

# TOWN OF MILO, NEW YORK

Planning Board  
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**APPROVED**

## MEETING MINUTES

Meeting Date: January 10, 2017

### A. Call to order.

1. The Chairperson of the Planning Board (hereinafter called "Chairperson") called to order the January 10, 2017 meeting of the Town of Milo's Planning Board (hereinafter called "this Board") at 6:00 PM in the conference room at Town Hall, which is located at 137 Main Street, Penn Yan, New York.

### B. Pledge of Allegiance.

1. All present pledged allegiance to the Flag of the United States of America.

### C. Attendance.

1. Planning Board members. The following board members were present at this meeting:
  - i. Kay Williamson
  - ii. Russell Hunt
  - iii. Julie Engel
  - iv. Ryan Hallings
  - v. Nate Riehl
  - vi. Amber Degner
  - vii. Sallie Jensen

A quorum of the Planning Board was present to hold this meeting.

2. Town staff. The following Town staff were present at this meeting:
  - i. Anthony Validzic
3. Public.
  - i. Matthew Kerwin, Esq.
  - ii. Gary Henderson
  - iii. Cheryl Henderson
  - iv. David Henderson

**D. Open Meetings' Law of the State of New York – Statement.** The Chairperson read the Open Meetings' Law statement to all present. No requests for copies were received by the Secretary.

**E. Approval of the Planning Board's minutes from last meeting.**

1. The Planning Board reviewed the December 2016 meeting minutes. All members reviewed such meeting minutes and no corrections were requested.
  - i. Member Julie Engel made a motion to approve the meeting minutes as submitted. Such motion was seconded by Member Nate Sallie Jensen. The members voted and the results were:
    - a. Kay Williamson – Aye
    - b. Russell Hunt – Aye
    - c. Julie Engel – Aye
    - d. Ryan Hallings – Aye
    - e. Nate Riehl – Aye
    - f. Amber Degner – Aye
    - g. Sallie Jensen – Aye

A majority affirmative of the Planning Board was achieved and the motion was adopted.

**F. Communication from Town staff, chairperson or other board members**

1. The Secretary respectfully asked that each board member review the transmittal and supporting documents for each application under review.

**G. Applications under review:**

1. Application No.: PB-01-10-2017A: An application for the Planning Board's determination pertaining to the creation of a Private Road, which shall be named Henderson Lane, to provide legal access to landlocked lot(s) as required by Section 280-a of the Town Law of NYS that is proposed by William Moravec, who is the owner of 1658 Himrod Road, which is more specifically known as Tax Map Identification Numbers 62.02-1-2, and Gary Henderson, who is the owner of 1700 Himrod Road, which is more specifically known as Tax Map Identification Numbers 50.04-1-6.
  - i. The Chairperson asked the applicant to address this Board and provide a brief summary of the proposed application. Mathew Kerwin, Esq., authorized representative of the applicant, provided a brief presentation to this Board.
  - ii. The Chairperson opened the meeting in order to conduct a Public Hearing at 6:06 PM. Gary Henderson and David Henderson asked Matthew Kerwin about the design and construction of the proposed private road. Construction documents were given to Gary Henderson and David Henderson for their review and use. The following items were discussed:
    - a. Greenidge will cleanup any mud from construction activities that is deposited on the proposed private road; and
    - b. Greenidge will construct and maintain the proposed private road as stipulated in the private road maintenance agreement approved by the Town Attorney; and
    - c. Greenidge will make the proposed private road wider near the proposed electrical panel to allow agricultural equipment to drive through this area without damaging such panel; and
    - d. Greenidge will review the height of the proposed road to ensure that it is level with the agricultural lands as stipulated in the lease agreement between such parties. The Secretary informed all individuals present that such lease agreement is a private contract between such

parties and is not enforceable by the Town of Milo.

No other concerns were raised by the Public. The Chairperson closed the Public Hearing at 6:14 PM.

- iii. The Chairperson asked the members of this Board if any concerns and/or questions need to be addressed by the applicant. No member raised a concern or question to the applicant.
- iv. The Chairperson asked for a motion to approve Resolution #2017-001 – Final Determination. The motion was made by Ryan Hallings. The motion was seconded by Nate Riehl. The members of this Board voted and the results were:
  - a. Kay Williamson
  - b. Russell Hunt
  - c. Julie Engel
  - d. Nate Riehl
  - e. Ryan Hallings
  - f. Amber Degner
  - g. Sallie Jensen

A major affirmative of this Board was achieved and the motion was adopted. No further action by this Board is required for this application.

#### **H. Other business:**

1. The members of this Board reviewed the draft Subdivision of Land Law. No concerns and/or questions were raised to the Secretary. The members of this Board agreed that such draft should be sent to the Town Board to initiate the formal approval process to adopt it as a local law.
2. The members of this Board read and discussed “Manufactured Homes” by the NYSDOS Division of Local Government Services as presented at the Genesee / Finger Lakes Regional Planning Council at its Fall 2016 workshop.

#### **I. Adjournment**

1. The Chairperson called for a motion to adjourn the meeting. Member Russell Hunt requested adjournment of the meeting at 6:40 PM. A motion was seconded by Amber Degner. The members of this Board voted and the results were:
  - i. Kay Williamson
  - ii. Russell Hunt
  - iii. Julie Engel
  - iv. Nate Riehl
  - v. Ryan Hallings
  - vi. Amber Degner
  - vii. Sallie Jensen

A majority affirmative of the Planning Board was achieved and the motion was adopted.