

**Village of Millerton
Planning Board Meeting
December 13, 2023**

The Village of Millerton Planning Board held a regular meeting and public hearing on Wednesday, December 13, 2023, at 7:05 pm with Matthew Soleau presiding in the absence of Chair Lance Middlebrook. Other members in attendance were Carol Gribble and Andrew Rebillard. Planning Secretary Anna Clune, Brandee Nelson of Tighe & Bond Engineering, Sarah Richardsen of Insite Engineering and Architecture, Mike Arnoff of Arnoff Storage Inc., and members of the public Maria and Joffre Andrade were also present.

Roll was called at 7:06 pm. Lance Middlebrook and Patti Lynch-VandeBogart were absent.

5979 North Elm Avenue: Public Hearing

Motion was made by Andrew Rebillard at 7:08 pm to open the public hearing on the Site Plan application of Arnoff Storage for 5979 North Elm Avenue, seconded by Carol Gribble, approved by all members present, and passed.

Matt Soleau introduced the site plan application for building an additional 15,000 sq. ft. self-storage building at the Arnoff site. He asked if members of the public had any comments or questions about the project. Joffre Andrade, who lives near the Arnoff compound, said that he came to confirm the placement and purpose of the building and whether a second gate at the back of the property would be used for entering the property. Carol Gribble and Mike Arnoff answered Andrade's questions, explaining that this gate would not be used by customers. Mr. Andrade said that he had no objections to the project, then. He did, however, express concern about a tree that had fallen and broken the fence near his home. Arnoff said that he would look into this matter.

Motion was made by Andrew Rebillard at 7:15 pm to close the public hearing on the Site Plan application of Arnoff Storage, seconded by Carol Gribble, approved by all members present, and passed.

5979 North Elm Avenue: Second Engineering Review

Brandee Nelson, the Village's engineering consultant, noted that Insite Engineering had submitted revised plans on 11/27/2023 that addressed the first review's recommendations and comments. Nelson said that all the items listed on the first review had been addressed in the revised plans and documents, with the minor exception of a missing item in the key to the landscaping plan. It was agreed that InSite would make this correction but not submit a revised version until the Dutchess County referral comments had been received (in case other revisions were required by the County).

Nelson said that she was certain that the site plan now met the various requirements: a wetland boundary map had been certified by the NYS Department of Environmental Conservation (DEC) and an approval letter for the proposed septic system had been received from the Department of Behavioral and Community Health (DOH). Soleau asked about the DOH approval process since the first review. Arnoff explained that the DOH had wanted to see an emergency plan for the septic system in case of a lengthy power outage. One potential solution was the addition of an underground tank to temporarily store effluent that couldn't be pumped into the leach field during a power failure.

Nelson noted that questions about the landscaping plan had been answered. In addition, a parking plan had been provided and the building's egress issues had been clarified.

Soleau asked about the required Form 239 referral to Dutchess County Dept. of Planning & Development. Clune said that a County Planner had confirmed receipt of the required documents on 12/4/2023 and expected to make a determination by 12/22/23.

Arnoff expressed his hope that the Planning Board could give conditional approval of the site plan at the meeting. Nelson said that final approval hinged on the County's determination and that the Planning Board would need to incorporate the County's comments in their statement of approval. She recommended that the Board move forward with SEQRA and that, if they made a negative declaration (i.e., the project would have no significant adverse environmental impact), they had the option of making a motion to conditionally approve the site plan pending the County's comments.

5979 North Elm Avenue: SEQRA

Based on the facts and findings, the Planning Board determined that the project will not result in any significant adverse environmental impacts and made a negative declaration. Their deliberations are recorded separately (see attachment).

Motion was made by Andrew Rebillard at 7:45 pm that the proposed action by Arnoff Storage, Inc., would not cause any significant adverse environmental impact and that Matthew Soleau, Planning Board Member, was authorized to sign Part 3 of the Environmental Assessment Form (negative declaration), seconded by Carol Gribble, approved by all members present, and passed.

Conditional Approval

Motion was made by Andrew Rebillard at 7:50 pm to conditionally approve the site plan application by Arnoff Storage, Inc., 5979 North Elm Avenue, pending comments or requirements made by Dutchess County Department of Planning and Development, seconded by Carol Gribble, approved by all members present, and passed.

Approval of Invoice

Motion was made by Carol Gribble at 8:02 pm to approve payment of Tighe & Bond invoice #112399106 for \$2,463, seconded by Andrew Rebillard, approved by all members present, and passed.

Escrow Review

Clune reviewed the escrow account held by the Village for the Arnoff site plan review. Two escrow payments totaling \$5,000 had been received to date, and invoices payable by the escrow totaled \$2,734.32 to date. The second stage of the engineering review was expected to cost no more than an additional \$2,000, according to Tighe & Bond's estimate.

Minutes

Motion was made by Carol Gribble at 8:05 pm to approve the 11/8/2023 meeting minutes, seconded by Andrew Rebillard, approved by all members present, and passed.

Adjourn

Motion was made by Andrew Rebillard at 8:07 pm to adjourn the meeting, seconded by Carol Gribble, approved by all members present, and passed.

Respectfully submitted,
Anna Clune, Planning Board Secretary

ATTACHMENT

EAF Part 3: Determination of Significance

Village of Millerton Planning Board

Site Plan application by Arnoff Storage, Inc., 5979 North Elm Avenue

On December 13, 2023, the Planning Board answered each of the impact assessment questions by choosing “no or small impact may occur.” Explanations as follows:

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

The project is consistent with Village zoning regulations and plans. Storage is a permitted use, and the proposed building meets all zoning requirements.

2. Will the proposed action result in a change in the use or intensity of use of land?

The project will result in a small change in the intensity of use of land already developed for commercial enterprise.

3. Will the proposed action impair the character or quality of the existing community?

The project is in line with the parcel’s current use and provides a service that is evidently needed in the community.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?

N/A. There are no CEAs in the Village of Millerton.

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?

Minimal, if any, impact on traffic; otherwise N/A.

6. Will the proposed action cause an increase in the use of energy and fail to incorporate reasonably available energy conservation or renewable energy opportunities?

The proposed action may cause a small increase in energy consumption. The applicant is interested in installing solar panels that are integrated into the build of the proposed building’s roof. The existing main building is already equipped with solar panels.

7. Will the proposed action impact existing (a) public/private water supplies? (b) public/private wastewater treatment utilities?

The proposed project entails relocating the public water service lines but will have little impact on water use. The proposed, relocated (private) septic system will serve the entire facility, replace the existing system build in 1953, and conform to current standards—and thus be an improvement. The proposed building will not contain bathrooms and thus will not contribute additional waste.

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?

N/A.

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands waterbodies, groundwater, air quality, flora and fauna)?

No foreseeable adverse effects on natural resources.

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

The project will add “hardscape” but will follow the DEC’s best practices regarding them. As currently designed, runoff from the building will fall into gravel pads (“swoosh ways”) along its sides and disperse into the soil. Small swales are proposed as another form of stormwater control. A wastewater engineer’s report determined that the soil has a good amount of absorptive capacity.

11. Will the proposed action create a hazard to environmental resources or human health?

No foreseeable environmental or human health hazards.