

TOWN OF NORTH EAST PLANNING BOARD
MINUTES
August 24, 2016

The regular meeting of the Town of North East Planning Board (“PB”) took place on Wednesday, August 24, 2016 in the Town of North East Town Hall, 19 North Maple Street, Millerton, New York. Board members Chairman Dale Culver, Charles Barrett, Leslie Farhangi, Willem deVogel, Bill Kish and David Shapiro were present. Evelyn Garzetta was absent. Also present were Nancy Trotta, Bob Trotta, Joseph Trotta and Ray Nelson.

Robert Trotta

Site Plan Application

Tax Parcel #'s: 7271-00-534237 & 7271-00-552232

Chair Culver requested a motion to open the regular meeting of the PB at 7:40 PM. The motion was made by deVogel, seconded by Farhangi and passed unanimously.

Public Comment

There was no public comment.

Robert Trotta, Site Plan Application

Tax Parcel #'s: 7271-00-534237 & 7271-00-552232

Ray Nelson, architect, and Robert Trotta, property owner, appeared before the Planning Board with a proposed site plan application to develop two separate adjacent parcels of land into a “shopping village”. Trotta stated he wants to build five free-standing stores ranging in size from 1,000 to 1,400 sq ft initially. He intends to purchase and construct several post-and-beam buildings on-site to house these small businesses; no chains or Big-Box stores will be involved. Trotta stated it is his belief that since he owns one lot and his daughter owns the other the land can easily be joined with an easement lasting at least 30 years. This will be a two phase project with five stores to be constructed upon receipt of approvals with several additional stores to be built later. Ideally a single septic will serve all buildings on-site. Trotta stated that the architectural plans presented this evening are strictly conceptual and serve only to bring the application to the attention of the PB. Chair Culver stated that in order to move forward with the project, Trotta must determine what the separate phases will entail and produce a Storm Water Plan (SWPP).

PB members agreed that Trotta supply an escrow in the amount of \$3,000.00 so that any submittals provided may be sent to PB advisors. The motion was made by deVogel, seconded by Farhangi and passed unanimously.

Minutes

PB members read through the minutes of August 3, 2016 and recommended changes. The amended minutes will be presented at the next meeting.

General Business

Members discussed a memo received from the Town Board requesting PB members input regarding the adoption of Local Law #2 of 2016 and Local Law #4 of 2016. Kish stated he is against adding "Shooting Preserve" to any table in Local Law #2 of 2016. Chair Culver stated that "Shooting Preserve" is already in the code under §98.48.7 and was adopted by Local Law #4 of 1995. PB members, after discussion, asked that the record state that they had no objection to the adoption of Local Law #2 of 2016 "Adoption of Code" 11 provided that the law does not include adding the use of "Shooting Preserve" to any area where it is currently prohibited.

In discussion of Local Law #4 of 2016, Chair Culver stated it was his preference that the Town Board consider a "Public Nuisance Law" for non-maintained properties rather than the provisions proposed in Local Law #4 of 2016 "Grass Maintenance Law". PB members commented that intent of this law is misguided and perceive the following problems to exist including; to what portion of the land surrounding a dwelling does this apply, does this apply to all non-landscaped property, enforcement produces the creation of a larger carbon footprint and the elimination of naturally existing wildlife habitat. Kish stated that he could see this law applying to the strip of grass between a road and dwelling but not to all the acreage behind a dwelling. Chair Culver stated that if the spirit of this law was intended to ensure that abandoned or unoccupied parcels be maintained then this law, in the opinion of the PB, is not the best way and recommended that the Town Board and TB advisors look into adopting laws regarding abandoned or unoccupied properties. PB members thought that the law, as presented, does not take into account the widely varied circumstances that property owners in the Town of North East contend with. PB members are concerned that this law has the potential to be misused. All PB members present were of the opinion that Local Law #4 of 2016 is seriously flawed and should not be adopted.

At 8:45 PM Chair Culver requested a motion to adjourn the Planning Board meeting until September 7, 2016. The motion was made by deVogel, seconded by Barrett and passed unanimously.

Respectfully Submitted,


Claudia Stevens
Planning Board Secretary

9/28/16
① Barrett
② Kish