

TOWN OF MILAN PLANNING BOARD MEETING MINUTES – FINAL
WEDNESDAY, JULY 12, 2017

MEMBERS PRESENT:

Joan Wyant, Chairman
Kim Godfrey
James Jeffreys
John Mautone
Radford West

MEMBERS ABSENT:

Nathaniel Charny
Jeffrey Anagnos

ALSO PRESENT:

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

Public Hearings:

1. **Vosburgh Two Lot Subdivision** – Bryan Vosburgh was present for the public hearing for his two lot subdivision of property located at 72 Willow Glen Road, tax grid number 6572-00-247838 consisting of 24.77 acres in the 5 acre zoning district. Chairman Wyant read the legal notice that was posted in the paper and sent to neighboring landowners. When asked about the driveway, Mr. Vosburgh said the DEC would not allow any more crossings over the wetlands so the existing driveway will be a shared access and drive and will split into individual drives once it crosses the wetland area. Mr. Vosburgh said they will relocate the existing drive to run alongside the existing tree line to move it further from the dwelling so headlights won't hit the house.

Chairman Wyant motioned that the Planning Board declare themselves lead agency for the Vosburgh two lot subdivision application. Mr. Jeffreys seconded.

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

Motion carried 5-0.

Mr. Jeffreys motioned that the Milan Planning Board approve the Negative Declaration for the Vosburgh two lot subdivision application pursuant to Part 617.7 of the State Environmental Quality Review Act for the application. Mr. West seconded.

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

Motion carried 5-0.

Mr. Jeffreys motioned to close the public hearing. Ms. Godfrey seconded.

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

Motion carried 5-0.

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 Bryan and Leslie Vosburgh for a two lot subdivision;

WHEREAS, a formal application for the approval of a two lot subdivision was submitted to the Town of Milan Planning Board on June 7, 2017 along with a site plan prepared by Decker Surveying dated June 2, 2017 and last revised June 21, 2017; and

WHEREAS, this 24.77 acre parcel is located on Willow Glen Road, tax grid number 6572-00-247838 in the A5A Zoning District and has a single family dwelling with well and septic and a garage existing on the property; and

WHEREAS, this subdivision will divide the existing 24.77 acres into two lots: Lot 1A will consist of 6.622 acres and will contain the existing dwelling and associated well and septic system and Lot 1B will consist of 18.151 acres and will contain the garage; and

WHEREAS, the applicant is proposing to add an apartment above the garage and has received preliminary Department of Health approval for a well and septic for this lot; and

WHEREAS, the applicant is proposing to relocate the existing individual driveway to Lot 1B to within the easement area on Lot 1A and as shown on the site plan prepared by Decker Surveying dated June 2, 2017 and revised June 21, 2017; and

WHEREAS, the NYS DEC will not allow another access on this property due to the wetlands so the individual access will become a shared access for Lots 1A and 1B and Glenn Butler, Town of Milan Highway Superintendent, has granted preliminary approval for a shared access which will require a paved apron; and

WHEREAS, this application requires Town Board approval of an Open Development Area due to the common drive; and

WHEREAS, a public hearing for this proposal was held on July 12, 2017, during 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 6NYCRR 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 July 12, 2017; 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, that the Planning Board of the Town of Milan grants conditional final approval to the Vosburgh two lot subdivision; and

BE IT FURTHER RESOLVED, that 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:

- Town Board approval of the ODA is received
- Meet the required conditions set forth in the Milan Fire Rescue Subdivision Review dated July 6, 2017.
- The Building Inspector must verify that the finished drive conforms to plan prior to the issuance of a building permit which includes a paved apron onto Willow Glen Road.
- All signatures are obtained on the mylar prior to presenting to the Chairman for signature.
- Payment of all fees as follows and payment of any outstanding escrow fees:

Final Fee	\$ 200.00
Recreation Fee	\$1,500.00
Publication Fee	\$ 81.11

Please submit two checks made payable to the Town of Milan as follows: One in the amount of \$1,500.00 for the rec fees and one in the amount of \$281.11 for the final and publication fees.

Mr. Mautone seconded.

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

Motion carried 5-0.

Conditional final approval expires in 180 days (January 8, 2018). Once the conditions for final approval have been met, it is suggested the applicant submit one paper copy to the Planning Office for review. Once it has been determined by the Planning Department that all of the conditions have been met, you will need to submit for the **Chairman’s signature one mylar for filing plus five (5) paper copies for the Town files**, as well as any paper copies you would like signed and returned.

Once the mylar is 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. Jeffreys motioned that the Planning Board accept the minutes of June 6, 2017 as presented. Mr. West seconded.
Joan Wyant, Chairman Aye James Jeffreys Aye
Jeffrey Anagnos Absent John Mautone Aye
Nathaniel Charny Absent Radford West Aye
Kim Godfrey Aye Motion carried 5-0

Applications: None

Discussion Items:

- The Clerk discussed with the Board the following: Jim Foti, 1 Tribune Lane, 6571-00-560279, wants to lease out the building on his property to a sculptor repair/restoration business. Currently, Mr. Foti has a special use permit for an auto body shop. He does not want to lose that designation. Steve Cole, Building Inspector, believes the sculptor repair business falls under Furniture restoration shop* in the Schedule of Use Regulations. In order to keep both uses, Mr. Cole suggested Mr. Foti apply for a special use permit for a Group of Businesses which is an allowed use in the HB district with a special use permit from the Planning Board and site plan approval. The definition of Group of Businesses is “Two or more retail establishments or offices sharing certain facilities such as parking, public utilities, and open space.” Both of these businesses utilize much of the same equipment and functions, i.e. welding, grinding, painting so would use the same parking, utilities, and work space. Mr. Foti does not intend to run the auto body shop while the sculptor repair/restoration business is located in the building but he could if need be. The Board thought this was a workable solution. Mr. Foti is planning on presenting his application for a Group of Businesses at the August 2nd meeting. He currently has site plan approval from the Planning Board for an auto body shop.

Correspondence: None

Mr. Jeffreys motioned that the Planning Board adjourn the meeting at 7:45 p.m. Mr. Mautone seconded.

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

Town of Milan Planning Board Meeting Minutes – Final –July 12, 2017

The next Planning Board meeting is scheduled for Wednesday, August 2, 2017 at 7:00 p.m.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board