



MEMORANDUM

TO: Town of Amenia Planning Board
FROM: John V. Andrews, Jr., P.E.
PROJECT: Offensend etal - Lot Line Adjustment
Town of Amenia
SUBJECT: Review Comments
JOB NO.: 24-352-122
DATE: April 10, 2024

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

1. Town of Amenia Planning Board -Subdivision-Lot Line Preliminary Plat Plan Application- LLA for Fishman, Fitzgerald & Offensend, dated March 11, 2024.
2. Town of Amenia Planning Board- Land Use Application- LLA for Fishman, Fitzgerald & Offensend, dated March 11, 2024.
3. Town of Amenia Planning Board-Escrow for Professional Services- LLA for Fishman, Fitzgerald & Offensend, dated March 11, 2024.
4. Town of Amenia Planning Board-Agricultural Data Statement- David Offensend-Barlow Farm LLC with attachment.
5. Town of Amenia Planning Board- Authorization of Agent- David Offensend-Barlow Farm LLC, dated March 11, 2024.
6. Short Environmental Assessment Form- Lot Line Alteration for Fishman, Fitzgerald & Offensend, dated February 29, 2024.
7. Drawing- Lot Line Alteration Map- Fishman, Fitzgerald & Offensend prepared by Spencer S. Hall, Land Surveyor dated November 27, 2023, scale 1"=200'.

The project is located in the Rural Residential (RR) Zoning District and the Rural Agricultural Zoning District. Portions of the involved parcels are located in the Historic Preservation Overlay District, Stream Corridor Overlay (SCO) District, both the Priority/Primary Valley Bottom Aquifer (PVBA) and the Upland Aquifer and portions in the Scenic Protection Visual Protection Zone. The involved parcels are both located in Agricultural District 21 and are currently used for agricultural purposes. The Zoning Districts are indicated on the plat but none of the other Overlay districts are. The involved parcels are all located in Agricultural District 21 and currently used for agricultural purposes.

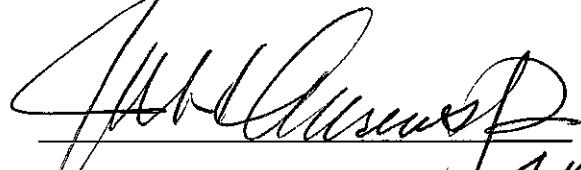
The project, as we understand it, involves a lot line realignment, allocating portions of one property among three (3) adjoining parcels resulting in ostensibly three larger parcels. One parcel is eliminated but no new parcels are created. No improvements are proposed as part of this action. Additionally, as there

are no proposed improvements or changes in use associated with this action, none of the provisions associated with the Overlay Districts are triggered.

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. 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. Minor issues were identified. Questions 12 and 13 were marked yes, Further explanation should be provided. The SEAF should be corrected for the record. We recommend that the Planning Board classify this as a Type II action, not subject to further environmental review.
3. The overall map, utilizing the Tax Map information as its base, should be expanded to show the limits of the Historic Preservation Overlay District, Stream Corridor Overlay District, Aquifer Overlay District, and the Scenic Protection Zones associated with the primary parcels.
4. The Planning Board Attorney should address that portion of Parcel 1 located on the west side of Kent Road. Under the definition of Subdivision in the Town Code Chapter 105 -Subdivision of Land, it states “For the purposes of this chapter, a parcel shall be considered already to have been subdivided into two or more lots if bisected by one or more public roads or railroad rights-of-way.” Based on this definition it would seem that the lot on the west side of Kent Road is already a separate lot and cannot become part and parcel of another lot. The identification and notes related to this parcel may need to be revised.
5. There is a note associated with the Approximate Trail originating on Parcel 1 and shown crossing both Parcels 2 & 3 which identifies an easement for ingress, egress, and maintenance. The terms and conditions of this easement need to be provided. We recommend that the Planning Board require the final form and content of the easement document be acceptable to the Planning Board attorney.
6. The Owners consent note will need to be signed and dated by all involved property Owners.
7. Permission to file will need to be obtained from Dutchess County Department of Health

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. 4.10.2024

cc: Paul Van Cott, Esq.