

TOWN OF MILAN PLANNING BOARD MEETING MINUTES - FINAL
WEDNESDAY, JANUARY 4, 2012

MEMBERS PRESENT:

Peter Goss, Chairman
William Fiederlein
James Jeffreys
Kim Koehler
George Lawrence
Joan Wyant

MEMBERS ABSENT:

Jeffrey Anagnos

ALSO PRESENT:

Jack Campisi, Town Board Liaison

Chairman Goss opened the meeting at 7:00 p.m. There were no public hearings scheduled.

Administrative Items:

- Approval of Minutes: Mr. Jeffreys motioned to accept the minutes of December 7, 2011 as presented. Ms. Wyant seconded.

Peter Goss, Chairman	Aye	Kim Koehler	Abstain
Jeffrey Anagnos	Absent	George Lawrence	Abstain
William Fiederlein	Aye	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 4-0

- Correspondence:
 - Planning Board Year End Reports were distributed.
 - A memo to the Planning Board and Zoning Board from William Gallagher, Supervisor, dated January 4, 2012 was distributed re: Education Hours.

Discussion Items:

1. Justin Grover was present along with Sherry Salman to discuss a possible lot line adjustment between properties belonging to Deborah Gray, tax grid number 6571-00-450140, 6.0 acres, and Sherry Salman, tax grid number 6571-00-474075, 15.87 acres. Mr. Grover would like to take one acre from Ms. Gray's property and four acres from Ms. Salman's property to create a building lot. The remaining property of Ms. Salman's lot, 11.87 acres, would be absorbed into the adjoining lot which also belongs to Ms. Salman, tax grid number 6571-00-460960. The problem Mr. Grover is encountering is with road frontage. Lot 474075 has a 49 foot strip to Rowe Road, but Ms. Salman has said she would like to be able to use that strip as her access to lot 460960 should she or any subsequent property owner decide to develop the lot because 460960 is predominantly wetland. The only buildable area on that lot is the area near Rowe Road. It would not be feasible to use the road frontage off of Willowbrook Road to gain access to any possible development for lot 460960. Even if the owner were able to obtain DEC approval to cross the wetlands, the cost would be exorbitant to build a road. Mr. Grover would need that 49 foot strip to meet the 40 foot road frontage requirement. One possible

solution is for Ms. Salman to sell Mr. Grover the 49 foot strip to become part of his parcel thereby providing the required road frontage and an easement agreement would be drawn up allowing Ms. Salman or any future property owner of 460960 the use of that strip to access 460960. Another alternative could be to make that 49 foot strip into a rural lane which would provide the required road frontage for Mr. Grover's lot and any lot that is created out of 460960. The rural lane would not have to be developed until new lots were created out of 460960 since it would be used as a single driveway until that time for Mr. Grover's lot.

There was no action taken at this meeting. Mr. Grover and Ms. Salman need to work out the road frontage/access issues before continuing with this proposal.

Applications:

1. **Karpowich/Kavanagh Lot Line Adjustment** – John Decker, L.S., was present regarding this lot line adjustment between property owned by Paul and Frieda Karpowich, 85 Academy Hill Road, tax grid number 6471-00-960629 and property owned by Gayle Kavanagh and Lisa Hecht, 43 Academy Hill Road, tax grid number 6471-00-919581. This lot line adjustment was given final approval on December 7th but there was a third property owner involved, David Borenstein. Mr. Borenstein is no longer part of the lot line adjustment so the Planning Board needs to re-approve the application. There is no public hearing required since one was just held on December 7th with no public comment. The Planning Board declared themselves lead agency on December 7, 2011.

Ms. Wyant motioned that the Town of Milan Planning Board approve the following resolution: BE IT RESOLVED, the Planning Board has considered the Karpowich/Kavanagh lot line adjustment application between properties owned by Paul and Frieda Karpowich, 85 Academy Hill Road, tax grid number 6471-00-960629 and Gayle Kavanagh and Lisa Hecht, 43 Academy Hill Road, tax grid number 6471-00-919581 located in the A3A zoning district; and

WHEREAS, a Short Environmental Assessment Form dated October 24, 2011 was submitted on October 24, 2011; and

WHEREAS, a public hearing was held on December 7, 2011 at which time no objections to this proposal were raised; and

WHEREAS, this proposal is simply conveying vacant acreage to an adjoining lot; and

WHEREAS, an environmental review was conducted in accordance with 6 NYCRR Part 617 which resulted in no identifiable concerns being raised.

NOW, THEREFORE, BE IT RESOLVED, the Milan Planning Board declares a Determination of Non-Significance (Negative Declaration) for the Karpowich/Kavanagh Lot Line Adjustment (Minor Subdivision). Seconded by Mr. Lawrence.

Peter Goss, Chairman	Aye	Kim Koehler	Aye
Jeffrey Anagnos	Absent	George Lawrence	Aye
William Fiederlein	Aye	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 6-0

Ms. Wyant motioned that the Planning Board approve the following resolution: BE IT RESOLVED, the Town of Milan Planning Board has considered the application from Mary Ellen Kardosh acting on behalf of Paul and Freida Karpowich for a lot line adjustment (minor subdivision);

WHEREAS, an application packet was submitted to the Planning Office on October 24, 2011 revised on December 22, 2011 and a site plan prepared by Decker Surveying dated November 2, 2011, revised on December 22, 2011, has been submitted for the requested lot line adjustment between two properties owned by Paul and Frieda Karpowich, 85 Academy Hill Road, tax grid number 6471-00-960629 and Gayle Kavanagh and Lisa Hecht, 43 Academy Hill Road, tax grid number 6471-00-919581 located in the A3A zoning district; and

WHEREAS, the proposed action is a land conveyance from Karpowich to Kavanagh of 4.409 acres increasing the lot size to 7.841 acres; and

WHEREAS, the proposed action will reduce the Karpowich lot to 14.033 acres which will consist of the dwelling and other improvements; and

WHEREAS, there are no new lots being created as a result of this action; and

WHEREAS, a public hearing was held on December 7, 2011 with no public comment; and

WHEREAS, the Planning Board declared a Negative Declaration for this action on December 7, 2011 and re-approved the Negative Declaration on January 4, 2012.

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 are met:

- Dutchess County Board of Health permission to file is obtained
- All owners' consent to file blocks are signed

Seconded by Mr. Lawrence.

Peter Goss, Chairman	Aye	Kim Koehler	Aye
Jeffrey Anagnos	Absent	George Lawrence	Aye
William Fiederlein	Aye	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 6-0

Mr. Jeffreys motioned that the Town of Milan Planning Board approve the following resolution: BE IT RESOLVED, the Planning Board has considered the Karpowich/Kavanagh lot line adjustment (minor subdivision) application of property located on Academy Hill Road and identified as tax parcels 6471-00-960629/ 6471-00-919581;

WHEREAS, an environmental review was conducted in accordance with 6 NYCRR Part 617 which resulted in no identified concerns and a Determination of Non-Significance (Negative Declaration) was approved by the Planning Board on December 7, 2011 and re-approved on January 4, 2012; and

WHEREAS, a public hearing was opened and closed on December 7, 2011; and

WHEREAS, this application complies with all of the provisions of the Town of Milan Code Chapters 177 (Subdivision) and 200 (Zoning); and

WHEREAS, all conditions for Final Approval are detailed in the resolution for Conditional Final Approval which was approved by the Planning Board on December 7, 2011 and re-approved on January 4, 2012.

NOW, THEREFORE, BE IT RESOLVED, the Milan Planning Board finds that the approval of the Karpowich/Kavanagh Lot Line Adjustment (Minor Subdivision) is in compliance with the Town of Milan Subdivision Regulations (Chapter 177).

Seconded by Ms. Wyant.

Peter Goss, Chairman	Aye	Kim Koehler	Aye
Jeffrey Anagnos	Absent	George Lawrence	Aye
William Fiederlein	Aye	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 6-0

- Crow Subdivision** – John Decker, L.S., was also present to present a sketch plan of a subdivision of property owned by Charles Crow located at 880 Salisbury Turnpike, tax grid number 6471-00-915142, 34.73 acres in the A5A zoning district. This lot has previously been subdivided and Mr. Crow bought four of the lots and combined them into one lot. Mr. Decker said Mr. Crow would like to break off one 20 acre lot. The

existing house will stay on the 14 acre parcel. Mr. Crow’s intention is to sell the 20 acre lot and keep the 14 acre parcel with the house. Salisbury Turnpike is a 40 mph road so the requirement for sight distance would be 300 feet. Mr. Decker said there appears to be plenty of sight distance.

There was no action taken at this meeting. Mr. Decker will need to do a complete submittal. The cut off date for the February meeting is Monday, January 23rd.

3. **Verizon Wireless Upgrade** - Ryan Eaves from Tectonic sent an email dated December 12, 2011 stating that Verizon Wireless will be working on an antenna change for the existing cell tower facility located on Salisbury Turnpike (Clarke property). He said the work will consist of the removal and replacement of the panel antennas that are all comparable in size to the existing antennas. There will be no change to the mounting height or the number of antennas. There will be no ground disturbance made. He provided the specifics of the existing versus the proposed antennas and the spec sheets which are in the file. Steve Cole, Building Inspector, has asked for a motion from the Planning Board as to whether they will require a site plan review for this antenna upgrade.

Chairman Goss motioned that a request was received on December 12, 2011 from Verizon Wireless to remove and replace twelve (12) panel antennas in order to maintain and improve their network on a wireless communications facility located on Salisbury Turnpike, tax grid number 6471-00-372150, WHEREAS;

- Verizon is proposing to replace 12 existing panel antennas with 12 panel antennas that are comparable in size to the existing antennas; and
- There will be no change to the existing mounting height or to the number of antennas and there will be no ground disturbance; and
- Verizon will submit a structural report as part of the Building Permit process

NOW, THEREFORE, BE IT RESOLVED, the Planning Board has determined that this antenna replacement falls under Section 200-21.H. Monitoring and Maintenance of the Town of Milan Zoning Code and does not require a site plan review. A copy of this motion will be sent to the Town of Milan Building Inspector. Mr. Fiederlein seconded.

Peter Goss, Chairman	Aye	Kim Koehler	Aye
Jeffrey Anagnos	Absent	George Lawrence	Aye
William Fiederlein	Aye	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 6-0.

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Mr. Jeffreys motioned to adjourn the meeting at 7:50 p.m. Ms. Koehler seconded.

Peter Goss, Chairman	Aye	Kim Koehler	Aye
Jeffrey Anagnos	Absent	George Lawrence	Aye
William Fiederlein	Aye	Joan Wyant	Aye
James Jeffreys	Aye		

Motion carried 6-0.

The next Planning Board Workshop is scheduled for Thursday, January 26, 2012 and the next Regular Meeting is scheduled for Wednesday, February 1, 2012. Both meetings are held at the Town Hall and start at 7:00 p.m

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board