

TOWN OF MILAN PLANNING BOARD MEETING MINUTES –FINAL
WEDNESDAY, DECEMBER 2, 2015

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None

ALSO PRESENT:

Jack Campisi, Town Board Liaison

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

Public Hearings:

- 1. Berkow/Badtke Lot Line Adjustment** - The Berkow/Badtke lot line adjustment application that was scheduled for a public hearing for tonight's meeting was withdrawn by the applicant.
- 2. Unmann Lot Line Adjustment** – Marie Welch, L.S. was present as the authorized representative for the public hearing for Herbert and Marie Unmann who are proposing a lot line adjustment between their lot at 315 Pond Road, tax grid number 6470-00-448324 and property owned by Christopher Rosekrans and Jordan Backman located at 245 Pond Road, tax grid number 6470-00-417201. Ms. Welch submitted a new map based on the new survey which included the items requested by the Board: a signature block for Rosekrans/Backman and a before and after chart for both lots. The property is on the backside of the Unman property and will be added to the Rosekrans/Backman property. There is no new residence proposed.

Chairman Wyant motioned that the Planning Board declare themselves lead agency for the Unmann/Rosekrans/Backman lot line adjustment application. Mr. Anagnos seconded.

Chairman Wyant	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Aye	John Mautone	Aye
Nathaniel Charny	Aye	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 7-0.

Chairman Wyant motioned that the Milan Planning Board approve the Negative Declaration for the Unmann/Rosekrans/Backman lot line adjustment pursuant to Part 617.7 of the State Environmental Quality Review Act for the application.

Mr. Anagnos seconded.

Chairman Wyant	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Aye	John Mautone	Aye

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Nathaniel Charny	Aye	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 7-0.

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

Chairman Wyant	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Aye	John Mautone	Aye
Nathaniel Charny	Aye	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 7-0.

Chairman Wyant motioned that the Town of Milan Planning Board approve the following resolution: BE IT RESOLVED, the Town of Milan Planning Board has considered the application from Herbert Unmann for a lot line adjustment (minor subdivision);

WHEREAS, a formal application for the approval of a lot line adjustment with an adjoining parcel owned by Christopher Rosekrans and Jordan Backman was submitted to the Town of Milan Planning Board on October 22, 2105 along with a site plan prepared by Marie Welch, L.S. dated October 22, 2015; and

WHEREAS, the Unmann parcel is 77.80 acres located at 315 Pond Road, tax grid number 6470-00-448324 in the A5A zoning district and the Rosekrans/Backman parcel is 5.0 acres located at 245 Pond Road, tax grid number 6470-00-417201 in the A5A zoning district; and

WHEREAS, after the lot line adjustment, the Unmann parcel will be 60.04 acres and the Rosekrans/Backman parcel will be 22.75 acres; and

WHEREAS, a public hearing for this proposal was held on December 2, 2015 at which time there were no objections raised; and

WHEREAS, the Board, after considering the impacts that could reasonably be expected to result from the action against those in Part 617 of NYCRR of the State Environmental Quality Review Act (SEQRA), determined that the action will not result in any potential significant adverse impacts and adopted a Negative Declaration on December 2, 2015; and

WHEREAS, the Town of Milan Planning Board finds that this application complies with the provisions of the town of Milan Code Chapter 177, Subdivision, and Chapter 200, Zoning.

NOW, THEREFORE, BE IT RESOLVED, the Planning Board of the Town of Milan grants conditional final approval to the Unmann/Rosekrans/Backman lot line adjustment based upon a site plan prepared by Welch Surveying dated November 25, 2015; and

BE IT FURTHER RESOLVED, the Chairman of the Planning Board is hereby authorized to endorse approval on said plat after compliance by the applicant with such conditions as noted below:

- All signatures are obtained on the mylar prior to presenting to the Chairman for signature
- Payment of all fees as follows:

Publication Fee: \$101.23

Seconded by Mr. Mautone.

Chairman Wyant	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Aye	John Mautone	Aye
Nathaniel Charny	Aye	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 7-0.

Conditional final approval expires in 180 days, May 30, 2016. Once the mylar has been signed by the Chairman, the applicant or applicant’s representative must file it in the office of the Dutchess County Clerk within 60 days from the date of signing.

Administrative:

- Approval of Minutes: Mr. Charny motioned that the Planning Board accept the minutes of November 4, 2015 as presented. Mr. Anagnos seconded.

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

Motion carried 7-0

Correspondence:

- The Board received a letter from East-West Forestry Associates, Inc. dated October 19, 2015 describing the implementation of the forest management program at Wilcox Park.

Applications:

1. **West Two Lot Subdivision** – Mr. West recused himself from the meeting table for this application. Mark Graminski, P.E./L.S. was present as the authorized representative for Radford West regarding his proposed two lot subdivision of property located at 495 Academy Hill Road, tax grid number 6572-00-671582. Mr. Graminski said the variances were granted at the November ZBA meeting for Lot #1 for a side setback and for Lot #2 for the side setback and minimum lot width at the building line. We are now ready to move forward with the subdivision application. Mr. Graminski submitted a set of plans prepared for the Dutchess County Department of Public Works for the driveway access with shows the common area which will be forwarded to the town attorney for the ODA. Mr. Graminski said he has been in touch with Steve Gill of the DPW and

all indications are they will approve the access permit. Mr. Graminski said he understands it is Board policy not to schedule public hearings until conceptual approval from the DPW has been obtained. Mr. Graminski asked the Board if they would consider setting the date for the public hearing for the January 6th Planning Board meeting contingent on receiving the conceptual approval. He will submit the letter prior to the date the publications have to be sent out for the public hearing. Mr. Graminski said once he receives the conceptual approval from the DPW, he will make application to the DEC for the permit that is required for the access work in the buffer area. He has contacted the DEC and does not think there will be any problems obtaining this permit.

Mr. Jeffreys motioned that the Planning Board scheduled the public hearing for the West two lot subdivision to be held at the January 6, 2016 Planning Board meeting pending receipt of conceptual approval for the common driveway access from the Dutchess County Department of Public Works a minimum of ten days prior to the meeting date. Mr. Mautone seconded.

Joan Wyant, Chairman	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Aye	John Mautone	Aye
Nathaniel Charny	Aye	Radford West	Recused
Kim Godfrey	Aye	Motion carried 6-0-1	

Mr. West re-joined the meeting table.

Discussion Items:

- Education Hours: The Board members were reminded that they all need to have four hours of education time prior to December 31, 2015.
- Dutchess County Planning has started an initiative to streamline referrals by offering municipalities the ability to sign a voluntary inter-municipal agreement that would eliminate the requirement to refer certain actions to the County Planning Department for review. The Town Board has requested input from the Planning Board as to whether or not the Board supports this initiative.

Chairman Wyant motioned that the Planning Board supports the adoption of a resolution by the Town of Milan Town Board that allows the Town of Milan to enter into an agreement with Dutchess County to eliminate the requirement to review certain planning and zoning actions. Seconded by Mr. Jeffreys.

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

- George Carrothers – Mr. Carrothers appeared before the Board to discuss the property located at 1179 Route 199, tax grid number 6471-00-935427. Mr. Carrothers said he is unable to get a CO for this property because due to the NYS

Fire Code, the building requires a sprinkler system for public assembly over 99 people and a sprinkler system would be too costly to install. Mr. Carrothers applied to NYS for a variance on the sprinkler system requirement but was unable to get the variance. He now would like to propose a change of use for the building to multiple retail which Mr. Carrothers said is allowed in the HB zoning code as a principal permitted use. Mr. Carrothers said the building with this use would not be considered public assembly so would not require a sprinkler system. He would plan to keep the space divided as it is now, petition off each space, and consider each of those different areas separate retail areas. He has two people interested now in renting space, one for an antique store and one for a small showroom for wood samples. Mr. Jeffreys said that would require site plan and special use permit approval and he would have to submit a site plan. Mr. Mautone said this would be considered a group of businesses and wouldn't the site plan have to show the specific area for each business. Mr. Charny agreed saying he thinks there would need to be some form of demarcation inside the building to separate the businesses and the site plan would have to show the driveway , parking, etc. Mr. Carrothers said the building is divided right now into five different spaces and he would be looking for four businesses to rent space. Mr. Jeffreys asked about the second floor and Mr. Carrothers said that is not part of the proposal at this time.

Mr. Carrothers was advised he would need to submit a site plan showing the floor plan of the building divided to accommodate separate businesses as well as the other requirements for site plan approval/special use permit approval such as parking and lighting. The proposed use of the second floor would also have to be addressed. There was no action taken at this meeting.

Mr. Anagnos motioned that the Planning Board adjourn the meeting at 7:35 p.m. Mr. Charny seconded.

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

The next Planning Board meeting will be held on Wednesday, January 6, 2016.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board