

**TOWN OF NORTH EAST PLANNING BOARD
MINUTES
March 27, 2019**

The regular meeting of the Town of North East Planning Board (“PB”) took place on Wednesday, March 27, 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, Leslie Farhangi, Evelyn Garzetta, Bill Kish, Bill McGhee and Dan Sternberg. Board member Charles Barrett was absent. Also in attendance was Kirk Horton, Phillip Gellert, Rob Cooper, Henry Klimowicz, Kristie Schmidt, Michael and Jennifer Segelken and Deb Phillips, secretary to the planning board.

Michael Segelken

*Public Hearing for Minor Subdivision/Lot Line Adjustment @ 7:40 PM
158 & 168 North Center Street
Parcel ID#: 7271-09-160624 and 7271-09-135639*

Phillip Gellert

*Application for Minor Subdivision
1409-1415 Boston Corners Rd.
Parcel ID #: 7273-00-204841*

Chair Culver requested a motion to open the regular meeting of the PB at 7:30 PM. The motion was made by Garzetta, seconded by McGhee and passed unanimously.

Public Comment

Rob Cooper said he purchased the former Getty property and plans to build a 1950’s style gas station for display. Chairman Culver recommended he meet with Ken McLaughlin to discuss uses for the property.

Minutes

Minutes of the February 27, 2019 meeting were read. Kish made a motion to accept the minutes. Seconded by Garzetta; all were in favor and motion passed.

Sternberg made a motion to change the meetings to the first and third Wednesday. Seconded by Garzetta; all were in favor and motion passed.

The change in meetings beginning with April will be changed on the website.

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Kish made a motion to call the public hearing to order on the Segelken lot line adjustment at 7:40PM, seconded by Sternberg. All were in favor, motion passed.

Surveyor Horton presented the maps and said the corners had been staked and he showed the location of septic systems and wells.

Chair Culver asked if any board members or anyone in the audience had any questions. There were none.

Garzetta made a motion to close the public hearing, seconded by Kish. All were in favor, motion passed.

The SEQR was reviewed.

Chair Culver asked if anyone had issues with the SEQR. There were none.

Kish made a motion to approve the SEQR, seconded by Sternberg. All were in favor, motion passed.

Farhangi made a motion to approve the Segelken lot line adjustment, seconded by Garzetta. All were in favor, motion passed.

Philip Gellert appeared before the PB for a minor subdivision on County Route 63. The parcel consists of 81.3 acres with a proposed 5-acre split with a 2-family house including a driveway. A portion of it is in the 100' buffer. There would be no change in usage.

Kish asked Horton to describe the adjacent wetland area. Horton said it's in the larger parcel and the buffer is outside the area.

Kish asked if it was permissible to build anything in the wetland buffer. Horton said a permit would be required. Kish suggested putting a note on the map indicating a permit would be needed to build in the wetland buffer.

Chair Culver said he doesn't see a lot of issues with the 5-acre piece.

Farhangi made a motion to establish an escrow in the amount of \$250, seconded by Garzetta. All were in favor, motion passed.

Garzetta made a motion to schedule a public hearing on April 17, 2019 at 7:40PM, seconded by Farhangi. All were in favor, motion passed.

Gellert gave a check for escrow in the amount of \$250.

Henry Klimowicz asked if this application falls within a sense of minor subdivision. Chair Culver will send it to Sal Ferlazzo for review.

Klimowicz said his recollection is that it would ask for a master plan because of the large amount of acreage. There is a triangular piece of land that abuts the rail trail on the north end of the property. It was very confusing to how it happened but it was surveyed when it was owned by two police officers; the surveyor didn't understand what he was surveying and surveyed it wrong. The farmer on the other side of the rail trail thought it was his but it's now Mr. Gellert's. It's landlocked and it isn't something that the Planning Board would have done or something Mr. Gellert would have done. This is the moment to find a solution for that piece of land. That's what you do in a master plan, you fix it.

Gellert said that piece has been sold to the neighbors last year. Chair Culver asked if they joined it with their deed so it no longer exists. Gellert said the neighbors presented it to the Planning Board and it was approved.

Chair Culver said we will check on it with the assessor and asked who the buyer was. Gellert didn't know the buyer's name but said some of it was sold to Anthony Biancardi. It was subdivided and approved by the Planning Board.

Schmidt said there was a toxic waste dump on the 81 acres and a potential buyer should be notified be presented with any Department of Conservation findings to clarify that it doesn't contain any toxins.

Gellert said he has a book from the DEC in 1987 that shows all tests were negative and the Town of North East has a copy.

Schmidt says whoever buys that property should be entitled to see that book.

Gellert said he will bring the book to the next meeting.

Chair Culver said he will forward this information to the attorney for rendering of his opinion. The board will check on the nine-acre piece with the assessors.

General Business

Chairman Culver suggested changing the meetings to the first and third Monday of the month.

Sternberg made a motion to change the meetings to the first and third Monday of the month, seconded by Garzetta. All were in favor, motion passed.

Bill Kish said that at the last North East Comprehensive Update Committee meeting a public presentation was scheduled for Saturday, May 18th, at the Annex at 2:00 PM. Following the presentation a public hearing will be held. He would like all Planning Board members to attend.

Old Business

Chairman Culver said the escrow for Kildonan School in the amount of \$5,143.52 will be returned for a prior project that is not moving forward.

Farhangi made a motion to close the meeting at 8:05 PM, seconded by Garzetta. All were in favor, motion passed.

Respectfully Submitted,

Deb Phillips
Planning Board Secretary

APPROVED April 17, 2019