

**TOWN OF NORTH EAST PLANNING BOARD
MINUTES
July 9, 2014**

The regular meeting of the Town of North East Planning Board took place on Wednesday, July 9, 2014 in the Town Hall located at 19 N. Maple Ave, Millerton, New York. Board Members Chairman Dale Culver, Leslie Farhangi, Evelyn Garzetta, Charles Barrett. and David Shapiro were present. Members Willem deVogel and Bill Kish were absent. Also present were Dave McLean, John Heck and Cindy Heck.

McLean Ford, Public Hearing for Amended Site Plan @ 7:30

Public Comment

There was no public comment.

**McLean Ford
Public Hearing for Amended Site Plan @ 7:30
182 Route 44
Tax Parcel # 7271-00-739225**

David Shapiro made a motion to open the Ford McLean Public Hearing at 7:38 pm. The motion was seconded by Leslie Farhangi and passed unanimously.

Dave McLean, owner of McLean Ford, has appeared before the Planning Board several times to discuss proposed amendments to their current site plan. Exterior changes proposed include; a new facade, removal of existing non-conforming signage, addition of signage to the facade, changes to the exterior lighting and the addition of shrubs and trees to the landscaping.

Planning Board members discussed the problem of planting trees beneath and/or beside the existing electric power lines. Dave McLean added that he worried that the addition of trees along the Route 44 corridor would decrease visibility for people exiting the dealership. PB members discussed planting four trees close to the dealership building, away from the lamp posts and power lines on Route 44. Mr. McLean stated that he had no preference as to what type of trees might be planted. PB members suggested pear trees or red maple trees, as both types flourish in this climate. Chairman Culver asked the Planning Board secretary to contact the Cornell University Cooperative Extension in Millbrook for a list of zone appropriate trees and have Mr. McLean chose from that list.

Mr. McLean presented the PB with a photometric overlay produced by the architectural firm of Richard Rennia. Chairman Culver commented that this photometric overlay was more consistent with what the board was accustomed to working with. In reviewing the

documentation, he believed that the existing lighting required some adjusting as anything over 5 foot candles is considered a waste. He suggested that since Mr. McLean did not intend to change the existing poles he contact Central Hudson to determine which bulbs have a lower foot candle rating. He also thought that Rich Renna would be able to help make these adjustments. Chairman Culver noted that correspondence from Dutchess County Planning recommended reducing the foot candle brightness of the exterior lights and adding to trees to the proposed landscaping.

Dave McLean requested that the Planning Board provide him with a letter for the Ford Motor Company explaining that the proposed facade signage will exceed the maximum aggregate square footage allowed by the Town of North East zoning codes. Unless The Ford Corporation can reduce the square footage requirements, a trip to the Zoning Board of Appeals for a Variance will be necessary. Chairman Culver stated that either he, or Ken McLaughlin, the Building Inspector, would ensure that Mr. McLean received this letter before the end of the week.

In closing, Chairman Culver requested that Mr. McLean provide the Planning Board a revised site plan including lighting changes, a choice of trees and cut sheets for new light fixtures prior to the next PB meeting scheduled for July 23, 2014.

Charles Barrett made a motion to Continue the Public Hearing for McLean Ford until the next Planning Board meeting at 7:45 pm on July 23, 2014. The motion was seconded by Evelyn Garzetta and passed unanimously.

General Business @ 8:00 pm

John and Cindy Heck, owners of North East Muffler Auto Repair, appeared before the PB to discuss amendments to their Approved Site Plan. The Planning Board has granted North East Muffler several time extensions to complete their site plan but North East Muffler has been unable to do so due to restrictions and regulations imposed by the DOT and the Town of North East Highway Department. Bob Stevens, Supervisor of the Town of North East Highway Department, visited the site and sent the Hecks' a letter listing which items on the site plan are not in compliance with existing regulations. As the site plan is now different from what was originally approved, after work is completed and inspected by the Zoning Code Enforcement Officer, the Planning Board should approve the site plan as an "As Built".

Chairman Culver stated that several applicants have failed to file approved Lot-Line Adjustment and Subdivision maps with Dutchess County within the prescribed time limits. Planning Board members discussed charging a fee in the event that a map must be resigned more than once. The question was put to the Town Lawyer after a previous meeting and his response was that if a fee is charged for the initial signing then it is legal to charge a fee in the event that a map must be resigned.

Planning Board members discussed whether applicants should be responsible for sending out their own certified mailing or if that should be the job of the Planning Board secretary. Currently, the PB office supplies the applicant with the addresses of people living within the buffer zone as well as the Public Hearing notice.

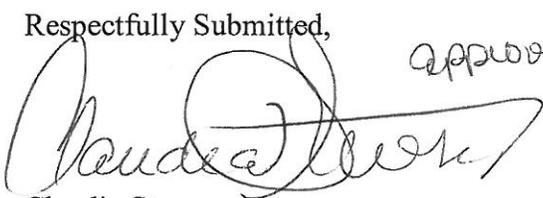
Evelyn Garzetta moved to have the PB secretary send out all Public Hearing notices for future applications. The motion was seconded by Charles Barrett and passed unanimously.

Chairman Culver briefly discussed raising the rate for PB applications. Currently the application review fee is \$100.00. Chairman Culver suggested sending this to the Town Board as he didn't believe that the PB had the right to make this decision. He added that he would recommend the review fee be set at \$150.00 per application.

Board member Charles Barrett raised the question of asking applicants for a Performance Bond. A Performance Bond would ensure that work on a project is either completed or the area restored, depending upon the phase of the project, if the applicant is unable to complete work. Chairman Culver stated that it was about "creating an environment just uncomfortable enough to ensure completion". It was agreed that a Performance Bond could be presented as the need for the "finishing touches" of a project however, those final items will vary greatly in cost from project to project. Members discussed methods for calculating a reasonable amount for a Performance Bond and when in the process a Bond should be discussed. Members agreed that the question of Performance Bond guidelines had been previously raised and the Town Attorney had been asked to provide guidance.

Leslie Farhangi made a motion to adjourn the meeting until July 29, 2014. The motion was seconded by Evelyn Garzetta and passed unanimously.

Respectfully Submitted,



approved 10/22/14

Claudia Stevens
Planning Board Secretary