

TOWN OF MILAN PLANNING BOARD MEETING MINUTES - FINAL  
WEDNESDAY, JANUARY 5, 2011

MEMBERS PRESENT:

Peter Goss, Chairman  
Jeffrey Anagnos  
James Jeffreys  
Lauren Kingman  
Joan Wyant

MEMBERS ABSENT:

William Fiederlein  
George Lawrence

Chairman Goss opened the meeting at 7:00 p.m.

**Public Hearing:**

- Dolores Russo was present for the public hearing for her lot line adjustment of property located off of Mountain Road, tax grid numbers 6571-02-675671 (Lot 1) and 6571-02-722677 (Lot 2). Chairman Goss read the public notice that was posted in the paper and circulated to neighboring landowners. There was no one present in the audience for this application.

The Board agreed this application meets the requirements for sketch endorsement.

Ms. Wyant motioned that the Planning Board declare themselves lead agency for this application. Mr. Anagnos seconded.

Peter Goss, Chairman	Aye	Lauren Kingman	Aye
Jeffrey Anagnos	Aye	George Lawrence	Absent
William Fiederlein	Absent	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 5-0. Chairman Goss completed and signed the short Environmental Assessment Form.

Mr. Anagnos motioned that the Town of Milan Planning Board approve the following resolution: BE IT RESOLVED, the Planning Board has considered the Russo lot line adjustment application between two properties owned by Dolores Russo located off of Mountain Road, Lot 1 identified as tax grid number 6571-02-675671 and Lot 2 identified as tax grid number 6571-02-722677, in the A5A zoning district; and

WHEREAS, a Short Environmental Assessment Form was submitted on October 27, 2010; and

WHEREAS, an environmental review was conducted in accordance with 6 NYCRR Part 617 which resulted in no identifiable concerns being raised.

NOW, THEREFORE, BE IT RESOLVED, the Milan Planning Board declares a Determination of Non-Significance (Negative Declaration) for the Russo Lot Line Adjustment (Minor Subdivision). Ms. Wyant seconded.

Peter Goss, Chairman	Aye	Lauren Kingman	Aye
Jeffrey Anagnos	Aye	George Lawrence	Absent
William Fiederlein	Absent	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 5-0

Mr. Jeffreys motioned to close the public hearing. Mr. Anagnos seconded.

Peter Goss, Chairman	Aye	Lauren Kingman	Aye
Jeffrey Anagnos	Aye	George Lawrence	Absent
William Fiederlein	Absent	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 5-0

Mr. Anagnos motioned that the Planning Board approve the following resolution: BE IT RESOLVED, the Town of Milan Planning Board has considered the application from Dolores Russo for a lot line adjustment (minor subdivision);

WHEREAS, an application packet was submitted to the Planning Office on November 3, 2010 and a site plan prepared by J. Charles Boolukos, L.S. dated October 16, 2010 has been submitted for the requested lot line adjustment between two properties located off of Mountain Road identified as tax grid number 6571-02-675671 (Lot 1) and tax grid number 6571-02-722677 (Lot 2), in the A5A zoning district; and

WHEREAS, the proposed action is an adjustment of the boundaries to bring the garage which is currently located on Lot 2 to be within the boundaries of lot 1; and

WHEREAS, both parcels are improved with single family dwellings, accessory structures, wells, and septic; and

WHEREAS, the applicant has purchased and was deeded ownership to existing 25 foot right-of-way strips as indicated on the map (known as paper roads) between Lot 1 and Lot 2 extending to Mountain Road and running the length of the north side of lot 2 which will be included as part of the restructuring of the two lots; and

WHEREAS, Lot 1 is a pre-existing, non-conforming lot having 0.9 acres currently. This lot line adjustment will increase the acreage to 1.4 thereby making Lot 1 less non-conforming in the A5A zoning district; and

WHEREAS, Lot 2 is a pre-existing, non-conforming lot having 2.2 acres currently. After this lot line adjustment, Lot 2 will remain 2.2 acres so the area of non-conformance will not be increased; and

WHEREAS, the applicant applied for and was granted several area variances by the Zoning Board of Appeals on November 17, 2010 for the existing garage, house, shed and lot area for Lot 1 and for the existing shed and lot area for Lot 2; and

WHEREAS, a public hearing was held on January 5, 2011 with no public comment; and

WHEREAS, the Planning Board declared a Negative Declaration for this action on January 5, 2011.

NOW, THEREFORE, BE IT RESOLVED, the Milan Planning Board grants conditional final approval to the requested lot line adjustment and authorizes the Chairman to sign the mylar once the following conditions are met:

- Dutchess County Board of Health permission to file is obtained
- Owner's consent to file block signed
- Payment of the application fee (\$125.00) and publication fee (\$62.11) for a total of \$187.11
- Change map title to "Russo Lot Line Adjustment"

Ms. Wyant seconded.

Peter Goss, Chairman	Aye	Lauren Kingman	Aye
Jeffrey Anagnos	Aye	George Lawrence	Absent
William Fiederlein	Absent	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 5-0

Mr. Jeffreys motioned that the Town of Milan Planning Board approve the following resolution: BE IT RESOLVED, the Planning Board has considered the Russo lot line adjustment (minor subdivision) application of property located off of Mountain Road and identified as tax parcels 6571-02-675671 and 6571-02-733697; and

WHEREAS, an environmental review was conducted in accordance with 6 NYCRR Part 617 which resulted in no identified concerns and a Determination of Non-Significance (Negative Declaration) was approved by the Planning Board on January 5, 2011; and

WHEREAS, a public hearing was opened and closed on January 5, 2011; and

WHEREAS, this application complies with all of the provisions of the Town of Milan Code Chapters 177 (Subdivision) and 200 (Zoning); and

WHEREAS, all conditions for Final Approval are detailed in the resolution for Conditional Final Approval which was approved by the Planning Board on January 5, 2011.

NOW, THEREFORE, BE IT RESOLVED, the Milan Planning Board finds that the approval of the Russo Lot Line Adjustment (Minor Subdivision) is in compliance with the Town of Milan Subdivision Regulations (Chapter 177). Mr. Anagnos seconded.

Peter Goss, Chairman	Aye	Lauren Kingman	Aye
Jeffrey Anagnos	Aye	George Lawrence	Absent
William Fiederlein	Absent	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 5-0

**Administrative Items:**

Approval of Minutes: Mr. Anagnos motioned to approve the minutes of December 1, 2010 as amended. Ms. Wyant seconded.

Peter Goss, Chairman	Aye	Lauren Kingman	Aye
Jeffrey Anagnos	Aye	George Lawrence	Absent
William Fiederlein	Absent	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 5-0

**Applications:**

- **Cross Country Subdivision Request for Extension** – Pursuant to a memo dated December 2, 2010 prepared by Mark Graminski to the Planning Board requesting a three month extension so Cross Country Development LLC may finalize the Dutchess County Department of Health subdivision conditions, the following motion was made:

Mr. Jeffreys motioned that the Milan Planning Board approve the following resolution: BE IT RESOLVED, the Planning Board grants the first requested 90 day extension to the Cross Country Subdivision as per a memo received from Mark Graminski, P.E. & L.S. dated December 2, 2010. This extension will expire on **March 2, 2011**. Mr. Anagnos seconded.

Peter Goss, Chairman	Aye	Lauren Kingman	Aye
Jeffrey Anagnos	Aye	George Lawrence	Absent
William Fiederlein	Absent	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 5-0

- **Kassell Lot Line Adjustment** – Mr. Kingman brought the Board up to date on the conditions of final approval that have been met or need to be changed for the Kassell Lot Line Adjustment. The Board agreed to amend the motion to reflect these changes as follows:

Mr. Jeffreys motioned that the Planning Board revise the conditional final approval for the Kassell Lot Line Adjustment as follows:

NOW, THEREFORE, BE IT RESOLVED, the Milan Planning Board grants conditional final approval to the requested lot line adjustment and authorizes the Chairman to sign the mylar once the following conditions are met:

- All conditions in the Town Engineer’s letter of **December 28, 2010** have been met
- Final approval of the driveway by the Highway Superintendent and Town Engineer - **done**
- Approval of the ODA by the Town Board - **required**
- Town Attorney approval of the Common Driveway Access Maintenance Agreement - **done**
- Dutchess County Board of Health permission to file is obtained - **required**
- Owner’s consent to file block signed - **required**
- Payment of fees in the amount of \$193.59 - **done**

Seconded by Mr. Anagnos.

Peter Goss, Chairman	Aye	Lauren Kingman	Aye
Jeffrey Anagnos	Aye	George Lawrence	Absent
William Fiederlein	Absent	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 5-0

Mr. Anagnos motioned to adjourn the meeting at 7:23 p.m. Mr. Jeffreys seconded.

Peter Goss, Chairman	Aye	Lauren Kingman	Aye
Jeffrey Anagnos	Aye	George Lawrence	Absent
William Fiederlein	Absent	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 5-0

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The next workshop is scheduled for Thursday, January 27, 2011 and the next regular meeting is scheduled for February 2, 2011. Both meetings are held at the Town Hall and start at 7:00 p.m.

Respectfully submitted,

Karen Buechele, Clerk  
Planning and Zoning

cc: Catherine Gill, Town Clerk  
Town Board