Amenia Town Clerk
FEB 14 2019
Received

TOWN OF AMENIA

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TOWN OF AMENIA PLANNING BOARD

Resolution #3 of 2019

Resolution Granting Minor Subdivision Approval for the Meili Lot Line Adjustment to Transfer 7.024 acres from Parcel #132000-7167-00-960585 to Parcel #132000-7167-00-784630

February 13, 2019

WHEREAS, Joerg E. Meili (the "Applicant") is the owner of property identified as Tax ID No. 7167-00-960585, located at 77 Yellow City Road in Amenia, NY in the Rural Residential (RR) Zoning District; and

WHEREAS, on or around December 26, 2018, the Applicant submitted a Minor Subdivision Application for a lot line adjustment pursuant to Chapter 105, Article III of the Town of Amenia Code ("Town Code") for the purpose of transferring approximately 7.024 acres of land to adjoining property located at 3562 Route 343 (Tax ID No. 7167-00-784630), owned by Hans Joerg Meili, to create a parcel of land comprising of approximately 157 acres ("Application"); and

WHEREAS, in accordance with the definitions in Section 105, Appendix A of the Town Code, a lot line adjustment is classified as a minor subdivision; and

WHEREAS, pursuant to Section 105, Appendix C of the Town Code, the documents submitted by the Applicant as part of its Application consisted of (1) a completed Land Use Application, (2) a completed Subdivision Application, (3) a Short Environmental Assessment Form ("EAF"), (4) an Agricultural Data Statement, (5) Preliminary Plan titled "Meili Lot Line Change", and (6) the requisite filing fee and escrow amount for the Application; and

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

WHEREAS, County referral under NYS General Municipal Law 239-m was not required because the application constitutes a minor subdivision application, which the Dutchess County Planning Department is not authorized to review; and

WHEREAS, this action is a Type II action under Section 6 NYCRR 617.5(c)(16) of the NYS Environmental Quality Review Act ("SEQRA") because it involves granting a lot line variance; and

WHEREAS, on January 23, 2019, the Planning Board deemed the application to be complete for purposes of scheduling a public hearing; and

WHEREAS, a properly noticed public hearing was held and closed by the Planning Board, on February 13, 2019 in accordance with Section 105-11 & Appendix B of the Town Code, and Section 276 of the New York State Town Law; and

WHEREAS, the Planning Board has determined that the action requested in the Application will comply with all land use district, overlay district, and other specific requirements of the Zoning Law and other chapters and regulations of the Town Code, and will be consistent with the purposes of the Zoning Law and of the RR Zoning District.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 105-11 of the Town Code, the Planning Board hereby approves the minor subdivision plan entitled "Meili Lot Line Change" dated December 26, 2018 prepared by Kirk Horton, LS subject to the following condition:

1. The Applicant shall submit a revised minor subdivision plan addressing the comments in a memorandum dated January 7, 2019 from the Planning Board's Engineer John Andrews to his satisfaction. The Planning Board Chairman is authorized to sign the minor subdivision plan upon satisfaction of these comments.

BE IT FURTHER RESOLVED, in accordance with Section 105-13(E) of the Town Code, no changes, erasures, modifications or revisions shall be made on any final plat after approval has been given by the Planning Board and signed by the Planning Board Chairman. 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 Applicant within the same five (5) day period; and

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

Motion By: Tony
Second By: Matt

The foregoing resolution was voted upon with all members of the Planning Board voting and signing as follows:

	Yes	No	Abstain	Absent	Signature
Robert Boyles, Chairperson	X				
Anthony Robustelli	X				
Peter Clair	X				
Matthew Deister	X				
Erich McEnroe				X	
John Stefanopoulos	X				
Walter Brett			X		WALTER BRETT

Dated: February 13, 2019
Amenia, New York

Judith Westfall, Planning Board Clerk