

TOWN OF MILAN PLANNING BOARD MEETING MINUTES – FINAL  
WEDNESDAY, JUNE 6, 2012

MEMBERS PRESENT:

Joan Wyant, Chairman  
Jeffrey Anagnos  
William Fiederlein  
James Jeffreys

MEMBERS ABSENT:

Kim Koehler  
Radford West

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

**Public Hearings:**

- **Red Wing Sand & Gravel Lot Line Adjustment:** Paul Doherty, Applicant, and Robert Ihlenburg, L.S., appeared for the public hearing for this lot line adjustment between two properties owned by Red Wing Sand & Gravel on Turkey Hill Road in the A3A Zoning District, tax grid numbers 6473-00-236616 and 6473-00-117425. Mr. Doherty said they are proposing to convey 0.789 acres from 236616 to 117425 which will bring lot 117425, which is pre-existing, non-conforming, into conformance with the zoning district. Lot 117425 is 2.50 acres now and this will bring it to + 3.0 acres. Lot 236616 is 122 acres.

Chairman Wyant opened the public hearing. Eric Hicks, 599 Turkey Hill Road, came to the meeting to see what the proposal was. He said it looks good to him. He asked why they wanted to make it conforming and Mr. Doherty said it may make it easier to sell the parcel some day. Most of the land that is being transferred is under water. Mr. Ihlenburg said he added the items that were requested at the last meeting, including the Health Department sign off block, a chart of before and after acreage, the parcel numbers, the Planning Board signature block, and the owner's endorsement signature block.

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

Joan Wyant, Chairman	Aye	Kim Koehler	Absent
Jeffrey Anagnos	Aye	Radford West	Absent
William Fiederlein	Aye		
James Jeffreys	Aye		

Motion carried 4-0

Chairman Wyant motioned that, pursuant to Part 617.7 of the State Environmental Quality Review Act, the Planning Board declare a Determination of Non-Significance (Negative Declaration) for the Red Wing Sand & Gravel Lot Line Adjustment. Mr. Anagnos seconded.

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Joan Wyant, Chairman	Aye	Kim Koehler	Absent
Jeffrey Anagnos	Aye	Radford West	Absent
William Fiederlein	Aye		
James Jeffreys	Aye		

Motion carried 4-0

Ms. Wyant motioned that the Planning Board close the public hearing. Mr. Jeffreys seconded.

Joan Wyant, Chairman	Aye	Kim Koehler	Absent
Jeffrey Anagnos	Aye	Radford West	Absent
William Fiederlein	Aye		
James Jeffreys	Aye		

Motion carried 4-0

Chairman Wyant motioned that the Planning Board approve the following resolution: BE IT RESOLVED, the Town of Milan Planning Board has considered the application from Paul Doherty, Red Wing Sand & Gravel Inc. for a lot line adjustment (minor subdivision);

WHEREAS, an application packet was submitted to the Planning Office on April 24, 2012 and a site plan prepared by Robert Ihlenburg, L.S. dated March 22, 2012 and last revised on June 1, 2012 has been submitted for the requested lot line adjustment between two properties located on Turkey Hill Road in the A3A zoning district and identified as 6473-00-236616 and 6473-00-117425, both owned by Red Wing Properties, Inc.; and

WHEREAS, the proposed action will convey 0.789 acres from 236616 to 117425; and

WHEREAS, the proposed action will bring lot 117425, which is pre-existing, non-conforming at 2.50 acres, to +/- 3.0 acres which is in conformance with the A3A zoning district; and

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

WHEREAS, a public hearing was held on June 6, 2012 with no public comment; 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 June 6, 2012; and

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 signature is obtained
- Owner's consent to file block signed
- Payment of the following fees is received:  
Application Fee: \$125.00  
Publication Fee: \$ 75.80

Please submit one check to the Town of Milan in the amount of \$200.80

Seconded by Mr. Jeffreys.

Joan Wyant, Chairman	Aye	Kim Koehler	Absent
Jeffrey Anagnos	Aye	Radford West	Absent
William Fiederlein	Aye		
James Jeffreys	Aye		

Motion carried 4-0

Mr. Jeffreys motioned that the Town of Milan Planning Board approve the following resolution:

BE IT RESOLVED, the Planning Board has considered the Red Wing Sand & Gravel lot line adjustment (minor subdivision) application of property located on Turkey Hill Road and identified as 6473-00-236616 and 6473-00-117425, both owned by Red Wing Properties, Inc.; and

WHEREAS, the Planning Board declared a Negative Declaration for this action on June 6, 2012.

WHEREAS, a public hearing was opened and closed on June 6, 2012; 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 June 6, 2012.

NOW, THEREFORE, BE IT RESOLVED, the Milan Planning Board finds that the approval of the Red Wing Sand & Gravel Lot Line Adjustment (Minor Subdivision) is in compliance with the Town of Milan Subdivision Regulations (Chapter 177).

Seconded by Mr. Anagnos.

Joan Wyant, Chairman	Aye	Kim Koehler	Absent
Jeffrey Anagnos	Aye	Radford West	Absent
William Fiederlein	Aye		
James Jeffreys	Aye		

Motion carried 4-0

**Administrative Items:**

- Approval of Minutes: Mr. Fiederlein motioned that the Planning Board accept the minutes of May 2, 2012 as presented. Mr. Jeffrey seconded.

Joan Wyant, Chairman	Aye	Kim Koehler	Absent
Jeffrey Anagnos	Aye	Radford West	Absent
William Fiederlein	Aye		
James Jeffrey	Aye		

Motion carried 4-0
  
- Correspondence: Mr. Jeffrey sent the Board an email dated June 5<sup>th</sup> regarding an update on the proposed mobile station. Mr. Jeffrey spoke to Ciro Interrante, the project architect. Mr. Interrante said Chestnut Petroleum, the applicant, has been working on a couple of time sensitive projects which have now been approved. He said they are currently working with the Board of Health on several issues. Mr. Jeffrey also noted that they will have to add a water system room, size dependent on input from the Board of Health, to the plan. They are hoping to be able to add it on as a utility room so that it would not be included in the square footage of the building.

**Applications:**

1. **Crow Two Lot Subdivision:** John Decker, L.S., was before the Board to present the two lot subdivision of property owned by Samuel Crow located at 880 Salisbury Turnpike, tax grid number 6471-00-915142, consisting of 34.7 acres in the A5A zoning district. Mr. Decker said Mr. Crow would like to subdivide off a 20 acre parcel and keep 14 acres with the house. His intention is to sell the 20 acre parcel. Mr. Decker met with Glenn Butler, Highway Superintendent, at the site and Mr. Butler submitted a preliminary approval for a single driveway access. If the purchaser of the lot wanted to further subdivide, there would have to be some adjustments for a shared driveway access. Chairman Wyant asked Mr. Decker about the wetlands at the front of the property, and Mr. Decker said he did not locate them on the map; he said the stone wall is 15 feet higher and the edge of the wetland is nowhere near the stone wall. He said the swamp does not come near the stone wall. Mr. Anagnos said there needs to be a 100 foot buffer from a DEC wetland and Mr. Decker said there is 250 feet of frontage. Mr. Jeffrey said so it appears there is plenty of room. When asked, Mr. Decker said they did not have any deep and perc tests done. Chairman Wyant asked if any potential house sites were identified since it appears there are some spots on the property that don't meet the required 400 feet lot width at the building line and Mr. Decker said there are three or four spots for a proposed house site. Mr. Jeffrey said so a house site should not be a problem but if it had to be put in an area that does not meet the minimum lot width, then the owner of the property would have to go to the ZBA for a variance. Mr. Decker said the applicant is just subdividing the parcel now; they are planning on selling it. They put the boundary line where it is

because they wanted to make the lot 20 acres. Mr. Jeffreys said he has preliminary approval for driveway access, the wetlands don't appear to be on the property, Mr. Decker has said there are a few potential house sites, and the applicant is not building on the property, he is selling it, so he felt the Board could set the date for the public hearing to be held at the July 11<sup>th</sup> meeting.

Chairman Wyant motioned to set the date for the Crow Two Lot Subdivision public hearing to be held at the July 11<sup>th</sup> Planning Board meeting. Mr. Jeffreys seconded.

Joan Wyant, Chairman	Aye	Kim Koehler	Absent
Jeffrey Anagnos	Aye	Radford West	Absent
William Fiederlein	Aye		
James Jeffreys	Aye		

Motion carried 4-0.

- Lore Site Plan Approval:** Samuel Lore was present on behalf of his application for site plan approval for a Commercial greenhouse and nursery, including office and sales yard on property located on Round Lake Road, tax grid numbers 6470-00-411639, 6470-00-443637, and 6470-00-437672. Mr. Lore submitted a request for an interpretation to the ZBA for the use of the property and the ZBA interpreted the use to fall under Commercial greenhouse and nursery, including office and sales yard, Table B, Schedule of Use Regulations, of the zoning code. This use required site plan approval. This is an existing use. The applicant imports raw materials and processes it into landscaping materials such as top soil, wall stone, and decorative boulders which they sell. There are no buildings on the site. The sales office is in a remote location. The product is delivered as the sales orders are received. There is no pedestrian traffic, lighting, or landscaping associated with the nursery yard. The Board agreed that Mr. Lore will need to submit a site plan showing the use on the property, the driveway access, the setback lines, etc. Mr. Jeffreys said he will contact Keith Lore with the requirements for the map.

Mr. Jeffreys motioned that the Planning Board set the date for the public hearing for this application to be held on Wednesday July 11, 2012. Mr. Anagnos seconded.

Joan Wyant, Chairman	Aye	Kim Koehler	Absent
Jeffrey Anagnos	Aye	Radford West	Absent
William Fiederlein	Aye		
James Jeffreys	Aye		

Motion carried 4-0.

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Chairman Wyant motioned to adjourn the meeting at 7:45 p.m. Mr. Jeffreys seconded.

Joan Wyant, Chairman	Aye	Kim Koehler	Absent
Jeffrey Anagnos	Aye	Radford West	Absent
William Fiederlein	Aye		
James Jeffreys	Aye		

Motion carried 4-0.

The next workshop meeting is scheduled to be held on Thursday, June 28<sup>th</sup> and the next regular meeting is scheduled to be held on Wednesday, July 11<sup>th</sup> (the second Wednesday of the month due to the Fourth of July holiday). 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