

TOWN OF MILAN PLANNING BOARD MEETING MINUTES – FINAL  
WEDNESDAY, APRIL 6, 2022

MEMBERS PRESENT:

Thomas Darby, Chairperson  
Stephen Callahan  
James Jeffreys  
John Mautone  
Ann Patty  
Radford West

MEMBERS ABSENT:

Kevin Pike

ALSO PRESENT:

Chair Darby opened the meeting at 7:00 p.m.

**Public Hearings:** None

**Approval of Minutes:**

Ms. Patty motioned to accept the minutes of February 2, 2022 as submitted. Mr. Callahan seconded.

Thomas Darby, Chair	Aye	Ann Patty	Aye
Stephen Callahan	Aye	Kevin Pike	Absent
James Jeffreys	Aye	Radford West	Aye
John Mautone	Aye		

Motion carried 6-0.

**Applications:**

1. **Terreno Site Plan** – Lauren Tanchum, Luana Finco, Nicole Gold and Ariela Hazan appeared for a pre-sketch discussion regarding their proposal for 811 Route 199, tax grid number 6471-00-058814. Ms. Tanchum owns a restaurant in Rhinebeck, a juice bar, and has been working with Luana for almost a year. We are three experienced chefs and one antique distributor. They are renting the property at 811 Route 199 and would like to convert the central barn into retail to sell vintage clothing, antique furniture, prepared refrigerated foods, herbals, and a bulk grocery store and apothecary. That would be the first phase of development. The barn has a show room aspect so would be perfect for the retail use. We would like to open that space before building out the remainder of the space. It used to be a carpentry studio. We would like to use the section behind the showroom as a shared use kitchen. Many commissaries are totally booked out and hard to find. Another adjacent section would be used for a communal dining room and gallery space with an exterior area for seating. We understand one of the big issues is parking. We measured the parking area and think we can accommodate about 17 cars with 7-foot-wide spaces and with some additional landscaping, we could possibly accommodate about 14 more cars extending towards the Battenfeld area. There is a trench that separates the road from the property which is a problem. We would like to open in phases, opening the retail space before the kitchen. The showroom is ready to go. We don't know what the capacity is for the septic but have been in contact with the Board of Health.

Chair Darby said let's deal with one phase at a time and asked her to describe the retail showroom. Ms. Tanchum said we would be selling antique furniture, vintage clothing, bulk kitchen items, and would have a small, refrigerated section to carry some of our vintage product, weekend meals, snacks, and cheeses. It would be a third food, a third furniture and a third clothing. This space has a bathroom. The retail showroom would be the first phase, the kitchen the second phase, and the café the third phase. Mr. Jeffreys asked, in the overall scheme of things, how important is the functionality of the kitchen. Ms. Tanchum said it is the top of our priority list. Mr. Jeffreys said the septic was designed for residential use, not commercial, and he does not believe a kitchen expansion was built into the system. The septic is for a one bedroom building. The area you are thinking of for parking may be the expansion area for the septic. The septic is located in the area behind the building. There are three discreet buildings there. It is important for this board to take a hard look at the property but also what is the potential to turn it into what you want. The reason it was what it was is because it is a constrained space due to terrain. You have to think about what are proposing to use the space for.

Before this board can move forward, we need to see a sketch with the whole proposal shown including septic, well and parking. When you plot it, you will be able to see how and if this proposal fits this property. If the kitchen is integral and you cannot make that kitchen work in that space, will it kill the whole project? Paul Schwan put in a thousand-gallon tank but there is no separation between anything that goes down the drain. Mr. Jeffreys said, and the board agreed, this is a great concept but needs to be mapped out to understand the feasibility. You need to know what is under the ground and what's on the top of the ground. The Department of Health will have a septic site plan on file. Regardless of whether you are planning to move forward with Phase I, Phase II or Phase II or all three phases, the requirements will be the same. Mr. Jeffreys suggested the applicant look through the Milan Zoning Code site plan requirements and Table B, Schedule of Area and Bulk Regulations.

2. **Verrilli Site Plan** – Frank Mazzarella, Architect, appeared as the authorized representative for Christine and Gregory Verrilli regarding site plan approval for a change of use on property located at 1359 Willowbrook Road, tax grid number 6571-00-572228. Mr. Mazzarella said the Verrilli's would like to convert the existing property consisting of 2.35 acres which has three existing buildings into a public garage for vintage car storage. Previously, this was a fence company and a farm machinery rental company. The entrance is off of Willowbrook. There are three existing buildings, a pole barn, an office building, and a storage building. One question is how much square footage we are allowed to have per building as we are proposing two additional 50 foot wide buildings. The site has a septic and well and some parking. This would be a place where people come and leave their cars. All cars would be stored inside the buildings. The six parking spaces behind the office space will suffice for parking. We currently have 40 cars stored in the chocolate factory in two 6,000 square foot spaces. Dr. Verrilli sold the building as it's too crowded and bought this property from Scott Galliher. Some of the cars are Dr. Verrilli's and some are from people who live in the northern

Dutchess area and need a place to store their cars. There will be some maintenance done on the cars such as replacing batteries, fan belts, tires, mufflers. We would bring any oil and dead tires and dead batteries to Catskill. No cars will be stored outside. Part of the proposal is to add a park like area with a gazebo. We have a couple of go carts and Dr. Verilli wants to add a track for the kids. There will be minimal traffic impact. The pole barn has a concrete slab. Some of the cars can be stacked which allows for more storage. The proposed building height is a peaked 14-foot roof. The existing buildings will remain. They will keep the interior roadways gravel. Once the plans are received, the Planning Board will be able to determine what variances will need to be applied for such as for setbacks, lot coverage and building size.

Once the proposed buildings are staked out, the Planning Board will do a site visit. The board agreed that in general, this appears to be a good use of the land.

3. **McDermott** – Ben Drexel from Empire Solar appeared as the authorized representative for Edward McDermott to place a 27.5 kW ground mount solar array on his property located at 21 Contentment Lane, tax grid number 6573-00-128374 in the A3A zoning district. Mr. Drexel said the ground mount will be separated into two separate arrays consisting of 68 panels, panel type LG 405W. Chair Darby said per section 200-30 of the Milan zoning code, ground mounted solar arrays shall not exceed 12 feet in height and shall be set back a minimum of 100 feet from any public or private road and any boundary line of the lot on which it is to be erected. The property lines join together in a corner that is too close to the proposed location of the solar array. Mr. Drexel said the panels are facing south and to get the 100 feet from the corner, the array is going to be very close to the pool. Chair Darby asked why they are going with ground mount instead of roof mount and Mr. Drexel said we can't get the panels on the roof due to the roof configuration and the panels would not be oriented directionally correct.

There was no action taken at this meeting. While the board members support the idea of solar, the array needs to meet the requirements of Section 200-30. The applicant should come back to the board when the proposal meets the code.

4. **Milan Case Study** - Nick Mahedy, managing member of Milan Case Study, appeared before the board regarding a previous site plan amendment that was granted for the road for the Mount Concert Estates subdivision, now known as Milan Case Study. Mr. Mahedy said after the Road Plan & Profile map prepared by Christopher R. DiChiaro, P.E. dated February 22, 2021 was approved by the board, he had the road staked out by the surveyor which indicated how much gravel would need to be brought in to meet the road profile. In some places, it would be three feet of gravel. We dug seven test pits today as directed by the engineer, Chris DiChiaro, and all of them showed 15 inches of base. We are required to have 12 inches of base. Mr. Mahedy is now asking the board to approve what we have rather than meet this approved road profile. The road is fine. The original approved plan called for elevation numbers that for us to meet would force us to import up to three feet of fill on the road which would then force us to cut down trees and feather out. This is a private road. Mr. Mahedy

said he has no problem considering what the plan is calling for but this road has been here for 25 to 30 years over which time there has been months of rain with heavy run off and the base is still solid. Mr. DiChiaro said the road is perfectly acceptable. Fire Chief Mizgier and Jake Exline, Building Inspector, are approving the road for emergency vehicle access. If the board approves the road as is, the excavator will bring in fill and compact it and then the topcoat comes in. The elevations are good. They will tar and chip the road.

Mr. Jeffreys told Mr. Mahedy to come in next month with the letter from DiChiaro. The board didn't have a problem with the road as is provided the letter is submitted by the engineer.

The next Planning Board meeting is scheduled for Wednesday, May 4, 2022 at 7:00 p.m.

Respectfully submitted,

Karen Buechele, Clerk  
Planning and Zoning

cc: Catherine Gill, Town Clerk  
Town Board