

**TOWN OF NORTH EAST PLANNING BOARD
MINUTES
October 30, 2024**

The regular meeting of the Town of North East Planning Board (“PB”) took place on Wednesday, October 30, 2024 in the North East Town Hall located at 19 North Maple Avenue, Millerton, New York at 7:30PM. Board members Chairman Culver, Bill Kish, Bill McGhee and Dan Sternberg. Also in attendance were Chris Langlois (via Zoom), Wesley Chase, Rob Cooper, Colleen Flynn, John Kevin Webb, Chris Kennan, Skyla Lawless and Deb Phillips, planning board secretary.

Bank of Millbrook/Elizabeth’s Fine Jewelry, Ltd.

SEQRA

110 Route 44

Parcel #133889-7171-00-534237

Irondale Development Corp/Irving Farm Land Development

Preliminary Discussion/Lot Line Alteration

6020-6024 Route 22/6044 Route 22

Parcel #13389-7271-00-171494 & 7271-09-131558

John Kevin Webb/NML Farm LLC

Minor Subdivision/Lot Line Alteration

144 Skunks Misery Road

Parcel #133889-7170-00-082854 & 7170-00-232833

Chairman Culver requested a motion to open the meeting at 7:35 PM.

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

Minutes

Chairman Culver requested to approve the September 18, 2024 minutes.

Kish made a motion to approve the September 18, 2024 minutes. Motion was seconded by Sternberg and passed unanimously.

Kish made a motion to approve the October 9, 2024 minutes as amended. Motion was seconded by Sternberg and passed unanimously.

General Business

There was none.

Irondale Development Corp/Irving Farm Land Development

Preliminary Discussion/Lot Line Alteration

6020-6024 Route 22/6044 Route 22

Parcel #13389-7271-00-171494 & 7271-09-131558

Rob Cooper appeared before the PB representing Irving Farm to discuss a lot line alteration between Irving Farm and NAPA to allow for two businesses. He said variances would be needed for front and rear setbacks.

Chairman Culver said the proposal conforms to zoning. He recommended to Cooper to check with NYSDOT for road cuts before improving the property.

Chairman Culver suggested to Cooper to start the application. He said the lots conform to zoning so the PB has no issue with that.

Bank of Millbrook/Elizabeth's Fine Jewelry, Ltd.

SEQRA

110 Route 44

Parcel #133889-7171-00-534237

The PB reviewed SEQRA.

Chairman Culver asked for a motion for negative declaration.

Sternberg made a motion for a negative declaration. Motion was made by McGhee and passed 4-0 with the majority approval.

John Kevin Webb/NML Farm LLC

Draft Recommendation Letter to ZBA

144 Skunks Misery Road

Parcel #133889-7170-00-082854 & 7170-00-232833

Wesley Chase appeared before the PB with a new map with the addition of #1: "The Town of North East Zoning Board of Appeals granted variances for resolution on Thursday, October 17, 2024."

Chase said John Kevin Webb has all the area to the east of the road that consists of 46.36 acres and is in contract to buy the Haab house that he has renovated to preserve it. He said the parcel on the east side will be 0.98 acres and be merged into one tax parcel. Chase said that would everything one residence and will prevent any building on the NY wetland and it would preserve agricultural space.

Sternberg asked about the driveway access.

John Kevin Webb said he spoke with the Town of North East Highway Supervisor who confirmed there was room for a driveway.

Chase said he would print out the email from the Highway Supervisor and bring it to the PB. He said it would be shown on the next revised map.

Chairman Culver asked if the issues with the well have been clarified; Chase said the well was drilled 15 feet off the line.

Sternberg asked Attorney Chris Langlois if the application was a lot line adjustment or a consolidation of two parcels. Langlois said it is a lot line alteration where there are two tax parcels and one gets bigger and the other gets smaller.

Chairman Culver requested a motion for a public hearing on November 13, 2024 at 7:30 PM.

Kish made a motion for a public hearing on November 13, 2024 at 7:30 PM. Motion was seconded by Sternberg and passed unanimously.

Public Comment

Chase asked for some guidance from the PB. He said he did a survey on the Perotti property on Old Route 22 and County Route 5. He said the current zoning map done by the County shows the LC District extends from the edge of the property to the intersection of Old Route 22 and County Route 5 which is approximately 2,000 feet longer and stretches into the property. Chase said he has the map that was exacted in 1988 and said the only changes were where the building for Harney was put into a Light Industrial zone. He said the 1988 map shows where it only goes to the center of the road and that the LC District doesn't stretch into the property that he is surveying. He said he has two maps that show two different things and he is not sure where to go to determine where the actual line is. Chase said the map done by the County was in 2020.

Chairman Culver asked Langlois if Chase should take the issue to Building Department for documentation. Langlois said if there was a question of interpretation about the applicable zoning line or boundary district on the parcel would be addressed by Ken McLaughlin for an issuance of determination based on the information he has. If the determination is not acceptable to the applicant, the applicant has the opportunity to appear to the Zoning Board of Appeals (ZBA) for review.

Kish asked what process would McLaughlin use.

Chairman Culver the PB needs to clarify the PB maps and the County needs to correct their maps.

Langlois said it is the Town Board's obligation in the first instance to create the zoning districts and define the boundaries. He said maybe the County maps are a true reflection of what the Town Board did or maybe somewhere in the process there was a fork in the road and it shifted inadvertently.

Chairman Culver asked if the Town's map approved by the Town was used by the County to create the collated map for the whole County. Chase agreed and Chairman said the County doesn't supercede the Town's maps unless the Town Board agrees to it.

Langlois said there is supposed to be one official Town of North East zoning map that is on file with the Town Clerk.

Close of Meeting

Chairman Culver requested for a motion to adjourn the meeting 8:00 PM.

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

Respectfully Submitted,

Deb Phillips
Planning Board Secretary

APPROVED November 13, 2024