



MEMORANDUM

TO: Town of Amenia Planning Board
FROM: John V. Andrews, Jr., P.E.
PROJECT: Tower Hill Subdivision- Revised Subdivision
Town of Amenia
SUBJECT: Review Comments
JOB NO.: 22-352-85-02A
DATE: February 10, 2025

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 with attachments-Lands of Tower Hill 2014 LLC-Subdivision from Renna Engineering Design, PLLC dated January 20, 2025.
2. Declaration of Driveway Easement, Access and Maintenance Agreement, and Drainage Easement-Tower Hill 2024 LLC.
3. Town of Amenia Planning Board-Land Use Application-Tower Hill Subdivision dated September 26, 2022.
4. Short Environmental Assessment Form-Lands of Tower Hill 2014 LLC-Subdivision dated September 26, 2022.
5. Agricultural Data Statement-Tower Hill 2014 LLC c/o Philip Mactaggart dated September 26, 2022.
6. Drawing Sheet 1-Lot 1 Driveway Worksheet-Lands of Tower Hill 2014 LLC, prepared by Renna Engineering Design PLLC, dated January 20, 2025, scale As Shown.
7. Drawing Sheet 1-Subdivision Plat -Lands of Tower Hill 2014 LLC, prepared by Renna Engineering Design PLLC, dated September 23, 2022, last revised January 20, 2025, scale 1" =200'.

The project is located in the Rural Agricultural (RA) Zoning District and the Aquifer Overlay District with all of the land in the Upland Aquifer. Portions of the overall parcel are located in the Scenic Protection Overlay District within Ridgeline Visual Protection zone. A small portion of the parcel at the extreme northeast corner may be in the Stream Corridor Overlay (SCO) District.

The Planning Board adopted a Resolution of Conditional Final Subdivision Approval on June 14, 2023. The project sponsor failed to satisfy the conditions within the requisite 180 days. No extensions were sought. The original conditional approval has long since been automatically terminated and revoked.

The current project, as we understand it, involves the same subdivision of one large parcel into three (3) smaller parcels. One parcel will contain the existing main residential structure, the other includes the

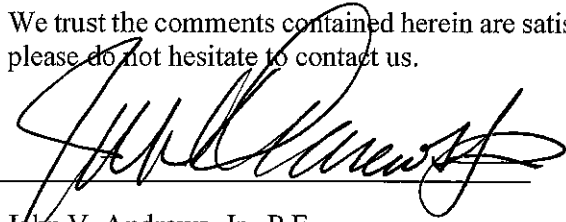
existing Polo Barns and facilities and the third has no development proposal associated with it. Unlike the earlier Subdivision, the project now includes the potential for a standalone driveway for Lot 1 which requires slight adjustments to the Lot 1 / Lot 2 boundary line and an associated acreage. The remainder of the Subdivision is otherwise unchanged. It is unclear, but no physical improvements, except for construction of a driveway apron for Lot 1, are proposed as a part of this action.

The following comments are offered for your consideration.

1. The project involves subdividing land into three (3) new lots. This is considered a minor subdivision under the Town Code. This application should be processed as a minor subdivision. A public hearing will be required. The public hearing should be scheduled once the Planning Board has sufficient information upon which to make a SEQRA determination.
2. The Planning Board adopted a Negative Declaration – Notice of Determination of Non-Significance on June 14, 2023. The current proposal includes relatively minor changes to one lot line and insignificant acreage adjustments associated with the line adjustment. The proposal in its current does not result in any significant changes to the project, provide any new information or a change in circumstance which are likely to result in any different or new potentially significant adverse impacts from those previously examined. There is no reason to require an amendment or rescission of the previously adopted Negative Declaration. We recommend the Planning Boards accept and reaffirm the adopted Negative Declaration and find that it is applicable to and consistent with the current amended application.
3. The current proposal, as did the original proposal, incorporates two (2) lots which could arguably be described as flag lots. Flag lots are allowed only by waiver of the Planning Board in its sole discretion. The Planning Board made the determination based on their review and discussion of information submitted by the project sponsor as part of the earlier application that Lots 1 and 3 do not constitute Flag Lots under the Zoning Law. The changes proposed with this current application do not significantly impact the previous discussion and likely, in the case of Lot 1 further mitigate against the Lots being classified as Flag Lots. We recommend the Planning Board determine that Lots 1 and 3 do not constitute flag lots under the Zoning Law.
4. The current proposal provides for a standalone driveway for Lot 1. The Town Highway Superintendent Megan Chamberlin and I met with the Rich Renna, P.E. the engineer for the Project Sponsor at which time the Highway Superintendent outlined the conditions under which consider approval for and construction of an acceptable apron for the driveway. The proposal generally complies but an increased scale blow up of the driveway intersection with Tower Hill should be provided, with a base survey that reflects existing conditions. The scale of both the plan and the profile render it impossible to verify the Engineer's intent. For example, the proposed grading shows a center crown for the drive. Discussions included a potential cross slope so that runoff reached the large Tower Hill Road crossing culvert. It is our understanding that it is the project sponsor intent to construct and stabilize a driveway apron for Lot. 1. The limits of the proposed apron construction should be clearly indicated including stabilization measure until such time as the driveway may be constructed.
5. The prior plat included all the various drainage structures and details throughout the property. They are not reflected on the current plat and should be.
6. The Owners Consent Note will need to be signed and dated following the date of last revision.

7. The Surveyors certification will need to be signed and sealed prior to signature by the Chairman.
8. Permission to file will need to be obtained from Dutchess County Department of Health prior to signature by the Chairman.
9. The following Condition from the prior Resolution should be satisfied. "The submittal and subsequent filing of a Common Driveway reciprocal access easement and maintenance agreement for access to each lot that includes the areas labeled on the Plat as Overall Common Drive Area, Access Easement No. 1, and Access Easement No.2. This should include the ability of Lot 3 to construct the new access drive as shown on the Plat and shall be suitable in form and content to the Planning Board Attorney."
10. The following Condition from the prior Resolution should be satisfied. "The submittal and subsequent filing of a Drainage Easement that covers the various drainage system components beginning on Lot 1 and running over and through Lots 2 and 3, ending at the easterly line of Lot 3. This should include any tributaries associated therewith and shall be suitable in form and content to the Planning Board Attorney."

We trust the comments contained herein are satisfactory for your purposes. Should you have any questions, please do not hesitate to contact us.



John V. Andrews, Jr., P.E

cc: Megan Chamberlin, Highway Superintendent
Paul VanCott, Esq