

TOWN OF MILAN PLANNING BOARD MEETING MINUTES – FINAL  
MONDAY, AUGUST 1, 2018

MEMBERS PRESENT:

Joan Wyant, Chairman  
James Jeffreys  
John Mautone  
Kevin Pike

MEMBERS ABSENT:

Nathaniel Charny  
Kim Godfrey  
Radford West

ALSO PRESENT:

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

**Public Hearings:**

1. **Maxwell/Dierig Subdivision** – Mark Graminski, P.E./L.S. appeared as the authorized representative for the public hearing for the Maxwell/Dierig four lot subdivision of property located on Brooklyn Heights Road, tax grid numbers 6471-00-025504 and 6371-00-977096 in the A3A zoning district. Chairperson Wyant read the legal notice that was posted in the paper and sent to neighboring landowners and opened the public hearing. Mr. Graminski said this is an application for a major subdivision by Doug Maxwell and Christopher Dierig. The property fronts on three town roads – Salisbury Turnpike, Brooklyn Heights Road, and Rocann Drive – with a total lot size of 141.5 acres. Four lots are being proposed in conjunction with the recently approved lot line adjustment. Access to all the lots being created are by existing entrances on Rocann Drive and Brooklyn Heights Road. Lots 1a and 1b are utilizing existing accesses and lots 1c and 1d will gain access via a common drive with is an existing access that was used as a farm road. Access to lot 1c involves crossing a watercourse which was created as a drainage ditch and already has an existing culvert pipe. The watercourse will be spanned so there will be no disturbance. All access point have preliminary approval from the highway superintendent. Building envelopes have been created working in conjunction with the Dutchess Land Conservancy who will hold the easement on this property. The building envelopes use 13 out of the 141 acres. Minor changes from the last meeting are the configuration of building envelopes changed slightly per the applicants’ discussions with the DLC and on lot 1a there is a second building envelope to set aside an area for a studio, etc. Care has been taken in developing this property to stay away from wetlands and steep slopes to avoid significant grading. Plans have been submitted to the town for the ODA for the common driveway including the easement and maintenance agreement. The final plan has been approved by the DLC. The applicants will be paying a fee for the stewardship of the property. Eileen Mancini, a neighbor on Rocann Drive, said she has no problem with the subdivision but does have an issue with the existing driveway on lot 1 that veers off to a Y and then comes directly at her house – she said the car lights shine right into her house. The other driveway is a bit more north and the lights from that driveway would not shine into her house. Mr. Graminski said he will meet with the highway superintendent to see if that driveway can be used. Mr. Jeffreys asked about the existing cottages on the original parcel. Mr. Dierig said there are two cottages that exist and they have an agreement with the DLC to take them down before building anything on that parcel. Several people came up and looked at the map.

Chairperson Wyant motioned and Mr. Jeffreys seconded that the Planning Board declare themselves lead agency for the Maxwell Dierig Four Lot Subdivision application.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Kevin Pike	Aye
Kim Godfrey	Absent	Radford West	Absent
James Jeffreys	Aye		

Motion carried 4-0

The Board completed the long environmental assessment form and Chairperson Wyant signed it.

Chairperson Wyant motioned and Mr. Mautone seconded that the Milan Planning Board approve the Negative Declaration pursuant to Part 617.7 of the State Environmental Quality Review Act for the Maxwell Dierig Four Lot Subdivision application.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Kevin Pike	Aye
Kim Godfrey	Absent	Radford West	Absent
James Jeffreys	Aye		

Motion carried 4-0

Chairperson Wyant motioned and Mr. Jeffreys seconded that the Milan Planning Board close the public hearing for the Maxwell Dierig Four lot subdivision.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Kevin Pike	Aye
Kim Godfrey	Absent	Radford West	Absent
James Jeffreys	Aye		

Motion carried 4-0

Chairperson Wyant motioned and Mr. Mautone seconded 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 Douglas Maxwell and Christopher Dierig for a four lot subdivision:

WHEREAS, a formal application for the approval of a four lot subdivision was submitted to the Town of Milan Planning Board on June 6, 2018 along with a site plan prepared by Mark Graminski, P.E. dated June 6, 2018; and

WHEREAS, a public hearing for this proposal was held on August 1, 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 August 1, 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 preliminary approval to the Maxwell/Dierig four lot subdivision.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Kevin Pike	Aye
Kim Godfrey	Absent	Radford West	Absent
James Jeffreys	Aye		

Motion carried 4-0

Mr. Graminski will review Section 177-48, Submission requirements for final plat approval for major subdivisions, and submit a document addressing these items along with any waiver requests. He will provide the engineer's report and feasibility letters and address final approval with the highway superintendent as well as the Rocann Drive issue brought up at the public hearing. Also required for final approval, although it can be a condition if need be, is the acceptance of the ODA by the Town Board. The Board will also need a copy of the easement agreement with the DLC.

2. **Mazoh Lot Line Adjustment/Two Lot Subdivision** – Marie Welch, L.S. appeared for the public hearing as the authorized representative for Stephen Mazoh's lot line adjustment and two lot subdivision application of property located on Pink Lane, tax grid numbers 6470-00-854389 and 6470-00-975423. Chairperson Wyant read the legal notice that was posted in the paper and sent to neighboring landowners and opened the public hearing. Ms. Welch said while some of this property is in the LC district, the area that is part of this application is not. The LC zone is on the south side. She said Mr. Mazoh would like to build a new house with one floor as he is getting on in years and he also wants to build an art studio. He is creating one new 22 acre lot by subdividing the large parcel of land and annexing a small portion of land from an adjacent large parcel. Both parcels are owned by the applicant. The remaining lands after the subdivision will both be well over 80 acres and 162 acres respectively. The lot will have access off of Pink Lane which has been approved by the highway superintendent. Ms. Welch said they have located the stone wall that is the property but she has not had a chance to survey the line on the west to confirm that location. One neighbor came up to look at the map but had no comments.

A motion was made by Mr. Jeffreys and seconded by Mr. Pike to close the public hearing for the Mazoh lot line adjustment and two lot subdivision.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Kevin Pike	Aye
Kim Godfrey	Absent	Radford West	Absent
James Jeffreys	Aye		

Motion carried 4-0

Ms. Welch needs to complete the survey and add the proposed house site. This application will be put on the September 5<sup>th</sup> agenda.

- Satta Two Lot Subdivision** - Jeffrey and Jacqueline Satta appeared for the two lot subdivision of their property located at 39 Boice Road, tax grid number 6470-00-050353 in the A3A zoning district. Chairperson Wyant read the legal notice that was posted in the paper and sent to neighboring landowners and opened the public hearing. Mr. Satta said they are carving 5.6 acres out of their 82 acre lot to put a single family home which will be a three bedroom modular for a family member. The home will sit in the middle of a big open field. The driveway has been approved by Glenn Butler, Highway Superintendent. Several neighbors came up to look at the map but had no comments.

A motion was made by Chairperson Wyant and seconded by Mr. Jeffreys that the Planning Board declare themselves lead agency for the Satta Two Lot Subdivision application.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Kevin Pike	Aye
Kim Godfrey	Absent	Radford West	Absent
James Jeffreys	Aye		

Motion carried 4-0

The Board completed the short EAF.

A motion was made by Chairperson Wyant and seconded by Mr. Pike that the Milan Planning Board approve the Negative Declaration pursuant to Part 617.7 of the State Environmental Quality Review Act for the Satta Two Lot Subdivision application.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Kevin Pike	Aye
Kim Godfrey	Absent	Radford West	Absent
James Jeffreys	Aye		

Motion carried 4-0

A motion was made by Chairperson Wyant and seconded by Mr. Pike that the Milan Planning Board close the public hearing for the Satta two lot subdivision.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Kevin Pike	Aye
Kim Godfrey	Absent	Radford West	Absent
James Jeffreys	Aye		

Motion carried 4-0

A motion was made by Chairperson Wyant and seconded by Mr. Mautone 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 Jeffrey & Jacqueline Satta 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 July 5, 2018 along with a site plan prepared by Morris Associates dated July 6, 2018; and

WHEREAS, this 82.44 acre parcel is located at 39 Boice Road, tax grid number 6470-00-050353 in the A3A Zoning District and is improved with a single family dwelling and associated improvements; and

WHEREAS, this subdivision will divide off a five acre parcel for the construction of a single family dwelling as follows: Lot A will consist of 5.67 acres and Lot B will consist of 76.330 acres; and

WHEREAS, Glenn Butler, Milan Highway Superintendent, signed off on the driveway access on 6/4/18 and the driveway permit was issued on 6/6/18; and

WHEREAS, a letter of feasibility for a Sanitary Disposal System prepared by Morris Associates dated July 9, 2018 has been submitted; and

WHEREAS, a public hearing for this proposal was held on August 1, 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 August 1, 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 Satta 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:

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	\$1,500.00
Publication Fee	\$ 96.85

Town of Milan Planning Board Meeting Minutes – Final –August 1, 2018

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Kevin Pike	Aye
Kim Godfrey	Absent	Radford West	Absent
James Jeffreys	Aye		
Motion carried 4-0			

**Administrative:**

- Approval of Minutes: The minutes of July 9, 2018 will be approved at the September meeting.

A motion was made by Chairperson Wyant and seconded by Mr. Jeffreys to adjourn the meeting at 8:15 p.m.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Kevin Pike	Aye
Kim Godfrey	Absent	Radford West	Absent
James Jeffreys	Aye		
Motion carried 4-0			

The next Planning Board meeting is scheduled for September 5, 2018 at 7:00 p.m.

Respectfully submitted,

Karen Buechele, Clerk  
Planning and Zoning

cc: Catherine Gill, Town Clerk  
Town Board