

**TOWN OF NORTH EAST PLANNING BOARD
MINUTES
October 26, 2022**

The regular meeting of the Town of North East Planning Board (“PB”) took place on Wednesday, October 26, 2022 in the North East Town Hall located at 19 North Maple Avenue, Millerton, New York at 7:30PM. Board members Chairman Culver, Leslie Farhangi, Bill Kish, Bill McGhee and Dan Sternberg. Also in attendance were Dustin James, Dan Martucci, Chris Langlois, Chris Kennan and Deb Phillips, secretary to the planning board.

*Wolfram Hanchett-Bates LLC
Public Hearing for Application for Lot Merger at 7:40 PM
964 & 958 Huckleberry Road
Parcel ID# 133889-7068-00-980890 & 133889-7068-00-995817*

*Precision Auto Storage LLC (Dan Martucci)
Amended Site Plan Application
6050 Route 22
Parcel ID# 133889-7271-09-066639*

*Taylor Oil Inc.
Status Review/Update
6073 Route 22
Parcel #133889-7171-12-980713*

Chairman Culver requested a motion to open the meeting at 7:50PM.

McGhee made a motion to open the meeting. Motion was seconded by Farhangi and passed unanimously.

Minutes

Chairman Culver requested a motion to approve the October 12, 2022 minutes.

Kish made a motion to approve the October 12, 2022 minutes. Motion was seconded by Sternberg and passed unanimously with McGhee abstaining.

General Business

Kish said that Attorney Langlois is waiting for the PB to approve the language with the modification that the Harneys have asked for.

4 proposed conditions to be on Harney site plan

1. All lights turned down to be parallel to the ground.
2. The employee entrance light to be replaced.
3. Light in the northern parking lot to be turned off.
4. Harney to come back to the PB when the light in northern parking lot to be turned on.

Harney said in relation to #3, there are two poles on the light in the northern parking lot; the northern one will be kept off (until #4).

Chairman Culver mentioned the letter received from the Town of Ancram Planning Board Chairman from O&G. He asked if PB members knew any information on it. None did.

Chairman Culver requested a motion to open the public hearing for the lot merger by Wolfram-Hanchett-Bates LLC.

McGhee made a motion to open the public hearing for the lot merger by Wolfram-Hanchett-Bates LLC. Motion was seconded by Farhangi and passed unanimously.

Wolfram Hanchett-Bates LLC
Public Hearing for Application for Lot Merger at 7:40 PM
964 & 958 Huckleberry Road
Parcel ID# 133889-7068-00-980890 & 133889-7068-00-995817

Dustin James of Crawford & Associates appeared before the PB with a review of the proposed lot merger. He said they are merging on tax map parcel in the Town of North East with another deed parcel that consists of two separate tax map parcels; one in the Town of North East and the other in the Town of Amenia. The merger would merge all three lots into one deed parcel with the one in the Town of Amenia to remain as its own tax map parcel. He said at the last PB meeting, they went over the building permit for the barn that is under construction and the gravel road that was built over an existing logging road.

McGhee asked if there was any proposal for new buildings; James said no, it's just a merger of parcels of land.

James said there was a line on the map for the PB Chair and one for the Town of Amenia PB Chair.

Chairman Culver asked if the merger is approved, have the Town of Amenia sign it first and then he will sign it as a completed document. All PB members were in agreement.

Kish asked James if the applicant needed Department of Health approval.

James said the DOH is acknowledging that this doesn't have anything to do with a new septic.

Chairman Culver requested a motion to close the public hearing.

Farhangi made a motion to close the public hearing. Motion was seconded by McGhee and passed unanimously.

Chairman Culver requested a motion for a negative declaration on SEQR.

Farhangi made a motion for a negative declaration on SEQR. Motion was seconded by Sternberg and passed unanimously.

Chairman Culver requested a motion to approve the lot merger.

Kish made a motion to approve the lot merger. Motion was seconded by Farhangi and passed unanimously.

James presented the PB with a \$200 check for additional escrow.

Precision Auto Storage LLC (Dan Martucci)
Amended Site Plan Application
6050 Route 22
Parcel ID# 133889-7271-09-066639

Dan Martucci appeared before the PB with an amendment to a site plan application from 2021. He presented a map that showed where he wants to install a six-foot high security fence.

Chairman Culver asked Martucci if the reason for the fence is to provide perimeter security for business operations. Martucci said yes.

Farhangi suggested more landscaping in front of the fence with the existing bushes.

Chairman Culver said he is satisfied with the proposed fencing; it is consistent with the current landscaping and the surrounding area.

Chairman Culver asked if the PB members had any issues with the fence. McGhee and Sternberg did not; Kish asked for a clarification from Ken McLaughlin.

Chairman Culver asked Martucci if he spoke to Ken McLaughlin (Building Department) and whether Martucci should amend it because the fence would be six feet high and the PB already has an allowance for fences that says as long as its back from the property long enough for you to do your own maintenance without impeding on someone else's property. Culver asked Martucci if the PB has to take action on this amendment or did he just have to come in front of the PB to see if the PB had any objection.

Martucci said McLaughlin used the term "referral" and for Martucci present it to the PB for their thoughts.

Kish suggested getting clarification from McLaughlin.

Chairman Culver said the PB is okay with it but wants to know if the PB by legal regulation that the PB needs to take action or give a letter that says the PB gives permission.

Farhangi suggested a conditional approval.

Chairman Culver suggested sending a letter to McLaughlin to get a rendering from him whether the PB needs to: (1) take action; (2) reimburse Martucci; or (3) do anything further.

Chairman Culver said there is a provision in the code for fences as long as it not over six feet high and there is enough room to maintain it without impeding on the neighbor(s)' property.

Taylor Oil Inc.
Status Review/Update
6073 Route 22
Parcel #133889-7171-12-980713

Chairman Culver said Taylor Oil was not at the meeting but it was added to the agenda because of a letter received from the applicant's lawyer. He said the PB followed up with the engineer and it is possible that the PB will receive some type of a new submission for the November PB meeting.

Kish asked for clarification of the process by which the PB receives an application. He asked if it has to pass through the Zoning Enforcement Office first and then the PB would receive it or if it would be directly to the PB. He was asking specifically to the Taylor Oil application.

Chairman Culver said the general purpose goes to the Building Department but he doesn't know if it is spelled out in the code. He said the PB could send an application to the Building Department but doesn't think the PB

has a requirement that it goes to the Building Department. He suggested having it be reviewed by the Building Department before it goes on the PB agenda.

Chairman Culver said the Taylor Oil application came to the PB and was referred to the Zoning Board of Appeals (ZBA).

McGhee said Trotta came to the PB as a courtesy to the community. He said his conversation with Trotta was that the State has more to say about it than the PB does.

Chairman Culver said it has to be brought to the PB or discussed with the PB; the PB lawyer needs to guide the PB through it so the PB doesn't create liability for the community by not taking action or by taking some kind of action. He said the PB should have some type of new submission from the engineer at the next meeting. (was in first paragraph)

General Business

Chairman Culver mentioned a letter received from the Town of Ancram PB Chairman for a Special Use Application from O&G for gravel mining. The parcel is owned by O&G (Colprovia) Industries, Inc. The application indicated the parcel is located on State Route 22 in Millerton. He said there is a public hearing on November 3, 2022 and would he like to go.

Kish agreed to go with Chairman Culver to the public hearing. He requested that the PB get all the materials relating to the application.

Sternberg asked about a barn at junction of Route 22 and White House Crossing.

McGhee asked about the property on McGhee Hill Road. Chairman Culver said he had no information and thinks that the applicants haven't decided.

Close of Meeting

Chairman Culver requested a motion to adjourn the meeting at 8:30 PM.

Farhangi made a motion to adjourn the meeting. Motion was seconded by McGhee and passed unanimously.

Respectfully Submitted,

Deb Phillips
Planning Board Secretary

APPROVED December 14, 2022