

ZONING BOARD OF APPEALS MEETING MINUTES - FINAL
WEDNESDAY, NOVEMBER 19, 2014

MEMBERS PRESENT:

Rocco Mancini, Chairman
Stephanie Fitzpatrick
Martin Otter
John Schneider
Phillip Zemke

MEMBERS ABSENT:

None

ALSO PRESENT:

William Gallagher, Supervisor

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

Public Hearings:

1. **Hunt Area Variance/Special Use Permit** – Mr. Zemke motioned that, based on the fact that the applicant has informed the Zoning Office that they are changing their proposal, the Zoning Board of Appeals close the public hearing for the Hunt Area Variance/Special Use Permit. Mr. Schneider seconded. All aye. Motion carried 5-0. When the applicant submits the new plans, the application will be re-noticed and another public hearing will be scheduled.

2. **Lawrence Special Use Permit:** Andrew Willingham, P.E., authorized representative for the applicant, appeared for the public hearing for a special use permit for an accessory apartment for George Lawrence on property located at 483 Academy Hill Road, tax grid number 6572-00-579524. George Lawrence, property owner, was present as well. Chairman Mancini read the legal notice that was published in the paper and sent to neighboring landowners. Mr. Willingham said they are proposing a one bedroom accessory apartment to be located at the rear of the property in the first floor of an existing barn that was built earlier this year. The Board of Health has approved the SDS system that was installed for the barn, separate from the house system. There is adequate parking for the apartment and it meets the required setbacks. Mr. Willingham has submitted a floor plan showing the bedroom and different uses of the building.

Mr. Zemke said he feels this proposal meets all the requirements for the accessory apartment and the Board is in receipt of all the necessary materials. Chairman Mancini said he visited the site last week and thought everything was very well done. Moke Mokotoff, an adjoining neighbor, looked at the map to see the location of the apartment and thought everything looked great and had no issues. The Dutchess County Department of Planning responded that “this is a matter of local concern.” Hearing no further public comment, Mr. Otter motioned to close the public hearing for the Lawrence Special Use Permit application. Ms. Fitzpatrick seconded. All aye. Motion carried 5-0.

The Board reviewed and completed the findings which show the apartment meets the requirements set forth in the zoning code for an accessory dwelling unit.

Mr. Zemke motioned that the Zoning Board of Appeals accept the Findings and grant the Special Use Permit for the Lawrence Accessory Dwelling Unit on property located at 483 Academy Hill Road, tax grid number 6572-00-579524. Ms. Fitzpatrick seconded. All aye. Motion carried 5-0.

Applications:

- 1. Carrothers Special Use Permit:** George Carrothers was present for his special use permit for an accessory apartment on his three acre property located on Route 199 in the HB zoning district, tax grid number 6471-00-935427. Mr. Carrothers said the trailer has been on the Enigma property since 1970. Under the new zoning amendment, it is now allowed to have accessory dwelling units in a separate accessory structure on a commercial property in the HB district. Based on that, Mr. Carrothers is planning on removing the trailer and building a stick built structure using the same well, septic and electric lines that are servicing the existing trailer. The building will be one story, 40 feet across and 30 feet wide with a kitchen living area, bedroom, bathroom, and garage with a full basement and passive solar. The footprint of the basement on the south side will be mostly glass. Mr. Carrothers said he will submit better plans for the next meeting which will include elevations. Mr. Zemke said the well and septic for the trailer needs to be shown on the site plan and he asked about the electric. Mr. Carrothers said the electric lines were overhead attached to a pole next to the trailer but he buried the lines two years ago. The existing entrance for the trailer is off of Morehouse Road. The trailer is located 70 feet off Morehouse. The required front yard setback is 80 feet in the HB zoning district. Mr. Carrothers will amend his application to also request a front yard setback since he will be putting in a new foundation and would like to remain in the same area as the trailer.

Ms. Fitzpatrick motioned that the ZBA set the date for the Carrothers public hearing for the December 17th ZBA meeting. Mr. Otter seconded. All aye. Motion carried. Mr. Carrothers will provide the Board with an floor plan and elevations and an updated site plan showing the location of the existing well and septic.

Discussion Items: None

Administrative Items:

- **Approval of Minutes:** Ms. Fitzpatrick motioned to approve the minutes of the October 22 2014 meeting as presented. Mr. Schneider seconded. All aye. Motion carried 5-0.

Town of Milan Zoning Board of Appeals Meeting Minutes – Final – 11-19-14

Ms. Fitzpatrick motioned to adjourn the meeting at 7:25 p.m. Mr. Zemke seconded. All aye. Motion carried 5-0.

The next meeting will be held on Wednesday, December 17, 2014 at 7:00 p.m. at the Town Hall.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board