



## TOWN OF AMENIA

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PLANNING BOARD MEETING  
WEDNESDAY, APRIL 26, 2023  
IN-PERSON AT TOWN HALL  
Upstairs Meeting Room

PRESENT: Robert Boyles  
James Walsh  
Nina Peek  
Tony Robustelli  
Neal Kusnetz  
Matthew Deister

ABSENT: John Stefanopoulos

CONSULTANTS: John Andrews, Town PB Engineer

ALSO PRESENT: Rich Rennia, Peter Sander – Rennia Engineering Designs

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

**Regular Meeting: Lands of Tower Hill 2014 Subdivision**

Rich Rennia added to this previous submission as requested from John Andrews; a proved-out driveway and grading to get to Lot 3 of the proposed subdivision. He provided that through an easement. It has 25 more feet buffer (went from 50 to 75 feet) and also kept the edge of the driveway 25 feet off the property line which works out nicely. Nina asks about required setback...John informs Nina and the board that there is no setback. There is also a note on the plans that allows no clearing within 25 feet of the property line. There is no plan to build on Lot 3 at this time. John reads his comment memo for the Board. There are a couple of technical issues for the applicant; Owner's consent note, Surveyor's certification needs to be signed and dated. Permission to file needs to be obtained from Dutchess County DOH prior to Chairman's signature.

The restrictions on the property were never part of the original property file. They were never filed in the Dutchess County Clerk's Office. The current plat appears to fully reflect the restrictions imposed but they don't exist in anything filed within

the County's records. The restrictions are fine on the plat but need two notes are added and the deed restriction should be fully documented in future submittals. Access to Lot 3 – with the change being 75 feet for the new width of the area along the property line being labeled and clearly indicated on the plat.

The Flag lot discussion – John and Rich will agree to disagree. There are two flag lots. Paul and John also agree to disagree. Since a decision can be made by the Planning Board as to whether they can be considered flag lots, John is deferring this to the Planning Board. If the Planning board establishes that they call them flag lots instead of conventional lots, more steps need to be taken to write up findings. Rich would like John Andrews to walk the site with he and Megan Chamberlain, Highway Superintendent. . He will try and do that in the near future. John also mentions drainage and runoff to affect all 3 lots in the future. He suggests some sort of stormwater management agreement among the owners to protect their interests. John says that the Board can vote to schedule a Public Hearing for the next meeting. John says that a simple resolution be drafted to declare the lots conventional by determination and that they are not to be considered flag lots and it renders the issue moved. Nina would like the resolution to say why their decision was made. Nina wanted to know previous basis for waiver on flag lots and the basis for that determination. The language of the Town Code says that a waiver has to be issued to GRANT FLAG LOTS. Many items are taken into consideration for flag lots as per the Code. Based on the Town Engineer's satisfaction with the current submission Matt Deister made a motion, seconded by Tony Robustelli and carried to schedule a Public Hearing for the Tower Hill Subdivision project on Wednesday, May 24, 2023 at 7pm.

A motion was also made by Tony Robustelli, seconded by Matt Deister and carried that the Planning Board has reviewed the matter of the Tower Hill Subdivision project and made the determination that lots 1 and 3 are not considered flag lots under the Town Code for the reasons that they are wider than normal and that both have substantial road frontage and meet the frontage requirement for the district that they are in. A house could be built on each lot on the bottom of the hill at each driveway intersection. And for that reason, the Planning Board does not consider them to be flag lots per the Town Code.

**Other Matters:** A motion was made by Tony Robustelli, seconded by Matt Deister and carried to approve the February 8, 2023 minutes and another motion was made by Tony Robustelli, seconded by Neal Kusnetz and carried to approve the March 8, 2023 minutes as amended.

A motion was made by Matt Deister, seconded by Neal Kusnetz and carried to cancel the May 10, 2023 Planning Board meeting because of lack of quorum.

A motion was made by Jim Walsh, seconded by Nina Peek and carried to adjourn the meeting at 7:22pm. The next meeting was scheduled for Wednesday, May 24<sup>th</sup> at 7pm.

Respectfully Submitted,



Judith Westfall  
Planning Board Secretary

The foregoing minutes are taken from meeting of the Planning Board held on April 26, 2023 and are not to be construed as the official minutes until approved.

           ✓ Approved as read  
           Approved with: additions, corrections and deletions