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**Village of Millerton
Planning Board Meeting
November 8, 2023**

10 The Village of Millerton Planning Board held a regular meeting on Wednesday, November 8,
11 2023, at 7:10 pm with Chair Lance Middlebrook presiding. Other members in attendance were
12 Carol Gribble, Patti Lynch-VandeBogart, Andrew Rebillard, and Matt Soleau. Planning Secretary
13 Anna Clune, Brandee Nelson of Tighe & Bond Engineering, Sarah Richardsen of Insite
14 Engineering and Architecture, and Craig Arnoff were also present.

15 **Roll** was called at 7:11 pm.

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5979 North Elm Avenue: Continuation of Site Plan Review

Lance Middlebrook opened the discussion by introducing engineer Brandee Nelson, who had submitted an independent review of the Arnoff Storage site plan.

Sarah Richardsen, representing the applicant, stated that she had read the engineering report and had no objections to following its recommendations and submitting a revised plan. She also updated the Board on the steps she and the applicant had made since the last meeting, as follows:

1. A wetland validation map had been mailed to the Department of Environmental Conservation (DEC) and would be signed soon. Copies of the map were distributed to the Board.
2. A lighting system that is “dark-sky friendly” and similar to what is already on the property had been chosen. Richardsen noted that a formal lighting plan would be submitted at some point; in the meantime, a manufacturer’s cut sheet (distributed to the Board) conveyed the general concepts and materials that would be used. She added that there would be no light spillage across the property lines.
3. The applicant had received a first round of comments from the Department of Behavioral and Community Health (DOH) after addressing items from the Tighe & Bond report. Richardsen said that the comments would be shared with the Board at the next meeting.

Richardsen agreed to resubmit the floor plan with more detail that addressed the recommendations of the Tighe & Bond report. Nelson said that one concern was that the site plan showed doors at the rear of the building, but they were not on the floor plan. Carol Gribble observed that there was only one main door for entry, located on the side of the building, on the floor plan. Craig Arnoff explained that two additional rear doors had been proposed as fire exits.

Nelson recommended that any lighting at points of egress be shown on the floor plan. Richardsen confirmed that the building would have lighting on all sides and that a revised floor plan would indicate this. Lighting would be controlled by a dusk-to-dawn timer utilizing standard photocells.

Matt Soleau asked if customers would be able to access the building on a 24/7 schedule. Arnoff answered yes, but he did not expect to see many people using the building in the middle of the night.

Nelson said that she would work with Richardsen and her team as they went forward to address the issues raised by the engineering report. She added that from the engineering point of view, the request for septic information from the DOH and certified wetland boundary map from the DEC pertained to making sure that all aspects of the building plan would fit within the parcel

42 while maintaining the necessary 100-ft. wetland buffer zone. Richardsen said that the applicant
43 was not proposing any disturbance to the nearby wetland.

44 Nelson brought up the topic of landscaping. Asked about existing trees at the site, Richardsen
45 answered that they would be preserved. For new landscaping, Nelson asked for a detailed plan
46 that included the species, size, spacing, size when planted, and whether the new trees would be
47 warranted (e.g., for a year after planting).

48 Arnoff stated that the existing water line would be relocated, but that there were no plans to
49 change the current fencing or gates.

50 Middlebrook requested a revised plan incorporating all requested changes at least 10 days before
51 the next meeting on December 13.

52 Moving to SEQRA, Nelson stated that the project constituted an Unlisted Action. She
53 recommended a Coordinated Review, with approvals required by involved agencies: DOH, DEC,
54 and Dutchess County Department of Planning & Development. To proceed, the Board should
55 declare its intention to serve as lead agency by motion, then circulate a Letter of Intent—along
56 with the site plan, narrative, and EAF—to those agencies. After 30 days, if no objections were
57 received, Planning would be able to confirm lead agency status and proceed with SEQRA.
58 Nelson also recommended that the Board circulate courtesy copies of the same information to
59 interested parties: the Department of Transportation (D.O.T.), VRI (the Village's water
60 contractor), North East Fire District, and Town of North East.

61 Nelson said that the original site plan was suitable for sending with the Letter of Intent. When the
62 revised plans were received, they should be sent to Planning & Development (through the
63 County's referral system). She also recommended that the Planning Board hold a public hearing
64 on the project.

65 **Motion** was made by Carol Gribble at 7:34 pm that the Planning Board declared its intent to
66 serve as lead agency for SEQRA for the site plan application of Arnoff Storage at 5979 North
67 Elm Avenue, with a Coordinated Review by involved agencies, seconded by Matt Soleau,
68 approved by all members present, and passed.

69 **Motion** was made by Matt Soleau at 7:35 pm that the Planning Board would hold a Public
70 Hearing on December 13, 2023, at 7 pm on the site plan application of Arnoff Storage, seconded
71 by Andrew Rebillard, approved by all members present, and passed.

72 Arnoff asked if any additional information was needed and when approval might be forthcoming.

73 Referring to the parking plan, Nelson said that any restricted zones (such as in front of egress
74 doors), pavement markings, bollards, or curbs should be indicated on the revised plans. Any
75 required accessibility features should also be noted.

76 Asked about the planned entry system, Arnoff replied that the building would use a touchpad
77 system.

78 Middlebrook stated that the public hearing and SEQRA needed to be accomplished before
79 approval was granted. Nelson said that the Board technically might be able to make a SEQRA
80 declaration after the public hearing on December 13, if they felt that they had enough
81 information about potential environmental impacts. She emphasized that DEC-certified wetland

82 boundaries needed to be est before the Planning Board granted site plan approval, because these
83 boundaries could affect the site plan. On the other hand, it was common for DOH approval to be
84 a condition of site plan approval, given the length of time it frequently took to acquire the DOH's
85 sign-off.

86 Nelson explained that Planning & Development would need to approve the plans before site plan
87 approval was granted and that the timeline for this would be up to 30 days after the revised plans
88 were submitted to that department. Therefore, it was expected that the Planning Board would not
89 be able to approve the site plan until January 2024 at the earliest.

90 **Letters of Agreement**

91 **Motion** was made by Andrew Rebillard at 7:55 pm to authorize Chair Middlebrook to sign the
92 Letter of Agreement from Tighe & Bond for consultant engineering services to the Planning
93 Board, seconded by Matt Soleau, approved by all members present, and passed.

94 **Motion** was made by Andrew Rebillard at 7:58 pm to authorize Middlebrook to sign the Letter
95 of Agreement from Mackey, Butts & Whelan for consultant legal services to the Planning Board,
96 seconded by Patti Lynch-VandeBogart, approved by all members present, and passed.

97 **Invoice and Escrow Refund**

98 **Motion** was made by Carol Gribble at 8:02 pm to approve payment of Invoice #54477 from
99 Mackey Butts & Whalen LLP, in the amount of \$88, for services related to 5902 South Elm
100 Avenue (special permit application). The motion was seconded by Andrew Rebillard, approved
101 by all members present, and passed.

102 **Motion** was made by Carol Gribble at 8:04 pm to return the unspent escrow balance of \$157.28
103 to Kim Sisco (54 Main Street), seconded by Matt Soleau, approved by all members present, and
104 passed.

105 **Minutes**

106 **Motion** was made by Matt Soleau at 8:10 to approve the meeting minutes from September 13,
107 2023, seconded by Patti Lynch VandeBogart, approved by all members present, and passed.

108 **Training Requirement**

109 Anna Clune discussed the 4-hour per year training requirement for Planning Board members and
110 the mandatory Harassment & Discrimination course.

111 **Adjourn**

112 **Motion** was made by Andrew Rebillard at 8:22 pm to adjourn the meeting, seconded by Matt
113 Soleau, approved by all members present, and passed.

114 Respectfully submitted,
115 Anna Clune, Planning Board Secretary