

**TOWN OF NORTH EAST PLANNING BOARD
MINUTES
January 22, 2014**

The regular meeting of the Town of North East Planning Board took place on Wednesday, January 22, 2014 in the Town Hall located at 19 N. Maple Ave, Millerton, New York. Board Members present were Chairman Dale Culver, Bill Kish, Leslie Farhangi, David Shapiro, Evelyn Garzetta and Charles Barrett. Board Member Willem deVogel was absent. Also in attendance were Edmond Loedy, Edward Downey, Richard Rennia, Brooke Lehman, Gregg Osofsky, and Mary DiPasquale.

- **McLean Ford Application for Site Plan, 182 Route 44**

- **The Watershed Center, Inc. Site Plan Resolution, 33-44 Kaye Rd**

David Shapiro moved to open the Planning Board Meeting, seconded by Charles Barrett and passed unanimously by the board to begin the meeting at 7:40 PM.

Public Comment

There was no Public Comment.

General Business

Chairman Culver stated that the Planning Board had received a letter dated January 21, 2014 from Hilarie Thomas of Downey, Haab & Murphy, PLLC, on behalf of Bud and Janet Kalba requesting an extension of time for their Conditional Area Variance which is due to expire at the end of January. David Shapiro moved and Charles Barrett seconded a motion which was unanimously passed to extend the Kalba Conditional Approval Application until April 1st, 2014.

Chairman Culver stated that the PB had received a letter from Zarecki & Associates, LLC on behalf of Vito LaMorte asking for more time regarding their application for a 2-Lot Subdivision. The Planning Board agreed to extend time but decided that if no further communication reached the PB prior to March 1, 2014 a letter requesting status would be generated.

McLean Ford
Application for Site Plan
182 Route 44
Tax Parcel # 7271-00-739225

Chairman Culver stated that everything that is done must past muster with the town's engineers and planners. There are outstanding violations and an unsigned Site Plan from 1985 on file in the Building Department. McLean Ford filed an Article 78 on April 20, 1989 and The Dutchess County Court found in favor of the Planning Board of North East. Chairman Culver stated that since the Planning Board would have to refer outstanding items of legal and other issues to their experts for clarification, an Escrow account of \$3,500.00 (Three-thousand and five hundred dollars) should be established.

Edmond Loedy, architect for McLean Ford, submitted an application for an Amended Site Plan on behalf of McLean Ford at the last Planning Board session on January 8, 2014. He stated that nothing proposed in the Amended Site Plan changed the existing footprint. The McLean Ford building was built prior to zoning laws and SEQRA requirements so although it may not be in compliance it is legal. He stated that he understood legal counsel would be required but he did not see why planners and engineers would be needed.

William Kish stated that this was an argument McLean Ford's lawyer should be bringing to the PB's lawyer.

Leslie Farhangi stated that this site has legal issues that the average site does not have.

Chairman Culver stated he would like to establish an Escrow and then establish whatever points need to be rectified. He stated, "We want to make it easy but it needs to begin with clarification. The grey areas need to fixed first so we can move forward." He asked if Mr. Loedy had received a copy of Ken McLaughlin's determination of January 16, 2014 and if Mr. Loedy was familiar with the historical background of the site.

Edmond Loedy stated that he had received Ken McLaughlin's letter and looked at the file but needed additional time to review thoroughly. He stated that there had been a minor change on the Amended Site Plan since he presented it to the PB on January 8, 2014. That is, the wall that extended from the building had been 16 feet long but the Ford Corp had now cut it down to 10 feet.

Evelyn Garzetta asked if the Ford Corp had offered a different design from the one presented at the last meeting.

Edmond Loedy stated that this design is the standard for the country and said he would get a letter from Ford Corp attesting to this.

Chairman Culver stated that he wanted a letter sent to Warren Replansky, lawyer for the North East Planning Board, to determine if the PB was remiss in not following up on the past McLean Ford violations and asking for clarification regarding where to go from here.

**The Watershed Center, Inc.
Site Plan Resolution
33-44 Kaye Rd
Tax Parcel # 7272-00-448662**

Richard Rennia, architect for The Watershed Center, Inc., stated that he had resubmitted revised Site Plans which addressed emergency fire vehicle access down to the pond and added an Alternate Hammerhead. These dimensions are straight from NYS Fire Code Book. A full-sized turn around was also added .

William Kish asked if any road surfacing was required.

Richard Rennia replied that there was not.

Charles Barrett asked if there was a standpipe.

Gregg Osofsky stated that there was an old one.

Richard Rennia stated that due to the water present it is easy to pump from there. He showed the revised Lighting Plan which now breaks down the lighting fixtures by make and model as per the Morris & Associates letter. Dark sky compliant lights were added and existing lamps can be retrofitted to be dark sky compliant. On the Large Event Plan, four parking spots were moved to add a swing around for emergency fire vehicle access. There is an area in the field for overflow parking. A boundary zone has been established to ensure that everything having to do with the event will stay within this zone. This includes tents, and portable lavatory units. The portable lavatories will be removed after each event. The town of North East Zoning Officer will be notified one week prior to each event. Event staff will coordinate traffic with local police or Dutchess County Sheriffs' Department and abide by all Special Permit restrictions and limitations. Water and waste water approved by the Dutchess County Health Department and the NYS DEC.

Chairman Culver asked if anyone had questions. He then asked the Planning Board to review The Watershed Resolution.

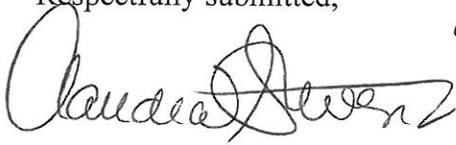
David Shapiro made a motion, seconded by Leslie Farhangi, and unanimously passed by the Planning Board to adopt the resolution.

Evelyn Garzetta made a motion, seconded by David Shapiro, and passed unanimously by the board to hold an Executive Session regarding personnel at 8:10 PM.

Leslie Farhangi made a motion, seconded by Evelyn Garzetta, and passed unanimously by the board to return to the Public Meeting at 8:30 PM.

David Shapiro made a motion, seconded by Evelyn Garzetta and passed unanimously by the board to adjourn the Planning Board meeting at 8:50 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Claudia Stevens".

approve @ 2/26/14

Claudia Stevens
Planning Board Secretary