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**Village of Millerton
Planning Board Meeting
January 11, 2023**

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The Village of Millerton Planning Board held a meeting on Wednesday, January 11, 2023, at 7:06 PM with Chair Lance Middlebrook presiding. Other Planning Board members present: Carol Gribble, Patti Lynch-VandeBogart, and Matt Soleau. Also present: Planning Board Secretary Anna Clune, Deputy Treasurer Kelly Kilmer, architect Ray Nelson, and attorney Ian MacDonald (sign-in sheet attached). Absent: Planning Board member Andrew Rebillard.

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Roll was called at 7:06 PM.

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December Minutes

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The minutes of the 12.14.2022 Planning meeting were approved with one addition to the prepared draft—that the escrow “floor” for the project at 5902 South Elm Avenue would be set at \$1,000, that is, if the amount in escrow falls below that amount, it will need to be replenished to \$2,500. *Motion* was made by Patti Lynch-VandeBogart to accept the minutes with this change at 7:07 PM and seconded by Carol Gribble. All four members present approved and the motion passed at 7:08 PM.

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Government E-Mails

Anna Clune reported that the Village’s IT consultants were in the process of setting up e-mails for the Planning and Zoning Board members. E-mailing information will be distributed as soon as the addresses and passwords are received.

5902 South Elm Avenue

Attorney Ian MacDonald stated that the project should be classified as a SEQR Type II action under Section 61.5(c)(11) of the NYS DEC regulations because it is the “construction or expansion of a single-family, two-family, or three-family residence on an approved lot including provision of necessary utility connections as provided in Section 617(c)(13),” and thus would be exempt from further SEQR review.

A Board member asked whether the property’s proximity to Millerton’s historic Main Street district was a consideration in the SEQR process. MacDonald replied that the historic district is not a factor in this case, because the project is a Type II action and thus exempt from environmental review.

Chair Middlebrook stated that the Planning Board was acting as lead agency for SEQR and asked if any paperwork was necessary to formalize this. McDonald replied that none was necessary because of the project’s Type II status.

Middlebrook stated that the parcel was on a main road and therefore the project needed to be referred to Dutchess County Department of Planning and Development for comment or recommendation. MacDonald agreed that referral was required because the proposed residence was within 500 feet of Route 22, a state road. It was agreed that Anna Clune would complete the referral online as soon as possible.

Middlebrook asked whether there were any Department of Transportation requirements, and MacDonald replied that there were none because the project was a Type II action.

Motion was made by Matt Soleau at 7:30 PM, that, based on the advice of counsel, the Planning Board had determined that the proposed 5902 South Elm Street construction project was a SEQR

APPROVED:

48 Type II action and therefore no further environmental review was required. The motion was
49 seconded by Patti Lynch-VandeBogart, approved by all four members in attendance, and passed
50 at 7:32 PM.

51 MacDonald recommended that scheduling separate public hearings for the Zoning and Planning
52 Boards be the next step in the process. The Planning Board members agreed that the date of their
53 hearing would be scheduled at their next regular meeting, on February 8, 2023 at 7 pm.

54 MacDonald informed the Board that five days' advance notice to the public was necessary for the
55 hearings, and that the Planning Board would have 62 days after the public hearing to make a
56 determination on the applications under consideration. The steps required to inform the public
57 fully—notices in the *Millerton News* and the *Poughkeepsie Journal*, certified letters to residents
58 living with a 250 ft. radius of the property, and notices in several places in the Village—were then
59 discussed.

60 The Planning Board discussed whether a formal referral to the ZBA for their determination on the
61 variances was necessary. With MacDonald's counsel, it was agreed that no referral was necessary,
62 because the Building Department had already referred the matter to Zoning when it rejected the
63 original Building Permit application and ZBA members had attended a previous Planning Board
64 meeting about the project.

65 **Adjourn -**

66 *Motion* was made by Carol Gribble to adjourn the meeting at 7:56 PM and seconded by Patti
67 Lynch-VandeBogart. All four members in attendance approved and the motion passed at 7:57
68 PM.

69 Respectfully Submitted,

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72 Anna Clune

73 Planning Board Secretary

APPROVED: