

TOWN OF MILAN PLANNING BOARD MEETING MINUTES –FINAL
MONDAY, SEPTEMBER 5, 2018

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None

ALSO PRESENT:

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

Public Hearings: **None**

Administrative:

Approval of Minutes:

- Mr. Jeffreys motioned that the Planning Board accept the minutes of July 9, 2018 as presented. Ms. Godfrey seconded.

Joan Chairperson Wyant	Aye	John Mautone	Aye
Nathaniel Charny	Aye	Kevin Pike	Aye
Kim Godfrey	Aye	Radford West	Aye
James Jeffreys	Aye	Motion carried 7-0.	

- Chairperson Wyant motioned to approve the August 1, 2018 minutes as amended. Mr. Pike seconded.

Joan Chairperson Wyant	Aye	John Mautone	Aye
Nathaniel Charny	Aye	Kevin Pike	Aye
Kim Godfrey	Aye	Radford West	Aye
James Jeffreys	Aye	Motion carried 7-0.	

Applications:

- 1. Maxwell/Dierig Subdivision** - Mark Graminski appeared as the authorized representative 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. The applicants, Douglas Maxwell and Christopher Dierig, were also present. Mr. Graminski said at the last meeting, he submitted, as per Section 177-48, the engineer's report, water supply and individual on-site wastewater disposal feasibility, and a waiver request for Section 177-48A(4), C(1) (2) (3) (4) (5) (6) (7) (8) and D(2) (3) (4) (5) and (6). All the lots for new house sites were tested and witnessed by the Department of Health. As far as Section 177-48, a waiver is requested for A(4) because a table providing the required setbacks is on the map and building envelopes are shown that were developed working with the Dutchess Land Conservancy, all requirements under B have been provided, the requirements listed in Section C(1) through (8) pertain to a higher density subdivision so a waiver has been requested, C(9) has been

provided, Section D(1) has been provided, a waiver is requested for D(2) through (6) due to the size of the proposed lots, D(7) through (9) has been provided. Mr. Graminski said at the public hearing, one adjoining property owner who lives on Rocann Drive thought the planned driveway would come out directly opposite her house and she asked if another access could be used so the lights would not shine into her house. Mr. Graminski said she was looking at the other entrance, the entrance being used for that lot is not opposite her house so lights will not be a problem. The Open Development Area has been approved by the Town Board. The conservation easement should be finalized next week according to Mr. Maxwell. Mr. Graminski has hatched out the conservation area on one of the maps.

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 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 conditional final approval to the Maxwell/Dierig four lot subdivision and authorizes the chairperson to sign the mylar once the following conditions are met:

- All fees are paid
- Provide a copy of the approved Conservation Easement Agreement with Dutchess Land Conservancy.
- The applicant and Board of Health signatures are on the mylar

Mr. Jeffreys seconded.

Joan Chairperson Wyant	Aye	John Mautone	Aye
Nathaniel Charny	Aye	Kevin Pike	Aye
Kim Godfrey	Aye	Radford West	Aye
James Jeffreys	Aye	Motion carried 7-0.	

2. Mazoh Lot Line Adjustment/Two Lot Subdivision – Marie Welch, L.S. appeared as the authorized representative for the public hearing for Stephen Mazoh’s lot line and two lot subdivision application of property located on Pink Lane, tax grid numbers 6470-00-854389 and 6470-00-975423. The public hearing was held at the August meeting. The Board did not vote on approval because Ms. Welch had not yet been out to survey the westerly boundary. It is now surveyed and she submitted an updated map. The boundary line is the stone wall from end to end with a couple of gaps. The town highway superintendent approved the driveway location and a letter has been submitted from Taconic Engineering dated September 4, 2018 certifying feasibility regarding on site wastewater treatment. Ms. Welch said the easterly side line was slightly adjusted due to the septic system but the acreage is just about the same.

Chairperson Wyant motioned that the Planning Board declare themselves lead agency for the Mazoh Lot Line Adjustment and Two Lot Subdivision application. Mr. West seconded.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Aye	Kevin Pike	Aye
Kim Godfrey	Aye	Radford West	Aye
James Jeffreys	Aye	Motion carried 7-0.	

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 Mazoh Lot Line Adjustment and Two Lot Subdivision application. Ms. Godfrey seconded.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Aye	Kevin Pike	Aye
Kim Godfrey	Aye	Radford West	Aye
James Jeffreys	Aye	Motion carried 7-0.	

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 Stephen Mazoh for a lot line adjustment and two lot subdivision;

WHEREAS, a formal application for the approval of a lot line adjustment and two lot subdivision was submitted to the Town of Milan Planning Board on June 28, 2018 along with a site plan prepared by Welch Surveying dated June 28, 2018; and

WHEREAS, the properties are located at 17-19 Pink Lane, tax grid number 6470-00-975423 consisting of 164.7 acres in the A5A and LC zoning districts and improved with a single family dwelling and associated improvements and at 19 Pink Lane, tax grid number 6470-00-854389 consisting of 104.6 acres in the A5A and LC zoning districts and improved with a single family dwelling and associated improvements; and

WHEREAS, this subdivision will create a 22 acre lot for a single family residence from 854389 and annexing a small portion of land from 975423 leaving remaining acreages of 80 plus acres and 162 plus acres; and

WHEREAS, the proposed house site is located outside the LC district; and

WHEREAS, Glenn Butler, Milan Highway Superintendent, gave final approval on the driveway access on 6/28/18; and

WHEREAS, a public hearing for this proposal was opened and closed 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 September 5, 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 Mazoh lot line adjustment and 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	\$ 109.51

Please submit two checks made payable to the Town of Milan as follows: One in the amount of \$1,500.00 for the recreation fee and one in the amount of \$309.51 for the final and publication fees.

Mr. Jeffreys seconded.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Aye	Kevin Pike	Aye
Kim Godfrey	Aye	Radford West	Aye
James Jeffreys	Aye	Motion carried 7-0.	

3. Quarfelt/Bastian Lot Line Adjustment: Ellen Haggerty, Quarfelt Enterprises LLC, was present as the property owner and the authorized representative for the Bastians for this lot line adjustment of properties owned by Therese Ann Bastian located at 122 Quarfelt Road, tax grid number 6570-00-386615 and three properties owned by Quarfelt Enterprises, LLC as follows: tax grid number 6570-00-374528 located at 86 Quarfelt Road, tax grid number 6570-00-379550 located on Quarfelt Road, and tax grid number 6570-00-392572 located on Quarfelt Road. All properties are located in the A5A zoning district. Ms. Haggerty said the reason for the lot line adjustment is that trees were mistakenly removed from the Bastian property when the land was being cleared for the driveway on the Quarfelt property. To rectify this situation, Ms. Haggerty agreed to purchase a piece of land between two tenths and three tenths from the Bastians. Everyone is happy with that solution. As part of the lot line adjustment, Ms. Haggerty decided to adjust a couple more lot lines to provide individual access to Lots 1, 2 and 3 thereby eliminating the need for a common access. Ms. Quarfelt’s house will be on lot 2. Ms. Quarfelt will need to provide a letter from the highway superintendent approving the access for lot 1 and lot 3; lot 2 has received access approval. The land above the house is in a conservation easement.

Chairman Wyant motioned that the Planning Board declare this lot line to be an unlisted, uncoordinated action under SEQRA. Mr. Jeffrey seconded.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Aye	Kevin Pike	Aye
Kim Godfrey	Aye	Radford West	Aye
James Jeffrey	Aye	Motion carried 7-0.	

Chairperson Wyant motioned that the Planning Board set the date for the public hearing to be held at the October 3, 2018 Planning Board meeting. Mr. West seconded.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Aye	Kevin Pike	Aye
Kim Godfrey	Aye	Radford West	Aye
James Jeffrey	Aye	Motion carried 7-0.	

4. Chestnut Mart Site Plan Amendment - Elizabeth Holloway, as the authorized representative, has submitted an application to amend the existing site plan for Chestnut Mart of Milan by installing six pump apertures and a Mobil 2Di canopy image including two Mobil logos and a lite bar to upgrade to the Synergy logo. John Leclerc was present from Station Glo. Mr. Jeffrey said he is not opposed to adding the small Mobil logo but is opposed to a lit sign on the canopy. The board members agreed that the canopy cannot be lit. As for the pumps, they are proposing the installation of an enhancement (waves) around the fueling area which will show patrons the flow of traffic. The pump apertures are non-illuminated and have no structural bearing. They are simply to enhance the new look of Exxon/Mobil. They are proposing three waves, one on each island. The waves are on the roadside and the blades are on the storefront side. The waves and blades are not lit. They don’t do anything except hold signage. The bollards would be located in between the wave and blade and are not covered up. They

have seen the volume of fuel go up on stations where these apertures are installed. Mr. Pike commented that this is the only gas station within seven miles so these apertures will not change the volume. Mr. West said it’s a branding statement for the station. Mr. Jeffreys said he would like a chance to look this over carefully so would like to put this on the October 3rd meeting agenda and the board members agreed.

- 5. **Carrothers Site Plan/Special Use Permit** – Mr. Carrothers has requested a three month extension to the site plan/special use permit approval granted on June 6, 2018 for the use of Manufacturing which does not constitute a nuisance on property located at 1179 Route 199 in the Highway Business zoning district, tax grid number 6471-00-935427. Mr. Carrothers said he has been trying to catch up with the building inspector for quite some time to inspect the property and issue the Certificate of Occupancy but has been unsuccessful. The current approval expires on September 6, 2018.

Chairman Wyant motioned that the Planning Board grant the requested three month extension to George Carrothers as stated above. Mr. Jeffreys seconded.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Aye	Kevin Pike	Aye
Kim Godfrey	Aye	Radford West	Aye
James Jeffreys	Aye	Motion carried 7-0.	

Discussion Items:

- There is a Durst presentation regarding the Carvel property scheduled for Monday, September 17, 2018 at 10:00 a.m. to be held in the community room in the library in Pine Plains. Any board member who attends will earn two education credits.

Mr. Pike motioned to adjourn the meeting at 7:55 p.m. Mr., Jeffreys seconded.

Joan Wyant, Chairperson	Aye	John Mautone	Aye
Nathaniel Charny	Aye	Kevin Pike	Aye
Kim Godfrey	Aye	Radford West	Aye
James Jeffreys	Aye	Motion carried 7-0.	

The next Planning Board meeting is scheduled for October 3, 2018 at 7:00 p.m.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board