

TOWN OF MILAN PLANNING BOARD MEETING MINUTES – FINAL
WEDNESDAY, SEPTEMBER 6, 2017

MEMBERS PRESENT:

Joan Wyant, Chairman
Jeffrey Anagnos
Nathaniel Charny (arrived 7:20 p.m.)
Kim Godfrey
James Jeffreys
John Mautone
Radford West

MEMBERS ABSENT:

Also Present:

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

Public Hearings:

- 1. Foti Group of Businesses** – Jim Foti appeared for the public hearing for his application for a group of businesses on his property located at 1 Tribune Lane, tax grid no. 6571-00-560279 in the HB zoning district. Chairman Wyant read the legal notice that was posted in the paper and sent to neighboring landowners and opened the public hearing. Mr. Foti said he is here seeking a special use permit for a group of businesses. He would like to lease his building to a sculptor restoration business but does not want to lose the auto body repair use. Both uses utilize much of the same equipment and functions such as welding, painting and grinding. The sculptor repair business is not a retail store so there will not be any customer traffic. There are no changes since the last time he was in. Mr. Foti said they are not planning any exterior changes and only minor changes to the interior. There was no public comment.

Chairman Wyant motioned to close the public hearing. Mr. West seconded.

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

Chairman Wyant motioned that the Planning Board approve the following resolution:

BE IT RESOLVED, the Planning Board has considered the site plan/special use permit application for the approval of a Group of Businesses submitted by James Foti on July 18, 2017 on property located at 1-3 Tribune Lane, tax grid number 6571-00-560279 located in the Highway Business Zoning District consisting of 2.3 acres;

WHEREAS, this parcel has an approved site plan for an auto body shop per a map prepared by Robert L. Campbell, LS dated January 7, 2004 and last revised July 27, 2005 and signed by the Planning Board chairman on February 7, 2006; and

WHEREAS, the applicant has proposed to lease the building to tenants for the use of Furniture restoration shop as designated by the Zoning Enforcement Officer which is a permitted use in the HB district with site plan approval by the Planning Board; and

WHEREAS, the furniture restoration shop will be used to repair and refinish large sculptures which includes welding, grinding, painting, and applying clear coatings. This is not a retail store and will not have customers coming into the shop; and

WHEREAS, the applicant has applied for the use of Group of Businesses which is allowed in the Highway Business District with special use permit approval/site plan approval by the Planning Board; and

WHEREAS, the Group of Businesses will include the use of auto body shop and furniture restoration shop and will share parking, public utilities, and open space; and

WHEREAS, there are no changes proposed to the outside of the building and only minor changes to the inside; and

WHEREAS, an updated survey map prepared by Robert L. Campbell, LS dated January 7, 2004 and updated August 7, 2017 was submitted for this application; and

WHEREAS, this application was referred to the Dutchess County Department of Planning and Development for the GML 239 review and they responded Matter of Local Concern with Comments on August 30, 2017; and

WHEREAS, the Planning Board declared this a Type II action per Section 617(c) (7) of the `State Environmental Quality Review Act on August 2, 2017; and

WHEREAS, a public hearing was held on September 6, 2017 at which time there were no concerns raised; and

WHEREAS, this application meets the conditions and standards set forth in Article VIII Special Use Permits and Article IV Site Plan Review,

NOW, THEREFORE, BE IT RESOLVED, the Planning Board grants site plan and special use permit approval for a Group of Businesses to include body shop, automobile and furniture restoration shop and authorizes the Chairman to sign the map.

Seconded by Mr. Mautone.

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

Administrative:

- Approval of Minutes: Mr. Jeffreys motioned that the Planning Board accept the minutes of August 2, 2017 as presented. Mr. West seconded.

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

Applications:

1. **DiMauro/Windley Lot Line Adjustment:** Gary DiMauro appeared to present his lot line application of property located on Academy Hill Road, tax grid numbers 6572-00-572108 and 6572-00-526175. Mr. DiMauro said he has purchased the adjoining parcel and will add 4.96 acres to Parcel A so that the boundary conforms to an existing stone wall. Parcel B is vacant and will be 9.13 acres after the change so meets the current zoning requirements. Mr. DiMauro said he has no intention of building on Parcel B and hopes to sell it at a later date.

Mr. Jeffreys motioned to declare this an unlisted, uncoordinated action under SEQRA. Ms. Godfrey seconded.

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

Chairman Wyant motioned to schedule the public hearing for this application for the October 4th meeting. Mr. Jeffreys seconded.

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

2. **Taconic Retreat Center** – Paul Bowen, Executive Director, and Liz Axelson, Planner for the Town, were present for the ongoing review of the master plan for the Taconic Retreat Center located at 64 White Drive, tax grid number 6571-00-584466, located in the public/semipublic overlay district. Ms. Axelson said the new submittal more clearly shows the general and design objectives for the site but some elements must be further detailed and quantified. Referring to the land use matrix, Ms. Axelson said she is unclear on existing and proposed permanent residents, temporary residents and staff for various times of the year, specifics about the wetlands is missing such as there are structures in the wetland buffer on the existing conditions and the master plan. The DEC will probably grandfather some structures in but some are too close to the stream and should be moved out of the buffer. The narrative is missing information about the health department permitting related to actual usage. Ms. Axelson said her main concern is there is no clear description of the action – they are close but not quite there. She asked how the board feels about moving forward with the coordinated review for

SEQRA, required referrals and setting the date for the public hearing based on these comments. Ms. Axelson has prepared resolutions but these items still need to be done. Ms. Axelson added that this is an existing camp facility, will benefit the community when properly done, this is a big piece of land and the campus style development is compact which is beneficial. Mr. Bowen said today the overnight maximum capacity is 220. When all is said and done, we are requesting 250 maximum capacity. Our cap at 220 today is not based on overnight bed capacity – it is based on meeting, worship, and dining space. We do not have the facilities to go over 220. He said the Board of Health regulates food service and we are already permitted by the Board of Health for 220. In the summer, our primary use is children and youth. In the winter, our use is a blend of adults and children but the adults would not want to sleep in the quarters intended for children. For instance, there are groups coming in this weekend staying in different accommodations. We have accommodations for children in the youth friendly areas but in the winter, the adult friendly areas are more utilized and they are more expensive. The end result is 311 beds but we would never exceed 250 based on meeting and worship space and food service. Ms. Axelson asked about the 350 number. Mr. Bowen said our current overnight capacity is 220 and we want to take it to 250. Our current day use capacity is 350 because we don't need all the facilities for day use. We want that to remain and will not grow beyond the 350 as parking is limited to 350. We are planning more parking but that is because in the summer time when we have mostly children, the parking is in one area and in the winter when we have mostly adults, the parking is in another area due to proximity to the lodging areas. There are tent spaces proposed but Mr. Bowen did not know how many. Mr. Bowen also pointed out that during Phase I, they are not requesting to increase bed capacity at all as Phase 1 will be building the chapel, expanding the gym, building the pool, and replacing a bunkhouse so bed capacity will not increase at all. All the lodges for adults and cabins for the children is in Phase 3 which will include a good blend of low price point, medium and high price point lodging. Mr. Bowen said again, overnight capacity will be limited to 250 and day capacity not to exceed 350. He said we have more beds right now than 220 but we don't use all the buildings at the same time. Eventually, under this plan, we will have double the beds we can use but they are not all used at the same time – there are different groups whose lodging is based on price point. At the end of Phase 3, we could see the actual number of beds increase to 511, all at different price points, so all will not be used at one time. And, this is all dependent on fundraising. Mr. Bowen said, to clarify, they rent different spaces of camps in different seasons never to exceed 250 at night and 350 per day which is our capacity today based on meeting and worship space and food service. Day people do not use the services. They would use the bathrooms but it would be rotational depending on the game they were attending. Mr. Jeffreys asked if the septic system is capable of handling 350 plus 250. Mr. Bowen said we've never had more than 300 people and the septic did fine and that was when 200 were there for the night and 100 went home at the end of the day. They had an engineer test the system and he said the system can handle 350 people based on current usage – not if they lived there for six months. Ms. Axelson said the board should have a copy of the temporary residence permit from the Board of Health for the file. Ms. Axelson said the applicant needs to

provide an engineer's estimate of the demand for water and wastewater treatment capacity including the maximum population during the highest level of activity so that the board can see what the permit was based on. Mr. Bowen said he will supply the engineers report. Each zone has its own septic field. He said the Board of Health was confident with Phase 1. When we increase capacity, we will provide documentation from the Board of Health to support the increase.

Ms. Axelson said in looking at the whole review, the applicant is providing the outer limits of the project and the Board will do an overall SEQRA review with the thresholds for development. For each phase, the applicant will submit an application for site plan approval which will include disturbance limits and detailed plans and the board will affirm the neg dec during each phase review. They are not ready for a site plan review yet. The board is just approving the master plan at this time. Mr. Bowen said our strategy has been to obtain general approval for entire master site plan as the first step. He said that approval gives him the ability to go out and start fund raising for Phase I – the donors need to know the master plan is approved. Once the funds are raised to start Phase 1, they will submit for site plan approval for Phase 1 with detailed construction plans, etc. Ms. Axelson said reviewing the project this way is advantageous to the town. Often times projects for institutions come in for review one piece at a time but TRC has done a whole master plan which gives this board the opportunity to review the proposal in its entirety then do a detailed site plan review for each phase as it comes in. There was some discussion as to whether there is enough material to move forward with the SEQRA review, referrals and public hearing at this time. Ms. Axelson said, while it is up to the board, she is on the fence as it would be good to have most of the questions answered prior to the public hearing. Mr. Bowen added that Jim Fletemeyer will be present for the public hearing and would be able to answer any questions that come up. Mr. Bowen said as he sees this, there are three steps before anything can happen on the site: approval of the master plan, site plan approval for Phase 1 and building permits for Phase I. There are three levels of review so the town is not at risk.

Ms. Axelson said with regard to the wetlands, there are two buildings, 60 and 61, which are too close to a stream, one is 25 feet and one is 30 feet away. It would be a good idea to move them back. The general concept followed by the building department is to be about 100 feet back from the stream. Mr. Bowen said the buildings are placed in those spots due to a terrain issue. We can pull them back but it would get expensive. He said he knows he will have to apply for a DEC permit to cross the stream or to build within 100 feet of it. Ms. Axelson said a wetland delineation would be part of site plan specifics. This stream feeds into the Wappinger Creek. Ms. Axelson said the water park is really close to a tributary. You will need to show mitigation as part of the site plan review for that. Ms. Axelson said another issue is the site coverage which comes to 5.27%. The allowable coverage in the A5A zoning district is 5%. 5.27% is not huge on 200 acres especially with this compact design but will require a variance. She suggests going to 6% for the variance since ample pedestrian and emergency access will be required. Existing coverage is 5.24% If you keep it at 5.27%, that may get eaten up on the site. Mr. Bowen said we are formalizing this whole plan

to increase accessibility (handicap, fire). It will be vastly improved over what it is today. Gravel paths will be reduced and there will be more paved paths. He has shown this plan to the Fire Department and they have acknowledged that the accessibility will be greatly improved. He said he is open to the variance though. Today, 179 out of 212 acres are undisturbed forest. When this plan is complete, it will 174 out of 212 acres. They are only disturbing five more acres than what is there today. Ms. Axelson said that is one of the advantages to the community just in terms of environmental land development and what could be proposed for this site. Due to the campus style, it is a compact design and they are making it more compact. Mr. Bowen said there is no immediate pressing emergency as to why the hearing should be scheduled for October. If we put it off a month, it will give us plenty of time to do our due diligence. Mr. West asked if they were also pursuing a special use permit since it has been identified as required in the EAF on page 3, question C3B. Ms. Axelson said no, this proposal does not require a special use permit so that needs to be changed. Ms. Axelson said she will prepare a review letter based on this latest submittal.

The board discussed whether the approval of the master plan should expire at some point and if the applicant should come back and provide an update every so often. It was suggested that once the master plan is approved and SEQRA is completed, then the applicant should come back every five years with a progress report. Ms. Godfrey asked about the number 724. Mr. Bowen said 724 is the total number of people that are allowed to be in every building on the site – the total building capacity of each building on site totals 724. However, day use capacity is 350 as that is what we submitted to the Board of Health for our temporary residence permit and the Board of Health is comfortable with that. Mr. Bowen said the actual permit does not state a number; the number came from conversations with them which was handled by his predecessors. If you want the numbers codified, it would be 250 overnight and 350 day. Mr. Bowen said he would be comfortable doing that as a condition of approval. Ms. Axelson said the notation limiting the number of people needs to be added to the plans so it is easily identified.

There was no action taken at this meeting.

Discussion Items:

- Education Hours – Board members were advised that their four hours of education need to be completed by year end so they should be on the look out for the fall classes that Dutchess County Planning usually holds.

Correspondence: None

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Mr. Charny motioned that the Planning Board adjourn the meeting at 8:20 p.m. Mr. Jeffrey seconded.

Joan Wyant, Chairman	Aye	James Jeffrey	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 is scheduled for Wednesday, October 4, 2017 at 7:00 p.m.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board