

TOWN OF MILO, NEW YORK

Planning Board and Zoning Board of Appeals
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MEETING MINUTES JOINT/SPECIAL MEETING OF THE PLANNING BOARD AND ZONING BOARD OF APPEALS Meeting Date: December 13, 2016

A. Call to order.

1. The Chairperson of the Planning Board, which shall act as the Chairperson for this joint/special meeting, called to order the December 13, 2016 joint/special meeting of the Town of Milo's Planning Board and Zoning Board of Appeals at 6:00 PM in the conference room, which is located at 137 Main Street – Town Hall, 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:
 - a. Kay Williamson
 - b. Russell Hunt
 - c. Julie Engel
 - d. Ryan Hallings
 - e. Nate Riehl
 - f. Amber Degner

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

2. Zoning Board of Appeals members. The following board members were present at this meeting:
 - a. Phil Riehl
 - b. Terry Jensen
 - c. Ben Sward
 - d. P. Earle Gleason
 - e. Jake Reddout
 - f. Don Will

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

3. Town staff. The following Town staff were present at this meeting:
 - a. Anthony Validzic

4. Public.
 - a. David B. Zimmerman
 - b. Donald Schneider, Esq.

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 November 2016 meeting minutes. All members reviewed such meeting minutes and no corrections were requested.
 - a. Member Julie Engel made a motion to approve the meeting minutes as submitted. Such motion was seconded by Member Nate Riehl. The members voted and the results were:
 - i. Kay Williamson – Aye
 - ii. Russell Hunt – Aye
 - iii. Julie Engel – Aye
 - iv. Ryan Hallings – Aye
 - v. Nate Riehl – Aye
 - vi. Amber Degner – Aye

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

F. Approval of the Zoning Board of Appeals' minutes from last meeting.

1. The Zoning Board of Appeals reviewed the November 2016 meeting minutes. All members reviewed such meeting minutes and no corrections were requested.
 - a. Member Terry Jensen made a motion to approve the meeting minutes as submitted. Such motion was seconded by Member Phil Riehl. The members voted and the results were:
 - i. Phil Riehl – Aye
 - ii. Terry Jensen – Aye
 - iii. Ben Sward – Aye
 - iv. P. Earle Gleason – Aye
 - v. Jake Reddout – Aye
 - vi. Don Will – Aye

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

G. 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.

H. Applications under review:

1. Application No.: PB-11-08-2016A: *An application for the Planning Board's and Zoning Board of Appeals' determination pertaining to two (2) Area Variances and a Special Use Permit to allow a private cemetery, which would be accessory to a place of religious worship, that is proposed by Keuka Lake Mennonite Church, who is the owner of 2618 Route 14A, which is more specifically known as Tax Map Identification Numbers 62.03-1-13.*

- a. The Chairperson asked the applicant to address the board and provide a brief summary of the proposed

application, if necessary. Donald Schneider, Esq., who is the authorized representative for the owner, provided a brief explanation of the application.

- b. The Chairperson opened the meeting in order to conduct a Public Hearing at 6:05 PM and invited the Public to offer their input. The boards did not receive any public input. The Chairperson closed the Public Hearing at 6:06 PM.
- c. The Planning Board and Zoning Board of Appeals reviewed the application and supporting documents. The Chairperson asked the board members if any member had any concerns and/or questions that needed to be addressed by the applicant. No concerns and/or questions were raised by a member of the Planning Board and/or Zoning Board of Appeals.
- d. The Chairperson asked for a motion to approve Resolution #2016-018 – SEQRA / Statement of Findings – Negative Declaration. Member Russell Hunt made a motion to approve the resolution as submitted. Such motion was seconded by Member Ryan Hallings. The members voted and the results were:
 - i. Kay Williamson – Aye
 - ii. Russell Hunt – Aye
 - iii. Julie Engel – Aye
 - iv. Nate Riehl – Aye
 - v. Ryan Hallings – Aye
 - vi. Amber Degner – Aye

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

- e. The Chairperson asked for a motion to approve Resolution #2016-019 – Final Determination as it pertains to the proposed two (2) Area Variances. Member Terry Jensen made a motion to approve the resolution as submitted. Such motion was seconded by Member Phil Riehl. The members voted and the results were:
 - i. Phil Riehl – Aye
 - ii. Terry Jensen – Aye
 - iii. Ben Sward – Aye
 - iv. P. Earle Gleason – Aye
 - v. Jake Reddout – Aye
 - vi. Don Will – Aye

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

- f. The Chairperson asked for a motion to approve Resolution #2016-020 – Final Determination as it pertains to the Special Use Permit. Member Julie Engel made a motion to approve the resolution as submitted. Such motion was seconded by Member Amber Degner. The members voted and the results were:
 - i. Kay Williamson – Aye
 - ii. Russell Hunt – Aye
 - iii. Julie Engel – Aye
 - iv. Nate Riehl – Aye
 - v. Ryan Hallings – Aye
 - vi. Amber Degner – Aye

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

No further action is required and the application is hereby “approved with conditions.”

2. Application No.: PB-12-13-2016A: An application for the Planning Board’s determination pertaining to a Lot Line Adjustment that is proposed by Morris J. Reddout, Jr., who is the owner of (no number) Houck Road and (no number) Houck Road, which are more specifically known as Tax Map Identification Numbers 99.02-1-15 and 99.02-1-16.1.
 - a. The Chairperson asked the applicant to provide a brief description of the proposed application. Donald Schneider, Esq., who is the authorized representative for the owner, provided a brief explanation of the lot line adjustment.
 - b. The Chairperson opened the meeting in order to conduct a Public Hearing at 6:10 PM and invited the Public to offer their input. The board did not receive any public input. The Chairperson closed the Public Hearing at 6:11 PM.
 - c. The Planning Board reviewed the application and supporting documents. The Chairperson asked the board members if any member had any concerns and/or questions that needed to be addressed by the applicant. No other concerns and/or questions were raised.
 - d. The Chairperson asked for a motion to approve Resolution #2016-021 – SEQRA / Statement of Findings – Negative Declaration. Member Ryan Hallings made a motion to approve the resolution as submitted. Such motion was seconded by Member Nate Riehl. The members voted and the results were:
 - i. Kay Williamson – Aye
 - ii. Russell Hunt – Aye
 - iii. Julie Engel – Aye
 - iv. Nate Riehl – Aye
 - v. Ryan Hallings – Aye
 - vi. Amber Degner – Aye

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

- e. The Chairperson asked for a motion to approve Resolution #2016-022 – Final Determination. Member Julie Engel made a motion to approve the resolution as submitted. Such motion was seconded by Member Ryan Hallings. The members voted and the results were:
 - i. Kay Williamson – Aye
 - ii. Russell Hunt – Aye
 - iii. Julie Engel – Aye
 - iv. Nate Riehl – Aye
 - v. Ryan Hallings – Aye
 - vi. Amber Degner – Aye

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

No further action is required and the application is hereby “approved with conditions.”

I. Other business:

1. Board members received training credit for their review and discussion pertaining to “NY Appellate Court Affirms Holding Denying Recovery of Escrow Money Set Aside to Reimburse the Town for the Cost of

Services Incurred in Connection with an Application to Annul a Certificate of Occupancy” by Patricia Salkin – Law of the Land.

J. Adjournment

1. Member Terry Jensen requested adjournment of the meeting at 6:24 PM. A motion was seconded by Russell Hunt. The members voted and the results were:

a. Planning Board members. The members voted and the results were:

- i. Kay Williamson – Aye
- ii. Russell Hunt – Aye
- iii. Julie Engel – Aye
- iv. Ryan Hallings – Aye
- v. Nate Riehl – Aye
- vi. Amber Degner – Aye

b. Zoning Board of Appeals members. The members voted and the results were:

- i. Phil Riehl – Aye
- ii. Terry Jensen – Aye
- iii. Ben Sward – Aye
- iv. P. Earle Gleason – Aye
- v. Jake Reddout – Aye
- vi. Don Will – Aye

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