

**TOWN OF NORTH EAST PLANNING BOARD
MINUTES
April 26, 2023**

The regular meeting of the Town of North East Planning Board (“PB”) took place on Wednesday, April 26, 2023 in the North East Town Hall located at 19 North Maple Avenue, Millerton, New York at 7:30PM. Board members Chairman Culver, Charles Barrett, Scott Culbreth, Leslie Farhangi, Bill Kish and Dan Sternberg. Also in attendance were Chris Kennan, Chris Langlois, Julie Schroeder, Sara Schroeder, Ralph Fedeale, Lann Rubin, TinaMarie Rubin, Lann Rubin Jr. and Deb Phillips, secretary to the planning board.

Julie Schroeder and Aram Schroeder

Minor Subdivision/Lot Line Adjustment

5744 Route 22 and 5760 Route 22

Parcel #133889-7270-00-023809 and #133889-7270-00-031899

182 Route 44 East LLC (North East Ford)

Site Plan Application

182 Route 44

Parcel #133889-7271-00-739225

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

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

Minutes

Chairman Culver requested a motion to approve the June 29, 2022 minutes.

Farnhangi made a motion to approve the June 29, 2022 minutes. Motion was seconded by Sternberg and passed unanimously with Culbreth abstaining.

Chairman Culver requested a motion to approve the March 8, 2023 minutes.

Kish made a motion to approve the March 8, 2023 minutes. Motion was seconded by Farhangi and passed unanimously.

General Business

Chairman Culver requested a motion to return escrow in the amount of \$132.50 to Wolfram Hanchett-Bates LLC.

Sternberg made motion to return escrow in the amount of \$132.50 to Wolfram Hanchett-Bates LLC. Motion was seconded by Farhangi and passed unanimously with Culbreth abstaining.

Chairman Culver said there has been concern about how mailings are done for the PB. He said certified mail has always been done and it says that the secretary has to certify. He said it has been different for the Zoning Board of Appeals (ZBA). He would like to send a letter to the Town Board asking them to codify how the PB will do it so that it is uniform. He doesn't like the idea of an administrative person being responsible to someone in the public for an action by the PB. He would like to have a paper trail; registered mail is cheaper but it still provides a tracking number and proof that it was sent.

Kish asked if it needed to be changed in the Town code. Chairman Culver said it's in the Town code but there is a gray area. He would like it to be black and white so there is consistency. PB members agreed.

Attorney Langlois said right now there is not a lot of direction how the PB is supposed to do mailings. He said it would be better if it was set forth in the Town code.

Chairman Culver said the PB will correspond with the Town Board where they can either recommend it to the Zoning Review Committee (ZRC) and follow through.

***Julie Schroeder and Aram Schroeder
Minor Subdivision/Lot Line Adjustment
5744 Route 22 and 5760 Route 22
Parcel #133889-7270-00-023809 and #133889-7270-00-031899***

Julie Schroeder appeared before the PB for a minor subdivision/lot line adjustment. She would like to transfer .04 of an acre to Wendy and Aram Schroeder that would provide access to shared driveway by ownership rather than right-of-way. She said there is a road maintenance agreement between herself and Wendy and Aram Schroeder.

Kish would like the map to clarify the different parcels. Attorney Langlois agreed.

Chairman Culver requested to schedule a public hearing on May 24, 2023 at 7:40PM.

Farhangi made a motion to schedule a public hearing on May 24, 2023. Motion was seconded by Barrett and passed unanimously.

***182 Route 44 East LLC (North East Ford)
Site Plan Application
182 Route 44
Parcel #133889-7271-00-739225***

Lann Rubin of North East Ford appeared before the PB with a site plan application. He would like to construct a 5,040 square-foot addition that would consist of eight bays to provide additional garage facilities to accommodate the maintenance/repair of electric vehicles. He said Ford dictates 14-foot doors because the EV batteries come on 12-foot pallets.

Kish mentioned the Central Hudson lights; they are not shielded, not Dark Sky compliant and have the wrong color temperature. He suggested Rubin replace them with his own lights. Rubin said that is too costly and he would have the burden of maintaining them. Kish asked Rubin to consider what he would be willing to do with respect to remediating the lights.

Kish asked Rubin if he is running a conduit from the pole back to a transformer and if that supplies the whole operation. Rubin said it would be a 1,600-amp service that will go on the Connecticut side.

Farhangi made landscaping suggestions: hanging baskets, trees, plants that grow in shade.

Chairman Culver said on the back of the property there is an easement required. The land behind is not likely developable so the easement Rubin is requesting wouldn't be interfering with any potential use of the land. He said the easement is 31 feet from the boundary and the water chambers will greatly exceed the capacity necessary and it will meet the storm water requirements with a surplus enough to handle a significantly larger rain storm. He said the easement would have to go to the ZBA. PB members didn't see any significant issues with the easement.

Chairman Culver suggested a site visit by the PB.

Kish suggested having Will Agresta review the application.

Chairman Culver requested a motion for an escrow of \$2,500.

Farhangi made a motion for an escrow of \$2,500. Motion was seconded by Kish and passed unanimously.

Langlois said two variances would be needed by the ZBA. He said a variance was previously granted to exceed the maximum lot coverage that is typically 50% to go to 66.7% with the addition of the new building and now it's going to 68.5%. He said the same thing for the non rear yard setback that was already approved for a variance to be less than the 50-foot requirement and go to 43.8 feet and now wants to go to 31.89% that would require a variance.

Rubin said he would confirm with Peter Sander of Rennia Engineering.

Langlois asked if the additional building from 2021 has access from the east. Rubin said it has access from both sides.

Chairman Culver asked if the application moves forward, the storage containers will go away. Rubin said yes.

Chairman Culver said Rubin will talk to Central Hudson about the lighting.

Chairman Culver requested a public hearing on May 24, 2023 at 8PM.

Farhangi made a motion for a public hearing on May 24, 2023 at 8PM. Motion was seconded by Kish and passed unanimously.

Public Comment

Chris Kennan said the Town hopes to close within a month for purchasing the Jehovah Witness building for a town hall and it was approved by the Monroe Balancing Test. He would like PB input on the exterior of the building. He also said a parking area on Rudd Pond Road for the Harlem Valley Rail Trail (HVRT) is being considered. He also said Mt. Riga Station Road is a road by use and is hoping for the Town to acquire the road. He said the HVRT will be purchasing the parcel for parking.

Close of Meeting

Chairman Culver requested a motion to adjourn the meeting at 9:00PM.

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

Respectfully Submitted,

Deb Phillips
Planning Board Secretary

APPROVED May 10, 2023