

TOWN OF MILAN PLANNING BOARD MEETING MINUTES – FINAL
MONDAY, JANUARY 2, 2019

MEMBERS PRESENT:

Joan Wyant, Chairperson
Thomas Darby
Kim Godfrey
James Jeffreys
John Mautone

MEMBERS ABSENT:

Kevin Pike
Radford West

ALSO PRESENT:

Bill Jeffway, Town Board Liaison

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

Public Hearings:

1. **Malafy Lot Line Adjustment** - Joseph Malafy appeared for the lot line adjustment between two of his properties located on Milan Hill Road, tax grid numbers 6472-00-644351 and 6472-00-671399 in the A3A zoning district. Both lots are located in the Red Hook Central School District. Chairperson Wyant read the legal notice that was posted in the paper and sent to neighboring landowners. Mr. Malafy said they are adjusting the property line which goes down the middle of the bridge which is the driveway by taking half an acre off of one property and adding it to their other property. They are doing this because the county will only issue one driveway permit per lot. Once the lot line adjustment is completed, the bridge will access only one lot. They have no immediate plans to develop the property but Mr. Malafy would like to have the driveway permit in place. Mr. Malafy said he has checked with the DEC and this is not a protected stream.

Chairperson Wyant motioned that the Planning Board declare themselves lead agency for the Malafy lot line adjustment application. Mr. Jeffreys seconded.

Joan Wyant, Chairman	Aye	John Mautone	Aye
Thomas Darby	Aye	Kevin Pike	Absent
Kim Godfrey	Aye	Radford West	Absent
James Jeffreys	Aye		

Motion carried 5-0.

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 Malafy lot line adjustment application. Mr. Jeffreys seconded.

Joan Wyant, Chairman	Aye	John Mautone	Aye
Thomas Darby	Aye	Kevin Pike	Absent
Kim Godfrey	Aye	Radford West	Absent
James Jeffreys	Aye		

Motion carried 5-0.

Chairperson Wyant motioned to close the public hearing. Ms. Godfrey seconded.

Joan Wyant, Chairman	Aye	John Mautone	Aye
Thomas Darby	Aye	Kevin Pike	Absent
Kim Godfrey	Aye	Radford West	Absent
James Jeffreys	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 Joseph and Sallie Malafy for a lot line adjustment (minor subdivision);

WHEREAS, an application packet was submitted to the Planning Office on November 26, 2018 and a site plan prepared by Decker Surveying dated November 21, 2018 has been submitted for the requested lot line adjustment between two properties owned by Joseph and Sallie Malafy located on Milan Hill Road, tax grid numbers 6472-00-671399 and 6472-00-644351 located in the A3A zoning district; and

WHEREAS, the proposed action will convey 0.271 acres from 671399 to 644351 so that the existing driveway and bridge is wholly on 644351; and

WHEREAS, after the lot line adjustment, parcel 644351 will be 13.064 acres and 671399 will be 19.935 acres; and

WHEREAS, a public hearing was held on January 2, 2019 at which time there were no objections raised; and

WHEREAS, the Planning Board declared a Negative Declaration for this action on January 2, 2019; 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: \$90.81.

Seconded by Mr. Jeffreys.

Joan Wyant, Chairman	Aye	John Mautone	Aye
Thomas Darby	Aye	Kevin Pike	Absent
Kim Godfrey	Aye	Radford West	Absent
James Jeffreys	Aye		

Motion carried 5-0.

Conditional final approval expires in 180 days (Monday, July 1, 2019).

2. **Mazoh Lot Line Adjustment** – Marie Welch, L.S. appeared as the authorized representative for the lot line adjustment between three parcels owned by Stephen Mazoh on Pink Lane, tax grid numbers 6470-00-871556, 6470-00-854389 and 6470-00-975423 located in the A5A/LC zoning district. Lots 871556 and 854389 are located in the Rhinebeck Central School District and 6470-00-975423 is located in the Pine Plains Central School District. Chairperson Wyant read the

legal notice that was posted in the paper and sent to neighboring landowners. The reason for the lot line adjustment is that they need to move the proposed house location due to the septic location, they want to keep the lawn area flat, and they are adding a storage building for art storage. In order to maintain all the required setbacks, they need to add to the original lot that was created in July of 2018, grid number 889511. As shown on the map, part of the lot is in one district and part is in another. 3-1 is in the Rhinebeck CSD and 3-2 is in the Pine Plains CSD. The purpose of the labeling 3-1 and 3-2 is for school district lines. Ms. Welch added the note to the map that was requested by the town attorney as follows: “Lands shown as tax parcel 889511 are identified for tax purposes only, due to its location in a different school district from the rest of the property. Lands of tax parcel 871556 and tax parcel 889511 along with Parcel 3-1 and Parcel 3-2 are to be consolidated into one deed and are not to be considered as separate ownership and cannot be conveyed separately.” Mr. Jeffreys asked if there were any improvements within those areas and Ms. Welch did not know. Robert Myers, an adjoining neighbor who owns the old Jacoby farm, looked at the map and where his property is relative to the building site. Mr. Myers said he has no problems with this proposal.

Chairperson Wyant motioned that the Planning Board declare themselves lead agency for the Mazoh lot line adjustment application. Mr. Jeffreys seconded.

Joan Wyant, Chairman	Aye	John Mautone	Aye
Thomas Darby	Aye	Kevin Pike	Absent
Kim Godfrey	Aye	Radford West	Absent
James Jeffreys	Aye		

Motion carried 5-0.

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 application. Ms. Godfrey seconded.

Joan Wyant, Chairman	Aye	John Mautone	Aye
Thomas Darby	Aye	Kevin Pike	Absent
Kim Godfrey	Aye	Radford West	Absent
James Jeffreys	Aye		

Motion carried 5-0.

Chairperson Wyant motioned to close the public hearing. Ms. Godfrey seconded.

Joan Wyant, Chairman	Aye	John Mautone	Aye
Thomas Darby	Aye	Kevin Pike	Absent
Kim Godfrey	Aye	Radford West	Absent
James Jeffreys	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 Stephen Mazoh for lot line adjustments (minor subdivision);

WHEREAS, an application packet was submitted to the Planning Office on November 28, 2018 and a site plan prepared by Welch Surveying dated November 19, 2018 has been submitted for the requested lot line adjustments between three properties owned by Stephen Mazoh located on Pink Lane, tax grid numbers 6470-00-871556, 6470-00-975423, and 6470-00-854389 located in the A5A and LC zoning districts; and

WHEREAS, these lot line adjustments are being done so that the improvements proposed for the recently created new parcel can meet the required setbacks; and

WHEREAS, after the lot line adjustments, parcel 854389 will be 82.19 acres, parcel 975423 will be 160.62 acres, and Lot 1 (parcels 871556 and 889511) plus Lot 3 will be 25.192 acres; and

WHEREAS, per a letter from Angela Lore, Attorney to the Town, dated November 16, 2018, the following note has been added to the map, “Lands shown as tax parcel 889511 are identified for tax purposes only due to its location in a different school district from the rest of the property. Lands of tax parcel 871556 and tax parcel 889511 along with Parcel 3-1 and Parcel 3-2 are to be consolidated into one deed and are not to be considered as separate ownership and cannot be conveyed separately”.

WHEREAS, a public hearing was held on January 2, 2019 at which time there were no objections raised; and

WHEREAS, the Planning Board declared a Negative Declaration for this action on January 2, 2019; 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: \$110.41.

Seconded by Mr. Jeffreys

Joan Wyant, Chairman	Aye	John Mautone	Aye
Thomas Darby	Aye	Kevin Pike	Absent
Kim Godfrey	Aye	Radford West	Absent
James Jeffreys	Aye		

Motion carried 5-0.

Conditional final approval expires in 180 days (Monday, July 1, 2019).

Administrative:

Correspondence: None

Approval of Minutes:

- Mr. Jeffreys motioned that the Planning Board accept the minutes of December 5, 2018 as presented. Mr. Mautone seconded.

Joan Wyant, Chairman	Aye	John Mautone	Aye
Thomas Darby	Aye	Kevin Pike	Absent
Kim Godfrey	Aye	Radford West	Absent
James Jeffreys	Aye	Motion carried 5-0.	

Applications: None

Discussion Items: None

Ms. Godfrey motioned to adjourn the meeting at 7:30 p.m. Mr. Mautone seconded.

The next Planning Board meeting is scheduled for February 6, 2019 at 7:00 p.m.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board