

A regular meeting of the Town of LaGrange Planning Board was held at the LaGrange Town Hall, 120 Stringham Road on Thursday, April 17, 2014. Chairman Stacy Olyha called the meeting to order at 7:00 PM. Board members Frank Sforza, John Gunn, Dennis Rosenfeld, Marc Komorsky and Joe Zeidan were present. Robert Straub and Tony Brenner were absent. Also present was Wanda Livigni, Administrator of Public Works, Walter Artus of Stormwater Management, and Greg Bolner of Clark Patterson Lee. Planning Board Secretary Eileen Mang was absent.

Mr. Gunn made a motion to accept the minutes of March 20, 2014, seconded by Mr. Rosenfeld and the motion carried.

PUBLIC HEARINGS:

DALEY FARMS DEVELOPMENT – Proposed subdivision and site plan located between Titusville Road and Colleen Court containing 233.38 acres (Grid Nos. 6360-03-081270, 099220, 22931010)

Ms. Olyha said all comments from last month's meeting are still valid and still have to be answered by the applicant. Ms. Livigni said the applicant has requested the public hearing be adjourned to May 15th. Ms. Olyha said she had a County Planning comment letter and 2 consultant letters dated after the last meeting.

Ms. Olyha asked for comments from the public and there were none.

Mr. Rosenfeld made a motion to adjourn the public hearing, seconded by Mr. Zeidan and the motion carried unanimously. PUBLIC HEARING ADJOURNED.

FREEDOM PLAINS PRESBYTERIAN CHURCH Proposed amended site plan and Special Use permit located on Rte. 55 and Stringham Road (Grid No. 6460-02-650904, 710874)

Mark Day of Day Engineering appeared before the board. He said they are showing an overall "holdings" for the project. He said currently the church owned this parcel, he showed on the map and showed the current Stringham Road and pointed out another parcel they owned, he referred to as the ball fields. He showed Hannaford and the cemetery. He showed the board proposed improvements which are currently underway on Rte. 55. He said there is a proposed turning circle at the High School and the new Stringham Road entrance. He said the existing Stringham Road, a portion of it will actually be dedicated back to the church, the existing Stringham Road will become a cul-de-sac. He said there is an existing single family residence and the diner, part of the Hannaford property. He said they are proposing an expansion of the church, currently there is a small addition to the church that will be demolished and they are going to flip the administrative portion of the building and duplicate and create a fellowship hall. He said they are proposing to place additional parking on the current ball fields, a proposed entrance off of Rte. 55 which he said they have an approval for. Mr. Day showed the board a strip of property the church conveyed to the DOT and

showed the board another piece that was a taking which will allow for the cul-de-sac on Stringham Road. Mr. Day showed the board a landscaping plan and said they are proposing a considerable amount of planting along Rte. 55 in the area of the proposed development, also throughout the parking areas and around the existing parking. He said the site right now is served with central water and that will stay. He said they are proposing an individual septic system in the rear. He showed the board a rendering, the new proposed portion of it. He showed the board the existing sanctuary and the only modification involves the roofline, they will be extending it to the south and build a new area which will match on the other side. They are adding a new lobby and showed the board the new fellowship hall, which will be 1 story. He showed the board another angle. He said the sanctuary now, the pulpit is to the south and they are considering flipping the pulpit so it's in the front so when you enter the sanctuary you will be entering completely backwards from what is being done now. He said there will also be a balcony for additional seating.

Mr. Day showed the board the front entrance, the fellowship hall, the new building, adding a gable to the existing so it matches and showed the existing sanctuary. He said they are moving the entrance from the front and move it to the side (the fellowship hall) The goal is to leave the sanctuary where it is, keep it's look, keep the crown and try to expand the space but not dominate the existing sanctuary. Mr. Gunn asked will they be non-operable doors and Mr. Day said they are keeping the existing doors and keep them non-operable, you'll be behind the pulpit at this point.

Ms. Olyha said there was a comment letter from the County dated 4/4/14 and opened up the public hearing. There were no comments.

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

Ms. Olyha said there were also comment letters from Greg & Walter and Mr. Day said he received them.

Ms. Olyha said they have asked for a waiver of parking spaces, they have 157 shown on the plan and according to regulations they need 175. Mr. Day said they do have land banked areas and said it's a very sturdy gravel and said they had plenty of room for overflow. He said they wanted to keep it green because they thought this will actually handle it. Ms. Olyha asked how many they would get from the banking, Mr. Day said he could easily double one of the islands, said there were 28 and another 40 over in an area he showed the board. Ms. Olyha said the county had a comment about parking spaces in the front, as we are trying to keeping parking to the back and to the side. Mr. Day said he understands what they are saying but this is pretty much for handicapped and Ms. Olyha asked about the other 8 spaces and Mr. Day said they were for people who have more difficulty and we are trying to allow them to get to the entrance. Ms. Stacy asked if they will be designated for people with disabilities. Mr. Day said maybe they could do it by permit. The use of the 8 spaces being designated for certain uses was discussed and Ms. Olyha said that's why she was wondering so

that they would know it was for people with a disability or elderly where they don't need handicapped but can't make it that far. Ms. Olyha said we don't like signs. Mr. Lent said hopefully it becomes a cultural thing in the community of the church. Ms. Olyha said because it was a county comment, we have to have some kind of justification why they are staying and asked Mr. Day to write something up. Ms. Olyha asked if the banked spaces needed to be on the plan. The Board said yes. Mr. Olyha said so if you add them with a note that they are banked spaces. She said if you can get the 175 then we are good to go and if we can't, then we will do the waiver.

Ms. Olyha referred to the 2nd floor requirement for the fellowship hall. Mr. Day showed the board the elevation. Mr. Day said because of the size of the building they wanted to keep the roof low so we didn't overtake the sanctuary. Ms. Olyha asked about the roof in the back and this and asked if they were the same height. Ms. Olyha said if they are both the same then it looks symmetrical. The Board continued to see the height of the roofs. Ms. Olyha asked the board if we needed anything to waive that particular item, to make sure we are allowed to waive that.

Someone asked about the nursery school and where it would be. Mr. Day said same place. Mr. Bolner said in the site standards it says 2 and 3 story buildings are required and under item 7 it says the Planning Board may waive height and set back requirements for landmark civic buildings including government buildings, churches, schools or libraries so you can waive the height and setback requirements. Ms. Olyha asked the board for discussion, there was no comment. Ms. Olyha asked for a motion, it was made by Mr. Rosenfeld, seconded by Mr. Sforza and the motion carried.

Mr. Bolner said he had a general comment that the Board should weigh in on the landscaping plan. He said in his opinion it meets the requirement of the code but generally with the Planning Board it falls under that architectural/landscaping. Ms. Olyha said in the County letter it did mention that the northwest parking lot, they would like to see islands like you are doing in the other parking lot, triangular islands is what they mentioned so that you don't have to lose any parking spaces. Ms. Olyha said she personally does not like islands because they are hard to plow and if you screen the parking lot a little more from the front, then you wouldn't need that. She said you could put trees all along the front to hide the parking lot but still leave it open. Mr. Lent said the DOT plan has an extensive tree planting/landscaping plan. He said they won't do right in front of the church where the Oaks are but all along the new traffic circle will be all landscaped. Ms. Olyha said so can we refer to their plan on this plan so that it's known. Ms. Livigni said only if you guys make them. Ms. Olyha told Mr. Day to write something up that justifies that comment.

WRIGHT FARM SPECIAL USE PERMIT FOR LOT 8 – Proposed special use permit located on Noxon Road containing 115.71 acres (Grid No. 6560-04-969085)

Mr. Marty Willms refreshed the board, located on East Noxon Road, the site is 115.7 acres and is designated as open pasture with an existing access road and they will be adding a driveway and a single level 1,800 sq. ft. residence. He said it will be built in

the Ridgeline Overlay Protection Zone and so they need a Special Use Permit. He said they coordinated with the DPW and they have a conceptual consent letter from them. He said he received a review letter from Mr. Artus and feel they have addressed his comments and would like to move forward.

Ms. Olyha opened the public hearing comment and asked for public hearing.

Edward Herman of 1490 East Noxon Road asked where is the house compared to the Ridgeline. Mr. Willms showed him. Ms. Olyha said they need the special use permit because they are in the ridgeline so we have to make sure because we have a few stricter requirements in that section of town.

Mr. Herman also asked about the SWPPP and said his property is L-shaped and said there is a natural culvert, it's not a running creek except for heavy rains. He said in the past 18 years he's lived there, it's probably dropped about 2-3 feet from some of the runoff and that is why he was concerned. He asked would they be doing anything on this property that would change the grade. Ms. Livigni said the SWPPP is a requirement under our MS4 regulations, it is to make sure that sediment doesn't leave the site and that all erosion and sediment controls are put in place to ensure that there isn't additional erosion or sediment that would cause further erosion by him. Mr. Willms talked about a swale that will catch runoff and it will come down to a culvert. He said this is internal to the property, it's not on the property line and he talked about a 2nd reach which is closer to other neighboring properties. Mr. Herman said if you look at the aerial view there are 2 areas where trees have grown over time on that property and the only reason they grow is because that's where the water is going. He said he only has 80' of property that abuts that but his neighbor has more and it captures right along. He just wanted to make sure they weren't change the entire grade. Ms. Olyha said the whole idea with the Ridgeline is to try and keep it as natural.

Mr. Willms said the house is going to be sitting in a saddle and they are looking to minimally impact the area.

Tom Scaraville 12 O'Hare Drive said he pretty much had the same concern. He said he spent over \$3,000 have a 12" pipe put in his yard and he had to have it done twice because the water comes down so hard and heavy off that farm land. He said he walked up to see where the water was coming from and it's all marsh and wet. He said he can't have any more water on his land. Mr. Willms said all the vegetation that is going to be cleared has been done, there is no more any clearing. Mr. Willms showed Mr. Scaraville where his property was in relation. It was determined that the house was very far away. Mr. Willms said the driveway would be pervious, gravel.

Mr. Komorsky made a motion to close the public hearing, seconded by Mr. Sforza and the motion carried. PUBLIC HEARING CLOSED.

Ms. Livigni said all of the public hearing comments would need to be answered in writing and we are waiting for the submittal in response to Walter's comment letter. Mr. Willms said he had it. The Board declared Lead Agency.

Mr. Willms said he had plans tonight and offered to go through it and Ms. Livigni said no, not tonight, but that he should make a complete submittal for Walter to review.

DAY SPECIAL USE PERMIT – Proposed special use permit (location is within 200 feet of Sprout Creek) located on Gidley Road (Grid No. 6562-02-739555)

Larry Day, owner of 166 Gidley Road appeared before the board. He said he is trying to replace his garden shed. He said he knew he was in a floodplain and said he understood the board had a copy of a letter from the DEC as well as a copy of his plot plan. He said he had a conversation with Joseph Murphy at the Division of environmental permits and said he was not within 50 feet of Sprout Creek so he didn't need a protection of waters permit and he said he read the Town of LaGrange flood damage prevention code, code 120 4b-1 for elevated buildings and it states it must be elevated above the ground level by means of pilings, columns, posts and said he is requesting a special use permit.

Ms. Olyha opened the public hearing and asked if anyone had a comment. There was none. Mr. Gunn made a motion to close the public hearing, seconded by Mr. Zeidan and the motion carried unanimously. PUBLIC HEARING CLOSED.

Ms. Olyha declared the Board Lead Agency. She said the County had comments, indicating they are in the Blandings Turtle area and you need to follow the construction practices so as to not harm a threatened species. Ms. Livigni said they are waiting for a SEQR determination from the Board so they can go back to the ZBA.

Mr. Gunn made a motion to 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. Sforza and carried unanimously. NEGATIVE DECLARATION.

THE PINES AT OLD OVERLOOK SUBDIVISION – Proposed 9-lot subdivision located on Old Overlook Road containing 65.98 acres (Grid No. 6361-02-500585); adjourn public hearing.

Ms. Livigni said we are adjourning the public hearing because they have to go to the ZBA first. Ms. Livigni said the Planning Board never actually set the public hearing that night so legally we cannot conduct the public hearing, and added they won't have to re-advertise but she was hoping would set the public hearing for next month. Ms. Olyha said so he advertised for this month? Ms. Livigni said correct and Ms. Livigni said we are allowing you a bypass until next month and asked if he was going to the ZBA in n.

Ms. Olyha reminded Mr. Riley about planning board comments and the County had no objection to Lead Agency. The Board declared Lead Agency. Mr. Riley described the project. 9-lot subdivision on 65.98 acres with 2 common driveways and 2 individual driveways to service the 9-lots.

Judy Atwood of 9 Hennessey Lane asked where the driveways would be. Mr. Riley said 1 driveway is coming out on Overlook across from Rombout Road the other are coming off of Old Overlook Road. Mr. Riley said they are above the creek and have to go through the buffer of the wetland but they are not crossing the stream. Ms. Atwood said you are going very close to it. Mr. Riley said they are probably 100 feet from the stream.

Mr. Zeidan made a motion to adjourn the public hearing to May 15, 2014, seconded by Mr. Komosky and the motion carried unanimously. PUBLIC HEARING ADJOURNED.

OTHER BUSINESS:

LANDS OF ARCOS SITE PLAN – Proposed site plan located on Rte. 82 containing 2.01 acres (Grid No. 6561-04-8281270); update

Mr. Bill Povall of Povall Engineering appeared before the board. He said this site was before the board for discussion several months ago with a previous engineer. Mr. Nemeth has hired him to move this project forward with a new site plan application. He said it's 2 acres located on the southeast side of Rte. 82. He showed North Cross Road and Burbick Road in the back. He said this is in the Hamlet zoning and they are proposing 2 apartment buildings on 2 acres. He said before the board is a conceptual plan for feedback before they move forward with the engineering details. Mr. Povall said their goal was to provide somewhat of a buffer to Rte. 82, given that it's a highly traveled Road with a 55 mph speed limit, lots of trucks and noise. He said they are proposing to have 1 entrance for the 2 buildings which serve as a centrally located parking lot and would have a heavily landscaped buffer between the 2 buildings and Rte. 82 to provide that buffer. He said each building is 2 stories, 4 units in each building with 2 bedrooms and 1 unit in each building with 1 bedroom, for a total of 10 different units, 5 in each building. He said the minimum parking required by zoning is 19 and they are proposing 26 spaces, providing an additional 7 spaces for visitor parking. He said they are proposing landscaping; it would fall under a public water system so they are proposing 2 wells to meet NYS Health Department requirements. He said they would also be servicing the 2 buildings with septic systems. He said they've shown the primary and the expansion area to meet the Health Department requirements.

Mr. Povall said they initially submitted a subdivision application for the 2 buildings so that we would not fall under public water supply situation but that became difficult with laying out the buildings and the lots and they did want to create this centrally located parking area. He said they met with the Health Department because there are certain interpretations that they needed to get resolved as far as the separation of the wells and septic systems and they did resolve it. He said that is why they rescinded the subdivision

application. He said they are showing an area in the back, this property is very flat and does fall off a little in the back corner and there is an existing drainage ditch to a culvert. He said they looked at storm water conditions when they put together the conceptual plan. He said they are before the board for some feedback and said they hope to take it under advisement and start moving the project along.

Ms. Olyha said in the code it says the parking should be in the rear of the buildings and the board asked the prior engineer to give us different views, just to refresh the board.

Mr. Komorsky said his concern with the island in the middle is getting emergency equipment into that location. Mr. Gunn asked if the drainage culvert was on Lutheran Church property and Mr. Povall said yes. He said they would contain the storm water on site and we would only release any storm water that is being released now and nothing more. Ms. Olyha asked Mr. Komorsky if he remembered seeing the plan when all the parking was in the back and he said yes. Ms. Olyha asked was that the preference of the Fire Department. Mr. Komorsky said it doesn't have to be that way, he was just wondering if that south building can be moved further south to open up the parking area a little more and possibly do something with that island. Mr. Povall said this is conceptual and we do have that ability. He said with this plan here they are trying to keep impervious area down so by shifting it there will be more. Ms. Olyha said they could put those grass pavers in where the grass grows up through so if an emergency vehicle needed to get in there they could just drive up across the grass. Mr. Komorsky said was his concern. Mr. Povall said he got a letter from the Building Department which expressed a lot of the access concerns for the fire apparatus and he said it is something he will incorporate them into the next plan.

Ms. Olyha referred to Mr. Artus' comments regarding wells and town houses. He asked is it multi-family residential opposed to town houses. Mr. Povall said right now they are proposing them as 2-story apartment units. Mr. Artus said there appears to be a silent section in the code and we may need a determination from either Ken or Ron to keep this moving. Mr. Artus said we should start with Ken. He said it came up previously, this silent portion of the code so Ron was aware of it. Ms. Olyha asked if the applicant gave him the determination of the Health Department, what they worked out with them which makes it a non-public water system and Mr. Artus said no. Mr. Povall said he got a letter from the Building Department and they didn't make any suggestion one way or the other on the issue. Ms. Olyha asked the date of the letter and Mr. Povall replied March 12.

Mr. Bolner said multi-family residential is a permitted use in the Hamlet Zone, so it's not a question whether it's a permitted use, it's just under the Bulk Requirements, it's silent on minimum lot size, there's no reference to any minimum lot size. Mr. Bolner said there is for town houses and single family. Ms. Olyha asked does it state apartments are permitted and Mr. Bolner replied yes. Mr. Povall said his interpretation when you read the code is, it gives minimum/maximum building size, it gives maximum bedrooms so it does provide limitations for the residential uses which to him would make sense as far as providing a restriction. Ms. Olyha said this board is not allowed to make

interpretations. The Zoning Administrator and/or the attorney are the ones allowed to do that. Mr. Gunn said there is something in the code that says "shall" add parking to the rear. Ms. Olyha so that "shall" is "must", whenever possible. Mr. Povall asked if there was any way to waive that, or get a variance for that. Ms. Olyha said "shalls" we can't waive. Mr. Povall and the board continued to discuss the issue.

Mr. Povall said this project located on Rte. 55 doing 55 mph just doesn't lend itself to a Hamlet, and added it was only his opinion. Mr. Gunn said it doesn't look like a Hamlet, but it's a Hamlet. Mr. Povall said they did try and look at the buildings facing the road but it didn't make a lot of sense when you look at the functionality of the site and the conditions out there. Mr. Nemeth asked why would you put the parking in the rear and the front doors on the opposite side of the buildings. Ms. Olyha said even single family homes have their driveways in the front yard, so your front yard would be the side where the parking area is, the back side, which would be facing the road would appear to look as a nice aesthetic building but its function is actually the back yard. Ms. Olyha said architecturally it would look like the front but the actual functional service area would be the back and that's how most of the ones she has seen down south are done.

Ms. Olyha said that is what they asked the other engineer to look at. Mr. Nemeth said he drove through North Carolina 12 hours ago and everything is parked right in front and they have their nice little patio in the back of the building. Ms. Olyha said we didn't write the code and Mr. Gunn agreed it didn't look like a Hamlet and Ms. Olyha said we just enforce the code.

Ms. Olyha asked the board what are their options and Ms. Livigni said she wasn't aware of any. Mr. Gunn said "shall" in the code limits it. He said you can stick the parking in the back because that is what the code is driving them to do. He said the code says that is a Hamlet. Mr. Nemeth said then they will make the front of the buildings with parking in the back. Ms. Olyha said the code says everything has to be to the rear of the main road. Ms. Livigni said if you don't like the code you can go to the Town Board and bring this to their attention, it's always an option but this board cannot change the "shall". Mr. Nemeth and the Board continued to discuss this issue. Ms. Livigni said there was a plan that showed the parking in the rear. Mr. Nemeth continued to dispute the code and Ms. Olyha again repeated if you want the code changed, you have to go to the Town Board. Mr. Povall said they do have limitations as far as putting the parking the back with the septic systems. He said they did look at that option to some degree but given the conditions of the lot, that's what pushed them back to this plan.

Ms. Olyha said to the applicant: If you want an interpretation of the code, see the Zoning Administrator, and if you would like to see what options the Town Board will give you, you can go that route.

NISI LOT LINE SPECIAL USE PERMIT – Proposed wetlands permit located on Todd Hill Road (Grid No. 6460-04-503405)

Ms. Olyha said she understood there were some issues in the July 9th 2013 letter from Walter. Mr. Gary Beck Jr. was present and spoke. He said the biggest thing was the permit from the DEC which he submitted. Walter had some concerns about grading, gutters, and other issues. He said his clients, Nisi, are giving this property to a close friend of theirs and that's why they went through this process. He said he doesn't work for their friends so he said he is asking the board to grant the permit and let the new owners of the property come in and get the grading, the gutters, the plans for the house and all the other comments on there. He said he didn't know when they were going to build, or what kind of house. He said he didn't want to spend any more money for Nisi because they are not going to be the one building the house. Mr. Gunn said but we are giving the special use permit to Nisi and Ms. Olyha said the permit doesn't follow the property, it follows the people. Mr. Artus said this is not a special use permit, it is a wetlands permit. Ms. Olyha said and the wetlands permit is to build something and Mr. Gunn said and it's also for Nisi. Mr. Beck said it goes with the property and the permit from the DEC, the language they put on their permit, they have to file in the county with the deed for the property. Ms. Olyha said if you are going to have a wetlands permit that means you are doing something within the buffer and/or the wetlands so if Nisi is not doing anything with it then how can the board give Nisi a permit for something they are not doing. Mr. Beck said it is for the property, and Ms. Olyha said so if it is with the property then you have to show all the stuff that you plan for that property. Mr. Beck asked is that something that the board wants to see, if he plots the house and shows the gutters or is that something that we could condition and let the office and Walter grant. Ms. Olyha said the board doesn't usually issue a permit unless we know that everything is going to work and everything is done right to the specifications set out in our code. Ms. Olyha said it's like giving you a permit to go out there and do anything you want. Mr. Beck said that's not the case because he still has to get a building permit and Ms. Olyha said it doesn't have anything to do with the board, downstairs does not look at the wetlands, he just looks to see that you have a wetlands permit. Ms. Olyha said the building department is not going to know the engineering that goes into making sure that everything stays out of the wetlands and everything is done properly and done right to begin with. Mr. Artus asked Mr. Beck if he had the plan that that he got the actual wetland permit from.

Mr. Beck showed the board a plan and Ms. Olyha asked if it showed the road on there, the driveway? Mr. Gunn asked they issue the permit for just the road and not a structure. Ms. Olyha said it might be for just the driveway. Mr. Artus said they are going off a plan that is entitled Sewage Disposal System for Nisi dated January 15, 2014. Ms. Olyha said this one is proposed lot line realignment for Nisi and Bartholomew of April, 2013. Mr. Gunn said the question is what is the county granting them a wetlands permit for, a lot line realignment, a driveway or what?

Mr. Artus said we haven't seen the plan they granted it on. Ms. Olyha said I would say wait until you have building plans and then come back for a wetlands permit from the board. Mr. Beck said building plans or a plot plan? Ms. Olyha said whoever is going to be doing whatever they are doing there, and if Nisi doesn't want to pay for it, just wait and when you come in with your plans to build the building, then you come and get the

Wetlands permit. Mr. Artus said this septic plan will certainly show grading and that was one of his comments specifically relevant to the septic area with the grading to accurately determine the full extent of disturbance within the wetland buffer. Mr. Gunn said so if that plan that we don't have addresses your comment then we can move forward. Mr. Artus said he did also ask for location of roof and footing drains, something like that could be a condition to make sure it's not within a buffer. That is a minor issue. Ms. Olyha said if they are not building the septic; if they are not doing any of that stuff; why not wait until the owner that is actually going to be doing all of the building come in for the permit.

Mr. Beck asked how long is this application good for. Mr. Beck said the DEC permit will expire on 12/31/2017 but how long is the Planning Board willing to wait for his clients to make their mind up. Ms. Livigni said the issue comes up about a public hearing and usually if it's been a year and there is no action taken from the last public hearing, we typically conduct a public hearing over again. The public hearing for this was held in July. Ms. Olyha said we had to have a public hearing on a plat. Mr. Gunn said it was just the lot line realignment, and Ms. Olyha said it was not the Wetlands Permit. Ms. Livigni said it was definitely the Wetlands Permit, there was a public hearing conducted for the Wetlands Permit, that was in July. Ms. Olyha said but there must have been some sort of plat that the board saw. Mr. Artus said we probably had their septic plan at that point. Mr. Artus said and that's what we presented to the DOH and then we had asked permission to file the map with the County because we were combining the 2 lots so there were actually 2 actions happening at the same time. Ms. Livigni said the wetlands permit went to the wayside while we waited for the DEC to get back to them. Ms. Livigni said that's why there was a lag between the 2. Mr. Artus said if Gary could submit that and see what it might or might not need. Mr. Beck asked if he should submit it to downstairs? Ms. Olyha said yes. Mr. Beck asked if he could be on for next month, and Ms. Olyha said if you submit it and we get it to Walter and Walter says it is good, then you are on. Ms. Olyha said but Walter has to tell us. Mr. Artus said or tell us what you need. Ms. Olyha said submit downstairs, they get it to Walter, Walter tells us how everything goes and we let you know. Ms. Livigni said there are plans submitted for house locations and they change quite frequently from the actual drawing on the plans. Ms. Olyha said the only thing the wetlands permit would be for is if it is for the septic and if the septic is near the wetlands or in the buffer, then that's all it's for. Mr. Artus said once we see the plan that they granted this Wetland Permit. Ms. Olyha said if the house location moves and it moves closer to the wetlands and gets inside the buffer, then they have to come back to have that modified. Mr. Gunn said which wouldn't be Nisi, it would be house builder who ever it is.

REFERRALS FROM TOWN BOARD FOR DISCUSSION AND/OR COMMENT.

A local law of the Town of LaGrange amending the zoning map designation of certain property currently zoned R-40-60-80 at or near Titusville Road and Davis Road to the north, Noxon Road to the East, Colleen Court to the south and Daley Road to the West to allow for the establishment of a planned development district to be named PDD-Daley Farms for a mix of residential uses and open space in accordance with an overall concept plan of development.

Ms. Olyha asked the board if they had any comments before their public hearing on this local law. There were none.

Ms. Olyha said the comment is the board has hammered out the particulars now it's in the Town Board's lap to make it a zoned district and the Planning Board will go from there to make sure it follows zoning.

Mr. Zeidan made a motion to adjourn the meeting at 8:31 PM, seconded by Mr. Gunn and the motion carried unanimously. MEETING ADJOURNED.

Respectfully submitted,

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

Eileen A. Mang
Planning Board Secretary