

**TOWN OF NORTH EAST PLANNING BOARD
MINUTES
September 11, 2019**

The regular meeting of the Town of North East Planning Board ("PB") took place on Wednesday, September 11, 2019 in the North East Town Hall located at 19 North Maple Avenue, Millerton, New York at 7:30 PM. Board members Chairman Dale Culver, Charles Barrett, Leslie Farhangi, Evelyn Garzetta, Bill Kish, Bill McGhee and Dan Sternberg. Also in attendance were Richard Rennia, Carol Haab, Robert Haab, Katherine Johnson, Bob Trotta, Josh Douglas, Tom Taylor and Deb Phillips, secretary to the planning board.

James Hendrick

*Preliminary Discussion regarding former Key Bank
135 Route 44
Parcel ID#: 13389-7271-00-632250*

Taylor Oil Inc.

*Application for Amended Site Plan
6073 Route 22 & 6076-6077 Rute 22
Parcel #133889-7171-12-980713*

Three Pine Hill LLC

*Application for Major Subdivision
136-144 Skunks Misery Road
Parcel #133889-7170-00-232833*

Chair Culver requested a motion to open the regular meeting of the PB at 7:35 PM. Motion was made by Barrett. Motion seconded Sternberg and passed unanimously.

Public Comment

There was no public comment.

James Hendrick

*Preliminary Discussion regarding former Key Bank
135 Route 44
Parcel ID#: 13389-7271-00-632250*

James Hendrick was not present at the meeting.

Taylor Oil Inc.

*Application for Amended Site Plan
6073 Route 22 & 6076-6077 Rute 22
Parcel #133889-7171-12-980713*

Attorney Robert Trotta presented the PB with Town of North East, State of New York, Chapter 96: Fuel Supply Emergency Management. He stated Tom Taylor has been through the special permit process thru the ZBA and was approved for the storage of petroleum products. The ZBA's concern was whether gasoline could be sold at the site. Taylor added that diesel fuel would be sold also. The system would operate 24 hours with credit card

usage. Trotta said it is state policy to have gasoline and diesel available during emergencies and be backed up by a generator. He said it would be available to emergency personnel, the fire company, ambulance service, businesses that provide lawn services and people that might need gasoline or diesel in the middle of the night. The site would have a generator. He emphasized that it is not a gas station and it is a distribution mechanism within state policy. Taylor said the storage site holds 1,000 gallons of gasoline and 10,000 gallons of diesel fuel.

Barrett asked what type of customers are they looking at to utilize the facility besides the highway department and the fire department. Taylor said special cards would be issued to customers to access the product.

Chairman Culver asked if anyone that is not a Taylor Oil customer can utilize the site. Taylor said yes, they would need a card issued to them by Taylor Oil.

Barrett asked if they had to be a commercial enterprise. Taylor replied no. He said 90% of the customers are commercial.

Kish said the PB can do things that are permitted in the zoning code and that Taylor is looking for wholesale. He said there is no definition in the town code and zoning code for wholesale; he read the definition from Webster's Dictionary.

Chairman Culver suggested talking to the Building Department, review the information that was dispensed with the NAPA store and get advice from the PB lawyer.

Chairman Culver mentioned the PB had concerns with the lighting.

Rennia showed the PB site plan map that showed the two entrances, the two existing buildings and the proposed tanks: one 10,000 diesel tank, one 1,000 gasoline tank and two 30,000 propane tanks. The propane tanks would be fenced in. Plantings and screenings would be done around the tanks.

Kish asked how far the tanks are from the boundary flood plain. Rennia said 90-100 feet.

Kish asked about the ZBA decision on the application. Rennia said he didn't think the ZBA issued a decision on the special permit. Trotta said if the ZBA hadn't made a decision yet, (something about SEQR here). Rennia said the ZBA is the lead agency and the SEQR determination has not been made yet.

Chairman Culver recommended putting it on the agenda tentatively for October 9, 2019.

Three Pine Hill LLC
Application for Major Subdivision
136-144 Skunks Misery Road
Parcel #133889-7170-00-232833

Rennia said escrow for the subdivision went to Wil Agresta. He suggested the possibility of different lot configurations or a private road.

Chairman Culver said shared driveways might benefit the plan to protect as much agricultural land as possible as opposed to five separate driveways.

Barrett asked Rennia if he was going to have more configurations. Rennia said the idea would be to come up with more specifics to preserve the land more. He suggested a private road that would allow a lot to own all this (?) instead of the road crossing multiple property lines. If a road was proposed, some of the lots could have frontage off the private road. Easements could be put in place to protect the area.

Farhangi asked who would enforce the easements. Chairman Culver said when the PB creates these things that require the PB to do the work to enforce them, it ends up being a financial burden. He recommended having the PB attorney look at a private road proposal.

The board's concern is who is going to maintain the private road.

Chairman Culver said defining the soil types and the overlays are important for the board to gather how much valuable land would be destroyed by a private road.

Sternberg would like to see where the housing envelopes would go.

Rennia said a biologist would walk the property to see if there are any wetlands and have a habitat study done. He said he will have a sketch plan at the next meeting with a sketch plan with shared driveways and a plan with a private road.

General Business

The Board looked at plans for the Highway Garage.

Kish's concerns are lighting and to make recommendations for colors for siding and roofing. He said the lights on the plan are 5,000 degrees Kelvin that cause light pollution. He recommended that the lights be 3,000 degrees Kelvin or lower and would like to see a photometric overlay. Chairman Culver said the interior lighting needs to be LED and not fluorescent lights.

Kish suggested neutral colors for the siding instead of the barn color.

Chairman Culver said a memo would be sent to the Town Board concerning the lighting.

McGhee asked if there was policy on recommended colors; Kish said that would come from the Zoning Board.

There was discussion of retaining tanks for washing of equipment. Chairman Culver suggested asking the Town Board for further definition of storm water;

Barrett recommended seam for the roofing. That would allow the option for solar panels.

Kish suggested telling James Hendrick that he doesn't need to see the PB.

Chairman Culver recommended members attend the affordable housing classes offered at the Farm & Home Center.

Minutes

Kish talked about the Aug. 14 minutes. He was referring to the July 10 minutes and they didn't have sufficient detail. Said it should say the minutes were tabled instead of what I put. He said it to change the minutes to: it was agreed to table the July 10, 2019 minutes to the next meeting.

McGhee made a motion to approve the August 14, 2019 minutes; motion was seconded by Farhangi and passed unanimously.

Farhangi made a motion to approve the July 10, 2019 minutes; motion was seconded by Garzetta and passed unanimously.

Close of Meeting

Garzetta made a motion to close the Planning Board meeting at 8:35 PM. The motion was seconded by Kish and passed unanimously.

Respectfully Submitted,

Deb Phillips
Planning Board Secretary

APPROVED October 23, 2019