

**TOWN OF NORTH EAST PLANNING BOARD  
MINUTES  
February 26, 2025**

The regular meeting of the Town of North East Planning Board (“PB”) took place on Wednesday, February 26, 2025 in the North East Town Hall located at 19 North Maple Avenue, Millerton, New York at 7:30PM. Board members Chairman Culver, Chip Barrett (via Zoom), Scott Culbreth, Leslie Farhangi, Bill Kish, and Dan Sternberg. Also in attendance were Chris Langlois (via Zoom), Meg Winkler (via Zoom), John Coston, Matt Soleau, Hilarie Thomas, Austin Cornell, Peter Sander, P. Damian Gutierrez, Rich Stalzer, Ray Nelson, Kevin Webb, Andrew Stayman, Randy Blumenthal, and Katie Cariello, planning board secretary.

*TALLOW/Austin Cornell*

*Site Plan Application*

*130 US Route 44*

*Parcel #133889-7271-00-610232*

*Kim Young Choe/Town Gourmet Market*

*Site Plan Application*

*122 Route 44*

*Parcel #133889-7271-00-585220*

*Hudson Valley Racquet/Randall Blumenthal*

*Site Plan Application*

*NYS Route 44*

*Parcel #133889-7271-00-769284*

Note: tape recording began at 7:38 pm. Zoom recording began before the start of the meeting.

Chairman Culver requested a motion to open the meeting at 7:36 PM.

Kish made a motion to open the meeting. Motion was seconded by Culbreth and passed unanimously.

**Minutes**

Minutes were presented to the board. Two edits were requested to better reflect a request for future plans from an applicant and to correct a note regarding what was a discussion and not a decision.

Chairman Culver requested a motion to accept the February 12, 2025 minutes.

Farhangi made a motion to accept the February 12, 2025 minutes. Motion was seconded by Culberth and passed unanimously.

**General Business**

No general business.

*TALLOW/Austin Cornell*

*Site Plan Application*

*130 US Route 44*

*Parcel #133889-7271-00-610232*

Cornell presented the board with updated lighting information from what he had previously submitted. Included in the updates were changes to the color temperatures and reducing the number of lot lights. Cornell stated they plan on dimming the lot lights an hour after closing - dimming them by 50% by 9 pm and turning them completely off at 12 am. Cornell said that they plan on replacing the soffit lights on the building to either be motion sensed or dimmed for delivery safety.

Chairman Culver commented on lighting around the entrance of the building. Kish asked Cornell if the updated soffit light will provide enough light once installed. Cornell said yes.

Chairman Culver commented that all the newly proposed lighting is in line with what the board asked for in the last meeting and that they met the PB's codes.

Chairman Culver asked the board if they had any questions regarding the application. Farhangi noted the letter from Ken McLaughlin that was found in their packets at the start of the meeting.

Kish asked about the amount of light given off from the solar panel lights. Cornell responded that they are half a footcandle.

Farhangi asked about the drive-thru sign. Cornell responded that the original building had been given special permitting, which still remains valid for TALLOW [according to letter from Ken McLaughlin].

Discussion turned to the applicant's use of their septic tank that is on another property and is used by multiple buildings in the shopping center. Attorney Langlois' asked for documentation on who is ultimately responsible for the septic tank that multiple buildings funnel into. Chairman Culver asked for clarity on the matter. Cornell said that he is responsible for any plumbing and septic issues that occur on 130 US Route 44 as described in his lease with Bob Trotta [property owner].

Chairman Culver asked the members of the PB if they agreed that Attorney Langlois should continue the septic discussion with the applicant and his lawyer outside of the evening's meeting so the board could focus their attention on the site plan. All members agreed.

Chairman Culver then asked if the PB members were okay with the site plan. No one disagreed. Chairman Culver asked if the notations on the lighting were sufficient. Kish asked to be given until the next meeting to verify everything that was said, but that based on what was said he was comfortable with it.

Cornell acknowledged the fact that the septic situation needed clarification and asked the board's permission to proceed to the public hearing.

Farhangi and Chairman Culver both asked for Attorney Langlois's opinion on the request. Chairman Culver was not opposed to the request. Attorney Langlois was also not opposed to heading into a public hearing.

Chairman Culver requested for a motion to schedule the public hearing for the applicant on March 12, 2025 at 7:35 pm.

Culbreth made a motion to schedule the public hearing. Motion was seconded by Sternberg. All members agreed.

Chairman Culver told Cornell that the board would get the advertising out and the legal notice out; he told the applicant that he would get the bill for postage and the legal notice.

Chairman Culver asked for a motion to request \$750 escrow from the applicant.

Culbreth made a motion for the \$750 escrow. Motion was seconded by Farhangi. All PB members agreed.

*Kim Young Choe/Town Gourmet Market  
Site Plan Application  
122 Route 44  
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Nelson began by updating the PB on changes and updates to the site plans:

- Provided clarification that the lot lights are dimmable.
- The chainlink fence behind the building will be installed six inches above the ground.
- The wall mounted flood lights are motion sensed.
- A finalized plan for 85 parking spots.
- Tree and landscaping meet code requirements.
- The concrete cistern's function is for spring management and is not ground water or septic related.
- A bicycle rake has been added by the outdoor seating area.
- All lighting colors will be 3,000k.
- All invasive species will be removed, other than the Norwegian Maples which will remain for 10 years, since they provide height while the new plants are still small and not as appealing. Nelson updated the juniper plants to reflect the native ones.
- The applicant will be adding in one Tesla charging station.
  - Chairman Culver recommended putting in an additional underground pipe in case the applicant wants to install a second charging station in the future. Nelson said they plan on putting in a conduit.
- Greenhouse specs were included for the Growspan Gothic Pro model.

Chairman Culver let the applicant know that the site plan needs to be updated to, "Town of North East" from "Village" or "Millerton."

Kish asked Nelson to follow up with clients to learn their reasoning behind not wanting to dim the parking lot lights from an hour after close until midnight. Chairman Culver said it was reasonable for Nelson to inquire and bring their answer back to the board.

Chairman Culver asked the members if there were any other questions or big things that needed to be dealt with other than the parking lot light dimming question and for Nelson to make the edits regarding the change to "Town of North East" from "Village of Millerton" on the site plan. There were no additional questions or edits from the members.

Chairman Culver requested for a motion to set the public hearing for the applicant on March 12, 2025 at 7:45 pm.

Farhangi made a motion to set the public hearing. Motion was seconded by Sternberg.

Chairman Culver told Nelson that the board would get the advertising out and the legal notice out; he told the applicant that he would get the bill for postage and the legal notice.

*Hudson Valley Racquet/Randall Blumenthal  
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Sander introduced his client, Blumenthal, who shared background information on himself and the business.

Sternberg asked if the facility will be open to the public. Blumenthal stated that there will be a number of ways for the community to interact and use the facility. Sternberg added that this discussion was not the business of the planning board, but it is a useful perspective.

Sander shared information on the parcel and its boulevard 6 zoning district allowance for recreational and sports facilities. The plan is to build the facility in segments. Involved in the construction would be a septic system that would serve the entire structure. They are going to analyze a well on the parcel to see if it meets public water supply standards. If not, a new well will be drawn. They are proposing to expand the parking lot and restrip it. There will be no new entrance or curb cuts out to Route 44 needed. Sander stated the future plans will include landscape design, lighting, and stormwater practices. Lastly, they are having an ecological service come out to the site to rule out any chance of threatening endangered species habitat where they plan on building and flagging the wetlands on the parcel.

Sander is looking for assistance from the board on when to reach out to the town's code enforcement officer to get a floodplain development permit due to the fact that a small part of the parcel where the building will be is located on a floodplain. This will be reviewed with the PB, Ken McLaughlin, and FEMA when the time comes.

Chairman Culver asked Sander and his client to develop their plans and it will need to go to Will.

Chairman Culver requested escrow of \$4,000 and for it to be replenished if it goes below 50% since it is a commercial application.

Sternberg made a motion for the \$4,000 escrow. Motion was seconded by Culberth. All PB members agreed.

Attorney Langlois requested documentation regarding an easement for the applicant's shared access to a driveway and parking area. Sander asked if the file map with a note regarding the easement would suffice? Attorney Langlois said he'd like to see it and can determine from there if it does.

#### **Public Comment**

A comment was made in a positive favor towards the Hudson Valley Racquet proposal and that the person attended the evening's meeting to learn more about it.

#### **General Business**

No general business.

#### **Close of Meeting**

Chairman Culver requested for a motion to adjourn the meeting at 9:08 PM.

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

Respectfully Submitted,

Katie Cariello  
Planning Board Secretary

APPROVED 3/12/2025