

PLANNING BOARD MEETING MINUTES – FINAL

WEDNESDAY, JULY 9, 2014

MEMBERS PRESENT

Joan Wyant, Chairman
Jeffrey Anagnos
Nathaniel Charny (arrived 7:07)
Kim Godfrey
James Jeffreys (arrived 7:09)
John Mautone
Radford West

MEMBERS ABSENT:

None

ALSO PRESENT:

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

Public Hearings: **None**

Administrative Items:

- Approval of Minutes – Ms. Godfrey motioned that the Planning Board accept the minutes of June 4, 2014 as submitted. Mr. Mautone seconded.

| | | | |
|----------------------|--------|----------------|--------|
| Joan Wyant, Chairman | Aye | James Jeffreys | Absent |
| Jeffrey Anagnos | Aye | John Mautone | Aye |
| Nathaniel Charny | Absent | Radford West | Aye |
| Kim Godfrey | Aye | | |

Motion carried 5-0.
- Correspondence – There was no correspondence.

Applications:

- 1. Howe/Leavitt Lot Line Adjustment:** Wesley Chase, L.S., appeared on behalf of the applicants for a lot line adjustment between property owned by Bruce Howe located at 162 Sawmill Road, 2.06 acres, tax grid number 6472-00-119262 and property owned by Craig Leavitt located on Sawmill Road, 54.91 acres, tax grid number 6472-00-174298. Both properties are located in the A3A zoning district. Mr. Chase said when Mr. Howe had a survey done, they found out that the stone wall was not the property line and that his well is located on Mr. Leavitt's property. The purpose of the lot line adjustment is to bring the well onto the Howe property. The Board agreed that this application meets the subdivision requirements.

Mr. Anagnos motioned that the Planning Board declare their intent to be lead agency for this unlisted, uncoordinated action under SEQRA. Mr. Mautone seconded.

| | | | |
|----------------------|--------|----------------|--------|
| Joan Wyant, Chairman | Aye | James Jeffreys | Absent |
| Jeffrey Anagnos | Aye | John Mautone | Aye |
| Nathaniel Charny | Absent | Radford West | Aye |
| Kim Godfrey | Aye | | |

Motion carried 5-0.

TOWN OF MILAN PLANNING BOARD MINUTES – FINAL – JULY 9, 2014

Chairman Wyant motioned that the Planning Board set the date for the public hearing to be held at the August 6, 2014 Planning Board meeting. Mr. Mautone seconded.

| | | | |
|----------------------|--------|---------------------|--------|
| Joan Wyant, Chairman | Aye | James Jeffreys | Absent |
| Jeffrey Anagnos | Aye | John Mautone | Aye |
| Nathanial Charny | Absent | Radford West | Aye |
| Kim Godfrey | Aye | Motion carried 5-0. | |

2. **Steckler/Aiello Lot Line Adjustment:** Wesley Chase, L.S., appeared along with George Steckler for a lot line adjustment between property owned by George Steckler located at 11 Old Jackson Corners Road, tax grid number 6573-00-996452 in the A3A zoning district and Jason and Lindsay Aiello located at 941 Academy Hill Road, tax grid number 6573-00-939310 in the A5A zoning district. Mr. Chase said Martha Steckler has passed away so the estate owns the old Steckler farm. Mr. Aiello is proposing to purchase the land south of the Roeliff Jansen Kill and add it to his existing property. Mr. Aiello has bought property in the past from the Stecklers and affixed it to his property. Mr. Chase said Martha Steckler did convey to the people of New York State an easement for fishing and recreational use which stretches 33 feet along both sides of the Roe Jan which is not shown on the map. Mr. Anagnos said that easement needs to be shown on the map and a note should be added to the map referencing the easement. Mr. Steckler said all the easement means is that it is legal to fish there. The Board agreed that this application meets the requirements of the subdivision regulations.

Chairman Wyant motioned that the Planning Board declare their intent to be lead agency for this unlisted, uncoordinated action under SEQRA. Ms. Godfrey seconded.

| | | | |
|----------------------|-----|---------------------|-----|
| Joan Wyant, Chairman | Aye | James Jeffreys | Aye |
| Jeffrey Anagnos | Aye | John Mautone | Aye |
| Nathanial Charny | Aye | Radford West | Aye |
| Kim Godfrey | Aye | Motion carried 7-0. | |

Chairman Wyant motioned that the Planning Board set the date for the public hearing to be held at the August 6, 2014 Planning Board meeting. Mr. Jeffreys seconded.

| | | | |
|----------------------|-----|---------------------|-----|
| Joan Wyant, Chairman | Aye | James Jeffreys | Aye |
| Jeffrey Anagnos | Aye | John Mautone | Aye |
| Nathanial Charny | Aye | Radford West | Aye |
| Kim Godfrey | Aye | Motion carried 7-0. | |

3. **Chestnut Mart of Milan** - Scott Parker appeared regarding a site plan amendment for Chestnut Mart of Milan located at 1445 Route 199, tax grid number 6570-00-536267. Mr. Parker said they have gotten their temporary Certificate of Occupancy from the Building Inspector but have not opened yet because NYS has not issued us their Certificate of Authority which gives us the right to collect sales tax, etc. They are telling us any day now but that Certificate must be in our hands before we can open. As far as the sign out front, Mr. Parker said the DOT said the sign is allowed to be in the right of way but any permanent base had to be removed so they did remove the base. He said they will do some landscaping around the sign but it will be further back because snow and salt will destroy anything too close to the road. They will do the roof on the sign though which will allow the lights to be hidden up inside the roof and will eliminate the gooseneck light. The

Board agreed with that. Mr. Parker said he is in front of the Board to discuss the litter barrier fence and the dumpster enclosure. There is an eight foot tall chain link fence across the front of property. At some point in the process, it was suggested that we re-use that fence for the litter barrier to the wetlands which would be the fence in between the parking lot and the ponds. However, no one wants an 8 foot fence and we don't think eight feet is necessary. We would like to drop it down to a four foot fence. Mr. Parker said they checked with the Dec and while they require the fence as a litter barrier, they do not get into specifics such as height or style. You have to be able to see through it though. Mr. Parker said we typically do a least intrusive type of fence which is vinyl coated black. The Board members agreed to a four foot high vinyl coated black fence. When asked about a gate, Mr. Parker said they will have to do at least one gate. Mr. Jeffreys suggested putting in a double gate to that they can get a lawn mower in there for maintenance. Mr. Parker said there is an existing fence with slats that is a privacy barrier to the neighbor which is in the trees – they will leave that there but if it goes into disrepair and they want us to take it down, we will. He said the neighbor actually has a satellite dish attached to one of the fence poles. Mr. Parker said as far as the dumpster enclosure, it is listed on the drawing as a masonry structure. We are proposing a chain link fence with privacy slats, either in permahedge or wood. Ms. Godfrey said the problem with the chain link is that in the first year, the garbage trucks will destroy it. Mr. Jeffreys suggested putting in concrete pillars and mounting the doors on large steel posts concreted into the ground which swing open 270 degrees so the trucks can get into the area completely. Mr. Parker said we can do that, that's what we used to do, but those structures are harder to repair. We prefer the chain link and wood. We have already sunk some of the post hole locations. Mr. Jeffreys suggested they look at the Dunkin Donuts enclosure in Red Hook. The facility has been there for about 10 years and has stood the test of time. Mr. Jeffreys said if you build it like that, everyone will be happy. When asked, Mr. Parker said there are two dumpsters, one for garbage and one for recycling (cardboard).

4. **Trudell Subdivision** – Brian Trudell received conditional final approval for his two lot subdivision and lot line adjustment application on February 12, 2014 for his property located on Brooklyn Heights Road, tax grid numbers 6371-00-880388 and 6371-00-870388. This approval will expire on August 10, 2014. Mr. Trudell has requested a first 90 day extension to allow him to continue working towards completing the conditions of final approval.

Ms. Godfrey motioned that the Planning Board approve the first 90 day extension for the Trudell subdivision and lot line adjustment to allow Mr. Trudell to continue working towards completing the conditions of final approval. This 90 day extension will expire on November 8, 2014. Mr. West seconded.

| | | | |
|----------------------|-----|---------------------|-----|
| Joan Wyant, Chairman | Aye | James Jeffreys | Aye |
| Jeffrey Anagnos | Aye | John Mautone | Aye |
| Nathanial Charny | Aye | Radford West | Aye |
| Kim Godfrey | Aye | Motion carried 7-0. | |

Discussion Items:

1. **John and Ingrid Kulich** - Mr. and Mrs. Kulich appeared with a proposal to start a bed and breakfast on their property located at 269 Milan Hollow Road, tax grid number 6470-00-627183. He said their house at present has a master bedroom with two additional bedrooms and an office which they would convert to a guest room. They will have to add a bathroom to do that. He said we also have a barn on the property. The house has limited space and the barn has a lot of space but it's two separate structures. Mr. Kulich said one of their questions is, is there any way we could develop the space in the barn given we don't live in the barn. The Town's regulations state the dwelling shall be limited to a single structure affording overnight accommodations. The barn is 100 feet from the house.

There was no action taken at this meeting. The applicant will do some further research on bed and breakfasts and will re-appear once they submit an application packet.

2. **Glenn Merron** – Ms. Merron appeared before the Board to discuss a possible subdivision of her property located at 564 Milan Hollow Road, tax grid number 6470-00-646771 consisting of 21.59 acres in the LC zoning district. Ms. Merron said there is a stream that runs down the middle of the property that she would use as the dividing line. She has had some flooding problems since Hurricane Irene and Sandy. She said the culvert has fallen into the water and she is working with Dutchess County Soil and Water to replace it. She said the two properties would gain access via the private road. There were structures on the property previously where there are still foundations visible as well as existing structures. You can actually see where the mill used to be before it was destroyed by fire. The problem is the property is located entirely in the LC district and single family dwellings are not allowed in the LC district so the Town Board would have to approve any building. Mr. Jeffreys suggested the applicant give the Board a chance to do some research on this and that they come back to the next meeting on August 6th. He also suggested the applicant talk to Steve Cole, Zoning Enforcement Officer/Building Inspector, and get his opinion on the steps they need to take to subdivide and build.

Mr. Anagnos motioned to adjourn the meeting at 8:15 p.m. Mr. Jeffreys seconded.

| | | | |
|----------------------|-----|----------------|-----|
| Joan Wyant, Chairman | Aye | James Jeffreys | Aye |
| Jeffrey Anagnos | Aye | John Mautone | Aye |
| Nathanial Charny | Aye | Radford West | Aye |
| Kim Godfrey | Aye | | |

Motion carried 7-0.

The next workshop will be held on Thursday, July 31 at 7:00 p.m. (if needed) and the next regular meeting will be held on Wednesday, August 6 at 7:00 p.m.

Respectfully submitted,

Karen Buechele, Clerk
 Planning and Zoning

cc: Catherine Gill, Town Clerk

Town Board