

**Village of Millerton
Planning Board Meeting
January 08, 2020**

The Village of Millerton Planning Board held a Planning Board Meeting on Wednesday, January 08, 2020 at 7:00 PM with Chairman Lance Middlebrook presiding. Planning Board Members present: Linda Orlando, Patti Lynch-VandeBogart and Andrew Rebillard. Planning Board Members Absent: Eliot Ramos. Also present: Planning Secretary Stephany Eisermann, Ray Nelson, Donald Najdek, Edie Greenwood Marilyn (sign in sheet attached).

**Andrew Gerstein– 9 John Street – Site Plan & Special Permit Public Hearing
(7271-14-353308)**

Ray Nelson provided an overview of the proposed plan for 9 John Street to change from a two (2) family to three (3) family dwelling.

Donald Najdek addressed the board noting the following concerns of what has taken place:

- Work was originally being done without proper permits
- The property owner has been through four (4) contractors
- There are three (3) bundles of shingles for this house that have been sitting in his property
- The landlord is non-existent (does not live in the area) and has not travelled the right of way in months
- The property owner put up cameras on D. Najdek's land and attached them to his fence.
- You can smell the septic in the summer – are there any Board of Health Approvals that are mandated for this type of change to a dwelling?
- He believed usable square footage has been added.

He then addressed the board with his concerns moving forward:

- This right of way affects eight (8) properties
- Changing the footprint from a two (2) family to three (3) family would mean that potentially six (6) cars would not be travelling through property (on the right of way) that Mr. Gerstein does not own.
- He also questioned how long the easement was allowed through the deed?

E. Greenwood addressed the board stating that special permits can have restrictions imposed on them. Based on the concerns of the surrounding property owners, she suggested restrictions for the following:

- Address the driveway
- DOH (Department of Health) approvals for the septic issues along with approval that it can handle the change
- Require a Millerton based property manager if the property owner does not plan to live onsite.

D. Najdek asked if regaining access through the original right of way on Dutchess Avenue could be an option and suggested that a structural engineer be part of the process.

Chairman Middlebrook suggested that the Millerton Fire Company be an Interested Agency on the application to determine which right of way options are suggested from a safety standpoint.

Marilyn & Ernie Chase stated that they would like to see the property look better than it does in its current state but do have some concerns.

- Septic is an issue (they are familiar with the property from childhood)
- Absentee landlord (with that many people under one roof, problems can be expected. Who will be there to address those issues?).
- Would like the board to consider a driveway maintenance agreement since there will be increased traffic.

Chairman Middlebrook stated that the board would look into the following items and asked Ray Nelson to please discuss with the property owner and be prepared to present how the following items will be addressed at the next meeting:

- Property Management
- Deeded Easement
- Septic Review
- Structural Engineer
- Road Maintenance
- Fire Company – Involved Agency
- Increased Traffic

Motion made by Planning Board Member Patti Lynch-VandeBogart to keep the public hearing open and continue at the next Planning Board Meeting Wednesday, February 12, 2020 at 7:00 PM, seconded by Planning Board Member Linda Orlando, all four (4) members approved and motion was passed.

Minutes

07/19/2019

Motion made by Planning Board Member Patti Lynch-VandeBogart to approve the minutes for 07/19/19, seconded by Planning Board Member Andrew Rebillard, all four (4) members in attendance approved and motion was passed.

Adjourn

Motion made by Planning Board Member Patti Linda Orlando to adjourn the meeting at 8:24 PM, seconded by Planning Board Member Andrew Rebillard, all four (4) members in attendance approved and motion was passed.

Respectfully Submitted,

Stephany Eisermann
Planning Board Secretary