

**TOWN OF NORTH EAST PLANNING BOARD
MINUTES
February 14, 2024**

The regular meeting of the Town of North East Planning Board (“PB”) took place on Wednesday, February 14, 2024 in the North East Town Hall located at 19 North Maple Avenue, Millerton, New York at 7:30PM. Board members Chairman Culver, Scott Culbreth, Leslie Farhangi, Bill Kish, Bill McGhee and Dan Sternberg. Also in attendance were Chris Langlois, Chris Kennan, John Perotti, Camilo Rojas, Hilarie Thomas, Lynn Barrett, Liz Barrett, Andrew Stayman, Walt Kubow, Rich Stalzer, Skyla Lawless, Mari-Ann Hoke, Joseph Hoke, Nicholas Lopane, Petrina Lopane and Deb Phillips, secretary to the planning board.

*Norman Jacobskind/Rivendell Millerton RE LLC
Re-Approval for Minor Subdivision/Lot Line Adjustment
182 Quarry Hill Drive and Quarry Hill Drive
Parcel #133889-7274-00-410020 and #133889-7274-00-490056*

*McGhee Hill Road Subdivision
MGHR, LLC
Continued Public Hearing for Major Subdivision at 7:35PM
McGhee Hill Road
Parcel #133889-7170-00-414515*

*Perotti Homestead Farm LLC
Public Hearing for Minor Subdivision at 7:45PM
5-15 Homestead Farm Lane
Parcel #133889-7069-00-953630*

*Barrett Subdivision
Marilyn M. Barrett
Application for Minor Subdivision
330-344 Indian Lake Road
Parcel #133889-7270-00-405067*

Chairman Culver requested a motion to open the meeting at 7:30PM.

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

Minutes

Chairman Culver requested a motion to approve the January 24, 2024 minutes as amended.

Sternberg made a motion to approve the January 24, 2024 minutes as amended. Motion was seconded by Kish and passed unanimously with McGhee abstaining.

**Norman Jacobskind/Rivendell Millerton RE LLC
Re-Approval for Minor Subdivision/Lot Line Adjustment
182 Quarry Hill Drive and Quarry Hill Drive
Parcel #133889-7274-00-410020 and #133889-7274-00-490056**

Chairman Culver said the maps were signed before but were needed to be signed again so that the applicant could file them on time.

Chairman Culver asked for a motion to reapprove the Jacobskind subdivision.

Farhangi made a motion to reapprove the Jacobskind subdivision. Motion was seconded by Sternberg and passed unanimously.

Barrett Subdivision
Marilyn M. Barrett
Application for Minor Subdivision
330-344 Indian Lake Road
Parcel #133889-7270-00-405067

Chairman Culver asked Hilarie Thomas to present the subdivision piece for Marilyn Barrett. Farhangi recused herself. Chairman Culver said it was to redraw the map to eliminate the need for a variance from the Zoning Board of Appeals (ZBA).

Thomas said where the line was up to the barn that there will now be a notch-out.

Kish had a concern with Parcel 1 if it got conveyed to someone in the future, how would they get from the existing house to the rear of the parcel and that there wouldn't be room for a driveway. Chairman Culver said there is access from the private road.

Chairman Culver requested a motion for a public hearing on February 28, 2024 at 7:35PM.

McGhee made a motion for a public hearing on February 28, at 7:35PM. Motion was seconded by Culbreth and passed unanimously with Farhangi abstaining.

McGhee Hill Road Subdivision
MGHR, LLC
Continued Public Hearing for Major Subdivision at 7:35PM
McGhee Hill Road
Parcel #133889-7170-00-414515

Chairman Culver requested to reopen the public hearing for MGHR, LLC.

Culbreth made a motion to reopen the public hearing for MGHR, LLC. Motion was seconded by Farhangi and passed unanimously.

Engineer Walt Kubow gave an overview of the subdivision to attendees in the audience.

Chairman Culver said the weekly reports are to be during the time when there is construction and activity regarding the infrastructure, the driveways and the roads and not while any houses are being built.

The PB agreed that the changes from the previous meeting were addressed: (1) Tree clearing on an additional area on Lots 4, 5 and 6 would be restricted; and (2) there would be weekly visits by the environmental monitor with reports sent to the Building Department and the PB.

Cullbreth asked who monitors the environmental monitor, who pays for the monitor and who supervises him. Chairman Culver said the applicant pays for the environmental monitor. He said the PB has no paid professionals and does not get into enforcement and that is the responsibility of the Building Department.

Chairman Culver asked Kubow for a timeline for an idea of environmental monitor people in mind so the Building Department can review the monitor's credentials. Kubow said it would be before any construction starts.

Kish said there is some clarification on language on the construction but doesn't see any new fence around that the PB said they were concerned about; the area to the east of the bio retention area.

Chairman Culver said permitting requires silt fencing. Kubow agreed and said fencing is part of the storm water control.

Kubow mentioned sheet C151 which is the erosion control plan that identifies all the locations of the silt fence. He said the orange fencing will be parallel to the silt fence.

Chairman Culver said he received a letter from a member of the community about previous damage that occurred years ago on property further up that did not belong to the applicant.

Nicholas Lopane said he was concerned about run-off onto his property after the houses are built. Kubow said run-off would go to the stream, the lowest area.

Chairman Culver asked Thomas if the some of the tree cutting was a situation with the other interloper before. Thomas said she thought so but wasn't 100% sure.

Chairman Culver asked Lopane if the tree cutting was done recently or last year. Lopane said he thought it was done within a year. Chairman Culver said the PB had issues with tree cutting last year.

Kubow said the storm water prevention plan addresses the run-off.

Langlois said the storm water management plan that has been developed takes into account run-off from impervious surfaces, driveways and buildings.

Chairman Culver asked Kubow if the run-off was directed away from Lopane's property; Kubow said yes.

Chairman Culver suggested revisiting the site and take pictures, possibly with a drone, to get clarity.

Kubow said every house that is proposed, the hill will flow toward the stream.

Langlois asked for confirmation on what has been cleared, what hasn't been cleared and the run-off direction.

Chairman Culver asked the PB if it should get clarification of what has occurred on the property, what the current condition is and how it's accounted for in the storm water plan. The PB agreed.

Langlois said the PB could keep the hearing open or close the public hearing but still follow up the issues and would not accept any more public comment.

Chairman Culver requested a motion to close the public hearing.

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

Langlois said the shot clock can be extended by mutual agreement.

**5-15 Homestead Farm Lane
Parcel #133889-7069-00-953630**

Chairman Culver requested a motion to open the public hearing for Perotti Homestead Farm.

McGhee made a motion to open the public hearing for Perotti Homestead Farm. Motion was seconded by Farhangi and passed unanimously.

John Perotti gave a review of the subdivision: 348 acres are divided by Perotti Road and the plan is to subdivide the land on the west side into two lots of 85 and 94 acres.

McGhee asked about access roads. Chairman Culver said Highway Superintendent Robert Stevenson's e-mail said there are many spots within sight distance.

Chairman Culver requested a motion to close the public hearing.

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

The PB reviewed SEQR.

Chairman Culver requested a motion to accept the SEQR for a negative declaration.

Farhangi made a motion to accept the SEQR for a negative declaration. Motion was seconded by McGhee and passed unanimously.

Chairman Culver requested a motion to approve the subdivision.

McGhee made a motion to approve the subdivision. Motion was seconded by Sternberg and passed unanimously.

Public Comment

There was none.

General Business

There was none.

Close of Meeting

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

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

Respectfully Submitted,

Deb Phillips
Planning Board Secretary

APPROVED February 28, 2024