

**TOWN OF NORTH EAST PLANNING BOARD  
MINUTES  
May 22, 2024**

The regular meeting of the Town of North East Planning Board (“PB”) took place on Wednesday, May 22, 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, Chip Barrett and Bill Kish. Also in attendance were Chris Langlois (via Zoom), Chris Kennan, Peter Sander, Wesley Chase, Robert & Leah Sprague, Kathleen Clark, Christine Bates and Lorna Sherman, planning board office secretary.

*Sprague Minor Subdivision  
Robert & Leah Sprague  
43 Old Post Road #3  
Parcel #133889-7272-00-117632*

*Buddhafield - Phase 4 Residence Site Plan Application  
Rangrig Yeshe Inc.  
Cooper Road  
Parcel #133889-7169-00-183763*

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

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

**Minutes**

Chairman Culver requested a motion to approve the February 28, 2024 minutes.

Farhangi if the minutes could be changed to that she recused herself from the beginning of the public hearing. Chairman Culver agreed.

Farhangi made a motion to approve the amended February 28, 2024 minutes. Motion was seconded by Culbreth and passed unanimously.

Chairman Culver requested a motion to approve the March 6, 2024 minutes.

Farhangi made a motion to approve the March 6, 2024 minutes. Motion was seconded by Culbreth and passed unanimously.

**General Business**

Escrow returns:

Chairman Culver requested a motion to return \$22.50 escrow to Marilyn Barrett.

Kish made a motion to return \$22.50 escrow to Marilyn Barrett. Motion was seconded by Culbreth and passed unanimously.

Chairman Culver requested a motion to return \$75.00 escrow to Jacobskind.

Culbreth made a motion to return \$75.00 escrow to Jacobskind. Motion was seconded by Kish and passed unanimously.

Chairman Culver requested a motion to return \$1,342.50 escrow to Perotti Homestead.

Barrett made a motion to return \$1,342.50 escrow to Perotti Homestead. Motion was seconded by Culbreth and passed unanimously.

**Sprague Minor Subdivision**  
**Robert & Leah Sprague**  
**43 Old Post Road #3**  
**Parcel #133889-7272-00-117632**

Wesley Chase appeared before the PB with maps for the applicants. He said the Harlem Valley Trail is on the easterly side of the parcel and the applicants own two parcels; a four-acre parcel on the east side of the rail trail and the other parcel to the west consists of a parcel east of Route 22, west of Route 22 and west of Old Post Road. Chase said a subdivision is proposed for estate purposes. There is a house on one parcel with an existing driveway and existing septic. The applicants would like to create Lot #2 with 8.78 acres that consists of the piece around the house and the parcel across the road. That would leave the vacant land of Lot #1 that contains a swamp on the other side of Route 22. Chase said the rest of the acreage is wooded. The plan is to give Leah Sprague Lot #2 and Robert Sprague would retain Lot #1. Chase said Robert Sprague has no plans to build a house and is looking to get a forestry exemption. A letter was provided to the Highway Superintendent that said an entrance could be built on Old Post Road fronting on Lot #1. Chase said there is no change any physical on the property.

Chairman Culver asked Chase to overview the letters from the Town of Northeast Assessors and the County..

Chase said his original submittal was that it wasn't for a subdivision; it was for a lot line alteration. Chase said he has noticed that a lot of swamplands are purchased, they stop paying taxes and the County sells them. Chase said it made sense to hook the swampland with the other things. He said it is the County's policy to not connect property across a railroad. Chase said it is easier to do a subdivision.

Kish asked if hooking across the road is legally allowed and binding.

Attorney Chris Langlois said it is not relevant to the pending application because that part of it has been withdrawn. He said he doesn't know if the County's issue was specific to New York State land for the rail trail.

Chairman Culver said a parcel can be on both sides of a road or highway.

Langlois said when the County looked at the application, it didn't have an issue with the subdivision part; it had a problem with the lot line alteration and the issue has been resolved.

Chase said he could write that no further subdivision will be allowed on the parcel without PB approval.

Chairman Culver asked Langlois if he had any other issues with the application.

Langlois said there was a meets and bounds description of the new Lot #2 and it looked like it continued either across Old Post or Route 22. Langlois said he doesn't think the 3.12-acre part on the other side of Old Post Road is included in the 17-step meets and bounds description. He said he and the PB recognizes that is part of the new Lot #2 but for the PB makes sure it gets captured.

Chase said he would submit new meets and bounds.

Chairman Culver requested a motion for escrow in the amount of \$250.

Farhangi made a motion for escrow in the amount of \$250. Motion was seconded by Culbreth and passed unanimously.

Chairman Culver requested a motion for a public hearing on June 12, 2024 @ 7:35PM.

Farhangi made a motion for a public hearing on June 12, 2024 @ 7:35PM. Motion was seconded by Kish and passed unanimously.

**Buddhafield - Phase 4 Residence Site Plan Application**  
**Rangrig Yeshe Inc.**  
**Cooper Road**  
**Parcel #133889-7169-00-183763**

Peter Sander of Renna Engineering appeared before the PB representing the applicant. He did a recap: the applicant is for a site plan approval for Phase 4 of an approved Master Plan that was approved with the site. He said the property was purchased by Buddhafield in 2003. They got approved the Master Plan on top of the 1988 subdivision map. Sander had maps with PB approval in 2003. He said the Master Plan was again reapproved by the Zoning Board of Appeals (ZBA) to reaffirm the special use permit for the site in 2013. Sander said from 2013 to now, Buddhafield has been to the PB to show the revised Master Plan. He said in 2018, they worked to obtain approvals for Phase 1 of the approved Master Plan; several months later they came back for site plan approval for Phase 2 and Phase 3. Sander said they are proposing to extend the existing driveway to the house site that is shown on the Phase 4 site plan. He said it is a 2,900-square foot house with four bedrooms, a new well and new septic. Sander said several exhibits were prepared at the PB's request: viewshed exhibit from public accessible roadways with pictures aiming at the site to show that the site isn't visible from adjacent property owners. Sander said site plan approval for Phases 1, 2 and 3 and that Phase 2 included the reconfiguration of the existing entranceway. He said they are proposing the new driveway that led up to lower and upper field areas. Sander said the chart he submitted says when it was approved (in 2018), what portions of it was actually built out and completed. He said for Phase 1, the upper parking field was leveled out and allowed for #2 on the approved Master Plan. The intention for Phase 2 was to create the lower parking field and provide a gravel parking area in the upper field. Sander said also in Phase 2 was the reconfiguration of the driveway; the existing driveway would be moved approximately 20-30 feet south and with a decorative entrance. Storm water management practices were also part of the reconfiguration. Sander said because the parking lot was not graveled and the entrance was not reconfigured, they were approved but never done by the applicant. Sander said what is on the site is the two graded out grass parking fields and, for Phase 3, the widening of the existing stream crossing. He said those were reviewed and approved by the PB.

Chairman Culver asked Sander to clarify when Sander said was never done mean never done yet or not going to be done.

Sander the next phase will be Phase 6 which is a meditation hall that was conceptually approved for the upper areas. He said construction equipment would be brought up to future Phase 6 which would be reviewed and have to be approved by the PB. Sander said the construction equipment would tear up any driveway that they would have put in. He said the driveway would want to be put in after the building was installed. Sander said any modifications to the driveway are necessary when he comes back for site plan approval for the meditation hall. He said then all the changes will be presented to the PB, again for an amended review.

Chairman Culver and Farhangi were concerned with storm water before the permanent driveway is put in. Chairman Culver said the PB is addressing potential increased storm water runoff.

Sander said because there was no increase in impervious surfaces when the lots were graded out, storm water treatments are not really provided. He said erosion control practices would be needed; construction entrance, soil stockpiling, silt fencing and stabilizing. Sander said those were all completed for the parking areas. He said the storm water practice for the entrance would be installed when the entrance gets installed.

Kish asked about stamped and approved previous site plans with minutes or notes that accompanied them.

Sander said all the information he presented is from FOIL requests from the PB permit.

Kish asked Sander if he had copies of the plats that were approved and stamped in his possession. Sander said he didn't know if the plats were officially signed and stamped at the time. Kish asked what constitutes approval. Sander there is verbal approval in some of the minutes, there was a resolution prepared for the Master Plan approval by the Zoning Board of Appeals. Sander said he never found any actual approval or resolution from the PB for the previous phases. Kish said if he understands correctly, what's being said is that this is the first time that the PB has an opportunity to approve anything on the site.

Chairman Culver disagreed; he said the PB has approved pieces of this plan, had a hearing on it and met on it.

Kish asked what supporting materials exist for what Phase 1, 2 and 3 were.

Chairman Culver said the PB should have the minutes and approvals of the things that the PB met on and approved.

Barrett asked what the special use permit to be used for. Chairman Culver said it was a ZBA decision. Barrett said the permit was for church-type property. Barrett asked for clarification on the driveway. Chairman Culver said the extension of the driveway is for this phase.

Kish asked what the maximum building height is for the district. Chairman Culver said it was 35 feet.

Kish said that the ZBA decision was that any buildings constructed should match the architecture in the area and he is not sure that the architecture matches.

Kish said he was concerned if the 35-foot structure would change the visibility from any point.

Langlois said the 2003 ZBA's decision granting the special use permit, noting on page 2 it said, "The ZBA noted that all buildings will be stone and glass and blend in with the rural character of the neighborhood."

Chairman Culver asked where the does the PB stand.

Farhangi said it seems like the PB is missing documents and knowledge. She has concerns with environmental impact of the driveway and how it would be handled. She said the PB doesn't have any ability to comment on the architecture.

Langlois said the decision was based on what was being planned on 21 years ago. He asked if the special use permit had to be periodically reviewed.

Chairman Culver said the special use permit stays with the property from the time it is granted.

Langlois said the only issue would be if the applicant is proposing aesthetically a building will be different in appearance than what was presented to the ZBA unless the basis for the ZBA granting the special use permit. He

said his concern is if the applicant needs to apply for an amendment or if it is a minor deviation from what was presented that it doesn't warrant going back.

Sander said he would like to set up a site walk with the PB and, if necessary, with balloons at the project site that would alleviate the visual concerns. He said he also like to have a public hearing set for the project.

Chairman Culver asked Langlois to confirm that if the PB schedules a site walk, schedules a hearing with the understanding that if the PB feels it is not complete, the PB doesn't have to close the hearing until the PB is ready. Langlois agreed.

Chairman Culver said the applicant will do the balloons and the PB does the site visit. In meantime, the PB will send out all the previous information that the PB has had and review it all.

Chairman Culver requested a motion to schedule a special meeting on June 3, 2024 at 3:30PM at the Buddhafield site.

Culbreth made a motion to schedule a special meeting on June 3, 2024 at 3:30PM at the Buddhafield site. Motion was seconded by Barrett and passed unanimously.

Chairman Culver requested a motion for a public hearing on June 12, 2024 @ 7:45PM.

Farhangi made a motion for a public hearing on June 12, 2024 @ 7:45PM. Motion was seconded by Culbreth and passed unanimously.

### **Public Comment**

There was none.

### **Close of Meeting**

Chairman Culver requested for a motion to adjourn the meeting at 8:35PM.

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

Respectfully Submitted,

Deb Phillips  
Planning Board Secretary

APPROVED June 12, 2024