



# TOWN OF AMENIA

4988 Route 22, AMENIA, NY 12501  
TEL: 845-373-8860, x118 FAX: 845-373-9147

## TOWN OF AMENIA PLANNING BOARD

Resolution # 4 for 2025

March 26, 2025

RECEIVED

MAR 27 2025

Amenia Town Clerk

### Extension of Approval of 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 ± (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 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”) reviewed and considered all the above referenced documents submitted by the Applicants as part of their Application; and

**WHEREAS**, this action was classified as 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; and

**WHEREAS**, on June 12, 2024, the Planning Board approved the Application.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the Subdivision Law, the Planning Board hereby extends the June 12, 2024 approval **until June 26, 2025** of 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;
2. The Town Engineer shall confirm the sufficiency of the Approved Plat for purposes of signature of the Approved Plat by the Planning Board Chairperson;
3. Confirmation that the Applicants have paid any outstanding invoices of the Planning Board’s consultants incurred in connection with this Application; and

**PLEASE NOTE: ABSENT AN EXTENSION REQUESTED BY THE APPLICANTS AND GRANTED BY THE PLANNING BOARD, IF ALL REQUIREMENTS OF THE CONDITIONAL FINAL APPROVAL HAVE NOT BEEN CERTIFIED AS COMPLETED BY JUNE 26, 2025, THE CONDITIONAL APPROVAL SHALL AUTOMATICALLY TERMINATE AND BE REVOKED WITHOUT NEED FOR AFFIRMATIVE PLANNING BOARD ACTION.**

**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

**PLEASE NOTE; THE SIGNATURE OF THE CHAIRPERSON OF THE PLANNING BOARD CONSTITUTING FINAL APPROVAL OF THE SUBDIVISION PLAT SHALL EXPIRE WITHIN 62 DAYS FROM THE DATE OF THE APPROVAL UNLESS WITHIN SUCH SIXTY-TWO-DAY PERIOD THE APPROVED PLAT SHALL HAVE BEEN FILED IN THE OFFICE OF THE DUTCHESS COUNTY CLERK.**

**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: Ken Topolsky

Second By: Jim Walsh

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	_____	_____	_____	<input checked="" type="checkbox"/>
Nina Peek Deputy Chairperson	<input checked="" type="checkbox"/>	_____	_____	_____
John Stefanopoulos	<input checked="" type="checkbox"/>	_____	_____	_____
James Walsh	<input checked="" type="checkbox"/>	_____	_____	_____
Walter Dietrich	<input checked="" type="checkbox"/>	_____	_____	_____
Kenneth Topolsky	<input checked="" type="checkbox"/>	_____	_____	_____
Jamie Vitiello	<input checked="" type="checkbox"/>	_____	_____	_____

Dated: March 26, 2025  
Amenia, New York

Voted certified by:

Judy Westfall  
Judy Westfall, Planning Board Clerk