

TOWN OF MILAN
ZONING BOARD OF APPEALS
DUTCHESS COUNTY, NEW YORK

Wilcox Memorial Town Hall
20 Wilcox Circle
Milan, NY 12571

Tel. (845) 758-5133
www.milan-ny.gov
Fax. (845) 758-0445

ZONING BOARD OF APPEALS MEETING AGENDA
WEDNESDAY, FEBRUARY 27, 2013 7:00 P.M.

PUBLIC HEARINGS: None

APPLICATIONS:

- Cobble Pond of Milan – Area Variances
1165 Route 199

ADMINISTRATIVE ITEMS:

- Approval of Minutes – January, 2013
- Correspondence

DISCUSSION ITEMS:

TOWN OF MILAN
ZONING BOARD OF APPEALS
APPLICATION

Date Received: 2-11-13
Review by ZEO/PB 2-6-13
Application Complete: _____
To County Planning: _____
Public Hearing: _____

To Be Completed by Applicant:

Request for (Circle One): Area Variance Use Variance Interpretation Special Permit

Other: _____

Name of Applicant: Cobble Pond of Milan

Complete Address: 67 Main Street, Millerston NY 12546

Telephone # 518-789-0051 Cell Phone # 917-502-0083

E-Mail aliciametz at aol.com

Is the subject property in your name? Yes No

If no, property owners name/telephone number George Carrothers 845-399-1065

Property owners complete address: 49 Hemingway Lane Milan NY 12571

Complete Address of Property: 1065 Rte 199 Milan NY 12571

Grid Number: 6471-00-904454 Zoning District: HB

What is the size of the property: 1.15 acres

Are there currently structures on the property? Yes No

If yes, are there valid Certificates of Occupancy for those structures? Yes No

If yes, as: Commercial Residential Other: _____

Has the property been before the Zoning Board of Appeals before? Yes No

If yes, please provide name of applicant and date: _____

Is the property within 500 feet of a state or county road, state parkway, boundary of the Town of Milan? Yes No If yes, which one? Route 199

Premises affected are situated on the _____ side of _____ road or street.

Applicant's Name Cobble Pond of Milan Date: 2-12-13

AREA/USE VARIANCE

To be completed by the Applicant:

Variance Request: Cite the section of the zoning ordinance you are requesting a variance from:

Section: (i.e. Table B)	Pertaining to:	From:	To:
<u>Table B</u>	<u>front setback</u>	<u>80'</u>	<u>45'</u>
<u>Table B</u>	<u>lot coverage</u>	<u>10%</u>	<u>10.3%</u>
<u>200-5</u>	<u>Size of building</u>	<u>2500SF</u>	<u>4000SF</u>
<u>(definition of</u> <u>convenience store)</u>	<u>(convenience store)</u>		

Briefly explain the nature of the variance request, what you wish to accomplish, and why you need the variance: _____

The front yard setback request is the result of several plan variations presented by the applicant and reviewed in detail by the Planning Board. The final east to west orientation provides for (1) better entrance and exit operation, (2) effective traffic circulation, (3) adequate parking and is an aesthetically pleasing overall site plan;

The minor increase in overall lot coverage allows for a fully functional convenience store and an appealing and complimentary canopy to protect the fuel filling stations;

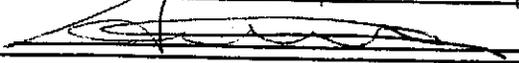
The increase in size for the convenience store is necessary to allow an economically viable store that can provide the necessary interior square footage for ancillary, non-productive space such as bathroom facilities, storage facilities, adequate circulation areas, recycling compliance and office area.

It will be necessary for the Zoning Board of Appeals and/or Planning Board members, Town consultants, Town officials to visit the site in order to properly evaluate your application. Please call the Zoning Office at 758-5133, extension 21, if you do not agree with this. Kindly make it easy to find your property by identifying any landmarks, etc. _____

Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR GRTH, Inc	2. PROJECT NAME Cobble Pond Farms - MILAN
3. PROJECT LOCATION: Municipality Milan County Dutchess	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 1165 Rte 199 Milan NY 12571	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Construct convenience store from existing building and install petroleum tanks, dispensers and canopy.	
7. AMOUNT OF LAND AFFECTED: Initially 1.13 acres Ultimately - acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Describe: <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: TOWN of Milan and Dutchess County Board of Health.	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: GRTH, Inc by: ANCA METZ Date: 11/6/12 Signature: 	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

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February 7, 2013

To: Rocco Mancini, Chairman, Zoning Board of Appeals
Zoning Board of Appeals Members

From: Joan Wyant, Chairman, Planning Board

Ref: Cobble Pond of Milan Area Variance Recommendations

At the Planning Board meeting held on Wednesday, February 6, 2013, the following motion was made:

Mr. West motioned that the Planning Board provide a positive recommendation to the Zoning Board of Appeals on the requested area variances for Cobble Pond of Milan to Table B, Schedule of Area and Bulk Regulations, to allow a front yard setback of 45 feet where 80 feet are required for the convenience store building and to allow 10.3% lot coverage where 10% is allowed and, further, to Section 200-5, Definitions, to allow the convenience store to contain 4,000 square feet of gross floor area where up to 2,500 square feet of gross floor area is allowed, whereas:

The Planning Board is currently reviewing the site plan of Cobble Pond of Milan for a convenience store with the accessory use of gasoline sales;

The front yard setback request is the result of several plan variations presented by the applicant and reviewed in detail by the Planning Board. The final east to west orientation provides for (1) better entrance and exit operation, (2) effective traffic circulation, (3) adequate parking and is an aesthetically pleasing overall site plan;

The minor increase in overall lot coverage allows for a fully functional convenience store and an appealing and complimentary canopy to protect the fuel filling stations;

The increase in size for the convenience store is necessary to allow an economically viable store that can provide the necessary interior square footage for ancillary, non-productive space such as bathroom facilities, storage facilities, adequate circulation areas, recycling compliance and office area.

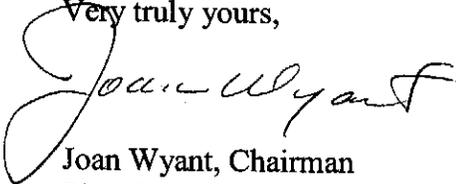
To: Zoning Board of Appeals
Re: Cobble Pond of Milan Variance Recommendations

February 7, 2013

Now, therefore, be it resolved, the Planning Board is making a positive recommendation for approval to the Zoning Board of Appeals for these area variances. Mr. Jeffreys seconded.

Joan Wyant, Chairman	Aye	Kim Koehler	Aye
Jeffrey Anagnos	Aye	John Mautone	Aye
Charles Godfrey	Aye	Radford West	Aye
James Jeffreys	Aye	Motion carried 7-0.	

Very truly yours,



Joan Wyant, Chairman
Planning Board

cc: George Carrothers, Project Contact
Catherine Gill, Town Clerk
GRJH, Inc.
Ray Nelson, Project Architect
Joseph Paggi, Town Engineer



34941
1.1 Ac.(c)
549935
0971
Ac.(c)

806802
52.0 Ac.

804742
151.29 Ac.(c)

699
1 Ac.(c)

F.M. 7890-1
667652
24.7 Ac.

700500
3.0 Ac.(d)

861582
3.0 Ac.(s)

643574
9.41 Ac.(s)

687564
5.96 Ac.(d)

727516
19.19 Ac.(d)

835565
10.9 Ac.(c)

896598
3.0 Ac.(s)

960629
16.4 Ac.(c)

991565
6.20 Ac.(s)

895544
4.3 Ac.(c)

951521
6.4 Ac.(c)

873513
2.02 Ac.

961488
4.8 Ac.

F.M. 10456-A
639442
47.96 Ac.(s)

711457
5.0 Ac.(d)

F.M. 9206-1
785453
17.1 Ac.(s)

850461
4.00 Ac.(s)

902480
4.78 Ac.

990442
13.93 Ac.(d)

835420
7.19 Ac.(s)

880425
3.18 Ac.(s)

905411
1.5 Ac.(c)

954394
2.30 Ac.(s)

984400
Cometary

730371
1.0 Ac.(s)

705360
3.2 Ac.(s)

940375
8.02 Ac.(s)

638931
16 Ac.(s)

739327
4.34 Ac.(s)

11288
5.14 Ac.

F.M. 9206-1
618259
5.76 Ac.

664265
8.6 Ac.(d)

F.M. 10456
712272
8.0 Ac.(c)

818291
61.8 Ac.

929291
28.8 Ac.(c)

996275
10.54 Ac.
(s)

610232

641238
1.46 Ac.

727240

698217
2.5 Ac.(c)

725220

703200

73204
Ac.(s)

626175
7.41 Ac.(s)

651193
5.13 Ac.(s)

CREEK

915142
34.73 Ac.

784111
77.3 Ac.