

A regular meeting of the Town of LaGrange Planning Board was held at the LaGrange Town Hall, 120 Stringham Road on Thursday, June 18, 2015. Chairman Stacy Olyha called the meeting to order at 7:00 PM. Board members John Gunn, Robert Straub, Dennis Rosenfeld, Tony Brenner, Frank Sforza, Joe Zeidan and Marc Komorsky. Also present was Walter Artus from Stormwater Management Consultants, Greg Bolner from Clark Patterson Lee and Ron Blass from VanDeWater & VanDeWater.

Mr. Rosenfeld made a motion to accept the minutes of May 21, 2015, seconded by Mr. Straub and the motion carried unanimously. MINUTES ACCEPTED.

PUBLIC HEARINGS:

DALEY FARM DEVELOPMENT – Proposed subdivision and site plan located between Titusville Road and Colleen Court containing 233.36 acres (Grid No. 6360-03-081270-099220, 229310)

Ms. Olyha declared the public hearing open. There were no comments. Mr. Straub made a motion to adjourn the public hearing to July 17, 2015, seconded by Mr. Brenner and the motion carried unanimously.

BOLLEN WETLANDS PERMIT – Proposed Wetlands Permit located on Daley Road containing 3.05 acres (6260-04-933061)

Michele Bollen was present. Ms. Olyha declared the public hearing open and there were no comments. Mr. Straub made a motion to close the public hearing, seconded by Mr. Zeidan and the motion carried unanimously.

The Board discussed the Floodplain and the board said this was not in it.

Mr. Straub made a motion deem the project as an unlisted action and to grant a negative declaration pursuant to SEQR because the board finds that the project will not have a significant adverse impact on the environment because the impacts have been identified and suitable mitigating measures have been incorporated on the plans and/or in the reports. The motion was seconded by Mr. Gunn and carried unanimously. **NEGATIVE DECLARATION.**

Mr. Straub made a motion to grant a Wetlands Permit, seconded by Mr. Gunn and the motion carried unanimously. **WETLANDS PERMIT GRANTED.**

STARZYK SOLAR PROJECT SPECIAL USE PERMIT – Proposed Special Use permit located on Townsend Farm Road containing 3.74 acres (Grid No. 6560-03-105300)

Representatives from Sole Providers were present. The Board discussed the visual effect of the panels to the neighbors.

Ms. Olyha asked how far from the property line was the structure and the answer was 40 feet. Ms. Olyha said when she looks into parcel access from there to Mr. Frederickson's barn, it is 238 feet and from there to his house is 686 feet. Ms. Olyha suggested some screening along the rear of the property line. Mr. Artus suggested spruce. Mr. Gunn said Spruce grow 18" a year so that is going to cut off the solar....Ms. Olyha said they have to keep it trimmed. Someone suggested willows and Ms. Olyha asked didn't they need wet areas and Mr. _____ said it's like a willow bush, and Ms. Olyha asked how much foliage it gets and if it gets nice and full. A question about the winter was asked. Ms. Olyha asked if they were dense and Mr. _____ said he was not sure, he was not an expert. Mr. Rosenfeld said if it was deciduous it would lose its leaves in the winter. Mr. Rosenfeld suggested a fedge which he explained

were like a willow that criss-crossed and like a hybrid of a fence and a hedge and he added they do get thick. Ms. Olyha asked Mr. Artus how he felt about something that is not evergreen and Mr. Artus said it's really the board's decision and if you want screening in the winter. Mr. Straub said if we want screening, we want it year round. Ms. Olyha said if the trees get too high it will block and the intention will not be there. Mr. Artus said you can trim Hemlocks but there are some problems with them health wise. Mr. Starzyk said whatever you suggest, it should be tolerant and resistant to deer. Ms. Olyha asked the board if they would be comfortable with the applicant submitting a screening plan and then approval by Wanda that the plants are sufficient and we go with a contingent approval. The Board said yes, as long as it is evergreen. Ms. Olyha asked about the trees off to the other neighbor's side to the west? That wasn't an issue and the trees would remain. Mr. Artus said he would have no problem with Hemlocks but we still need to see it on a sketch. The Board agreed on Hemlocks being planted 6-8 feet apart. The applicant asked how far from the property line and Mr. Artus said there are no setbacks for that. Mr. _____ said these aren't going to be right up against the property line, they are 50 feet within the barn. The Board continued to discuss the planting and where. Mr. _____ said they are keeping it as close to the barn as possible. The discussion of where they should go because of the array was being discussed, being put halfway between the property line and the barn but the array was actually going in a location Ms. Olyha pointed to, which was much closer to the barn so they may want the trees in a different location than on the property line. Mr. Gunn said if this is going to be closer to the barn and the trees are going to be at the offset. Mr. Starzyk said they will be as far back as necessary to allow the array to do its job but still grow to maturity to screen it from the property and if you want Hemlock you can have hemlock and added he didn't want to have to wait another month. Ms. Olyha said you won't wait another month. Mr. Zeidan made a motion, seconded by Mr. Rosenfeld and the motion carried unanimously. Mr. Artus said he would prepare a resolution describing what was discussed relative to the landscaping. The Board set an escrow for \$200.

HARVEST RIDGE SUBDIVISION – Proposed solid waste processing on site

Mr. Zeidan recused himself.

Mr. Ernie Martin appeared before the Board. Mr. Martin said the application here is located at the Harvest Ridge Subdivision which was approved years ago and because of the economy there is nothing built right now. He said all the infrastructure is in place. He said there is clean hard fill on site, most of it came from on-site however there was some material brought in from off site and therefore they are seeking approval to process this material on site to use it during the development of the project for the houses, sub-bases for the roads, patios, sidewalks, etc. He said by clean hard fill he is referring to rock, shale, brick, masonry, asphalt, concrete, things of that nature. He said it is the intent of the applicant to process that material on site and the location would be where the existing barn is right now. He said the reason they picked that site is because there is also remains of older barns there so it would be a good area to set up the screening and crushing mechanism to process this material that is on site that is operation would take in the neighborhood about 3 weeks to do. He said they are proposing on the southerly side where the processing would take place, a berm to screen it from the road and/or neighbors. He said there is a natural hill which is now owned by the Town of LaGrange so that would also be a natural screen as well. Mr. Martin said again this would be about 3 weeks and operation would be from 8-4:30 and there would be no processing after hours or on weekends. He said there is always a concern for dust and noise. The machinery itself has a wetting operation that keeps the dust down and if additional wetting is needed or required it will be up to the owner to keep the entrance roads area or the site itself with some sort of dust control.

Mr. Martin said they are proposing a berm on the southerly side and with the natural berm that should mitigate noise for that time. Mr. Martin said all the SWPPP inspections and soil erosion control that is outlined on the plans that were approved by the Board will still be maintained.

Mr. Martin said there will be site security. Currently they do have chains and gates over the 2 main roads. Mr. Martin said nothing changes to the sub division, this was approved and all the infrastructure is in place and nothing is going to change, it will remain the same. Mr. Martin said because a small portion of the material was brought in from offsite there was a debate as to whether they needed a permit or be registered with the DEC. He said they have filed the registration papers with the DEC and they have said we don't need a permit. He said they also sent the process material plan which the board has. He said he was told that could take 1 to 2 weeks.

Ms. Olyha declared the public hearing open and asked if anyone had a comment.

Ms. Joyce Galley appeared. She said they fixed the dead trees along her border. She said she still can't mow in the back of her property and would like that revisited. She asked where the outside materials are coming from and are they from Mr. Nesheiwat's businesses that are gas stations and said she had concerns.

Ms. Olyha explained that her questions and comments would not necessarily be addressed at this meeting but the applicant would be required to address them in writing to the Board, to the satisfaction to the Board.

Ms. Galley asked why she received a certified letter about this meeting. Ms. Olyha said to go through the SEQR process, they are required to go through the public hearing process. The issues have to be answered and mitigated first. Ms. Galley asked if she would be notified again and Ms. Olyha said no, but she could check online to see if the agenda lists them. Ms. Olyha said this is the public comment period. Ms. Galley asked about the equipment being brought in and what is the issue with security. Ms. Olyha said he could answer that question. Mr. Martin said the equipment is in the report, it's a machine that crushes clean, hard fill run by a diesel engine. He said the security is not only for this machine but it is because we have had problems at the site where people unbeknownst to the owner have been bringing material in, not only does store materials and other equipment there, but there has other material that has been brought in that is part of what we are processing so we want to beef up the security and before this people could literally run in and out of there.

Ms. Galley asked who would be bringing in outside material unless it was someone the owner knew personally and was aware of that. She said that seems very hard to believe. She said there is a history of some non-compliance with some of the rules that have been set. She asked why would people be bringing in outside stuff. Ms. Olyha said he will answer that in writing to the satisfaction to the Board.

Mr. Gunn said just for clarification, there is going to be 3 five business day weeks? Mr. Martin said yes. He said in the report he thought they said 3 - 4 weeks and added he believe it would be more like 2 weeks. Mr. Gunn said originally Mr. Martin said it was 5 days. Mr. Martin said I don't know who said that and the entire board said "you did" and it was in the minutes.

Mr. Gunn said he wanted clarification and Mr. Martin said they were trying to be conservative. Mr. Nesheiwat spoke. He said moving the soil takes a week and the crusher takes a week and he has to pay \$8,000 a week and said he didn't think it would take more than 5 days to crush it. He said they need one week to screen the brick and then the crusher.

There were no further comments.

Mr. Rosenfeld made a motion to close the public hearing, seconded by Mr. Brenner and the motion carried unanimously. PUBLIC HEARING CLOSED.

Ms. Olyha said the crushed stone that they will be processing and using on site, since the roads are already in, what will you be using the stone for. Mr. Martin said there are 48 houses being built there so there will be sub-base needed for driveways, sidewalks and patios. Ms. Olyha said she would like a noise report submitted so the Board knows how much noise there is going to be at the property lines of the people that live next store and what they anticipate after they put the berm up. Mr. Martin said so with and without a berm. Mr. Sforza asked once this material is processed is it going to sit there in piles and covered or are you planning on laying it right down. Mr. Martin said it would be stored in piles until it is used.

Ms. Olyha said she reading back through the minutes of the original subdivision SEQR and in it, it states it's going to be regular inspections and reports given to the town prior to any fill being brought in and from there the approval would be given by the town. She said also on that plan was where all the stock piles were to be and as she understood they are not where they were going to go. She said right now we have where all the stock piles are located on the map from last night. Mr. Martin said if you remember that lower field was all filled to bring that area out of the flood plain and added yes, you are a correct, there was a report done years ago with areas for stockpiling and that whole lower area has been filled probably 2-4 feet. Ms. Olyha said her point is when anything was brought into that site it was supposed to be documented with the town before it was brought in and that's not what happened. Mr. Martin said that is correct. Ms. Olyha said right now we have where those piles are now so when you make your new piles she said she wanted a map before we get to the issue where we have now, which is it was put where SDS's are going to go. Mr. Martin said the report shows where they are going. Mr. Bolner said the plan shows where the new ones are going. Ms. Olyha said where they are now is documented by where the stockpiles are going to be after it's crushed. Mr. Bolner said that is shown on the plan where they anticipate placing them. Ms. Olyha asked are we going to do the same thing with inspections that they are put where they belong and make a report what is in the material and where it is. Mr. Bolner said yes.

Ms. Olyha said last time it didn't get done and she wants it to get done this time. Mr. Sforza said his concern once the pile is there is there anything that says it has to be covered because what happens when it dries out and gets windy and starts blowing around or it rains and starts running off. Mr. Martin said that is documented. He said there are existing piles that have been out there for a long time that are either top soil or soil that can be used for fill later. He said that material has to be properly protected with a silt fence, seeded. He said if you are crushing rock, he didn't think they had to seed. Mr. Martin said but the top soil and soil for fill has to be seeded, and he added it may have already been. Mr. Sforza said you mentioned brick which is why he is concerned and said he would hate to see the neighbor's houses covered in red brick dust. Mr. Martin said they are taking precautions for dust control.

Ms. Olyha asked Mr. Martin about going to the Health Department concerning the SDS's and Mr. Martin said he has talked to the Health Department and there are about 4 systems that are affected and as a minimum they are going to want them to do some test holes, possibly percolation tests but until they remove the material they can't do that. Mr. Martin said upon approval of the processing plan, they want to be able to start the processing to expose those areas so they can do what they have to, to satisfy the Health Department.

HUDSON VALLEY FEDERAL CREDIT UNION – Proposed site located on Rte. 55 containing 1.26 acres (Grid No. 6460-02-650904)

Mr. Roger Keating from the Chazen Companies was present. Also present were representatives from the Credit Union, Mauri Architects and Turner Construction. He said they were before the board last month for a formal presentation and at the conclusion of that meeting it was requested that we provide some escrow monies and we have done that. He said he has received comments from Walter's office and an

additional requested was received from Greg's office. He said is before the Board to have the project referred to County Planning and schedule a public hearing for next month.

Ms. Olyha asked if they had the elevation plan and they did. Mr. Keating showed the plan to the Board. Mr. Straub said at the last meeting there was a site view concern on the corner and asked if was rectified. Mr. Keating said they have not revised the plan as of yet and said they were awaiting additional feedback from the consultants and like to hear from the County. Mr. Keating said he believed this was concerning the on-street parking. He said they put it in there because it is a recommendation of the code and if the Board's concern is the placement of that they could re-work the plan inside to pick up the additional parking spaces they would need to meet the code. Ms. Olyha said it's in the code because on-street parking is not just for the bank, but other businesses within the Town Center and they do have 44 parking spaces but they only need 40 so the Board can eliminate some if need be. Ms. Olyha said we had discussed something about the proximity to the round-a-bout and making a left hand turn last time. Mr. Keating said it boiled around ensuring the site lines and he said they were trying to stay consistent with the code. He said they would be happy to work with the consultant and the Board with that. Ms. Olyha said last month the Board talked about the lighting, headlights, etc. Mr. Zeidan asked about the off-street parking's last space with people coming out of there with the site distance. Mr. Keating said they are willing to work with the Board and they wanted to get feedback before revising the plans multiple times. Ms. Olyha said the feeling of Town Center is the feeling that is a leisurely drive through the town and by putting the off-street parking along town roads and if they ever do decide to do it on Rte. 55, it will, over time, people will start realizing that people will be parallel parking and that you have to slow down and wait for them. Ms. Olyha said the building department sent a letter stating that they worked with you on the elevation so that it still looks like a two-story but it's not really a 2-story, it just has windows. Mr. Keating said it's to replicate the two-story and it just comes down to a security issue for the bank. Banks don't want people living above them.

Mr. Zeidan asked the total height. Mr. _____ said it was somewhere in the 25-30 foot range. Mr. Brenner asked what kind of roof? Mr. _____ said it was a shingle roof and the pop-up will be metal which is a nod to the Credit Union's look because that is their brand image but they also wanted to be sensitive to the town's image and that's why they brought in the shingle. Ms. Olyha asked Ms. Olyha if this was ready for a public hearing and Mr. Artus said based on his review, yes, the plans are and it could also go to County Planning. Mr. Keating said Walter had pointed out they need to provide correspondence with respect to threatened and endangered species so they are going through that now. He said they understood the area very well with respect to the Blandings Turtles. The issue of Blandings Turtles was discussed. Mr. Keating said they actually tried to minimize the amount of structures on site with the grading plan using subsurface flow to some of the rain gardens and bio-retention areas. Ms. Olyha said the public hearing is set for July 16, 2015.

CETEK INC. – Proposed site plan located on Commerce Street containing 2.678 acres (Grid No. 6361-03-0636373)

Mr. Ed Loedy appeared before the Board. Ms. Olyha asked Mr. Loedy if he received the letter from the Building Inspector and he said yes. She said one of his comments concerned parking. Mr. Loedy said Mr. McLaughlin's concern about existing parking configuration and the conflict with the traveled way was not clear to him. Ms. Olyha said it is such a large area of parking with the only striping on t he one end so it's like a free for all is what she thought it meant. She said she thought Mr. McLaughlin wanted a defined loading zone. Mr. Loedy showed the board the 1,300 sq. ft. they were looking to pave and showed where it was delineated. Mr. Loedy said he would need to speak to Ken to see what else he needs.

Ms. Olyha asked about overhead doors and they should be listed on the plan with how wide they are and where they will go so Mr. McLaughlin will know there is a possible loading zone there. Ms. Olyha said the wrong address was listed on the location. Mr. Loedy said he couldn't find where it was. It was identified on the map where the wrong address was by the Board. Mr. Loedy said he would fix it.

The issue of fire trucks getting in and out was talked about. Ms. Olyha said that just might need to be defined. Ms. Olyha said Mr. McLaughlin also mentioned to make sure that there is no parking along the building on the parking lot side so you have an open fire lane at all times for that side of the building, just striped.

Ms. Olyha said she thought Mr. McLaughlin's thought was when a car drives into a parking lot they migrate toward the building so he wants that definitely defined where to park. Mr. Loedy said he would meet with Ken to make sure he is happy. Ms. Olyha asked if Mr. Artus thought this was ready for a public hearing. Mr. Artus said suggested the applicant meet with Ken, get that resolved and get it back in and then to the consultants. Mr. Gunn asked if the Board could set the public hearing and Ms. Olyha said the consultants have not seen this yet. Ms. Olyha said the front side of this building is the actual business and the back side is not being used so they want to make it marketable to be rented out so he is going to add some over hear doors and then it would be constructed on the inside to meet what their needs are of whoever rents it. She said that's why Ken wanted the use so we know how many parking spaces we need, etc. Mr. Komorsky said there's 1,300 sq. ft of pavement as well. Mr. Artus said if it's that minor, you could tentatively set the public hearing contingent on getting this together. Mr. Artus said this would need to go to County Planning because the bus garage is within 500 feet. Mr. Loedy explained to the consultants what they were proposing. He said it is a 20,000 sq. ft. building of which only about 25% is being used now for manufacturing due to the fact that so much manufacturing is being outsourced. He said the owner wants to lease out the unused portion, proposing the same use of manufacturing and storage which he has there now which is allowed in the zone. They are not changing anything. Mr. Loedy referred to the area marked in red stripes and said it is the only portion of the site they are proposing to pave, 1,300 sq. ft. He said there would be a question of runoff. He said this building was built prior to SEQR and said he didn't know if it even had a building permit, it was built back in the 50's or 60's so he would clear direction where to go. Mr. Artus said he thought they were doing that. Mr. Artus said like he stated, you could set the public hearing tentatively for next month, contingent upon meeting with Ken and addressing his comments and he would need an extra set of plans to get to Eileen to submit to County Planning for comment and review and you will also need to pay the escrow and the plan will be reviewed and you will move along in the process.

Mr. Artus said there is not going to be an extensive amount of review on this. Ms. Olyha asked what the escrow should be set at and Eileen said Wanda said \$1,000. Ms. Olyha explained the purpose of escrow to Mr. Loedy.

Ms. Olyha said so the escrow has been set for \$1,000. And you are going to meet with Ken and fill out the paper he wants you to complete and then get Eileen an extra set of plans and she will send them to County Planning and they will give comments back since you are close to the bus garage and then we will tentatively set a public hearing for July 16th. Mr. Loedy asked if Eileen only needed 1 additional plan and Eileen replied 3 sets of plans. Ms. Olyha told Mr. Loedy if he had any questions to call the Planning Office. Mr. Artus said the plans, application and the EAF, 3 sets. Mr. Loedy agreed.

Ms. Olyha told Mr. Loedy he would receive a packet of information for the public hearing and Mr. Loedy asked if the town did them and Ms. Olyha said no, you do them.

FEEDS PLUS AMENDED SITE PLAN – Proposed amended site plan located on Red Oaks Mill Road containing 1.418 acres (Grid No. 6260-04-596283)

Mr. Mike Berta appeared before the Board. Mr. Berta said he went through Mr. Artus' comment letter and they are in the process of doing almost all of that. He said honestly he wasn't planning on coming tonight because we hadn't gotten all of it done. He was waiting until he submitted. He said he has a meeting set up with New York State for the road and they have to set up one with County DPW. He said Berger Engineering is working on all the site information. He said they have cleared SHPO and he said he thought he had given the board the package from New York State Parks that we did that. He said they went through DEC to make sure they cleared SHPO. Ms. Olyha said the biggest thing is to clarify the disturbance. Mr. Berta said before the engineering started he had to do the EAF as part of the original application so he knew some of this was going to be guess work and he knew they would have to be refining this as they went along. Mr. Berta said Mr. Artus' comments will be addressed and if it winds up that they are disturbing more than an acre, which he said it looks like they are going to, it's a 1.4 acre site and they are going to be touching almost every single part of it at this time. He said he wasn't sure how big a septic he is going to need and a lot of other issues. He said they will be going to DEC for a SPEDES. Mr. Artus said that will come to us and they will approve it.

Mr. Berta said this is all in process.

Ms. Olyha said so we talked about the out only to the right on the upper one and both on the state one and you wanted a right only in on the upper one. Mr. Berta explained the reason; it's tough because of where the site is and how access is. Mr. Berta also talked about fire apparatus accessing the site and added they really do need the 2 ways to get in and out. Mr. Berta said they are trying to keep the amount of paved area down to a minimal. Ms. Olyha asked the time frame for the owner. Mr. Berta said as soon as we get approvals and a building permit, he is going to start and added he is hoping to be able to build this year.

Mr. Bolner said he did have a comment letter but couldn't print it before the meeting. He talked about a slight inconsistency in the code concerning the lot area and open space. And stressed the word "shall" and in another section, it said the intent of the zoning is to provide 100 sq. ft of usable open space so he said they have 2 different definitions: 240-38.1 F 4 - if you have residential as part of your mixed use then it's 100 sq. ft. of usable open space or 10% which is what the 2nd story apartments gets into. Mr. Berta asked 100 sq ft. per what? Mr. Bolner said per bedroom, so you are talking 600 sq. ft. but in another section, 240-38.1 G 2 C 6 it states that you have to have 10% of the lot as open space. So one is usable open space and the other is open space. Mr. Bolner said it also talks about the use of that open space to be used for playground equipment. Ms. Olyha asked is this under the Hamlet section and Mr. Bolner said yes. He said that's why he thought he would bring that up. Ms. Olyha said that doesn't make any sense with the intent of the hamlet section. Mr. Bolner said that what he thought would be good for the applicant to hear, that you don't have to put in a playground. Ms. Olyha said the intent of the Hamlet section is to get a business/residential use and to be able to look like a small community instead of a house plopped here and a business plopped there, it's to all flow together and to coincide together. The Board continued to discuss the Hamlet and open space. Mr. Berta asked if an apartment building would be permitted in a Hamlet and Ms. Olyha said as long as the bottom floor has a business in it. Mr. Bolner said the section of the code with the parking area that has more than 25 parking spaces, which this does, it indicates that you should have 15% of the area within the inside perimeter of that parking as landscape. Mr. Berta asked if it is within the area or with the area. He showed the Board the islands on the plan. The Board discussed the parking and the islands. Mr. Bolner suggested adding another jut out island if you can fit it. Mr. Berta talked about shared parking indicating they have enough spaces for the retail use and all of the businesses are overlapping. The bottom line was to give the Board a final number so they can justify what the Board's determinations are. Ms. Olyha said do the 3 existing islands and then the 2 ends, count them as the size of an island and give the square footage and then give the Board the same thing without counting the ends. Ms. Olyha said we may have to make the island a different shape or something. Ms. Olyha it's mainly so that you are not seeing a sea of black top and there's not any shade

for the cars. Mr. Bolner said the code does allow the board to reduce parking requirements by up to 30% because of the mixed use. There is a section of the code that states "the developer shall provide assurance satisfactory to the Town Attorney that there will be adequate long term management and maintenance of all private water and sewer facilities serving the site". Mr. Blass said he didn't think we've ever done that before. Mr. Bolner said this is the new Hamlet section of the code. Mr. Berta said the owner is going to have his building on the lower level and he is going to make sure there is water and sewer there. Mr. Blass said we would do a recordable declaration of management and maintenance to layout the general terms and it runs with the land to bind the current owners and future owners that it's a private system and they have to maintain it. Mr. Berta said the owner is working on the septic system right now and once he gets that and gets in front of the Health Department we will find out what their determination is, if it is private or public. He said he's assuming since it's more than 3 apartments it's going to be a public so there would be a maintenance contract. Mr. Straub asked about snow removal. Mr. Berta said there is ample space. Mr. Berta said they will have the architecture ready for the July meeting.

REQUEST FOR RE-APPROVAL

HIDDEN POND SUBDIVISION – was granted final subdivision approval on June 19, 2014 and was granted 2- 90-day extensions. This approval is due to expire on June 19, 2015 and the applicant is requesting the Planning Board grant a re-approval.

Mr. John Goetz, applicant was present. Ms. Olyha said there was a letter of recommendation from the Town Board suggesting a 3-month re-approval with 3 different scenarios.

The Town Board recommended a 3-month approval at which time the owner has to decide whether to move forward with the project as is, abandon the project rescinding all approvals, or file an amended site plan. Ms. Olyha said within those 3 months, one of those 3 choices have to be made. Mr. Goetz said he would like to board to consider option 1 – which is to move forward with the project so Ms. Olyha said within 3 months you have to show you are moving forward with the project as is.

Ms. Olyha said right now this was a conditional final that was granted so she said get the conditions met. Mr. Blass said yes, fulfill the conditions of approval, one of which would be to purchase land from the Town and Mr. Goetz replied correct. Mr. Blass said because there was some fluidity to the developer's plans according to a couple of meetings, the Town Board would like to bring it to completion within that 3-month window and Mr. Goetz said he understood. He said right now we plan on moving forward as approved and if there is any change the Board would have to be notified, and repeated that option # 1 is what they want to move forward with tonight.

Ms. Olyha said so within those 3 months, purchase the property and meet the conditions. Mr. Goetz said yes. Mr. Blass presented the board with a resolution contingent on paying the re-approval fee and Mr. Goetz said he would take care of it.

Mr. Straub made a motion to grant a 3-month re-approval seconded by Mr. Zeidan and the motion carried.
3-MONTH APPROVAL.

REFERRAL FROM TOWN OF WAPPINGER

MOUNTAIN VIEW RANCH SUBDIVISION LOT LINE REALIGNMENT – is being referred to the Town of LaGrange Planning Board for discussion and/or comments.

A copy of a letter from the Chairman of the Planning Board from the Town of LaGrange is attached, reflecting the discussion including comments and/or concerns the Planning Board had regarding this project. This letter was sent to the Chairman of The Planning Board of Wappingers.

Mr. Straub made a motion to adjourn the meeting at 9:15 PM, seconded by Mr. Gunn and the motion carried unanimously. MEETING ADJOURNED.

Respectfully submitted,

Eileen Mang
Planning Board Secretary

DRAFT



TOWN OF LAGRANGE
120 Stringham Road
LaGrangeville, New York 12540-5507

Planning & Public Works
845-452-8562 ~ 845-452-7692 fax ~

June 24, 2015

Mr. Robert Valdati, Chairman
Town of Wappinger Planning Board
20 Middlebush Road
Wappingers Falls, NY 12590

RE: Mountain View Ranch Subdivision (Lot Line Adjustment)
Smith Crossing Road
Town of Wappinger, Dutchess County
Tax Map No(s): 135689-6359-01-050625, -119522, -182562, -134683

Dear Chairman Valdati and Members of the Planning Board:

This application was referred to the Town of LaGrange Planning Board because of its proximity to the Town of LaGrange. The Planning Board reviewed the application and offers the following comments and concerns for your consideration:

According to the submitted application, the applicant indicated that there were "none" to statement #7: "I own or have an interest in abutting property as stated on the attached sheet." In fact the owner, Mountain View Realty – John Ostuni, member, does own the parcel abutting this application directly to the north in the Town of Wappinger (Parcel No. 135689-6359-01-2357370) and along with one directly north of the afore mentioned parcel in the Town of LaGrange (Parcel No. 133400-6359-01-265780).

With regards to the above referenced parcel (Parcel No. 135689-6359-01-2357370) in the Town of Wappinger, there appears to be two homes located on this site one of which has a through driveway from Smith Crossing Road in Wappinger to Maloney Road in LaGrange.

The LaGrange Planning Board is concerned with possible segmentation of lands to be developed by this applicant as the above mentioned parcel in LaGrange (Parcel No. 133400-6359-01-265780) is currently the ingress/egress for both homes on the Wappinger site with the majority of the LaGrange land remaining undeveloped. It appears that this through "driveway" has the potential to become a roadway through the

properties with this lot line realignment which then leads this Board to wonder if the applicant has future plans for the two (2) above mentioned parcels not in this application.

Thank you for your consideration of the LaGrange Planning Board's comments and concerns pertaining to this application.

Sincerely,

A handwritten signature in cursive script that reads "Stacy S. Olyha".

Stacy S. Olyha, Chairman