

A regular meeting of the Town of LaGrange Planning Board was held at the LaGrange Town Hall, 120 Stringham Road on Tuesday January 16, 2014. Chairman Stacy Olyha called the meeting to order at 7:00 p.m. Board members John Gunn, Bob Straub, Joe Zeidan, Mark Komorsky and Frank Sforza were present. Tony Brenner and Dennis Rosenfeld were absent. Also present was Wanda Livigni, Administrator of Public Works, Walter Artus from Storm water Management Consultants Greg Bolner from CPL and Ron Blass from VanDeWater & VanDeWater

Ms. Olyha asked for a motion to accept the November 21st minutes. Mr. Straub made a motion, seconded by Mr. Gunn and carried unanimously.

Ms. Olyha said she wanted to make sure when Mr. Maine was asked if he saw the transformers, she remembered him saying no and asked the board members' recollection. Mr. Gunn asked her to put this in context. Ms. Olyha said yes, we were talking about the fence being put in behind the auto body and he said well there's trees back there already and there's a stockade fence and they said the stockade fence was on the auto body's property, not Mr. Maine's property and then the question was asked of Mr. Maine did he see the transformers from his house in the back of the auto body and Ms. Olyha said she remembered his reply being no. The board agreed that his answer was no. Mr. Straub made a motion to approve the minutes of November 21, 2014, seconded by Mr. Gunn and the motion carried unanimously.

Mr. Zeidan made a motion to approve the minutes of December 19, 2013, seconded by Mr. Gunn and the motion carried unanimously. MINUTES APPROVED

Mr. Mark Komorsky abstained.

Ms. Livigni commented about the December meeting where there was a concern raised at the public hearing that the town may not be following the Freedom of Information Law and she said the town did follow up with the town's attorney and the Supervisor and we are in conformance with the requirements for the FOIL.

REFERRALS FROM THE TOWN BOARD FOR DISCUSSION/COMMENT:

HARVEST RIDGE SUBDIVISION – SUPPLEMENTAL AGREEMENT CONCERNING RE-APPROVAL (DISCUSSION) R BLASS

Ms. Olyha announced that Mark Komorsky would be a voting member in the absence of 2 board members.

Ms. Olyha said from what she understood the bond was submitted so the Board has to consider the re-approval.

Ms. Livigni said the applicant has complied with the requirements of the Town Board. There was a performance bond posted and that was the only thing holding them back for the Town Board's recommendation.

Mr. Komorsky made a motion to grant the re-approval, seconded by Mr. Sforza and the motion carried unanimously.

Mr. Gunn asked why the re-approval was in the beginning of the agenda, they are usually at the end. Ms. Olyha replied it was because Mr. Blass was present and it was moved up so Mr. Blass would not have to stay for the entire meeting.

OTHER BUSINESS:

HIDDEN POND ESTATES SUBDIVISION – Proposed 10-lot subdivision located on Noxon Road containing 30.3 acres (Grid No. 6360-03-478160); consideration of preliminary subdivision approval.

Mr. Brian Stokosa appeared before the board. Mr. Stokosa said this is 10-lots, 2 common drives and said they've been through multiple iterations and they walked it with the Planning Board. He said they addressed drainage concerns from the public and he said he tried to show the public that they are trying to do the right thing here by mitigating some of the drainage flows that impact Martin Drive and subsequently receiving waters down the subdivision way. He said the last go round, they updated the Town Board on the removal of that small attenuation basin, the town municipal water parcel that they are purchasing with this project, the Town Board agreed with the removal of the pond, less disturbance, preservation of larger trees which they ran by the Planning Board at the last meeting. He said submitted the revised drainage report to Greg and Walter and the Board that shows, with that pond removal, that they do maintain drainage levels below pre-development. Mr. Stokosa said he would like to receive preliminary so they can get Health Department approval.

Mr. Artus said based upon his review and CPL's review, he would recommend the board consider grant preliminary approval.

Mr. Straub made a motion to grant preliminary subdivision approval, seconded by Mr. Komorsky and the motion carried unanimously. PRELIMINARY SUBDIVISION APPROVAL GRANTED.

PROVIDENCE ESTATES (MID HUDSON DEVELOPMENT) LYNN MARIE TIRADO SPECIAL USE PERMIT FOR ACCESSORY APARTMENT – located on Providence Way containing 3.16 acres (Grid No. 6260-02-706577); set public hearing.

Mr. Brian Stokosa appeared. He said lot 3, the applicant has filed for a building permit, they are doing a 3 bedroom house, and the applicant's parents are going to be living in the he basement so that would be the accessory apartment. He said it's a walk-out basement so there is access through the backside of the property to the bedroom located downstairs and there is also access through the first floor. He said it will family owned with family living downstairs.

Ms. Olyha refreshed the board's memory. She said this is the one on Red Oaks Mill and Titusville Road, brand new, and it will be a brand new house. Mr. Straub asked how many lots were in there, 5 was the answer.

The board set the public hearing for February 20th.

SUNSET RIDGE ESTATES- lot line realignment of lots 8 & 8a – proposed 2 lot subdivision located on Angelo Blvd. containing 19.11 / 24.29 acres (Grid No. 6360-01-188896/258929); initial presentation.

Mr. Mark Day appeared before the Board. He said they are going to be a lot line realignment between existing lots 8 & 8a. Lot 8 will get about 20 acres and they are just giving a piece of property between the 2 pieces. He said one is owned by Fitzpatrick and the balance is owned by Angelo so they are just moving the lot line so he gains more property. He said nothing being built and nothing being proposed to be built, strictly a lot line realignment. Ms. Olyha asked if Angelo Blvd had a conservation road? Ms. Livigni said they are in a sewer district that is pretty much just leach fields. Ms. Olyha said it's not a sewer like you think it is, it's actually a big common leach field they all go to and Ms. Livigni said the town maintains it. Ms. Olyha said it's not a sewer plant because they had a lot of trouble trying to get septic on those sites. Ms. Olyha said there is a house on the one that's getting the bigger land and Mr. Day said yes.

The Board had no comments. Mr. Artus said this was ready for a public hearing. The Board set an escrow for \$250.00. The board set the public hearing for February 20th.

AMEDEOS AMENDED SITE PLAN (PETTINELLA) PRE-APPLICATION

DISCUSSION. – Proposed amended site plan located on Lauer Road (Grid No. 6460-01-386999) pre-application discussion

Mr. Alfred Cappelli was present.

Re-purpose, office lower level 2 apts upstairs. All usage within what was originally designed. 448 gallons a day and their #'s are less for 2 one-bedroom apts and the square footage of the first floor office. BOH said no health related type that would use water. Violation still on it with illegal parking, remove gravel and illegal parking along Lauer Road.

Ms. Olyha said the Health Department said there is not to be any health related type uses.

Need 13 parking and only have 12. He said they didn't feel it was going to be a conflict with the residential being night time use and the office being daytime use. Ms. Olyha said you are not going to use the illegal parking area and Mr. Cappelli said hopefully not. Mr. Zeidan asked how they are going to get to the upstairs. Mr. Cappelli said there is currently on the back side or the right side as you look at the building a stair tower

leading to upstairs and opens to outside not to office. Mr. Cappelli said they may take fans off of the roof and they are not touching the building. One office downstairs, 1768 sq. ft. but actually less, it is 1640 sq. ft. outside of stair tower.

Ms. Olyha asked why is this an amended site plan because if nothing on the outside is being changed and nothing with the parking is changing. Why isn't this just a building permit. Ms. Livigni said there are notes all over it about uses and BOH issues, and that all has to be cleaned up. Ms. Livigni agreed with applicant's professional parking shouldn't be a problem with the apts. Mr. Cappelli said restaurant equipment will be taken out. He said the applicant owns a real estate company so it may be a branch office there. Ms. Olyha said the notes have to come off the plan. Ms. Livigni asked if it could be done in a written agreement with the town attorney and less expensive way to pursue it. The board agreed. Ms. Olyha said the other thing they could do is go back to original plans to have plans erased. Mr. Capelli said there are 4 drawings and they may or may not have to be changed. Ms. Olyha said the one with the Health Dept. notes references what was current. Mr. Capelli asked do we need a public hearing. Ms. Olyha said we will find out.

Mr. Artus said he believed the PB does have the authority to waive the public hearing on an amended site plan. Mr. Capelli said we have a due diligence with the bank and the clock is running. The board asked for \$250 escrow. Ms. Olyha said you have to get the notes off of that plan because if a different tenant comes in they will be stuck with those Health Department notes. Ms. Olyha said we also want it shown they can have the apartments there. Ms. Olyha said technically there is nothing upstairs yet, no bathrooms, you can't put anything in there unless they hook up to town sewer because there was a restaurant downstairs, so as soon as the restaurant goes away, the restaurant does not have the public using their bathrooms, no dishwashing, no food preparation so that all goes away and then office space has a different intensity of usage. Ms. Olyha said it can't be a doctor, or a dentist or hairdresser, any business that uses water and they they also said their bathrooms would not be open to the public, but if a client needs to, that's fine.

Ms. Livigni said as soon as she hears from Ron, she would be in touch with Mr. Cappelli,

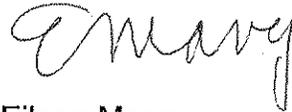
Ms. Olyha asked if we could tentatively set the hearing for February because the site plan exists, they just have to get the notes off of it. The Board decided they would set the public hearing and we would need the first sheet with the notes that don't pertain to their application off of the plan. Ms. Livigni said it might be on more than just the one sheet.

Ms. Olyha said for the public hearing you only need the actual site plan itself showing the building and parking, which is the one that has all the notes on it.

Mr. Mark Komorsky brought up the Hess Station and u-hauls and wanted to let the board know there have been 4 vehicles parked there and he has seen it steady for the past week and he's not supposed to have more than 2. Ms. Olyha asked did he go to the ZBA or did he talk to Ken, which plan did he decide on Ms. Livigni said she knew he was not on the January ZBA agenda and she hasn't heard anything. She offered to raise the concern with the Zoning Department.

The Planning Board adjourned the meeting at 7:35 PM

Respectfully submitted.

A handwritten signature in cursive script, appearing to read "Eileen Mang".

Eileen Mang
Planning Board Secretary