



TOWN OF AMENIA

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TOWN OF AMENIA PLANNING BOARD

Resolution # 5 for 2024

June 12, 2024

Resolution Approving Lot Line Adjustment

WHEREAS, Fishman, Fitzgerald and Offensend (the “Applicants”) are the owners of ±229.17-acres of land located at 65-82 Kent Road, Town of Amenia, New York (Parcel Grid Identification Number: 7265-00-078565) (“Lot 1”); and

WHEREAS, Lot 1 is located in the Rural Agricultural (RA) and Rural Residential (RR) Zoning Districts as set forth in the Town of Amenia Zoning Law (the “Zoning Law”); and

WHEREAS, on or about March 11, 2024, the Applicants applied to the Planning Board for approval of a for several lot line adjustments pursuant to Chapter 105, Article III of the Town of Amenia Code (“Subdivision Law”) for the purpose of conveying ±49.21-acres to 87-101 Kent Road (Parcel 1); ±156.36-acres to 40-78 Oblong Ridge Lane (Parcel 2); and a ±25.62-acres to Clark Hill Road (Parcel 3) (the “Application”); and

WHEREAS, in accordance with the definitions in the Subdivision Law, a lot line adjustment is deemed to be a minor subdivision; and

WHEREAS, the subdivision will result in (1) a ±171.26-acre parcel located at 65-82 Kent Road; (2) a ±270.476-acre parcel at 40-78 Oblong Ridge Lane (Lot 3); and a ±75.30-acre parcel on Clark Hill Road; and

WHEREAS, in support of their proposal, the Applicants have submitted: (1) a completed Land Use Application; (2) completed Subdivision-Lot Line Preliminary and Final Plat Plan Applications; (3) a Short Environmental Assessment Form (“EAF”); (4) an Agricultural Data Statement; (5) a drawing entitled “Lot Line Alteration Map prepared for Fishman, Fitzgerald and Offender” by Spencer S. Hall, Land Surveyor, dated November 27, 2023, last revised May 21, 2024; (6) a completed Authorization of Agent form; and (7) the requisite filing fee and escrow amount (collectively, the “Application”); and

WHEREAS, the Town of Amenia Planning Board (“Planning Board”) has reviewed and considered all the above referenced documents submitted by the Applicants as part of its Application; and

WHEREAS, this action is a Type II action under 6 NYCRR § 617.5(c)(16) of the SEQRA regulations because it involves granting a lot line adjustment; and

WHEREAS, a properly noticed public hearing on the Application was opened by the Planning Board in accordance with the Subdivision Law and NYS Town Law. After providing the opportunity for the public to be heard, the Planning Board closed the public hearing.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the Subdivision Law, the Planning Board hereby approves the minor subdivision plan entitled Lot Line Alteration Map prepared for Fishman, Fitzgerald and Offender” by Spencer S. Hall, Land Surveyor, dated November 27, 2023, last revised May 21, 2024 (the “Approved Plat”), subject to the following conditions:

1. Approval by the Planning Board attorney of the proposed deeds for the conveyances of Parcels 1, 2 & 3 to the existing adjoining lots as to form and adequacy; and
2. Confirmation by the Planning Board’s engineer that any remaining technical comments have been satisfied; and
3. Confirmation that the Applicants have paid any outstanding invoices of the Planning Board’s consultants incurred in connection with this Application; and

BE IT FURTHER RESOLVED that the Planning Board hereby authorizes the Planning Board Chairperson to stamp and sign the Approved Plat, certifying it as the Approved Final Plat, upon the Applicants’ compliance with the above conditions, and the final plat submission requirements of the Subdivision Law; and

BE IT FURTHER RESOLVED, that pursuant to the Subdivision Law, no changes, erasures, modifications or revisions shall be made on the Approved Final Plat after its signing by the Planning Board Chairperson. In the event that any final plat, when recorded, contains any such changes, the plat shall be considered null and void, and the Planning Board shall institute proceedings to have said plat stricken from the records of the Dutchess County Clerk’s Office and the Town Clerk’s Office; and

BE IT FURTHER RESOLVED, that within five (5) days of the date of this resolution, a copy of this resolution shall be filed in the office of the Town of Amenia Town Clerk, and a copy of this resolution shall be mailed to the Applicants within the same five (5) day period; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Motion By: James Walsh

Second By: John Stefanopoulos

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: June 12, 2024
Amenia, New York

Voted certified by:

Judy Westfall
Judy Westfall, Planning Board Clerk