

**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](http://www.milan-ny.gov)  
Fax. (845) 758-0445

**ZONING BOARD OF APPEALS MEETING AGENDA**  
**WEDNESDAY, SEPTEMBER 26, 2012 7:00 P.M.**

**PUBLIC HEARINGS:**

- Young for Schmidt – Area Variance- Continuation of public hearing  
Turkey Hill Road
- Denise Chiumento – Area Variance  
Hamlet Lane
- Keil for Bond – Area Variance  
311 Milan Hill Road
- George Lawrence – Area Variance  
483 Academy Hill Road
- Cindy Binnie – Area Variance  
11 Hillcrest Lane

**APPLICATIONS:**

- Maria Fitzgibbon – Area Variance  
39 South Road

**ADMINISTRATIVE ITEMS:**

- Approval of Minutes –August, 2012
- Correspondence

**DISCUSSION ITEMS:**

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**NOTICE OF PUBLIC HEARING**  
**TOWN OF MILAN ZONING BOARD OF APPEALS**

NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of Milan will hold a public hearing at the request of Denise Chiumento seeking an area variance pursuant to Table B, Schedule of Area and Bulk Regulations of the Town of Milan Zoning Ordinance, to erect a fence approximately 10 feet from the boundary of the road and approximately zero feet from the side property line where a minimum of 20 feet is required in the Hamlet Zoning District. The property is located at 21 Hamlet Lane, tax grid number 6571-04-893446-00.

SAID HEARING will be held on Wednesday, September 26, 2012 at the Milan Town Hall, 20 Wilcox Circle, at which time all interested persons shall be given the opportunity to be heard. The meeting starts at 7:00 p.m. and this application will be heard in the order at which it appears on the agenda.

By Order of the ZBA Chairman  
Rocco Mancini

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**NOTICE OF PUBLIC HEARING**  
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NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of Milan will hold a public hearing at the request of Ed Keil (Keil Pools) for Clint Bond seeking an area variance pursuant to Section 200-18(A)2, Accessory Uses, Buildings and Structures, of the Town of Milan Zoning Ordinance, to complete the installation of an in-ground pool and associated fence which extends approximately 20 feet in front of the front building line of the principal dwelling. The property is located at 311 Milan Hill Road, tax grid number 6472-00-718433-00 in the A3A Zoning District.

SAID HEARING will be held on Wednesday, September 26, 2012 at the Milan Town Hall, 20 Wilcox Circle, at which time all interested persons shall be given the opportunity to be heard. The meeting starts at 7:00 p.m. and this application will be heard in the order at which it appears on the agenda.

By Order of the ZBA Chairman  
Rocco Mancini

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**NOTICE OF PUBLIC HEARING**  
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NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of Milan will hold a public hearing at the request of George Lawrence seeking an area variance pursuant to Table B, Schedule of Area and Bulk Regulations of the Town of Milan Zoning Ordinance, to construct a carport approximately 17.6 feet from the side property line where 50 feet are required in the A5A Zoning District. The property is located at 483 Academy Hill Road, tax grid number 6572-00-579524-00.

SAID HEARING will be held on Wednesday, September 26, 2012 at the Milan Town Hall, 20 Wilcox Circle, at which time all interested persons shall be given the opportunity to be heard. The meeting starts at 7:00 p.m. and this application will be heard in the order at which it appears on the agenda.

By Order of the ZBA Chairman  
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**NOTICE OF PUBLIC HEARING**  
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NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of Milan will hold a public hearing at the request of Cindy Binnie seeking an area variance pursuant to Table B, Schedule of Area and Bulk Regulations of the Town of Milan Zoning Ordinance, to construct a shed approximately 13 feet from the front property line where 85 feet are required and approximately 17 feet from the side property line where 35 feet are required in the A3A Zoning District. The property is located at 11 Hillcrest Lane, tax grid number 6371-20-886036-00.

SAID HEARING will be held on Wednesday, September 26, 2012 at the Milan Town Hall, 20 Wilcox Circle, at which time all interested persons shall be given the opportunity to be heard. The meeting starts at 7:00 p.m. and this application will be heard in the order at which it appears on the agenda.

By Order of the ZBA Chairman  
Rocco Mancini

TOWN OF MILAN

ZONING BOARD OF APPEALS  
APPLICATION

Date Received: 9-12-2012

Review by ZEO: \_\_\_\_\_

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: MARTA H. FITZGIBBON

Complete Address: 39 South Rd, Stanfordville, NY 12584

Telephone # 917-751-5105 Cell Phone # 201-944-9440

E-Mail mhfitz@verizon.net

Is the subject property in your name? Yes No

If no, property owners name/telephone number \_\_\_\_\_

Property owners complete address: \_\_\_\_\_

Complete Address of Property: \_\_\_\_\_

Grid Number: W471-00-072265 Zoning District: R2A

What is the size of the property: 1.41+ 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: Derelict Bldgs. - Putting shed under construction

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? \_\_\_\_\_

Premises affected are situated on the South side of Rte. # 199 road or street.

Applicant's Name Maria H. Fitzgibbon

Date: 8-24-12

**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: Side Setback/Shed	From: 50 feet	To: 25 feet
<u>Table B</u>	<u>front side</u>	<u>front</u>	<u>75</u>
	<u>for fence</u>	<u>side</u>	<u>min 20</u>
			<u>zero</u>
			<u>zero</u>

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

eragistally I have a neighbor who is very seriously an  
encroaching on my property.

I want a fence to delineate my property  
line.

Post + wire fence. Not set in concrete.  
4 feet high

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.

across #199 from Vearies B&B + Berleque  
on South Side of 199

Complete for only

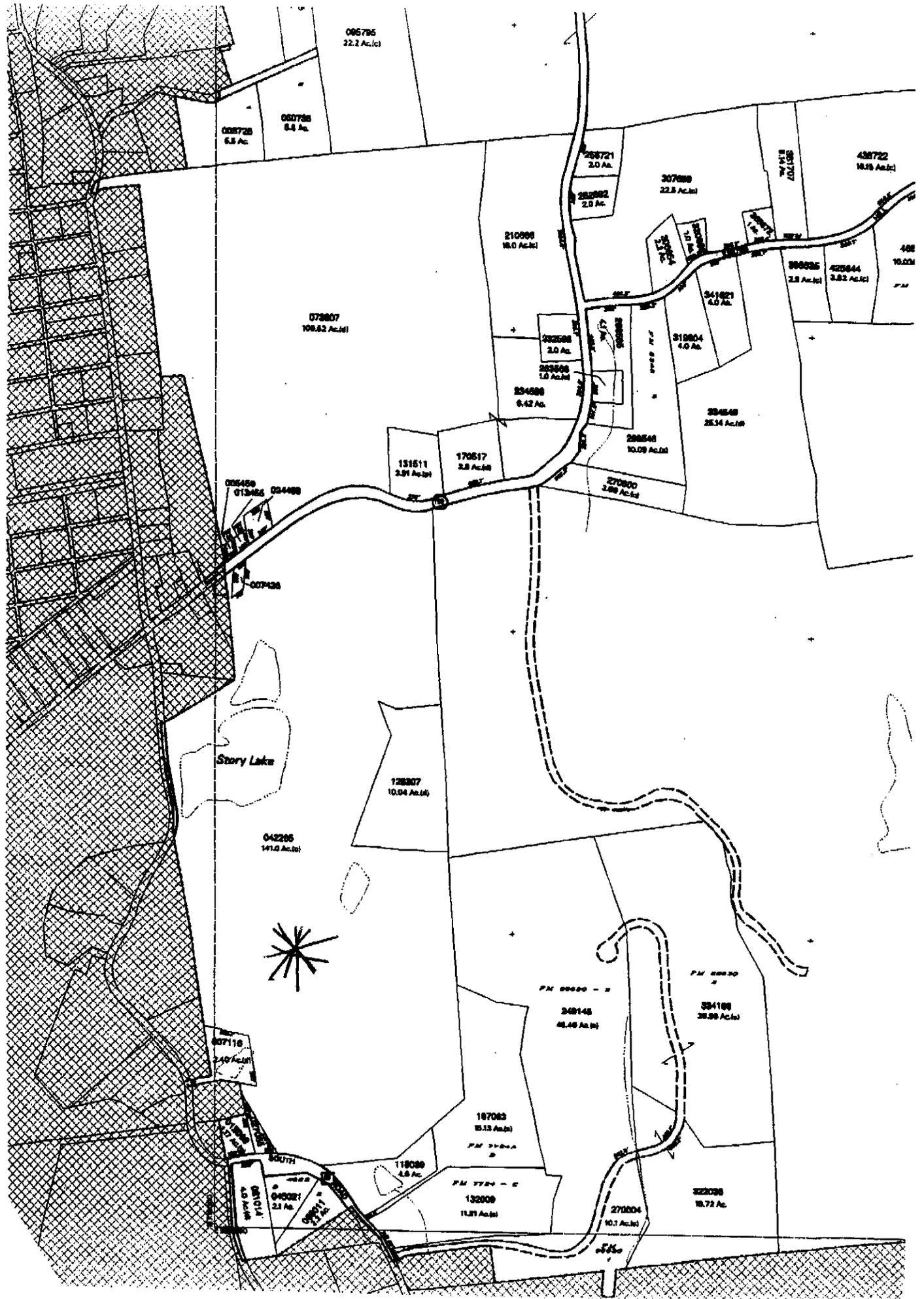
617.20

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 <i>Maria Fitzgibbon</i>	2. PROJECT NAME <i>Fence Area Variance</i>
3. PROJECT LOCATION: Municipality <i>39 South Rd Milan</i> County <i>Durham</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map): <i>Across from Jennie's BBQ</i>	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>Fence to delineate boundary line</i>	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres    Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If No, describe briefly <i>Needs area variance</i>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
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: <i>Town of Milan Building Permit</i>	
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: _____ Date: _____ 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**



N63°39'10"E

42.80'

E 199

N16°26'50"E

223.36'16"W  
195.81'

N17°32'16"E

193.26'

N63°39'10"E

S17°32'

N62°35'53"E

100.00'

N07°51'00"E

469.80'

SOUTH RD

PROPOSED FENCE  
SPLIT KIND

