



TOWN OF AMENIA

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TOWN OF AMENIA PLANNING BOARD

Resolution # 2 for 2025

RESOLUTION GRANTING SITE PLAN APPROVAL

January 8, 2025

WHEREAS, pursuant to Town of Amenia Zoning Law (“Zoning Law”) §121-10(F), Davinci Holdings, LLC (“Davinci”) applied to the Town of Amenia Planning Board (“Planning Board”) for Site Plan Review approval of a minor project to construct a new monument sign as part of a change of use to a mixed-use building with first floor retail and second floor residential (“Project”) located at 3430 Route 343 in the Town of Amenia, Dutchess County, New York (Tax Parcel # 132000-7167-00-488581) in the Hamlet Mixed-use (“HM”) zoning district (the “Project Site”); and

WHEREAS, Davinci has submitted information to the Planning Board in support of the Project including: (1) land use applications; (2) SEQRA Short Environmental Assessment Form; (3) Project Plans; and (4) other supporting documents (collectively, the “Application”); and

WHEREAS, pursuant to the State Environmental Quality Review Act (“SEQRA”) 6 NYCRR § 617.5(c)(9) the Project is a Type II Action for SEQRA purposes as the “construction...of an...accessory, nonresidential structure or facility involving less than 4,000 square feet;” and

WHEREAS, the Planning Board referred the Application to the Dutchess County Department of Planning and Department (“DCPD”) 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 comments noting that the sign did not conform with Zoning Law § 121-39C (2), which prohibits the internal illumination of sign; and

WHEREAS, the DCPD comments were reviewed with the Applicant, who revised the sign to eliminate the internal illumination, addressing the DCPD comments; and

WHEREAS, pursuant to Zoning Law §121-65(C), Davinci has provided sufficient information in the Application for the Planning Board’s review and, accordingly, the Planning Board waives the need for any additional information; and

WHEREAS, that pursuant to the Zoning Law, the Planning Board has reviewed the Application for compliance with the standards for Site Plan approval provided by the Zoning Law and concludes the Project complies with those standards, as applicable; and

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Amenia Town Clerk

WHEREAS, on December 11, 2024 the Planning Board held a duly-noticed public hearing on the Application as required by the Zoning Law and Town Law and closed the hearing on January 8, 2025 after hearing and considering public comment; and

WHEREAS, following the December 11, 2024 meeting, the Planning Board's engineer conducted a site visit to the Project Site, consulted with the Town's Code Enforcement Officer and Highway Superintendent and prepared a memorandum dated December 18, 2024 responding to public comment, which the Board has considered.

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 Review approval for the Project based on the following plans:

1. Drawing MI- Plan View-3430 NY-343- prepared by Stratford Steel, dated October 3, 2024.
2. Drawing M2- Elevations & Details-3430 NY-343- prepared by Stratford Steel, dated October 3, 2024.
3. Drawing M3- Details-3430 NY-343- prepared by Stratford Steel, dated October 3, 2024, resubmitted December 10, 2024.
4. Drawing M1A- 3d-3430 NY-343- prepared by Stratford Steel, dated April 12, 2024.

BE IT FURTHER RESOLVED, that no sign permit shall be issued for the Project until a revised Drawing M3 – Details has been approved by the Planning Board's engineer that includes a date for the revision and modifies the note on the drawing specifying that the sign will only be externally lit to further provide that it will only be lit from above, will be downward facing, and will otherwise comply with the standards for illumination in Zoning Law § 121-39(D)(4); and

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

1. Confirmation from the Code Enforcement Officer that any and all debris and brush trees placed by Davinci on the adjoining property (Tax Parcel # 132000-7167-00-480570) have been removed and that the affected area has been restored to pre-disturbance condition; and
2. Confirmation from the Code Enforcement Officer that a final sign permit has been issued; and
3. 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 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: *Jamie Vitiello*
Second by: *Walter Dietrich*

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. Chairperson	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Nina Peek Deputy Chairperson	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
John Stefanopoulos	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
James Walsh	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Walter Dietrich	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Kenneth Topolsky	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Jamie Vitiello	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

Dated: January 8, 2025
Amenia, New York

Judith Westfall
Judith Westfall, Secretary
Town of Amenia Planning Board