

TOWN OF NORTH EAST PLANNING BOARD
MINUTES
February 22, 2017

The regular meeting of the Town of North East Planning Board (“PB”) took place on Wednesday, February 22, 2017 in the Town of North East Town Hall, 19 North Maple Street, Millerton, New York at 7:30 PM. Board members Chairman Dale Culver, Evelyn Garzetta, Bill Kish and Bill McGhee were present. Leslie Farhangi arrived at 7:45 PM. Willem deVogel and Charles Barrett attended via Video Conferencing. Also present were John & Cindy Heck, George Kaye and John Merwin.

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 Kish and passed unanimously.

Public Comment

There was no public comment.

General Business

Chair Culver discussed a letter authored by Sal Ferlazzo, counsel for the PB, dated February 22, 2017 regarding whether the planning board may discuss closed files and/or projects not scheduled on the agenda. Chair Culver read the following into the record. “To protect the due process rights of applicants, and any claims against the town for such violations, I strongly suggest that the Planning Board not discuss or take action on any specific project unless the applicant or its representative is advised in advance that such action discussion/discussion will be considered by the Board. If the Board is simply referencing a project as a precedent for other procedural action, such as how SEQRA was coordinated in that matter, there would be no problem. The problem arises when information is presented which is acted upon or discussed and where that information may be untrue or partially correct. We need to give the applicant notice and an opportunity to participate in the administration of the project.”

PB members discussed developing and implementing a procedure for reviewing applications considered open or unresolved. PB members also discussed determining criteria for considering applications “inactive” and how to proceed once an application reaches that status. PB members requested that Stevens, the PB secretary, compile a list of all unresolved applications for the next meeting.

Minutes

Garzetta made a motion to accept the minutes of December 7, 2016. The motion was seconded by Kish and passed unanimously.

deVogel made a motion to accept the minutes of November 30, 2016. The motion was seconded by Kish and passed unanimously.

Kish made a motion to accept the minutes of September 28, 2016. The motion was seconded by Farhangi and passed unanimously.

Kish made a motion to accept the minutes of December 28, 2016. The motion was seconded by Garzetta and passed unanimously.

Kish made a motion to accept the minutes of January 18, 2017. The motion was seconded by Farhangi and passed unanimously.

Chair Culver requested a motion to close the Planning Board meeting at 8:25 PM. The motion was made by Farhangi, seconded by Garzetta and passed unanimously.

Respectfully Submitted,



Claudia Stevens
Planning Board Secretary

Approved 4/26/17