site that have been hayed in the past. They wish to continue to provide that service. A total of 3.5 acres (as mentioned above) of forest and vegetative land on the 43 acre site is being permanently removed for potential uses. It is interesting that it also lists primary agricultural soils as well as soils of significant concern. A large portion of the project site, soils related to agriculture, are being incorporated in the

conservation easement and are not being disturbed. The project does not limit any access to any agricultural land. The project doesn't result in any direct or indirect increased development potential or pressure on the farmlands. It is not a new use...it is an expansion of an existing use. In conclusion it does not support a finding that there is a significant adverse effect on the agriculture. Nina asked about the terms and restrictions of the conservation easement. John doesn't remember specifics, but says that there are no permanent structures allowed inside the easement. There is only a limited list of "thou shalt" have the ability to do. They may have a recreational facility and trails, but must be specified on the approved plans. Paul says anything beyond this must go through approval from the Owner of the Third Party Easement. John and Paul will give the Board additional information about what the terms, restrictions and specifics are of the conservation easement are.

Item 9 – Aesthetic Resources Visual Locations – Designated Public

From Route 44 – will Troutbeck be able to be seen. For The Town, the publicly regulated visual resource is the Scenic Protection Overlay District. A substantial portion of the site and a portion of the proposed project is within the SPO. It is appropriate for the SEQRA review to focus on that area. From the applicant's submission, it is indicated that there is potential for moderate to large impacts to this area. The topography of the property is to be considered for any structure on the property being seen because of its up and down, rolling hill nature. There is existing vegetation along all 3 roads; NYS Route 343, Leedsville Rd and Yellow City Road that will screen the area of the project. The applicant is proposing landscaping where there will be new construction and close visibility from one of the roads listed above to the project. The landscaping proposed (trees) will take 10 years to get to the point where they can screen the structures. The new structures will have an "agricultural look" so they fit into the landscaping. Garden Hotel and Garden Hall which are the biggest structures that are proposed in the project, will be consistent with the existing architecture of buildings. It will minimize the visual impacts because it will provide the same visual character. Then, over time, additional screening will serve to further remove any further potential visual impacts. The record shows enough to support that there will be no adverse impact due to the existing vegetation, proposed landscaping for screening and their architectural proposals. Nina says a phasing plan for landscaping would be worth taking a look at because of the minimum of a 10 year growth plan before the proposed trees will provide enough screening. Maybe proactively start planting some of the screening trees so there will be some growth along the way to that 10 year period. Paul suggests that be a condition in the resolution. Nina would like to know what the elevation drop to the parking lot on Yellow City Road will be. Between the grade and the site topography, it would be difficult to see the cars in

the proposed parking lot, she thinks. John Andrews says that his recollection in the documentation they will be doing both a cut and a fill to make the parking lot a little lower. He will confirm and reply with the figures in writing. Jim asked about what kinds of trees and/or shrubs will be used in the proposed screening. Paul replied and said there is a detailed landscaping plan for Phase 1 which specifies different trees, etc.

Item 10 - Historic & Archeological Resources

There are two major issues were flagged by SHPO – one is the proposed major renovations to occur to the Delamater House. SHPO made several recommendations on the way in which the work should be completed, i.e., windows. Applicant has agreed to perform the work in this way and will be incorporated into the proposed project. That will minimize the impacts to historic structures. The other concern from SHPO is the Garden House which the proposal for the project indicates the demolition of. The Garden House structure was NOT flagged by SHPO as a historic structure. This demolition will be referred out to both the Town's and County's Historical Societies and addressed by SHPO as is required by the Zoning Law before the demolition can be authorized.

With regard to the archeological area that was identified by SHPO, and the applicant's consultant, that area will be preserved and its preservation will be incorporated into the conservation easement which means that there will be no impacts to that area. N. Peek would like to know if individual buildings are registered into the Historic Preservation or the entire campus, in a designated Historic District i.e., a state or national registered district. Peter Sander from Rennia Engineering spoke up and said that no individual buildings at Troutbeck are listed on either the state or national historic register. Paul says SHPO flags structures of 50 years old or older as historic. Each individual structure and its history is then investigated.

Item 11 - Impacts on Open Space & Recreation

There are no impacts because that relates to public recreational areas

Item 12 – Impact to Critical Environmental Areas

There is no such area involved in this site or in the vicinity of the site. Therefore there will be no impacts to critical environmental areas.

Item 13 – Impacts to Transportation

There will be an increase in the outer traffic, but the traffic impact study done by the consultant for the applicant felt that the traffic levels will not exceed the capacity of the existing road neck and the county and town roads as well as the state highway which encompass the property. In addition, the level of service will not be decreased by the increase in the amount of traffic, meaning at existing intersections. There will not be more of a wait time at the intersections as a result of the full build out of the project under normal business functions, but there will

be a decrease at the Leedsville Rd and NYS Route 343 intersection when there is a wedding and even at that point, the extra delay is only a matter of seconds. One of the thresholds of the transportation is the parking and if there are more than 500 parking spaces. Since this does not apply to this project, there will be no impact. Also, there is no public transit access to the project area at this time. All normal traffic patterns will be followed. Enough support is in the record that states there will be no significant adverse impacts to transportation. N. Peek asked a question of what number was used in the traffic evaluation, was it a higher number from the population tables for on site (original submission) or lower number (most recent submission). It was determined that the original number (higher population on site) was used.

Item 14 – Energy

There is no need to upgrade the existing substation. They are not creating an extension to serve 50 single family homes or more. The actual use per year may approach the 2500 megawatts. There are more than 100,00 sq.ft. on the site. NYSEG is the current provider to site and has been contacted by the applicant and their engineer. They are willing to provide extended service to the site if and when it is required. They have developed a conceptual electric service plan identifying on site improvements to the electrical distribution system necessary to support the proposed development. NYSEG is prepared to implement the plan which involves new primary connections to the system around the site. It appears to be underground. All service to the site will be new underground distribution system. The construction of the new underground components does not introduce any new or different impacts associated with those already identified. The impacts related to the utility distribution system on site effectively occurred in the already proposed for disturbance. The underground work will need to be coordinated with the other elements of the proposed project. The work will not lead to any significant adverse impact on the community.

Item 15 – Impact on Noise, Odor and Light

This is for the expansion of an existing use. In terms of potential for impacts, there is a potential for an increase in noise, odor and light. Since these are already existing uses, and with respect to noise; Town Code does not provide a specific standard but prohibits any loud and unnecessary noise. The design of the proposed project includes measures that will minimize noise impacts compared to existing conditions including acoustical improvement to new buildings, increasing distance from residences, reducing operational noise impacts by installing sound padding around the tennis courts to reduce the sound of tennis balls or pickle balls being hit. They have proposed to discontinue the prior practice of having fireworks during events, in response to public comments that were received. A continued practice of limiting event hours to between 3pm and 10pm which will limit noise

impacts to neighbors. If the project is approved, during the different phases, construction noise will focus on the fall/winter season. With respect to odors, there are onsite bakery and restaurant facilities which won't change. They will generate similar odors at certain times of the day. Most of the development in terms of amenities, and noise and lighting is centralized. It is distant from nearby property owners and is focused on the center of the site which is separated from neighbors by topography and existing vegetation which will minimize impacts on noise odor and lighting. The lighting is designed to comply with the guiding principles of The International Dark Sky Association. Those principles include using lighting only if it is needed including how the use of light will impact the area as well as the habitat of the area. It will direct light only where it is needed by using shielding and careful aiming and using the lowest light levels required being mindful of surface conditions and reflection to the night sky. Motion detectors will also be used in lighting control. Warmer colored lights will also be used where possible. For Phase 1, the lighting proposed includes full cutoff downward directed fixtures which will have no impact to neighboring properties. Based on these reasons in the record, there will be no significant adverse impact on noise, odor or lighting.

Item 16 – Human Health

The proposed action will not have an impact on human health from exposure to new or existing chemicals. The proposed project talks about normal usage and restaurant and lodging uses; it is not an industrial or commercial use. No pesticides or herbicides are proposed to be used. There is no basis for a finding of adverse impact on human health.

Item 17 - Consistency with Community Plans

The Proposed expansion project is different than current surrounding land use patterns. Troutbeck is a restaurant, lodging and amenities center in the midst of agricultural area, and in the midst of some residential housing area which is clearly in contrast to all of that. The project will not cause a permanent population growth in Amenia by more than 5%. It is consistent with the local land use plans and the zoning law. It is consistent with county plans. It will not result in a change in the density of development that is not supported by existing or proposed private on site infrastructure. To the extent there is an increase to the density; more rooms, more people staying; more people visiting, as said previously and supported by documentation, the private water and sewer infrastructure will support that use. To that regard it is consistent with community plans. The plan involves the expansion of existing uses. The proposed architectural design of the new buildings will be consistent with the existing architecture or designed to reflect an agricultural style and will be required to use the architectural specifics within the SPO District. This proposed action supports the Town's vision with respect to historic preservation and attracting visitors as expressed in the 2007 Town of Amenia Comprehensive

Plan. The Comprehensive Plan also supports Proposed action project with respect to the reuse of the historic project site including providing flexibility in the uses and density allowed in order to make the use of the property economically feasible noting that (as in the Comprehensive Plan) Many of these buildings are expensive to restore, repair, maintain and operate. And it is sometimes necessary to allow architecturally and historically appropriate development and plans on a large historic property in order to make an economically viable. Similarly, as long as the building's historic integrity is maintained there is no reason not to allow wide ranges of uses of it. Under the Adaptive reuse plan, the expansion of the lodging and restaurant facilities can be allowed by resolution at The Planning Board level and approval of Special Use Permit. The project is also consistent with the Dutchess County Planning goals which encourages the related development. In conclusion the proposed Troutbeck project is consistent with community plans there are no adverse impacts on such based on the record.

Item 18 - Consistency with Community Character

The proposed Action has the potential for moderate impacts to Community Character based on the FEAF Part 2. Specifically, based on the FEAF Part 2 the proposed Action:

- a. Will not replace or eliminate existing facilities, structures, or areas of historic importance to the community.
- b. Will potentially create a small demand for additional police and fire services.
- c. Will not displace affordable or low-income housing in an area where there is a shortage of such housing as the proposed Action.
- d. Will not interfere with the use or enjoyment of officially recognized or designated public resources.
- e. Will introduce buildings that are inconsistent with the predominant architectural scale.
- f. Will be consistent with the character of the existing natural landscape.
- g. Will change community character in terms of the balance between residential and commercial uses in the vicinity of the Project Site.

Members of the public have expressed significant concern with regard to the consistency of the proposed Action with existing Community Character with regard to all of the potential impacts discussed above and in the other sections of this FEAF Part 2 analysis. The concern about the potential for Troutbeck guest use of common areas of the Troutbeck Community has been addressed by

correspondence from Troutbeck dated February 15, 2023 that is included in the Record.

For the foregoing reasons, a finding that while the proposed Action would have the potential for moderate impacts to Community Character it would not result in any significant adverse environmental impact to Community Character is supported by the Record.

Chairman Boyles asked if there would be any EV Charging stations on the site. Currently there is 1 charging station on site. How many more will be installed? There is no plan for an increase at this time. It will depend on demand increase. Anthony Champalimaud asked if the chairman has concerns about them. Chairman Boyles spoke of his concerns over lithium battery fires from chargers in NYS.

John's take away from this meeting: there are a couple of sections of the application that need a more in- depth analysis. Some issues with respect to the conservation easement need to be corrected. Homework needs to be done as to who is policing the "fall and winter" months of construction season. Also needed to be in the record is a list of chemical additions to the wastewater, and look at some of the issues ultimately here to get to a point where the Board would have a draft Negative Declaration written for the next meeting and potentially an Approval Resolution. Nina would like more time to read materials just submitted yesterday and the new letter that was sent to CEO before a Neg Dec draft and Resolution are drafted. With these being drafted it may still take a couple of more meetings to flesh out the specifics of the documents. Dates were discussed for drafts. May 10th was first possible but it was determined there would not be a quorum. Neal asks about keys and phases. John says that the latest submission has the breakdown of what and how that evolves over time. He goes on to say that Phase 1 adds 12 units and the subsequent phases don't reach the magic number until the final phase 8. If they start in 2023, the projected date of completion is 2029.

A motion was made by Tony seconded by John and carried to have John and Paul draft Neg Dec and Approval Resolution for Troutbeck and get it to the Board prior to or by May 10th for review and to discuss at the May 24th meeting.

A motion was also made to have the secretary, Judy Westfall process and mail out the letters of referrals to the agencies required to get the Troutbeck Adaptive Reuse Plan Most recent submission for their review and to make comments to the Planning Board within their necessary time frame. The ZBA has 45 days and the others have 30 days to make comments.

They include: Town of Amenia CAC, Town of Amenia Historical Society, Dutchess County Historical Society, Town of Amenia ZBA and Dutchess County Department of Planning & Development. This will be provided by digital link and a hard copy if needed.

The Nextel / SBA letter from T-Mobile is the next item. John discusses the issue at hand and the letter from SBA (November 2022) stating that the responsibility is not theirs (the tower provider) for the “generator”. It is that of the carrier which is now T-Mobile/Sprint. March 2023 we received a letter from T-Mobile stating that generators are a thing of the past, and that today’s technology is battery backup. This will power the entire site for 6 – 8 hours. If the site does suffer a commercial power loss, their alarms will alert them, their local service representative contacts the power authority to determine the length of the outage and depending upon what that is they may or may not deploy a generator to the site (which takes between 1 and 4 hours) for further power needs. In conclusion, with these two letters on record, the issue of the generator has been satisfied. A motion was made by N. Peek, seconded by J. Stefanopoulos and carried to amend the latest approval resolution of 2022 that removes the requirement for a generator for the site plan approval and to allow it to be battery backup as per the T-Mobile letter from March 2023 and to also build this into the annual report.

Every 10 years this site has to update their Site Plan and Special Use Permit, and has to be approved at both the Planning Board and Zoning Board of Appeals level. An annual report to the Building Department and cc’d to both Planning and Zoning recording the maintenance and a yearly inspection should be done.

N. Peek asked if the board could discuss under the advice of counsel the letter received today from Barbara Meili and her concerns. Discussion ensued about the terms “Adaptive Reuse”. The Town Zoning Code is being interpreted differently by different individuals.

A motion was made by N. Peek, seconded by J. Walsh and carried to adjourn the meeting at 9:14pm.

The next regular meeting is scheduled for Wednesday, April 26, 2023 at 7pm.

Respectfully Submitted,



Judith Westfall

Planning Board Secretary

The foregoing minutes are taken from meeting of the Planning Board held on April 12, 2023 and are not to be construed as the official minutes until approved.

 Approved as read

 Approved with: additions, corrections and deletions