



# TOWN OF AMENIA

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## TOWN OF AMENIA PLANNING BOARD

Resolution # 13 for 2025

June 25, 2025

### Resolution Approving Lot Line Change

**WHEREAS**, Open Space Institute Land Trust, Inc. ("OSI") the owner of  $\pm 204.63$  acres of land located at Bog Hollow Road (Parcel Grid # 7264-00-066595, 065692 & 243777), Brianna (formerly DeCarmine) and Joshua Miller, the owners of  $\pm 1.55$  acres of land located at 338 Bog Hollow Road (Parcel Grid # 7264-00-240660) and James Jaromin, the owner of  $\pm .66$  acres of land located at 320 Bog Hollow Road (Parcel Grid ## 7264-00-251731 and 247719) (collectively, the Applicants) have applied to the Planning Board for approval of lot lines changes pursuant to Chapter 105, Article III of the Town of Amenia Code ("Subdivision Law") for the purpose of conveying from OSI's lands  $\pm .08$  acres to the Millers and  $\pm .16$  acres to Jaromin; and

**WHEREAS**, the properties involved in the lot line adjustment are located in the Rural Agricultural Zoning District as set forth in the Town of Amenia Zoning Law (the "Zoning Law"); and

**WHEREAS**, in accordance with the definitions in the Subdivision Law, a lot line adjustment is deemed to be a minor subdivision; 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 plat entitled "Lot Line Adjustment Plat prepared for James Jaromin and Joshua Miller & Brianna DeCarmine and Open Space Institute Land Trust, Inc." by Stephen P. Miller, LLS, dated May 8, 2025, last revised May 9, 2025; (6) completed Authorization of Agent forms; 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, pursuant to Subdivision Law § 105-20(D), the Planning Board deems the application to be complete and waives the other requirements for information provided in Article V of the Subdivision Law; 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 grants preliminary and final approval for the minor subdivision plat entitled “Lot Line Adjustment Plat prepared for James Jaromin and Joshua Miller & Brianna DeCarmine and Open Space Institute Land Trust, Inc.” by Stephen P. Miller, LLS, dated May 8, 2025, last revised May 9, 2025, (the “Approved Plat”), subject to the following conditions:

1. Approval by the Planning Board attorney of the proposed deeds for the conveyance of the lands involved as to form and adequacy;
2. Prior to the execution of the approved minor subdivision plan, the Applicants shall address the comments from the Town Engineer to the satisfaction of the Engineer; and
3. The signing and dating of the Approved Plat by the owners of record following the date of last revision; and
4. The signing and sealing of the Approved Plat by the surveyor;
5. The granting of permission to file from the Dutchess County Department of Health; and
6. 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 ABOVE CONDITIONS HAVE NOT BEEN CERTIFIED AS COMPLETED WITHIN 180 DAYS OF THIS RESOLUTION, THIS 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 minor subdivision plans upon the Applicants’ compliance with the above-applicable conditions, and the submission requirements stated herein, if any; and

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

**BE IT FURTHER RESOLVED**, that pursuant to Subdivision Law Section 105-13(E), 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 Chair. 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	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
Nina Peak Deputy Chairperson	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
Lyzette Bullock	<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 25, 2025  
Amenia, New York

Voted certified by:

Judy Westfall  
Judy Westfall, Secretary  
Town of Amenia Planning Board