

TOWN OF MILAN PLANNING BOARD MEETING MINUTES –FINAL  
WEDNESDAY, MAY 2, 2018

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Jeffrey Anagnos  
Nathaniel Charny

ALSO PRESENT:

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

**Public Hearings:**

- 1. Coon/Fitzgibbon Lot Line Adjustment** – Reginald Coon appeared as the authorized representative for Maria Fitzgibbon and for his lot for the public hearing regarding their lot line adjustment of property located on South Road, tax grid number 6671-00-042265 consisting of 140.20 acres (Fitzgibbon) and 6671-00-027065 consisting of 0.758 acres (Coon). Chairperson Wyant read the legal notice which was published in the paper and sent to neighboring property owners and opened the public hearing. Mr. Coon said as a result of surveys done which showed two of the Coon's structures were located on the Fitzgibbon property, both parties agreed to move forward with a lot line adjustment to encompass the structures on the Coon property. There was no public comment.

Mr. Jeffreys motioned that the Planning Board declare themselves lead agency for the Coon/Fitzgibbon lot line adjustment application. 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.

The Board completed the short Environmental Assessment Form.

Mr. Mautone motioned that the Milan Planning Board approve the Negative Declaration pursuant to Part 617.7 of the State Environmental Quality Review Act for the Coon/Fitzgibbon lot line adjustment application. Mr. Jeffreys 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.

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

Chairperson Wyant motioned that the Planning Board approve the following resolution: BE IT RESOLVED, the Town of Milan Planning Board has considered the application from Reginald and Irene Coon and Maria Fitzgibbon for a lot line adjustment (minor subdivision);

WHEREAS, an application packet was submitted to the Planning Office on February 1, 2018 and a site plan prepared by Richard Hanback, L.S. dated January 31, 2018 has been submitted for the requested lot line adjustment between these two properties located on South Road in the R2A zoning district and identified as tax grid numbers 6671-00-042265 (Fitzgibbon) and 6671-00-027065 (Coon); and

WHEREAS, the proposed action will convey 0.092 acres from Fitzgibbon to Coon and 0.082 acres from Coon to Fitzgibbon; and

WHEREAS, the proposed action will bring the Fitzgibbon parcel from 140.20 acres to 140.19 acres and the Coons parcel from 0.758 acres to 0.768 acres; and

WHEREAS, the proposed action will adjust the lot line to encompass two accessory structures owned by Mr. and Mrs. Coon onto the Coon property that are currently on the Fitzgibbon property and will make the Coon property less non-conforming; and

WHEREAS, a public hearing was held on May 2, 2018 at which time there were no objections raised; and

WHEREAS, the Planning Board declared a Negative Declaration for this action on May 2, 2018; and

WHEREAS, this application complies with all of the provisions of the Town of Milan Code chapters 177 (Subdivision) and 200 (Zoning).

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 have been met:

- A. All signatures are obtained on the mylar prior to submitting to the Chairman for signature.
- B. Payment of all fees: Publication Fee: \$145.69

Seconded by Mr. West

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.

- 2. Ferris Road Subdivision** – Jack Grumet was present for the public hearing for his two lot subdivision application of property located on Ferris Road, tax grid number 6572-00-950444. Chairperson Wyant read the legal notice that was posted in the paper and sent to neighboring landowners and opened the public hearing. Mr. Grumet said the lot is located at the corner of Ferris Lane and Academy Hill Road consisting of 19.640 acres. He is proposing to subdivide this lot into two acres. There is sufficient road frontage and the two lot subdivision works nicely with the layout of the lot. There is a natural berm along the dividing line. Mr. Grumet submitted an updated map with the signature blocks added. Preliminary approval has been granted by the highway superintendent for the two accesses. The lots will not be Board of Health approved as they are each over five acres. There was no public comment.

Mr. Jeffreys motioned that the Planning Board declare themselves lead agency for the Grumet Two Lot Subdivision application. Ms. Godfrey 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	

The Board completed the short Environmental Assessment Form.

Chairperson Wyant motioned that the Milan Planning Board approve the Negative Declaration pursuant to Part 617.7 of the State Environmental Quality Review Act for the Grumet Two Lot Subdivision application. Mr. Jeffreys 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	

Chairperson Wyant motioned that the Milan Planning Board close the public hearing for the Grumet two lot subdivision. Mr. Jeffreys 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	

Chairperson 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 Jack Grumet 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 March 21, 2018 along with a site plan prepared by Frederick J. Haley, Surveyor dated March 6, 2018; and

WHEREAS, this 19.64 acre parcel is located on Ferris Lane, tax grid number 6572-00-950444 in the A5A Zoning District and is undeveloped property; and

WHEREAS, this subdivision will divide the existing 19.64 acres into two lots: Lot 1 will consist of 9.25 +/- acres and Lot 2 will consist of 10.38 +/- acres; and

WHEREAS, Glenn Butler, Milan Highway Superintendent, signed off on preliminary driveway approval on April 4, 2018; and

WHEREAS, a public hearing for this proposal was held on May 2, 2018, 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 May 2, 2018; 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 Grumet 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:

- Department of Health Permission to File, Owner’s Consent to File, and Planning Board Approval blocks need to be added to the map.
- Final approval from the Highway Superintendent for the access
- All signatures must be 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	\$3,000.00
Publication Fee	\$ 57.65

Please submit two checks made payable to the Town of Milan as follows: One in the amount of \$3,000.00 for the recreation fee and one in the amount of \$257.65 for the final and publication fees.

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	

**Administrative:**

- Approval of Minutes: Mr. Jeffreys motioned that the Planning Board accept the minutes of April 4, 2018 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:**

1. **Maxwell/Dierig Subdivision** – Mark Graminski, L.S./P.E. was present as the authorized representative for Christopher Dierig and Doug Maxwell for this ongoing application for lot line adjustments and six lot subdivision. Mr. Dierig and Mr. Maxwell were also present as well as Glenn Butler, Highway Superintendent. The two properties are located on Brooklyn Heights Road, tax grid numbers 6471-00-025504 consisting of 200.37 acres and 6371-00-977096 consisting of 3.59 acres. Both properties are located in the A3A zoning district. The lot line adjustments are with Alice Benson, Salisbury Turnpike, tax grid number 6471-00-075098 and Andrew Jones/Melinda Fishman, Brooklyn Heights Road, tax grid number 6371-00-943230. Mr. Graminski said there have been no changes to the plans since the last meeting. The applicant has submitted materials relative to the access to lot 6671-00-977096 which is part of the lot line adjustment. There were concerns raised at the April meeting regarding accessing this lot off of Salisbury Turnpike instead of Brooklyn Heights Road. Mr. Graminski prepared road profiles showing what he had emphasized at the last meeting which is the severe topography and constraints with accessing this lot off of Brooklyn Heights Road as opposed to Salisbury Turnpike which is more accessible and conducive to a driveway. Access off of Salisbury Turnpike conforms with the grade of the property and minimizes site disturbance. An access off of Brooklyn Heights Road starts off immediately into a five foot cut into exposed rock which will require rock excavation. Upon entering the property, it will be necessary to install a culvert and there is a nine foot elevation that would need to be filled. A bridge may be necessary to span that area. Mr. Jeffreys said this is the worst place to come in off of Brooklyn Heights Road. He pointed out an area where the grade is less but Mr. Graminski said there is still rock in that area, you still have to cross the stream, and that access would triple the length of the driveway. At either point off of Brooklyn Heights, you would still have to cross the stream but you more than double the length of the driveway to avoid access points off of Salisbury Turnpike. Mr. West asked why it is a problem to come in off of Salisbury Turnpike. Mr. Jeffreys said there is a lot of traffic at that intersection and buses turn around there. Every car generates between two and six trips a day not including deliveries, etc. Mr. Mautone said the homeowner has nothing to do with the buses. He said the speed limit on Brooklyn Heights Road is 35 mph and on Salisbury Turnpike it is 30 mph. Mr. Butler said there are no issues with sight distance or drainage coming off of

Salisbury Turnpike. Mr. Graminski and Mr. Butler walked around and looked at different points of access to the property for the lot line adjustment and subdivision. The access off of Salisbury Turnpike was one of the points of access that met the town's criteria for access. Mr. West said from the intersection, the access is about 270 feet off of Salisbury and from Brooklyn Heights it is about 260 feet so coming off Brooklyn Heights is actually closer to the intersection. Mr. Mautone asked how many potential building sites exist now off of Salisbury Turnpike. Mr. Jeffreys said there are hundreds of acres in this area. Mr. Mautone said there are going to be entrances up and down Salisbury Turnpike. Mr. West said he does not see justifying tripling the length of the driveway. Mr. Graminski said there are large parcels up and down Salisbury Turnpike that could be developed. In addition, the applicants are going to put a conservation easement on this property so between the lot line adjustments and the subdivision, this is it for development for this parcel. It is essentially the creation of three new lots. Mr. Graminski said the access off of Salisbury Turnpike is more sensitive to the environment. Part of the goal of the applicants is to preserve the fields and keep development outside of the fields and keep the bucolic settings that exist there now. Mr. Jeffreys suggested a new entrance off of Brooklyn Heights Road by adjusting the lot line between Fishman/Jones and the applicant. Mr. Butler said the sight distance is good but there is a lot of standing water there. He said his preference is coming off of Salisbury Turnpike due to drainage and the speed limit. Mr. Graminski added and there is no fill section, it avoids the ridge, and there is no crossing of a water body. Any way you come at it other than off of Salisbury you will have the fill problem. If you move the house site just to access off of Brooklyn Heights Road, the house will sit in the middle of a field. Mr. Dierig said one of the reasons we bought the property is the fields on this spot and off of Rocann Drive.

Chairperson Wyant motioned that the Planning Board declare this to be an unlisted, uncoordinated action under SEQRA. 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	

Chairperson Wyant motioned that the Planning Board set the date for the public hearing for this lot line adjustment to be held at the June 6, 2018 Planning Board meeting. 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	

Mr. Jeffreys asked Mr. Graminski to send him the electronic version of the lot line adjustment plan.

2. **Carrothers Site Plan/Special Use Permit** – George Carrothers was present for his site plan/special use permit application for property located at 1176 Route 199, tax grid number 6471-00-935427. Mr. Carrothers said he was approached by a young Milan man who is co-owner of a hot sauce company who needed a place to make and bottle the sauce. He started his business by loading up a truck with his pots and pans and going to the VFW, preparing the sauce, then loading everything back in the truck and bringing it home. He approached Mr. Carrothers a couple of years ago asking to use the kitchen in Enigma. Mr. Carrothers thought it was a good idea and agreed. A few weeks back there was an article in the Poughkeepsie Journal about the success of their venture and someone questioned the legitimacy of them using the Enigma kitchen. Steve Cole, Building Inspector/Zoning Enforcement Officer, contacted Mr. Carrothers and said he needed site plan and special use permit approval for this use to continue. During Board discussion, Mr. Carrothers produced an interior floor plan showing the part of the building the business is using and a letter from the NYS DOT dated September 17, 2014 stating the entrance does not require curbing to be installed to meet the DOT’s current specifications and standards.

Chairperson Wyant motioned to set the date for the public hearing for this site plan/special use permit application for the June 6, 2018 Planning Board meeting. Ms. Godfrey seconded.

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

This application will be sent to Dutchess County Planning per General Municipal Law Section 239 for a review of the site plan.

3. **Taconic Retreat Center Extension** - Per Section 200-69 of the zoning code, Paul Bowen, Executive Direction of TRC, sent an email to the Board dated April 23, 2018 agreeing to an extension of up to six months for the Board to make a final decision on TRC’s site plan approval of their master plan application to allow TRC the necessary time to appear before the ZBA for their required variances.

Mr. West motioned that the Planning Board agree to the requested extension of up to six months for the Board to make a final decision on Taconic Retreat Center’s site plan approval of their master plan application to allow TRC the necessary time to appear before the ZBA for their required variances. Mr. Mautone seconded.

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

**Discussion Items:** None

**Correspondence:**

- Spring Training Courses

Ms. Godfrey motioned to adjourn the meeting at 8:20 p.m. 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	

The next Planning Board meeting is scheduled for Wednesday, June 6, 2018 at 7:00 p.m.

Respectfully submitted,

Karen Buechele, Clerk  
Planning and Zoning

cc: Catherine Gill, Town Clerk  
Town Board