

TOWN OF MILAN PLANNING BOARD MEETING MINUTES – FINAL
WEDNESDAY, OCTOBER 7, 2015

MEMBERS PRESENT:

Joan Wyant, Chairman
Jeffrey Anagnos
Kim Godfrey
James Jeffreys
John Mautone
Radford West

MEMBERS ABSENT:

Nathaniel Charny

ALSO PRESENT:

Jack Campisi, Town Board Liaison

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

Public Hearings:

- 1. Painter Two Lot Subdivision:** Barbie Painter, Applicant, was present along with Andrew Willingham, P.E., for the public hearing for re-approval of Ms. Painter's two lot subdivision of property located on Academy Hill Road, tax grid number 6572-00-612291. Ms. Painter received conditional final approval for this subdivision back in 2007 but was unable to get Dutchess County Department of Public Works approval until this September. Chairman Wyant read the legal notice that was posted in the paper and sent to neighboring landowners. Mr. Willingham said this plan is identical to the plan that received conditional final approval in 2007 except the new driveway to access the new lot was shifted slightly to the right to achieve better sight distance. Mr. Willingham said he has reviewed all the plans and outstanding conditions and thinks he has met all the conditions. He did the soil testing and will issue a letter of feasibility. One resident, Rae D'Achille, was present and asked where the subdivision was taking place relative to the wetlands on the property. Ms. Painter said the wetlands are on the property that is developed already, not on the new lot being created. Ms. D'Achille had no further questions.

Chairman Wyant motioned that the Planning Board declare themselves lead agency for the Painter Two Lot Subdivision re-approval application. Mr. West seconded.

Joan Wyant, Chairman	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

Chairman Wyant motioned that the Planning Board declare a Determination of Non-Significance for the Painter Two Lot Subdivision based upon the Negative Declaration that was adopted by the Planning Board on August 29, 2007 as per Section 617.7 of the State Environmental Quality Review Act. Mr. Jeffreys seconded.

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Joan Wyant, Chairman	Aye	James Jeffrey	Aye
Jeffrey Anagnos	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

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

Joan Wyant, Chairman	Aye	James Jeffrey	Aye
Jeffrey Anagnos	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

Chairman Wyant motioned that the Town of Milan Planning Board approves the following resolution: BE IT RESOLVED, the Planning Board grants conditional final approval to the Painter two lot subdivision located at 480 Academy Hill Road, tax grid number 6572-00-612291;

WHEREAS, this application received conditional final approval from the Town of Milan Planning Board on August 29, 2007 and the applicant submitted the same application for re-approval with no substantive changes on June 1, 2014; and

WHEREAS, the Planning Board has received an approval letter from the Dutchess County Department of Public Works dated October 2, 2015 for the access for the new lot; and

WHEREAS, the Planning Board held a public hearing on October 7, 2015 at 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 October 7, 2015; and

WHEREAS, the Milan Planning Board finds that the conditional final approval of the Painter Two Lot Subdivision application is in compliance with the Town of Milan Subdivision Regulations and Zoning Code; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the Town of Milan grants conditional final approval to the Painter Two Lot subdivision based on maps prepared by Andrew Willingham, PE, dated October 7, 2015; 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:

- Board of Health approval or letter of feasibility from a certified professional
- Other changes/modifications/additions that may arise before the signing of the final plat
- Payment of balance of all fees as follows:
Recreation Fee \$ 600.00

Ms. Godfrey seconded.

Joan Wyant, Chairman	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

Administrative:

- Approval of Minutes: Chairman Wyant motioned that the Planning Board accept the minutes of September 2, 2015 as presented. Mr. West seconded.

Joan Wyant, Chairman	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

Correspondence:

- There is a class scheduled for Wednesday, October 28, 2015 at the Farm and Home Center in Millbrook from 6:00 to 8:00 given by the Dutchess County Planning Federation with the following topics: Fewer County referrals, Simplifying the 500' referral trigger, Seven Greenway guides, and Centers and Greenspaces website.

Applications:

1. **West Two Lot Subdivision:** Radford West, Applicant, and Mark Graminski, PE/LS were present regarding Mr. West's application for a two lot subdivision on property located at 495 Academy Hill Road, tax grid number 6572-00-671582. Mr. West recused himself from the meeting table as he is the property owner. Mr. Graminski said the property is situated on the north side of Academy Hill Road and consists of 63 acres. Lot 1 contains the existing home and consists of 5.2 acres. Lot 2 contains the studio and consists of 56.92 acres, the balance of property. The proposed common access is an existing access to both structures at present and is a gravel driveway. The access will remain a common access with an easement over lot 2 to get to lot 1. Mr. Graminski said he has started working

with the Dutchess County Department of Public Works (DPW) and has performed a sight line analysis. There is a hill and a curve which makes the sight distance a bit deficient from the DPW requirements. It is an existing common drive that is being formalized but will remain the same. The gravel driveway will be improved with a paved entrance and a culvert. There is an existing culvert that crosses the road and discharges on the Painter property. They will locate a basin and culvert on the north side of Academy Hill Road so all drainage will be directed into that. This proposal also requires application to the NYS DEC because this work will be taking place within 100 feet of a wetland. Mr. Graminski said the DEC has been to the site and they are definitely within the 100 foot adjacent area. This is a standard permit and should not be an issue.

Mr. Graminski said this parcel configuration was created relative to the existing structures. This proposal also requires application to the ZBA because they are deficient in side yard setbacks for both structures. The rationale in creating this line is that it naturally fits into the existing trees and meadow. He split the difference between the structures. In addition to the side setback variances, the minimum lot width at the building line for Lot 2 is 209 feet and the required lot width at the building line in the A5A zoning district is 400 feet so that will be an additional variance requested. They would like to run both the Planning Board and Zoning Board applications concurrently. This will be a permission to file with the Board of Health as the well and septic are existing on both properties.

After discussion, Board members agreed that this application meets the requirements of sketch endorsement.

Chairman Wyant motioned that the Planning Board declare their intent to be lead agency for this unlisted, coordinated action and that the involved agencies for circulation are Town of Milan Town Board, Town of Milan Zoning Board, Dutchess County Department of Public Works, and New York State DEC. Mr. Jeffreys seconded.

Joan Wyant, Chairman	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

Chairman Wyant motioned that the Planning Board send a positive recommendation to the Zoning Board of Appeals for the area variance applications. Mr. Jeffreys seconded.

Joan Wyant, Chairman	Aye	James Jeffreys	Aye
Jeffrey Anagnos	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

Mr. West returned to the meeting table.

Discussion Items: None

Mr. Anagnos motioned that the Planning Board adjourn the meeting at 7:45 p.m. Mr. West seconded.

Joan Wyant, Chairman	Aye	James Jeffrey	Aye
Jeffrey Anagnos	Aye	John Mautone	Aye
Nathaniel Charny	Absent	Radford West	Aye
Kim Godfrey	Aye		

Motion carried 6-0

The next Planning Board meeting will be held on Wednesday, November 4, 2015.

Respectfully submitted,

Karen Buechele, Clerk
Planning and Zoning

cc: Catherine Gill, Town Clerk
Town Board