

**TOWN OF NORTH EAST PLANNING BOARD
MINUTES
July 24, 2024**

The regular meeting of the Town of North East Planning Board (“PB”) took place on Wednesday, July 24, 2024 in the North East Town Hall located at 19 North Maple Avenue, Millerton, New York at 7:30PM. Board members Chairman Culver, Chip Barrett, Scott Culbreth, Bill Kish, Bill McGhee and Dan Sternberg. Also in attendance were Chris Langlois (via Zoom), Peter Sander, Chris Kennan, George Whalen III, George Whalen IV, Rob Cooper and Deb Phillips, secretary to the planning board.

*Bank of Millbrook/Elizabeth’s Fine Jewelry Ltd.
Site Plan Application
110 Route 44
Parcel #133889-7271-00-534237*

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 a motion to approve the June 26, 2024 minutes.

Kish made a motion to approve the June 26, 2024 minutes as amended. Motion was seconded by Barrett and passed unanimously with McGhee and Culbreth abstaining.

General Business

There was none.

**Bank of Millbrook/Elizabeth’s Fine Jewelry Ltd.
Site Plan Application
110 Route 44
Parcel #133889-7271-00-534237**

Peter Sander of Rennia Engineering appeared before the PB for the Bank of Millbrook site plan application. He listed the following improvements: Reconfiguration of existing parking area, drive-thru two-lane bank teller lane with canopy, building-mounted ATM under existing canopy, new DOT entrance, new septic system, eight (8) bank parking spaces moved from the front to the rear of the building. Sander said a lighting plan is now included; he said a principal fixture is one that was used on another project that was requested by the Dutchess Land Conservancy. He said the snow storage was moved to open connection to the adjacent property that is vacant, the applicant has no plans to develop it and it is owned by separate property owners. Sander said a copy of an advisory notice that references bank regulations for lighting requirements around the ATM unit. He said a landscape architect is looking at the site for landscaping.

Chairman Culver asked about the DOT driveway cut. Sander said it has not been submitted yet; he wants feedback from the PB. Chairman Culver asked the PB to look at the cut to see if it is okay so the applicant can apply for it.

McGhee asked about extra run-off and drainage and if there would be a holding tank to release water into the creek. Sander said there are no plans right now but what would trigger a storm water requirement would be the one acre of disturbance. He said the site has natural drainage courses along the property lines; any runoff would

go into the courses and make its way into the Kelsey Brook. Sander said they are vegetated and offer a certain degree of environmental protection.

Kish said it would make more sense for the new driveway cut to be an entrance and the exit traffic go through the CVS exit; it would reduce the amount of paving.

Barrett said it is important to have future connections to both.

Chairman Culver said the CVS is poorly designed and increasing traffic could not create a benefit. He recommended the PB to make a site visit.

Chairman Culver asked Attorney Langlois if it was okay for the PB to move the meeting. Langlois said a note could be left on the Town Hall door.

The PB moved the meeting at 7:45PM to the site of the applicant. Supervisor Kennan stayed at the Town Hall in case someone from the public came to the meeting.

The PB returned at 8:15PM from the site visit.

Chairman Culver said PB has come up with the idea that if there is a problem with the driveway cut, there is a possible option in using the existing exit.

Chairman Culver said Sander will be contacting the DOT and contacting the utility company, Central Hudson.

Chairman Culver said Sander will mark up on the site plan what is being removed, add a fence along the drainage ditch and figure the propane line.

Kish said the existing sign on the east side of the building with lights need to be indicated whether it will stay or go; any plantings to be removed or added; lighting details for any signs; details and illustrations of all signs; detailed cut sheets on light fixtures and catalog specs.

Kish asked Langlois if the PB could get copies of any agreements in existence between CVS and Elizabeth's Jewelry. Langlois said the PB could ask the applicant to research that and provide it if it is available.

Chairman Culver said the PB could look at the original application for Elizabeth's Jewelry.

Barrett asked if the access to CVS would be closed off.

Chairman Culver said the PB has no control over what people do when they drive in; he said there will be signage, it will be striped and marked. He said making it safe should be the PB's priority.

Kish asked Langlois if he could get a copy of the ATM safety law.

George Whalen III said there is no law; there are just regulations provided by the NYS Department of Financial Services.

Kish asked for the non-summarized version.

Langlois said there is an ATM Safety Act and the advisory notice that was provided was guidance on the State Banking Department. The State Banking Department's view on what would be required to comply with ATM Safety Act. Langlois said he could track down the ATM Safety Act.

Barrett asked about the septic system. Sander said it would be designed per DEC Department of Health regulations.

Sternberg asked about closing the access into the CVS parking.

Chairman Culver said having interconnecting properties complies with the Comprehensive Plan.

Sander said his to-do list consists of: DOT driveway submission; contact Central Hudson about guide wire; indicate on plan removal of plantings, signage and light fixtures; indicate where propane line is; provide a split-rail fence along the eastern property line; indicate where there will be lit signage; signage details; cut sheets for lighting fixtures; addition of a one-way sign; easement info or access agreement from the CVS parking lot; copy of bank ATM regulations; and grading plan.

Chairman Culver said the PB would get the original approval of Elizabeth's Jewelry and Sander would get a copy.

Kish said the PB should review the updated plans. Chairman Culver said the PB should have the updated plans at the next meeting and schedule a public hearing then.

Barrett asked about the access between the property on the eastern side. Chairman Culver said if it is on the previous approval, it will be there when Lorna Sherman provides it.

Kish asked when the PB would get the landscaping plan. Whalen said he doesn't know when; it has been a slow process with the landscape architect.

Chairman Culver suggested to Sander to rough out where plantings would be and have the landscape architect understand what he is working with.

Public Comment

There was none.

Chairman Culver requested a motion to continue the public hearing for Buddhafield on August 14, 2024.

Kish made a motion to continue the public hearing for Buddhafield on August 14, 2024. Motion was seconded by Barrett and passed unanimously.

Close of Meeting

Chairman Culver requested for a motion to adjourn the meeting at 8:45 PM.

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

Respectfully Submitted,

Deb Phillips
Planning Board Secretary

APPROVED August 14, 2024