

A regular meeting of the Town of LaGrange Planning Board was held at the LaGrange Town Hall, 120 Stringham Road on Thursday July 16, 2015. Chairman Stacy Olyha called the meeting to order at 7:00 PM. Board members John Gunn, Robert Straub, Tony Brenner and Marc Komorsky were present. Dennis Rosenfeld, Joe Zeidan and Frank Sforza were absent. Also present was Wanda Livigni, Administrator of Planning & Public Works, Walter Artus of SMC and Greg Bolner of CPL were also present.

Ms. Olyha announced that Marc Komorsky would be a voting member.

Mr. Straub made a motion to accept the minutes of June 18, 2015, seconded by Mr. Gunn 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)

The Planning Board adjourned the public hearing to August 20, 2015.

HUDSON VALLEY FEDERAL CREDIT UNION SITE PLAN -- Proposed site plan located on Rte. 55 containing 1.26 acres (Grid No. 6460:02-690904)

Mr. Roger Keating of Chazen Engineering was present. Also present were representatives from the Hudson Valley Federal Credit Union, Turner Construction and Maul Associates.

Mr. Keating said the credit union is proposing a new branch at the intersection of Rte. 55 and Stringham Road and it will be 4,500 sq. feet in size and consistent with the Town Center Business District zoning. He said it will be brought forward along the frontage of Rte. 55 with associated parking, a detached drive-thru which will require a special use permit. He said it will be serviced by an on-site septic system, storm water management on site with the use of rain gardens, bio retention areas and storm water planters as well. He said the site will incorporate some landscaping features similar to Hannaford with respect to the stone walls. He said site access will be off of Stringham Road. He said they updated the landscaping on the plan by adding a few extra trees.

Jay of Maul Architects spoke. He said the building is 4,500 sq. ft. and it is sited toward the north end of the property out on Rte. 55 to give prominence to that street front. It is designed with dual main entrances with a pedestrian entrance on Rte. 55 for a sidewalk, visitors and an entrance at the rear of the building for members and visitors entering. The exterior façade of the building was designed and came about through meetings with Ken and Wanda of the town where they discussed some of the features. The town was helpful with the building being harmonious with the other buildings in the area. He said it is an attractive mixture of masonry materials, the stone base from the ground level up to the window sill, it's a cast masonry and showed the board a sample. He said from the window level up to the cornice it is red brick veneer and showed the board samples. He said there's a wide cornice that wraps around the building and accentuates the roof that's a stucco material. He said it's a traditional gable roof with a clear story at the top of the roof that lets natural light down into the main lobby of the branch. Roof shingles are standard architectural roof shingle with some accent areas of green standing seam metal roofing.

Windows are a champagne aluminum frame with a slight green tint to the glass which accentuates nicely with the Hudson Valley Logo and the green metal roofing.

Ms. Olyha opened the public hearing and asked for comments from the public.

Marshall Pregnall of 18 Mountain View Road from the Town of Poughkeepsie spoke. He said he is a Biologist professor at Vassar College and for the last 6 or 7 years he has been working on the population of Blandings Turtles that inhabit the valley here, both in the wetland complex at Arlington High School and Baird State Park and South Highway 55 in the Town of LaGrange. He said the Blandings Turtle is a threatened turtle species in New York and the Town of Lagrangeville has the highest concentration of Blandings Turtles in the State. He said they have groups working from the DEC, OPRHP and Vassar College this summer working on this population which spans highway 55. He continued to talk about the turtles moving, getting caught. He talked about tracking them and asked that the utmost attention is given to the turtles especially during the nesting season starting in early March and described the path they take in the Town. He said they move day and night and talked about their mortality. He said there are about 100-150 that move. He said he was concerned with the construction phase. He asked the Board to take the utmost precautions be taken and that daily inspections be made of the construction site especially during late Spring through Summer. He said he would be happy to provide his contact information.

Madison Marshall of 2 Madonna Drive in Lagrangeville said he works with Mr. Pregnall and she said they spent 2 intense months studying the turtles. She asked the Board to make sure they are taken care of during the construction.

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

Ms. Olyha said the Board also had County comments and comments from the Building Inspector and Mr. Keating said he received both. Mr. Keating said respect to the stone walls they recognize they want to keep it consistent with some of the other walls in town and the Hannaford one has been talked about quite a bit. He said they will look to see what they can incorporate a little curvature to their wall with some landscaping to create a different and unique feature to it. He said they don't a lot of room along the frontage to make big sweeps back and forth but they can add a little movement to the wall if that is what is desired. He said the County comments had a pretty significant different looking style to the project then what they proposed. He said their comments were to relocate the drive thru. He said the thing the applicant likes about this site is the ability to separate the drive-thru more from where the pedestrians interact. He said their Hollow brook branch had some similar features to what the County's plan and it does introduce a lot more pedestrian interaction with the drive thru. He said they wanted to shy away from putting the drive-thru where the stacking could come up with a center walkway. He said they would up reconstructing Hollow Brook because of the pedestrian interaction. Ms. Wanda said based on your past experience in another site, you are trying to achieve public safety on this site and Mr. Keating said yes. Mr. Keating asked the Board if they had any other questions they wanted him to address. Ms. Olyha said right now there are existing trees and asked Mr. Keating if he marked them on his plan. Mr. Keating said they are not shown on here but it is a good segway to discuss what he wants to next. He brought up the on street parking and the code recommends it. It is not necessarily a prescribed requirement to have on street parking but it is recommended. He said there was a lot of discussion at the previous meetings about the site lines for where the vehicle could be stopped and how fast a car could come upon that. He said he looked at the site today and said there's a raised median across from where they were looking to have those proposed _____ and added it's a little bit narrower there where those cars would have to make that backing in potential movement in there. He said they originally showed them on the plan to try and stay consistent with the code and recommendations. If the board does not object to it, they would bring one of the spaces back into the site and just change the configuration of the parking a bit inside and they would be able to meet their parking requirements that they need per zoning on site and that would allow these spaces to fall away and in turn all the street trees that have been recently planted along the roadway, 7 along this stretch alone, they could be left in place or moved a little to the left or right depending on where their sidewalk placement is. Mr. Bolner said he did have that

verbal comment and he didn't put it in writing because he looked at some of the town's code sections regarding driveways and proximity to an intersection, etc and they don't violate any of that but he definitely concurred that coming around the roundabout, it's going to be a situation where people are going to come around the corner and if somebody is trying to stop and back out, people have enough difficulty adjusting to the roundabout, we don't need to add one more level of complexity. The Board agreed. Mr. Keating asked is it safe to say he can change the island and bring that space into the site and the Board would be ok with that parking coming off the roadway. Ms. Olyha said you just have to still keep the islands inside and Mr. Keating said yes, green space wise, they have reconfigured this a little bit to make sure they have the green space inside. The Board thought it was a good idea.

Mr. Bolner said the island between the driveway and the parking, he believed, does not meet the town's minimum width. Mr. Keating said they looked at a very similar concept to that at one point in time before they put the on street parking there and they would actually reduce the amount of impervious cover when they turn 90 degrees and explained how it would be more into the curve and a little less than 90 and showed the board what would act like the loop.

Ms. Olyha said they had discussed previously to make everything within their Blandings Turtle Friendly, the drop inlets, posting signs to check under cars and curbing. Mr. Keating agreed and said they would incorporate a construction phasing plan. Ms. Olyha said mainly you want to herd them back to where they belong. Mr. Keating said they are familiar with it.

Mr. _____ from Mauri Associates said the County did mention the 2 or 3 story segment of the town code about the height of the building. He said they did this clear story to help address that height recommendation or requirement. It does try to give the look of a 2nd story or higher building. He said the Town Code also speaks to architectural features of buildings being harmonious with other buildings in the area so this building he felt is in a transition area between the outer part of the town and Town Center with larger buildings. He said the buildings next to them, the church, the restaurant, Ferris', the steak house and diner are all one story buildings and added this building will act as a transition as you come down the Rte. 55 corridor. He said he felt the scale of this building was appropriate so to make it very tall may not be an appropriate architecturally. Ms. Olyha asked the height of the main roof and the clear story roof. Mr. Mauri said he didn't have the measurements but guessed about 24 feet and the upper portion is about 6 feet high.

Ms. Olyha said she took a ride through the Town Center and noticed Kellys does appear to look as a 2nd story and Ferris is sort of the same way. She said after you pass by the shopping centers we are back to houses that are 2 story and have gables, not an actual 2nd story. She said her opinion is she likes the idea and the County wanted it to look more like a gable which she said would make her thing it was a house and not a business. Mr. Gunn said this is in keeping with what HVFCU has put everywhere else, and this is more colonial speaking, he added it's a credit union.

Ms. Livigni said in light of the fact of the safety concerns banks and credit unions share with tenants above, this is definitely a valid attempt to try and meet the intent of the code and if it matches the area. Mr. Straub suggested turning the clear story. Mr. Mauri said they look at that but the nice part of how they have it is it made a long section of glass on the street front with that 2 story look and it really allows them to get a lot of light down into the lobby. Ms. Olyha asked are there clear stories in the back too and Mr. Mauri said yes. Mr. Brenner said it's too long to rotate it. Bob said it looked very contemporary to him. Mr. Komorsky said we have to take into consideration that the Dunkin Donuts across the street is 2-story and this fits in with it. Mr. Gunn said it will absolutely match Dunkin Donuts with different colors. Mr. Brenner said he thought it looked good.

Ms. Olyha said in Greg's comments there was mention of a chain link with slats for the refuse. Mr. Bolner said just the gate and added the gate does face toward the parking lot. Ms. Olyha asked could they do something other than chain link with slats like a vinyl stockade and Mr. Bolner said they could. Ms. Olyha suggested they look at the gate for refuse. She said she didn't think chain link with slats would fit in. Mr. Keating said he would look at materials for it. Mr. Keating said now that they have everybody's comments, they would revise the plans accordingly and resubmit them and Ms Olyha reminded him to respond to the public hearing comments in writing.

CETEK SITE PLAN—Proposed site plan located on Commerce Street containing 2.568 acres (Grid No. 6161-03-063373)

Mr. Ed Loedy appeared before the Board. Mr. Loedy said the proposal is to pave approximately ¼ acre of land which is already a parking area, just not paved. He showed the board and said that all they are looking to do. Ms. Olyha opened the public hearing.

Mr. Loedy said the owner of Cetek has made inquiries with the neighbors and he handed the Board a document from the neighbors who own 6 lots of the 8 that surround the property and they are all in favor of it. Ms. Olyha read it into the record (see attached). Mr. Artus said he wanted to clarify something. He asked about the wetland and the wetland buffer and Mr. Loedy showed him the line. He said it is denoted with the green line. Mr. Artus said based upon looking at it on Parcel Access it appears to be around 1 or 2 acres if you include that portion off site and that would require a 50 foot buffer from that wetland and if there are any improvements within that buffer you would need a wetland permit to go along with the application.

Mr. Loedy said the actual area of the wetland that falls on to the Cetek property is less than an acre. Mr. Artus said it would also include the area off site, it's part of the same wetland. Mr. Loedy asked doesn't it just include the wetland on the property. Ms. Olyha said no it has to be the entire wetland itself. Mr. Loedy said their buffer shows 20 feet right now and we will make it 50 feet so they won't bother with the permit. Mr. Artus said so you are going to revise this to be 50 feet. Mr. Loedy said he was not aware of this. Mr. Loedy said they intend to move that. Ms. Olyha asked if it was a flagged wetland and surveyed and Mr. Loedy said no it's not. Mr. Artus said it is up to the Board if they want that delineated. He said it appears to be the configuration as he saw it on parcel access. Mr. Loedy said he took that information off of Parcel Access. Mr. Artus said he didn't believe it was greater than 2 acres. She said her concern is it is crossing over contours instead of following contours. Ms. Livigni said if you went out there and looked at it you would be surprised that all of it is wetlands so flagging it would not be worth the expenditure of money, in her opinion but it was the Board's call.

Ms. Olyha said if he is moving it the 50-feet than it is not an issue. Ms. Olyha asked if he could still bank in the area of the buffer. Mr. Artus said he cannot disturb anything in that area. He said he is showing parking spaces in the hatched area, that's banked parking. Mr. Artus said he would have to move that out 50 feet. Mr. Loedy said he would propose to move that 50 feet and he also formerly requested a waiver from the requirements of the parking. The building requires 50 parking spaces according to the ordinance. This operation has been in operation for over 30 years and the owner has told him that the 17 spaces that are designated on the plan as being existing, as he pointed them out and added they have more than adequately serviced his needs. He said they are proposing to add 7 more car parking there which they can reduce and would request a bigger waiver or relocate outside of the buffer area. He said he is hoping this simple paving job isn't going to double in price by going through this procedure.

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

Ms. Livigni said she thought the intent was the property owner wanted to utilize the space which there is about $\frac{3}{4}$ of it that he no longer uses, and you were going to propose some uses for that remaining space. She said so she asked Mr. Loedy when he looked at those uses it required 50 additional spaces? Mr. Loedy said no, the ordinance as it is written requires 1 space for every 400 sq. ft. of building so having a 20,000 sq. ft. would calculate to 50 cars. His actual experience has been operating and having the building full, all 20,000 sq. ft. as a combination manufacturing and storage. He has not found the need for more than 17 spaces. He said they added some extra because they felt some people that are going to use it from this side might prefer to park there. He said the building has shrunk in terms of its capacity for manufacturing. He said the use is not being changed, it is still manufacturing and storage, they expect to have one more tenant. He said his client would be comfortable with 1 more tenant beside himself but if it ends up being 2 or 3 that will have to be it and those people might park on the side he showed the Board. So he said they are providing some parking space there. Ms. Livigni said she wasn't aware that was the way industrial was handled, she was thinking commercial. Ms. Olyha said it was in Ken's letter about the parking. Ms. Livigni said if the Board is going to consider a waiver, the other thing to look at is what commercial requires with the stack of uses. She said when she thought of warehousing she didn't think of a tremendous amount of parking. Mr. Gunn said that was Ken's concern, he was worried about tractor trailers backing up and hitting cars. Mr. Loedy said he had in a vague way wanted more information about the parking and traffic. Ms. Olyha referred to Ken's letter. Mr. Komorsky asked if we had the ability to change the ordinance. Ms. Olyha said we can waive parking if we feel it is appropriate but the question is what is appropriate. Mr. Loedy said in Ken's letter his final point is there is concern about the existing parking configuration and it's conflict with the traveled way. He doesn't talk about number of parking spaces, but the configuration. Mr. Loedy said they propose to keep the parking off to the side as you view the drawing to keep the area completely clear for trucks to come in and out and he said he has not spoken to Ken about this yet, but he would think it is the best way to do it. Mr. Loedy said there is room in there for half a dozen tractor trailers. Mr. Loedy said when Ken says it's in conflict with the traveled way, he wasn't sure what he meant by that. Mr. Artus said he wasn't sure either because you have 3 traveled ways around your site. Ms. Olyha said she thought Ken didn't like that fact there's no striping within the site. Mr. Artus said and that would require input from Mike Kelly.

Mr. Loedy said he would like to discuss this with Ken and with Mike Kelly so that we have their input. Ms. Olyha asked if it was ok if Mr. Loedy went on his own and she replied absolutely, he should get clarification from them and have it backed up in writing from them. The board discussed the parking spaces that would be lost with the 50 feet of buffer. Mr. Loedy said he would prepare a drawing and have the Planner review it. Ms. Olyha went over the parking spaces. Mr. Loedy said we had 30 and took out 6 now we have 24 and it needs 50. Mr. Loedy said they might propose even less...to 21. Ms. Olyha asked when you first come in and go to the right, what is going to be right along the building. Mr. Loedy said it's a door and it has always been there. Ms. Olyha asked what happens if he moves the parking to that side. Mr. Artus suggested Mr. Loedy meet with Ken and discuss his concern. Ms. Olyha advised Mr. Loedy to meet with Ken, McLaughlin and check in with Mike Kelly.

OTHER BUSINESS:

ADLER TIMBER HARVEST SPECIAL USE PERMIT -

Proposed Special Use Permit located on Cole Road containing 22.28 acres (Grid No. 6661-01-061994); initial presentation

Mr. Brent Feldwig represented Mrs. Adler. He said this property is included in the Ridgeline Overlay Zone. He said the project consists of selective timber harvest which is it is based on an inventory of the property to see species, quality and abundance of trees and then the trees are harvested or selected based on their financial maturity, their marketability and also based on a spacing that will leave abundant

numbers and abundant quality to have a harvest in the future. So that is what they are proposing. He said he spoke with Ken and his concern because it is in the Ridgeline Overlay Zone, a potential for disrupting the canopy. He said the harvest is going to happen on 18 acres of the 22 on the property. He said there are no streams present in the 18 acre or wetlands present. He said there will be a total of 121 trees harvested. Statistically that 22 acres on the entire property, based on the forestry statistics that he gained by the forest inventory, estimates that there are 6,300 hundred trees on the entire property. He said the percentage of trees is extremely low that they are harvesting so there won't be any noticeable effect on the canopy from adjacent properties. He said the canopy will be thinner because trees will be harvested but the difference from an adjacent property will be unnoticeable if at all. There will be no construction on the property as far as buildings. He said the property right now has an abandoned home site and there will be improvements of a skid trail that comes down to a landing area and there will be the construction of a landing area which is a flat area on the property usually adjacent to a road or accessible for a road where logs are brought down, collected, sorted and then loaded on whatever truck vehicle that's used to remove those logs from the site and take them to the mill. Both the skid trails and the landing area are temporary structures and are only in existence when the logging operation is going on. He said length of time for this operation under favorable conditions and continuous work would be about 2 ½ weeks so the length of impact is not long and this is not a very large harvest. Mr. Feldweg asked the Board how many have seen a timber harvest and Mr. Brenner said he did his property. Mr. Feldweg said this is not axmen and not swamp loggers, this is totally different and they don't do those kinds of things.

Ms. Olyha asked about the landing area and if was going to be totally cleared of trees and Mr. Feldweg said it will not be totally cleared of trees but some of the trees existing in the buffer area but the area adjacent to the road and probably in 2/3rds of the designated landing area will be cleared of trees. He said many of these trees are already marked for the harvest. Ms. Olyha asked how his marking worked. He said as 2 blue paint spots on the tree one 4 ½ feet which indicates the tree is to be harvested and one at the roof layer which is a check and balance system for him as a forester to make sure that the logger only cuts the trees that are marked. Ms. Olyha asked if they left stumps and he said yes.

Mr. Brenner asked what type of hardwoods they were taking off that. Mr. Feldweg said probably 90% Red and Rock Oak and there are some Black Oaks as well. He said he didn't there there were any Sugar Maple or White Oak on this sale. Ms. Olyha asked Mr. Feldweg to show him where the 18 was and Mr. Feldweg showed the Board on the map. Mr. Feldweg pointed out the Ridgeline and the two Federal Wetland areas on the far adjacent end of the property. Ms. Olyha asked if they were going into the Pines and Mr. Feldweg said no. Mr. Feldweg said there is actually a well house and an old pool site on this property and it used to be the Adler property.

Ms. Olyha asked the Board if they wanted to walk out and see this property before the public hearing. The Board didn't think it was necessary. Mr. Feldweg said this job has already been awarded to Wagner Lumber. He said they are a fairly big operation and their main presence is out in the western part of the state. He said the site maintenance of this job will be his responsibility and will be backed up by a performance bond. He said Wagner will be posting it with him in case there are any issues that arise they don't take care of. Mr. Komorsky asked about levels of noise to be expected and hours of operation for the 2 ½ weeks. Mr. Feldweg said there is not going to be weekend harvesting and normal business hours probably 7:00 – 4:00 and there would be chainsaws, logging vehicles and equipment. He said he would be monitoring the main skid trail quite closely for any signs of potential erosion. He said the landing area's topography is pretty friendly for a landing area. He said there is one potential drainage out to the south, extremely controllable and no signs of standing water or intermittent water that he could tell. Mr. Straub asked the end result of the road going in. Mr. Feldweg said Cole Road would be the access for this. The way the site is laid out it would be quite simple to provide a gravel pad for logging trucks to back in to so they didn't get into mud and track that into the road. He said the whole idea of putting the landing near the road is to avoid truck traffic in that would bring mud out. He said this job almost could

be loaded sitting on the side of the road. Mr. Straub asked if the road will be maintained as well and Mr. Feldweg replied absolutely. Ms. Olyha said clarify what you mean by road. Mr. Feldweg said Cole Road, Oswego Road. Mr. Feldweg said he probably wouldn't be going out Oswego Road with a log truck. He'd be coming in Oswego and out Cole. Mr. Straub said he was concerned about the loads on the roads. Mr. Feldweg said there are water trucks, dump trucks and oil trucks and are they allowed on Cole Road? Log trucks are basically the same thing. We are not talking tractor trailers. Mr. Olyha referred to Ken's concern about the canopy. Ms. Olyha asked if there were clumps in certain areas or are they all dispersed evenly. Mr. Feldweg said they were pretty much random, which is the whole idea of selective harvest. Because they are not promoting a forestry regeneration reaction, then the spacing of trees taken out.....the whole idea of a selective harvest is that you try to make more light resources for the trees you are leaving because you want to promote better growth so you kind of thin out if you will. He said the overall canopy so by doing that you really don't take out clumps. Ms. Olyha asked about Ridgeline. Mr. Artus said it was Ridgeline which is a Type I action which will require circulation. Ms. Olyha asked about how many trees? Mr. Feldweg said 121 trees. Mr. Artus said this would be a coordinated review. The Board set the hearing for August 20. The Board set an escrow for \$250.00. Ms. Olyha said you will need to circulate for the Newspaper. Mr. Artus said once he spoke to Eileen, she would need copies of the submission.

Mr. Straub made a motion to declare the Board's intent to be Lead Agency and to circulate. The motion was seconded by Mr. Gunn and carried unanimously. **CIRCULATE FOR LEAD AGENCY.**

FEEDS PLUS AMENDED SITE PLAN – Proposed Special Use Permit located on Red Oaks Mill Road containing 1.418 acres (Grid No. 6260-041596283).

Mr. Michael Berta appeared before the Board. Mr. Berta showed the Board a colored rendering which he said was not accurate. It was supposed to be a medium blue. Mr. Brenner asked what was on the 3rd floor and Mr. Berta replied nothing. He said in the zone you allowed 35 feet with 2 stories so the dormers are decoration but functional for space. He said they can't use the 3rd floor without going for a variance. He said the utilities are going in the basement and the utilities for the apartments will be going in the attic. Mr. Straub asked the building's dimensions and Mr. Berta said the building is 114 feet long. He said the elements on the end are the stair towers that are required for the 2nd floor and he is also using them as egress for the 1st floor. Ms. Livigni asked how long is the building out there now. Mr. Berta said it is 68 feet and with the 2 side building that add another 20 feet to it, which it is about 85-88 feet long.

Mr. Berta said the main area for the feed store is a little over 4,700 sq. ft. which will give him enough for his office and loading area and his rack space. Mr. Berta showed the Board the front elevation and what would be seen from the parking lot. He said he was trying to keep from the street scape with something more colonial because even though with the sidewalks we have to promote walking, the real fact is nobody is going to be walking there. Ms. Livigni said the view as you enter LaGrange from Poughkeepsie is going to be that top view. Ms. Livigni suggested a faux door and Mr. Berta said if the Board wanted and put a small colonial style porch there. Ms. Livigni said the back is very nice the front is..... Mr. Berta said he tried for 2 separate looks, the back is functional and with the feed store he tried to get more of a country look. He said the detail goes all the way around the building. The only difference is we have the metal roof which will be the same copper as the copula and the pigeon gutters. Mr. Gunn asked if he could have a faux porch coming out of the top elevation? Mr. Berta said yes, he could. Ms. Olyha asked if he could continue it all the way around and Mr. Berta said he wouldn't want to. Mr. Gunn said it would look more like a colonial house. Mr. Berta talked about the apartments. He said there are 6 upstairs actually 6 – one-bedroom instead of 4 – 2 bedroom. He said they are probably a little more rentable and added he didn't foresee anybody wanting them with kids to be living in this area on top of a feed store. Mr. Brenner asked about more parking and Mr. Berta said it's the same parking because it is ½ space per bedroom and then said actually they needed 2 extra spots. He said they

originally calculated the building at 5,300 sq. ft. and now the usable sq. footage for the retail area is 4,800 sq. feet so what we saved in parking for the building, we added 2 spots so the parking count actually decreased by one of the requirement for the retail. Mr. Berta said the parking count is staying identical to what they needed. He said it is still the 30% reduction that they are looking for the apartments which is what the code says they are allowed. Mr. Berta said the apartments vary from 540 sq. ft. – 960 sq. ft. and they are all one-bedroom apartments. He said they are providing on sight laundry for them as an amenity. Mr. Straub talked about the front end of the building and said it didn't strike him as being significant. He said this is our town and when you come in there's a lot of traffic there. Mr. Berta said that's a hard statement and asked Mr. Straub what he was looking for. Mr. Straub said it's not what he is looking for. Mr. Berta said you obviously have something in mind. Mr. Berta said he thought it was a quite stately building. He said he could do something that is very contemporary and modern but he was trying to do something that would stay around. He said this is the most cost effective building to put up, but it's also a style that won't go out of style. He said he could do a shingle or something modern but modern won't fit the regs. He said he could do something ornate and then in 10 years it will be out of style. Mr. Straub said his opinion monotone coloring maybe if we just change the color and break it up. Mr. Berta said it's the wrong blue and the print shop got it wrong so next time he would have the right colors. He said it's more of a New England medium blue. Mr. Berta said the color scheme they are trying to pick is a standard New England Style. Mr. Berta said he wanted to design a building in keeping with the regs and in 15-20 years having some ask what were they thinking.

Ms. Olyha asked Mr. Berta if he had a picture of the site plan itself. Ms. Olyha said he is trying to make it look like a barn...a feed store. Mr. Straub said he likes a feed store but the rendering to him did not look like a feed store. Mr. Straub said he didn't like the color. Mr. Brenner explained to Mr. Straub that the gables aren't flat, they project out and they have some depth. Ms. Olyha said the door to the south, is it a functional door and Mr. Berta said it was an emergency door. Ms. Olyha said there are no functional doors toward the street side of the building and Mr. Berta said no. Ms. Olyha asked about a sidewalk being put to get to the part of the building that you can get into and Mr. Berta said yes. The Board and Mr. Berta continued to discuss the original intent of that door which was an emergency egress door. Mr. Berta showed the Board the main entrance for the apartments and said he would extend the sidewalk over in the area he showed the Board. Ms. Olyha said she was looking at the intent of the code which is it is a Hamlet and you are trying to encourage people to walk, so now you are walking to a building that you cannot get into from the sidewalks. Mr. Berta said he understood her point and would work it out. Ms. Olyha said people don't like to take the longest path, the shortest path so keep that in mind when looking for sidewalks. Ms. Olyha asked about where they are replacing trees and islands and asked if he had a chance to do that and Mr. Berta said he was working on that with Joe Berger. Mr. Berta said the code contradicts itself. In one section it says that you should have a planting island every 30-35 feet and in another section it says you need to a tree for every 6 spots. He asked which should he follow. Mr. Gunn said air on the side of caution and Ms. Livigni said whichever one is greater. Mr. Berta said because this is a residential area we are going to be maintaining this buffer and most likely there will be a row of Norway Spruce or some other spruce. The Board continued to discuss the trees and planting island. Mr. Berta showed the Board where there would be screening and said he would have 1 tree for every 6 feet along the sidewalk. He said he was going to keep them low so they would not block the building. Maybe a flowering cherry or dwarf tree, something that doesn't grow more than 12 feet.

Mr. Berta said he would add the porch. Mr. Straub said turn it around, put the back on the front and Mr. Berta said he could not do that. Mr. Komorsky suggested putting a real door into the feed store and Mr. Berta said he was going to, a functioning door.

WOLERT SPECIAL USE PERMIT – Ground mounted solar panels. Proposed Special Use Permit located on Rte. 82 (Grid No. 6561-04-850194); initial presentation.

Mr. Carol Johnson appeared for the application. He said Trinity Solar is going to put the solar panels in and he said they were well within the 15 ft. property line. He explained where they were going and why. He said there are some shade trees. It's in back of the house caddy-cornered from their pool and it's not going to be intrusive on the neighbors. He said the panels will extend 81.90 feet long and no more than 10 feet high and 16.33 feet in depth....73 panels. Mr. Brenner asked how many columns and Mr. Johnson didn't know. The Board discussed the visual affect. Mr. Livigni said from Parcel Access it looks like there is an existing buffer. Mr. Gunn said he might want to consider trees along the property line and suggested hemlocks or forsythia or mayberry or marberry bushes. Ms. Olyha set the public hearing for August 20 and an escrow for \$250.00.

Ms. Olyha addressed Walter Artus and said behind them is a DEC and Federal Wetland . Mr. Artus said the DEC wetland would be a 100 foot buffer and Federal wetland typically doesn't have a buffer but if it falls into a town regulated wetland it would be the 100 foot.

Ms. Olyha brought up another issue about solar panels and Starzyk. She said they are not where they said they were going to go and there are no trees. She said the Board asked them if they contacted the owner and they said yes and they lied because she said she talked to Melina and Maureen, his daughters and they told the Board they talked to the daughters and Ms. Olyha said she spoke to the daughters and they said nobody talked to them but they might have talked to Melissa who runs the barn. Ms. Livigni said last time when they said they spoke to Frederickson, that was a lie because Jeff told her they never reached out to him. Ms. Olyha said this is the Starzyk property and they did put up the panels and they are not supposed to be where they put them. Ms. Olyha had a picture.

The meeting was adjourned at 9:00 PM.

Respectfully Submitted,

Eileen Mang
Planning Board Secretary

DRAFT