

TOWN OF MILO, NEW YORK

Planning Board
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APPROVED

MEETING MINUTES

Meeting Date: August 14, 2018

A. Call to order.

1. The Chairperson of the Planning Board (hereinafter called "Chairperson") called to order the August 14, 2018 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. Nate Riehl
 - v. Sallie Jensen
 - vi. Steve Acker

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. Carol Genecco
 - ii. Douglas McCord, Landscape Architect
 - iii. Angelo Licciardello (father)
 - iv. Angelo Licciardello (son)
 - v. Minda Hopkins
 - vi. Jordan Hopkins
 - vii. Ken Sisson
 - viii. Janet Sisson
 - ix. Dan Habberfield

- x. Yvonne Habberfield
- xi. Gary Doty
- xii. Linda Doty
- xiii. Kathy Bulman
- xiv. Ron Bulman
- xv. Gail Fingar
- xvi. Ann Cincotta
- xvii. Karen Reed
- xviii. Liz Thiesmeyer
- xix. James Reed
- xx. Phyllis Felter
- xxi. J. Knox Felter
- xxii. Kathleen Kennedy
- xxiii. Jeff Kennedy

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 May 2018 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 Russell Hunt. The members voted, and the results were:
 - a. Kay Williamson – Aye
 - b. Russell Hunt – Aye
 - c. Julie Engel – Aye
 - d. Nate Riehl – Aye
 - e. Sallie Jensen – Aye
 - f. Steve Acker – 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-08-14-2018A: An application by David L. Genecco Family Trust for a Special Use Permit as it pertains to a Planned Unit Development consisting of attached single unit dwellings (a.k.a., townhouses) as illustrated in the submitted site plan and submittal documents at 1 Route 54-East Lake Road, which is more specifically known as Tax Map Identification Numbers 61.42-1-6.1.*
 - i. The Chairperson asked the applicant to address this Board and provide a summary of the proposed application. Douglas McCord, Landscape Architect spoke and discussed the following elements of the project:

- a. No annexation of lands from the Town of Milo to the Village of Penn Yan or vice versa is

proposed for this application. This application is only for the lands of 1 Route 54-East Lake Road, which is in the Town of Milo outside the Village of Penn Yan. The applicants are still discussing their proposed plans at lands located at South Avenue with the Village of Penn Yan; and

- b. The existing use, which is a mobile home park; and
 - c. The site plan and architectural details of the proposed townhouses; and
 - d. The proposed road design and its conformance to the Highways and Private Roads Law of the Town as well as applicable sections of the 2015 International Fire Code; and
 - e. The proposed townhouses will not have basements; and
 - f. Landscaping plan; and
 - g. Proposed dedication of utilities (sewer, storm water and water) to the Town; and
 - h. Proposed dedication of the roads to the Town; and
 - i. Comments received by NYSDOT; and
 - j. Stormwater Prevention Pollution Plan (SWPPP) and review by Yates County Soil and Water Conservation District.
- ii. The Chairperson opened the meeting to conduct a Public Hearing at 6:15 PM. The following public comments were received:

(Note. Unfortunately, many speakers did not did not state their names when they spoke to the Planning Board.)

- a. Unknown speaker was concerned that the height of the trees would block their view of Keuka Lake from Orchard Lane. Douglas McCord stated that most of the trees were ornamental in nature but will review the landscaping plan to minimize this impact.
- b. Unknown speaker would rather have a fence in lieu of trees at the lot line that abuts the residential lots at Orchard Lane. Another unknown speaker preferred trees.
- c. Unknown speaker asked if a crosswalk would be installed on Route 54-East Lake Road. Douglas McCord stated that NYSDOT did ask them for a location of a potential crosswalk to be installed by the NYSDOT.
- d. Unknown speakers who reside at Orchard Lane asked about their land not being able to see Keuka Lake from their property. The Town asked if any land owner had a view easement or other legal binding agreement with the owners of 1 Route 54-East Lake Road, which no individual appeared to have said agreement/easement. The Town conveyed that the land that is the subject of this application is in a Commercial zoning district and the maximum building height is 4 stories / 60 feet pursuant to the Zoning Law of the Town of Milo. In addition, it was

conveyed to the Public that the Town does not have a viewshed ordinance. Lastly, it was conveyed to the Public that the Town spoke with NYSDOT and Route 54-East Lake Road is not a scenic byway.

- e. Unknown speaker asked about the start date and phases of construction. Douglas McCord explained the phases of construction. Angelo Licciardello (father) stated that he hopes work will start in the Fall, but it does depend on obtaining all the necessary approvals.
- f. Unknown speaker asked if the developer was the same as the stalled project in Canandaigua, NY. The Town informed the public that the developer is not the same as said project in Canandaigua, NY.
- g. Unknown speakers spoke about feral cats and woodchucks.
- h. Unknown speaker spoke about vacant residential lot at South Avenue. The Town conveyed that it does not have any authority for lands located in the Village of Penn Yan.
- i. Jeff Kennedy asked about the SWPPP and other elements of said plan. Douglas McCord and the Town explained that the Town Engineer as well as Yates County Soil and Water Conservation District are reviewing said plan to ensure compliance with the applicable NYSDEC regulations.
- j. Jeff Kennedy asked about snow removal of the roads. Douglas McCord will review the site plan to ensure there is space for snow to be piled.
- k. Unknown speaker asked about the monthly rent of apartments. Carol Genecco stated that the approximate rent is \$1500-\$1700 but it is dependent on the market. The apartments will be advertised as luxury.
- l. Jeff Kennedy expressed his concern about the existing traffic pattern at Hillcrest Drive. Douglas McCord explained that only one access point will be at Hillcrest Drive and is well beyond the intersection of Bath Road, Hillcrest Drive and Route 54-East Lake Road. Jeff Kennedy appeared to be satisfied with this response.
- m. Unknown speaker asked if this land will be tax-exempt. The Planning Board does not get into ownership nor land assessment.

The Chairperson closed the Public Hearing at 7:02 PM.

- iii. The Chairperson asked the members of this Board if any concerns and/or questions need to be addressed by the applicant. The members discussed and reviewed the amendments/revisions with the applicant such as but not limited to dark sky compliant lighting to be installed at the flag pole.
- iv. The Chairperson asked for a motion to approve Resolution #2018-006 – SEQRA / Notice of Intent to Serve as Lead Agency. The motion was made by Nate Riehl. The motion was seconded by Sally Jensen. The members of this Board voted, and the results were:
 - a. Kay Williamson – Aye
 - b. Russell Hunt – Aye

- c. Julie Engel – Aye
- d. Nate Riehl – Aye
- e. Sallie Jensen – Aye
- f. Steve Acker – Aye

A major affirmative of this Board was achieved and the motion was adopted.

- v. The Town inform the Public that the Town Engineer is in the process of reviewing this application to ensure compliance with applicable rules and regulations. This review is not complete at this time; and
- vi. The Town informed the Public that no further action will be taken as it pertains to this application. Additionally, the Town informed the Public that this application is scheduled for further review at the September 11, 2018 meeting of the Planning Board that will be held at 6 PM and at the same location.

H. Other business.

- 1. The members of this Board read and discussed Ethical Considerations and Land Use Planning by the NY Planning Federation.

I. Adjournment.

- 1. The Chairperson called for a motion to adjourn the meeting. Member Sally Jensen requested adjournment of the meeting at 7:35 PM. A motion was seconded by Steve Acker. The members of this Board voted, and the results were:
 - i. Kay Williamson – Aye
 - ii. Russell Hunt – Aye
 - iii. Julie Engel – Aye
 - iv. Nate Riehl – Aye
 - v. Sallie Jensen – Aye
 - vi. Steve Acker – Aye

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

Secretary's Signature.

Anthony Validzic, Secretary

Date