

**TOWN OF NORTH EAST PLANNING BOARD
MINUTES
May 1, 2019**

The regular meeting of the Town of North East Planning Board (“PB”) took place on Wednesday, May 1, 2019 in the North East Town Hall located at 19 North Maple Avenue, Millerton, New York at 7:30 PM. Board members Chairman Dale Culver, Charles Barrett, Bill Kish, Bill McGhee and Dan Sternberg. Board members Leslie Farhangi and Evelyn Garzetta were absent. Also in attendance were Phillip Gellert, Kirk Horton, Henry Klimowicz, Kristie Schmidt and Deb Phillips, secretary to the planning board.

Phillip Gellert

*Continued Public Hearing for Application for Minor Subdivision at 7:40 PM
1409-1415 Boston Corners Road
Parcel ID #7273-00-204841*

Chair Culver requested a motion to open the regular meeting of the PB at 7:34 PM. The motion was made by McGhee, seconded by Kish and passed unanimously.

Minutes

Planning Board members read through minutes.

Kish made a motion to accept the minutes of April 17, 2019 as presented. Chairman Culver said to change “Henry Klimowicz wanted more clarity about a minor subdivision” to “Henry Klimowicz wanted more clarity about segmentation on the Gellert property.” The motion was seconded by McGhee and passed unanimously.

Public Comment

There was no public comment.

General Business

Chairman Culver would like to continue the second part of training at the next meeting on May 15, 2019.

Phillip Gellert

*Public Hearing for Application for Minor Subdivision at 7:40 PM
1409-1415 Boston Corners Road
Parcel ID #7273-00-204841*

McGhee made a motion to reopen the public hearing, seconded by Kish and passed unanimously.

Chairman Culver said Attorney Sal Ferlazzo had spoken to the Department of Environmental Conservation and the DEC confirmed that in 1987 that there was no hazardous waste at the site. Kish mentioned segmentation and asked if the attorney was aware of the past history of Mr. Gellert. Chairman Culver said the attorney was aware that other parcels were divided out. Kish said that when the North East-Millerton Comprehensive Plan is completed, the board needs a real definition of segmentation. Chairman Culver said we can put in stipulation that there would be no further subdivision and asked Mr. Gellert if he had a problem with it. Mr. Gellert replied no, he has no further plans to do anything. Chairman Culver said the 76 acres is staying intact in the foreseeable future and that further subdivisions would have to be mapped out. He asked if everyone was familiar with the lawyer's rendering of the DEC document. Sternberg mentioned segmentation, SEQ. R.

Kirk Horton presented the subdivision map to the board. Henry Klimowicz's concern was that if you're not looking at the whole 82 acres, you can run the risk of ending up with little bits of land that don't make much sense to the overall acreage of the property. He mentioned the stream being the natural divide of the 5 acres. He said you can end up with a bit of land on one side that isn't usable to the future owner. Horton responded there is a 100' buffer from DEC wetland that extends into the lot that you can't do much with. Kristie Schmidt said they have seen Mr. Gellert propose and implement several subdivisions where there has not been a big picture. As a property owner, she would like to know what the plan is; she doesn't want to see further degradation of her property values. Mr. Gellert said he has no further plans of subdividing; the land will stay as is in agriculture. Kish asked Klimowicz and Schmidt to look at the layout of the house and if it's substantial as is. Both replied yes. Klimowicz pointed out areas of nice farmland and said that by producing this lot the way it is, the field will be cut in half and will be made less likely to stay in agriculture. The purpose of the moment is trying to keep those agricultural uses intact with the house. He would like the house to stay with the lot. Kish said a farmer would be able to access five-acre parcel by a tractor. Klimowicz asked how many parcels are allowed on the 81 acres. Mr. Horton said there are seven total. Chairman Culver's concern is that the questions are deeper than what they thought. He suggested continuing the hearing and having the lawyer sign off on the language and the discussion of segmentation, the lot size, etc. Barrett suggested having the board doing a site visit. Mr. Gellert said he has no problem with a site visit. Klimowicz suggested that the board ask for a soil map. Chairman Culver asked Mr. Gellert if he would be available on May 15 to continue the hearing. Mr. Gellert said he would have no problem having it worded that any further subdivision would have to be complete. He objected to any changes on the property line change on the 5 acres. Mr. Horton's concern for making a master plan in the future is that a master plan is made and then zoning can change. He asked if a master plan would get grandfathered in. Barrett asked what class the stream is. Mr. Horton said most likely a Class C stream since it's in a DEC wetland.

Sternberg made motion to continue the public hearing at the next meeting; seconded by McGhee and passed unanimously.

The board will make a site plan visit. Chairman Culver will keep the DEC book until the next meeting.

Chairman Culver suggested for the board to create a checklist document for future applicants that would be completed and filed with the applicant's records.

McGhee made a motion to close the Planning Board meeting at 8:30 PM. The motion was seconded by Kish and passed unanimously.

Respectfully Submitted,

Deb Phillips
Planning Board Secretary

APPROVED May 15, 2019