



# TOWN OF AMENIA

PLANNING DEPARTMENT  
4988 Route 22, AMENIA, NY 12501  
(845) 373-8860, Ext. 122-124 Fax (845) 789-1132

**PLANNING BOARD MEETING  
WEDNESDAY, JANUARY 10, 2024  
7:00 P.M. – IN-PERSON  
AMENIA TOWN HALL  
UPSTAIRS MEETING ROOM**

## AGENDA

### REGULAR MEETING:

- 1. LEVIN – LOT LINE CHANGE (189 AMENIA UNION ROAD)**
- 2. TROUTBECK ADAPTIVE REUSE – INTRODUCTION OF PROPOSED PHASING MODIFCATIONS**
- 3. TOPOLSKY – GROUND MOUNTED SOLAR PROJECT (95 CASCADE ROAD) – DISCUSSION OF PLANNING BOARD MEMBERS SITE VISIT AND NEED FOR ADDITIONAL INFORMATION**

### OTHER MATTERS:

- 1.APPROVAL OF MINUTES FOR 12-13-23 MEETING**
- 2.DISCUSSION – DEPUTY PB CHAIRMAN**

**EXECUTIVE SESSION:DISCUSSION – HIRING OF PROFESSIONAL SERVICES**

**ADJOURN**

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# TOWN OF AMENIA

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PLANNING BOARD MEETING  
WEDNESDAY, JANUARY 10, 2024  
IN-PERSON AT TOWN HALL  
Upstairs Meeting Room  
7 pm

PRESENT: Nina Peek  
James Walsh  
John Stefanopoulos  
Walter Dietrich

ABSENT: Matthew Deister  
Neal Kusnetz  
Robert Boyles, Jr.

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

ALSO PRESENT: Courtney Roberts, Empire Solar Co.- Topolsky 95 Cascade Rd  
Anthony Chanpalimaud – Troutbeck  
Rich Renna & Peter Sander – Renna Engineering & Design – Troutbeck  
Laurence Levin (Property Owner) Levin - Lot Line Change 189 Amenia Union Rd  
Kirk Horton – Surveyor and Presenter for Levin - Lot Line Change

Nina Peek, asked to chair the meeting in Chairman Robert Boyles, Jr. absence, entertained a motion made by John Stefanopoulos, seconded by Jim Walsh and carried unanimously to open the meeting at 7:05pm. The Pledge of Allegiance was recited and Ms. Peek informed the people at the meeting about the location of the exits in case of an emergency.

## **Item #1. LEVIN – LOT LINE CHANGE (189 AMENIA UNION ROAD)**

Mr. Kirk Horton, Surveyor – Representing Levin, gave a brief overview of the proposed Lot Line Change

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John Andrews read aloud and highlighted his comment memo dated January 8, 2024 to the Planning Board Members (See Attached)

Also noted were comments submitted by Planning Board Attorney, Paul VanCott (See Attached)

**A motion** was made by Jim Walsh seconded by Nina Peek and carried unanimously to hold a Public Hearing on the proposed Levin Lot Line Change on Wednesday, February 14, 2024.

Judy Westfall will send out the Ag Data Statement and get the Public Hearing Notices in the mail as well and on the Town's website.

It was noted that the intent of the Property Owner is to apply to the Dutchess Land Conservancy for the piece of property (ID# 165686) involved in lot line change.

It was also noted that the Planning Board will be ready at the time of the Public Hearing (with all comments satisfactory to the consultants and all documents updated) so that the attorney can draft a Resolution to grant permission to approve the proposed Lot Line Change to 189 Amenia Union Rd.

## **Item #2. TROUTBECK ADAPTIVE REUSE – INTRODUCTION OF PROPOSED PHASING MODIFICATIONS**

Rich Renna provided a brief introduction and presentation of the proposed modifications that are included in Phases 2 and 6. Phase 1 of the Adaptive ReUse Plan was approved in July 2023.

### **Highlights are as follows:**

**Phase 2** – to incorporate site work activities precedent to future phases such as alignment of Spingarn Rd beginning at Leedsville Rd, roughing-in approved parking area north of existing Walled Garden and installing septic fields necessary to serve the future Garden Hotel and Garden Hall.

**Phase 6** – Instead of converting the Delamater House into a full-service restaurant, they propose restoring the Delamater House into a two-bedroom cottage suite which will add to their guestroom inventory.

There were no written comments from Planning Board Consultants at this time.

Because there is no formal application yet, the applicant has been asked by the Planning Board to submit an application for each phase modification as outlined above. The Planning Board will then discuss it further with the applicant. The application will need to reference Site Plan Review Documents for Scenic Protected Overlay, Stream Corridor Overlay and other Site Plan requirements from a SEQRA Standpoint. The Applicant will need to show that these plans in comparison with the approved plans will not change from the original plans. Anthony Champalimaud, owner, spoke directly to the Board about the changes in detail. He will comply with a detailed SEQRA consistency statement along with their application for their next available meeting on February 14<sup>th</sup>.

**Item #3 TOPOLSKY 95 CASCADE MTN. ROAD – GROUND MOUNTED SOLAR PROJECT- PLANNING BOARD MEMBERS SITE VISIT AND NEED FOR ADDITIONAL INFORMATION**

Courtney Roberts, applicant’s representative from Empire Solar updated the Board by notifying them that most recent changes to the application had been made and hard copies sent. This included a slight change in the location of the solar array which was also included in the most recent project map. Courtney will resend the pdf documentation of the application together in a complete packet tomorrow (1-11-24) for processing with the DC Planning & Development Office for referral.

The documentation from Mike Segelken, Code Enforcement Officer for Town of Amenia, was received identifying the location of the array to be in the “rear yard” which is acceptable per the Town Zoning Code.

There will be no Public Hearing as the Planning Board members were informed from the two Board members who went for a site visit and confirmed that it will not be visible to neighbors. Public Hearing was waived.

The Ag Data Statement had already been sent out. Present Owner is now different than listed on DC Parcel Access. Return Receipt documentation is on file from mailing.

Applicant needs to have formal referral in writing from DC Planning & Development before approval. Will revisit on February 14, 2024.

**OTHER MATTERS:**

**MINUTES 12-13-23 MEETING – VOTE ON APPROVAL IS BEING TABLED UNTIL ALL HAVE A CHANCE TO READ THEM AND RESPOND**

**DISCUSSION: PLANNING BOARD DEPUTY CHAIRPERSON** – Chairman Robert Boyles, Jr. recommends Nina Peek. Nina accepts the role in Rob’s absences.

Mr. Ken Topolsky asked about why there are athletic domes being built south of the SILO Ridge Development. Paul VanCott told him that there were several reasons leading up to the building of these domes that the Planning Board is investigating with the applicant at this time.

Nina Peek spoke of the need to update Planning and Zoning Application Forms and have them available online – she will work with Judy Westfall on this

Nina Peek asked Paul VanCott and John Andrews for a Post Approval Check list of documents for filing applications

A brief discussion about having Alternates on the Planning Board ensued. It was the Planning Board’s desire to speak to the Town Board about having the availability for alternates. Currently there are none.

**A motion made** by Jim Walsh, seconded by John Stefanopoulos and carried unanimously, to enter into Executive Session for discussion of hiring professional services.

**A motion was made** by Jim Walsh seconded by John Stefanopoulos and unanimously carried to reconvene the Regular Meeting at 8:28pm.

**A motion was made** by Walter Dietrich, seconded by John Stefanopoulos and unanimously carried to adjourn the meeting at 8:30pm.

Next Meeting scheduled for Wednesday, January 24, 2024 at 7pm

Respectfully Submitted,



Judith Westfall

Planning Board Secretary

The foregoing minutes are taken from meeting of the Planning Board held on January 10, 2024 and are not to be construed as the official minutes until approved.

\_\_\_\_\_/ Approved as read

\_\_\_\_\_/ Approved with: additions, corrections and deletions



**ROHDE, SOYKA  
& ANDREWS**  
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*Wilfred A. Rohde, P.E. • Michael W. Soyka, P.E. (Retired) • John V. Andrews, Jr., P.E.*

## MEMORANDUM

**TO:** Town of Amenia Planning Board  
**FROM:** John V. Andrews, Jr., P.E.

**PROJECT:** Levin – Lot Line Re-Alignment  
**SUBJECT:** Review Comments

**JOB NO.:** 24-352-120  
**DATE:** January 8, 2024

Pursuant to your request, we have reviewed the following revised documents submitted in support of the above-described project:

1. Town of Amenia -Narrative-Levin Lot Line Change dated December 26, 2023.
2. Town of Amenia Planning Board-Subdivision/Lot Line Preliminary Plat Plan Application-Levin Lot Line Change dated December 26, 2023.
3. Town of Amenia Planning Board-Escrow-Levin Lot Line Change dated December 23, 2023.
4. Town of Amenia-Authorization of Agent-Levin dated December 17, 2023.
5. Town of Amenia-Subdivision Final Plat Plan Application-Levin Lot Line Change dated December 26, 2023.
6. Town of Amenia- Land Use Application- Levin Lot Line Change.
7. Town of Amenia Agricultural Data Statement-Levin
8. Short Environmental Assessment Form-Levin Subdivision dated December 11, 2023.
9. Lot Line Map-Levin Lot Line Change-prepared by Kirk K. Horton, LS, dated December 3, 2023, scale 1" = 120'.

The project is located in the Rural Agricultural (RA) Zoning District. Portions of the involved parcels are located in the Flood Plain Overlay(FPO), Stream Corridor Overlay (SCO) District, in both the Priority/Primary Valley Bottom Aquifer (PVBA) and the Upland Aquifer and the Scenic Protection Overlay (SPO) (mostly the upper elevations). The involved parcels are both located in Agricultural District 21 and are currently used for agricultural purposes.

The project, as we understand it, involves a lot line realignment between the two (2) existing parcels which results in two (2) parcels of differing size. No improvements or physical changes are proposed as a result of this action.

The following comments are offered for your consideration:

1. Lot line realignments are considered Minor Subdivisions under the Town Code. This should be processed as a minor Subdivision. A public hearing will be required.
2. The Application while lacking minor information is sufficiently detailed to schedule a public hearing. The items to be provided do not impact the ability of the public to properly understand

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Levin - Review Comments  
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and comment on the application. The Planning Board could schedule the necessary public hearing for the first meeting in February.

3. Lot lines changes are considered Type II actions under SEQRA. No environmental review is required. A fully completed Short Environmental Assessment Form (SEAF) was included with the Application. No conditions of concern were identified.
4. The Owners Consent Note will need to be signed and dated following the date of last revision by representatives of both owners.
5. The Surveyors certification will need to be signed and sealed prior to signature by the Chairman.
6. Permission to file will need to be obtained from Dutchess County Department of Health prior to signature by the Chairman.
7. An overall map showing both parcels in their entirety should be provided. A map utilizing the Tax map as its base can be used and expanded to show the various Town Overlay Districts as well as the wetlands that impact the parcels.

We trust the comments herein are satisfactory for your purposes. The comments contained herein shall not be considered all inclusive. As additional information is provided further comment may be possible.



John V. Andrews, Jr., P.E.

cc: Paul Van Cott, Esq.

ROHDE, SOYKA & ANDREWS CONSULTING ENGINEERS, P.C.

PAUL VANCOTT'S EMAIL LEVIN LOT LINE CHANGE COMMENTS

Rob –

For consideration by the Board, we offer the following comments on this application:

- There are two adjoining lots, a 150.370 acre parcel (“Lot 1”) and a 465.60 acre parcel (“Lot 2”);
- Applicants propose a lot line adjustment to convey 88.474 vacant acres from Lot 1 to Lot 2, resulting in Lot 1 reduced in size to 61.869 acres and retaining all existing development and Lot 2 increased in size to 554.074 acres. Lot 2 is proposed for inclusion under a conservation easement with the Dutchess County Land Conservancy;
- The proposed lot line adjustment is a “subdivision” under the Town’s subdivision regulations and must follow the procedures for approval of a minor subdivision, which will include a public hearing once the application is complete;
- Circulation of the Agricultural Data Statement submitted with the application should be done by the Planning Board Secretary;
- No SEQRA review is required as lot line adjustments are classified as Type 2 actions under the SEQRA regulations (6 NYCRR Section 617.5(c)(16)); and
- We defer to John Andrews on any technical comments regarding the sufficiency of the application.

Paul

**Paul Van Cott | Whiteman Osterman & Hanna LLP**

Of Counsel

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