



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 24, 2024
7:00 P.M. – IN-PERSON
AMENIA TOWN HALL
UPSTAIRS MEETING ROOM**

AGENDA

RECEIVED
MAR 07 2024
Amenia Town Clerk

REGULAR MEETING:

- 1. TURKEY HOLLOW: TIMBER HARVEST
4754 ROUTE 44 – LOWER HUDSON FORESTRY
SERVICES**

OTHER MATTERS:

- 1. APPROVAL OF MINUTES FOR 12-13-23
& 1-10-24 MEETINGS**

ADJOURN



TOWN OF AMENIA

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

**PLANNING BOARD MEETING
WEDNESDAY, JANUARY 24, 2024
IN-PERSON AT TOWN HALL
Upstairs Meeting Room
7 pm**

PRESENT: Rob Boyles
James Walsh(arrived 7:30pm)
Matthew Deister
Walter Dietrich

ABSENT: John Stefanopoulos
Nina Peek
Neal Kusnetz

CONSULTANTS: John Andrews, Town PB Engineer
Christopher Prentis – Lower Hudson Forestry Services
For Applicant Turkey Hollow Inc – Timber Harvest

Chairman Robert Boyles, Jr. Opened the Planning Board meeting at 7:30pm after waiting for James Walsh for a quorum. The Pledge of Allegiance was recited and the Chairman informed the attendees of the location of the exits in case of an emergency.

**TURKEY HOLLOW, INC. – TIMBER HARVEST APPLICATION 4754
Route 44- Amenia**

Chris Prentis, Forester and applicant's (Tim Bontecou) representative briefly described the project.

- 186 acres of 800.94 acre parcel is being considered in the project
- It is a salvage harvest due to excessive damage and mortality due to spongy moths and the drought of Summer 2022; approximately 850 trees (Oak & Hemlock)

RECEIVED
MAR 07 2024
Amenia Town Clerk

- The property is already enrolled in the NYS Best Management Practices (BMP's) for Timber Harvesting which is overseen by the NYSDEC Forester.
- One NYSDEC classified Stream runs through the property; The Wassaic Creek – There is a 50 foot “no cut” buffer on both sides of the creek and the existing road and existing bridge will be utilized for the harvest. There is also a small NYSDEC wetland in the northern portion of the property. No harvesting or skidding will take place within a half mile of this wetland.
- 2 landings are proposed; one on the east side of the stream and one on the west side
- There will be access to Route 44 from private gravel road
- Projected date of harvest – start- Spring 2024 to take approximately 3 months
- Judy to send AG Data Statement (after updated with all surrounding agricultural lands whether active farming or not)

John Andrews' Comments – highlighted (see attached memo submitted)

- The Site is Tamarack Preserve Club for the Site Plan Application
- Has a Special Use Permit on file dated 1991
- Needs documentation from applicant on Load weight for Log Trucks; that the existing bridge will support the loads. This can be a statement from the property owner
- Per Town Zoning Code – Public Hearing is necessary
- a Performance Guarantee is needed in the amount of \$5,000.00 bond to be approved by the Town Attorney which can be a cash bond. After member Jim Walsh questioned the performance bond amount, Mr. Andrews explained it as being \$2,500.00 per landing and that no other roads or areas would be disturbed.

Planning Board Attorney Comments – (emailed. See attached) Attorney excused from meeting

- Need to make sure all SEQR impacts (if any) are documented
- Send referral to Dutchess County Planning & Development
- Mr. Andrews and Mr. VanCott recommend that the Board schedule a Public Hearing. Mr. Andrews asked that the board allow Mr. VanCott to draft a resolution for that night's meeting for the approval of the Timber Harvest as proposed.

- Secretary to get necessary mailings (AG Data Statements & Public Hearing Notices) out from Town Hall and notify the Millerton News

MOTION MADE by Matt Deister, seconded by Jim Walsh and carried, to schedule the Public Hearing for the Turkey Hollow, Inc. Timber Harvest at 4754 Route 44 on Wednesday, February 28, 2024 at 7pm

MOTION WAS MADE by Matt Deister, seconded by Jim Walsh to instruct Paul VanCott, Planning Board Attorney, to draft a RESOLUTION Granting the approval of the Turkey Hollow Timber Harvest for the meeting on the same date of February 28, 2024.

In **OTHER MATTERS**, Planning Board Minutes from 12-13-23 were accepted as amended from draft by :

MOTION MADE by Rob Boyles, Jr., seconded by Walter Dietrich and carried.

And also,

MOTION MADE by Walter Dietrich, seconded by James Walsh and carried to accept the Planning Board Minutes from 1-10-24 as amended from draft.

Next Meeting date for Planning Board Meeting is Wednesday, February 14, 2024.

A MOTION TO ADJOURN THE MEETING at 7:45 pm was made by Matt Deister, seconded by Walter Dietrich and carried.

Respectfully Submitted,



Judith Westfall

Planning Board Secretary

The foregoing minutes are taken from meeting of the Planning Board held on January 24, 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**
Consulting Engineers, P.C.

387 Hooker Avenue, Suite 1
Poughkeepsie, NY 12603
Phone: (845) 452-7515
E-Mail Address: info@rsaengr.com

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: Turkey Hollow Timber Harvest
Town of Amenia
SUBJECT: Review Comments
JOB NO.: 24-352-121
DATE: January 23, 2024

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

1. Letter to Town of Amenia Planning Board-prepared by Lower Hudson Forestry Services, LLC dated December 18, 2022.
2. Town of Amenia Planning Board- Land Use Application-Turkey Hollow Timber Harvest.
3. Town of Amenia Planning Board -Authorization of Agent- Turkey Hollow Timber Harvest, dated November 13, 2023.
4. Town of Amenia Planning Board-Escrow for Professional Services-Turkey Hollow- Timber Harvest.
5. Town of Amenia Planning Board- Agricultural Data Statement-Turkey Hollow Timber Harvest.
6. Short Environmental Assessment Form-Turkey Hollow Timber Harvest, date December 18, 2023.
7. New York State Department of Environmental Conservation- Certificate of Approval-Turkey Hollow, Inc., dated November 14, 2023.
8. Maps (5)-Lands of Turkey Hollow, Inc.
9. Stand Reports (5).

The Project is located in the Rural Agricultural (RA) zoning district. The Stream Corridor Overlay runs through the entire parcel along the Wassaic Creek. The 800-foot-wide section of the property along Route 44 is in the Road Visual Protection Corridor of the Scenic protection Overlay. The property is predominately located in the Upland Aquifer with a small portion in the vicinity of Route 44 in the Valley Bottom Aquifer. The property is also home to the Tamarack Preserve, a private membership fishing and hunting preserve. The areas of the property to be harvested generally fall outside of any of the Overlay areas. A 50 foot no cut buffer is proposed on both sides of the Creek. Turkey Hollow Road generally runs parallel to the creek within the 150-foot stream corridor. The road will be used for ingress and egress to the harvest areas. The landing areas appear to fall outside the stream corridor. The timber harvesting activities are not expected to impact the Overlay areas.

The project involves the selective timber harvest of approximately 186.0 acres out of a total of approximately 800.94 acres. The Project involves Tax Parcel 7066-00-345640. The harvest is to remove trees due to excessive damage and mortality due to spongy moths(gypsy moths) and hemlock wool adelgid. The harvest is salvage treatment, an effort to salvage value before complete loss. There are two landing areas internal to the site. Access to the site is via the existing gravel road know as Turkey Hollow

Town of Amenia Planning Board
Turkey Hollow Timber Harvest
January 23, 2024
Page 2 of 3

Road which connects directly to NYS Route 44. No Town Roads will be impacted by the harvest operation.

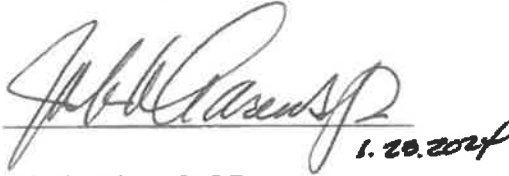
The following comments are offered for your consideration:

1. Under Zoning Code Section 121.47, timber harvesting is permitted by right, subject to site plan review, in all districts. Site plan submission requirements can be satisfied by a Forest Management Plan prepared by a qualified professional forester. The application material submitted did contain such a Forest Management Plan. Additionally, this parcel is enrolled in the NYSDEC Forest Tax Law 480a program and is being managed for the long-term production of forest products. The application materials included a stand diagnosis and prescription accepted by the NYSDEC.
2. The Stream Corridor Overlay runs through the parcel along the Wassaic Creek. A 50 foot no cut buffer is proposed along both sides of the stream. No stream crossing is proposed except on the bridge. The action does not appear to require a separate site plan approval under the Stream Corridor Overlay regulations. No additional protection measures appear warranted.
3. The Tamarack Preserve was reportedly granted a Special Use permit for private membership club back in 1990. This Special Permit has been amended from time to time for various project undertaken by the Club . The record suggests that the facility is in compliance with the existing Special Permit as amended and no notices of violation are known to exist. This should be confirmed by the Building Inspector.
4. The Agricultural Data Statement should be revisited. Based on prior applications and a check of the current tax rolls suggests that the majority of the properties to north, south, and west of the parcel are within Ag District 21 and should be notified. The form should be amended prior to circulation.
5. The project is subject to review under SEQRA. The action does not fit the criteria for a Type II action for which no review is necessary. The action does not appear to rise to the level of a Type I action. It would appear, subject to confirmation by the Planning Board Attorney, that this should be classified as an unlisted action and can be subject to uncoordinated review as the Planning Board is the only agency involved in this application. A Short Environmental Assessment Form (SEAF) was submitted. The SEAF submitted is suitable for review.
6. There are two landing areas identified for use in this operation. Both are internal to the site and located along the existing gravel road running through the site. The landing areas are located some distance from the Tamarack Preserve facilities and are not expected to impact that facility. The landing areas are also set back from the creek and not expected to impact the creek. There is an existing bridge that crosses the creek. Trucks associated with this operation will use that bridge. Documentation should be provided to indicate that there are no weight restrictions or other limitations which would impact the use of the bridge by the proposed harvest operation.
7. Timber harvesting activities are exempt from the typical Stormwater Pollution Prevention Plan requirements. They are not exempt from any municipal requirements. Erosion control measures are described in the application material . We take no exception to the erosion and sediment control provisions referenced in the plan which include implementation of NY BMPs for timber harvesting.
8. Zoning Code Section 121-47 contains provisions for a performance guarantee to ensure proper erosion control, stormwater management, reforestation maintenance and protection of

Town of Amenia Planning Board
Turkey Hollow Timber Harvest
January 23, 2024
Page 3 of 3

roads on and off site from damage relating to the timber harvest, stormwater, or trucking. We recommend a performance guarantee in the amount of Five Thousand dollars (\$5000.00).

We trust the comments herein are satisfactory for your purposes.



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

cc: Paul Van Cott, Esq

Judith Westfall

From: VanCott, Paul <PVanCott@woh.com>
Sent: Wednesday, January 24, 2024 1 PM
To: jandrews@rsaengrs.com; Judith Westfall; Robert Boyles; Nina Peek
Subject: RE: Turkey Hollow Timber Harvest - Town of Amenia - Review Comments

Rob -

We generally concur with John Andrews' comments and offer the following additional thoughts:

- The Planning Board may want to have the prior approvals for the Tamarack Preserve reviewed by its consultants, as well as the building inspector, to make sure of compliance with the Zoning Law and those approvals;
- The proposed timber harvesting will be an Unlisted Action for SEQRA purposes and uncoordinated review is appropriate if no approvals from other agencies are required;
 - For its own SEQRA review, the Planning Board may want to ask the applicant to provide feedback from NYSDEC concerning any potential impacts of the proposed action on habitat and surface waters. It would be useful to have an opinion from a NYSDEC biologist, in addition to the certification from the Division of Lands and Forests, for the Board's SEQRA determination;
 - Circulation of the Agricultural Data Statement should occur;
 - Referral of the application to the Dutchess County Planning Department ("DCPD") will be required; and
 - A public hearing will be required once the application is complete.

For tonight, we recommend that the Board confirm the status of the application as an Unlisted Action, ask for the Agricultural Data Statement to be circulated, and refer the application to DCPD if the Board considers the application to be complete. A public hearing could be set for the Board's February 28th meeting.

Please advise if there are any questions.

Paul

Paul Van Cott | Whiteman Osterman & Hanna LLP

Of Counsel

One Commerce Plaza | Albany | New York | 12260

1 0 1 518.487.7733 | f 518.487.7777

l e | pvancott@woh.com | w | www.woh.com

-- CONFIDENTIALITY / VIRUS DISCLAIMER --

Unless otherwise indicated or obvious from the nature of this transmittal, the information contained in this email message is attorney-client privileged and confidential, intended for the sole use of the intended recipient(s). Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, notwithstanding that you may be the addressee, please contact the sender by reply email and destroy all copies of the original message.