

TOWN OF MILAN PLANNING BOARD MEETING MINUTES - FINAL
WEDNESDAY, NOVEMBER 2, 2011

MEMBERS PRESENT:

Lauren Kingman, Acting Chairman
Jeffrey Anagnos
William Fiederlein
James Jeffreys
Joan Wyant

MEMBERS ABSENT:

Peter Goss, Chairman
George Lawrence

Mr. Kingman opened the meeting at 7:00 p.m.

Public Hearings:

- **Pasture Rock Lot Line Adjustment:** David Borenstein was present for the lot line adjustment to adjust the lines between three lots (7, 8, and 9) that were part of the previously approved Pasture Rock II Subdivision, tax grid numbers 6572-00-254693/258630/298707-00. Mr. Kingman read the legal notice that was published in the paper and sent to neighboring landowners. Mr. Borenstein said he wants to combine the three lots into one which will also convert the common driveway into a single driveway, thereby reducing the amount of disturbance to the property.

Mr. Jeffreys motioned that the Planning Board waive sketch endorsement for this lot line adjustment. Ms. Wyant seconded.

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

Motion carried 5-0

Mr. Jeffreys motioned that the Planning Board declare themselves lead agency for this lot line adjustment. Mr. Anagnos seconded.

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

Motion carried 5-0

Mr. Kingman read the reasons supporting the determination of non-significance, including (2) the environmental review for this property was done as part of the Pasture Rock II previously approved subdivision and (3) by combining the three lots into one large lot and replacing the common drive with a single driveway, the disturbance to the land is minimized.

Mr. Jeffreys motioned that the Town of Milan Planning Board approve the following resolution: BE IT RESOLVED, the Planning Board has considered the Pasture Rock II lot line adjustment application to combine Lots 7, 8, and 9 (6.54 ac., 10.56 ac., and 6.82 ac. Respectively) as shown on Filed Map # 11669-C into one lot of 23.92 acres and replacing the common drive, Madison Trail, with a single driveway; and

WHEREAS, the property is located off of Woody Row Road in the A5A zoning district, tax grid numbers 6572-00-254693/258630/298707-00; and

WHEREAS, this property underwent a substantial environmental review during the Pasture Rock II subdivision process and the Pasture Rock II subdivision was granted a Negative Declaration on June 6, 2007; and

WHEREAS, a Short Environmental Assessment Form was submitted on September 22, 2011; and

WHEREAS, combining the lots and replacing the common drive with a single driveway will minimize disturbance; 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 Pasture Rock II Lot Line Adjustment (Minor Subdivision). Mr. Anagnos seconded.

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

Motion carried 5-0

Hearing no public comment, Mr. Jeffreys motioned to close the public hearing. Ms. Wyant seconded.

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

Motion carried 5-0

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

WHEREAS, an application packet was submitted to the Planning Office on September 26, 2011 and a site plan prepared by David Clouser & Associates dated September 26, 2011 has been submitted for the requested lot line adjustment to combine Lots 7, 8, and 9 (6.54 ac., 10.56 ac., and 6.82 ac respectfully) as shown on Filed Map #11669-C into one 23.92 acre lot and to replace the proposed common drive, Madison Trail, into a single driveway; and

WHEREAS, the property is located on Woody Row Road in the A5A zoning district, tax grid numbers 6572-00-254693/258630/298707-00; and

WHEREAS, a public hearing was held on November 2, 2011 with no public comment; and

WHEREAS, the Planning Board declared a Negative Declaration for this action on November 2, 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:

- All necessary signatures are obtained
- Add name and address of record of the property owner is added to the map
- Owner’s consent to file block signed
- Payment of publication fee in the amount of \$49.30
- Add to note 3 under General Notes: “The Town Board approved the modified ODA on October 17, 2011, eliminating Lots 7 thru 9 and Madison Trail.”
- Add to note 9 under General Notes: After Town of Milan, add “Planning Board”.
- Remove “Planning Board Approval” from the Owner/Applicant Signature Box

Seconded by Mr. Jeffreys.

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

Motion carried 5-0

Ms. Wyant motioned that the Town of Milan Planning Board approve the following resolution: BE IT RESOLVED, the Planning Board has considered the application from David Borenstein for a lot line adjustment (minor subdivision) to combine Lots 7, 8, and 9 (6.54 ac., 10.56 ac., and 6.82 ac respectfully) as shown on Filed Map #11669-C into one 23.92 acre lot and to replace the proposed common drive, Madison Trail, into a single driveway; and

WHEREAS, the property is located on Woody Row Road in the A5A zoning district, tax grid numbers 6572-00-254693/258630/298707-00; 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 November 2, 2011; and

WHEREAS, a public hearing was opened and closed on November 2, 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 November 3, 2010.

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

Seconded by Mr. Jeffreys.

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

Motion carried 5-0

Administrative Items:

- Approval of Minutes: Mr. Anagnos motioned to accept the minutes of October 5, 2011 as amended. Ms. Wyant seconded.

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

Motion carried 5-0

There was no correspondence.

Applications:

- 1. Karpowich Lot Line Adjustment:** David Borenstein was present for this lot line adjustment application of property located at 85 Academy Hill Road owned by Paul and Freida Karpowich, tax grid number 6471-00-960629, consisting of 18.4 acres. This

application proposes to transfer 7.209 acres to Mr. Borenstein’s adjacent lot, tax grid number 6471-00-004844, transfer 4.409 acres to Gayle Kavanagh and Lisa Hecht’s adjacent lot, tax grid number 6471-00-919581, and retaining the remaining acreage, 6.824 acres, as a stand-alone lot containing the house and out buildings which will be purchased by Mr. Borenstein. The survey has not been completed yet but will be soon. They would like to set the public hearing for the December meeting.

Mr. Kingman motioned that the Planning Board set the date for the public hearing for the Karpowich lot line adjustment to be held at the December 7, 2011 Planning Board meeting contingent on the site plan being submitted to the Planning Office by November 21st. Mr. Anagnos seconded.

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

Motion carried 5-0

Discussion Items:

- **North Road Treasures Auction (Don Johnson):** Don Johnson received site plan approval to hold auctions from May through September on his property located at 26 North Road, tax grid number 6571-00-957459. One of the conditions of his approval was that he appear before the Planning Board for a review at the end of the auction season. The Clerk sent letters to Glenn Butler, Highway Superintendent, Steve Cole, ZEO, and Emergency Services located on North Road to see if there have been any complaints related to the auctions. The responses received indicated there were no complaints received. Mrs. Johnson (who appeared on behalf of Mr. Johnson) asked what they would have to do if they wanted to hold auctions more than twice a month or if they wanted the auctions to start earlier in the year. Mr. Jeffreys said they would have to come back before the Planning Board to amend the site plan approval.

Mr. Anagnos motioned to adjourn the meeting at 7:25 p.m. Ms. Wyant seconded.

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

Motion carried 5-0

There is no Planning Board Workshop scheduled for December. The next Regular Meeting is scheduled for Wednesday, December 7, 2011 and will be held at the Town Hall at 7:00 p.m.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board