

A regular meeting of the Town of LaGrange Planning Board was held at the LaGrange Town Hall, 120 Stringham Road on Thursday, September 17, 2015 at 7:00 PM. Board members Stacy Olyha, Dennis Rosenfeld, John Gunn, Frank Sforza and Joe Zeidan were present. Robert Straub and Tony Brenner were absent. Also present was Marc Komorsky, alternate Board member. Wanda Livigni, Administrator of Planning & Public Works, Walter Artus of SMC, Greg Bolner of CPL and Ron Blass of VanDeWater & VanDeWater were also present.

Marc Komorsky was made a voting member in the absence of Robert Straub.

Mr. Gunn made a motion to accept the minutes of August 20, 2015, seconded by Mr. Zeidan 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 233.35 acres (Grid No. 6360-03-081270, 099220, 229310)

Ms. Livigni said she has been trying to get in touch with the developer for this project. She said the Board has been keeping this on the agenda for a very long time. She said they have been unresponsive and asked the Board if they wanted to consider closing it and state when they are ready to come back to re-advertise. Ms. Livigni said there is no point keeping this on the agenda that she can see. She suggested putting it on until October and she would send a letter tell them October will be their last adjournment until they are ready to come forward. The Board agreed.

Ms. Olyha declared the public hearing open. There was no one present to speak. Marc Komorsky made a motion to adjourn the hearing until October, seconded by Mr. Zeidan the motion carried unanimously. PUBLIC HEARING ADJOURNED.

SWECK-STROUP LOT LINE REALIGNMENT- Proposed Lot Line Realignment located on Oswego Road containing .44 acres (Grid No. 6662-03-078069)

Kim Sweck said they are proposing a Lot Line Realignment on Oswego Road.

Ms. Olyha declared the public hearing open for comment. There were none. Mr. Rosenfeld made a motion to close the public hearing, seconded by Mr. Zeidan and the motion carried unanimously. PUBLIC HEARING CLOSED.

Ms. Livigni said if the Board sees fit this would be ready for a Negative Declaration and approval. She said everything is cleared through Zoning and the Board of Health approved the location of the septic locations.

Mr. Rosenfeld 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. Gunn and carried unanimously. NEGATIVE DECLARATION.

Mr. Rosenfeld made a motion to grant preliminary approval, seconded by Mr. Zeidan and the motion carried. PRELIMINARY APPROVAL.

Mr. Rosenfeld made a motion to grant final approval, seconded by Mr. Zeidan and the motion carried unanimously. FINAL APPROVAL.

ADLER TIMBER HARVEST SPECIAL USE PERMIT – Proposed Special Use Permit located on Cole Road containing 22.28 acres (Grid No. 6661-01-061994)

Mr. Brent Feldweg, Forester in charge of the Timber Harvest project on Mrs. Adler's property. He said this is a sustainable selective timber harvest which means the forest will be left in good genetic condition when they are done which means good quality trees will be left for the next generation. He said the selective part means that the trees have been selected for harvest based on their financial maturity and size and marketability. He said they have been marked and this is a carefully planned operation. This will occur on about 18 acres of the 22 acres of the property. He said the overall canopy will be thinner than it is at present but it will be in tact. He said this will take place mainly on the southwest, southeast of the property. They have all been double marked, one at 4 ½ feet and one at the base, the stump level which will assure only the trees that are marked would be cut so that the marker stays on the stump. He said it's a checks and balances that Foresters use to make sure the logger and the timber harvester are doing the job right. He said 121 trees will be harvested totaling 27,000 square feet. He said there are 6,300 trees on the property. Mr. Feldweg said this is a mild harvest. The trees will be skidded out using an existing skid trail on the east side of the property along Cole Road opposite Wolf Lane, which is south of the old Adler home site and skid trail. He said the landing area will rise about 1/3 of an acre and that will be cleared of most trees to allow room to store logs temporarily to be taken off to market. He said the operations will be under his supervision as the Forester on the property and they will be paying particular attention to areas that are susceptible to erosion and keeping in mind weather conditions and soil conditions that exist out there. He said all the of the activity on the property by the Timber Harvester will be governed by New York State Best Management Practices which is a set of standards that New York State DEC has established in New York State and they are based on preserving water quality, site quality and keeping soils in place and keeping the harvesting sustainable. He said the harvesting contractor we will be using is Wagner Lumber and they will be required to post a performance Bond which will allow them to basically clean up anything that is disputed that needs to be cleaned up, which he added very seldom happens. Mr. Feldweg said it's a check and balance.

Ms. Olyha opened the public hearing and asked if anyone wished to speak. Susan Scheid 2646 Route 82 spoke. She said she is adjacent to the Adler property to the south. Ms. Olyha told Ms. Scheid the procedure. You state your question and then the applicant must respond to the comments in writing to the Planning Board.

Ms. Scheid asked how long this will take. She asked about the buffer to the adjoining properties. She spoke about erosion and indicated she was down slope. She asked who the contact would be if she spotted any difficulty that arises and Ms. Livigni said to contact her.

Ms. Olyha said there was also a letter from the DEC and CAC and Mr. Feldweg said he had them and asked to submit them. Ms. Livigni said we cannot accept submittals at the meeting because it creates a problem.

Mr. Feldweg asked when to submit the responses and Ms. Olyha said downstairs during business hours.

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

Ms. Olyha said once the minutes are ready you can get them and address the public comment.

HUDSON VALLEY FEDERAL CREDIT UNION SITE PLAN & SPECIAL USE PERMIT –
Proposed Site & Special Use Permit located on Rte. 55 containing 1.26 acres (Grid No. 6460-02-650904); consideration of SEQR determination.

Roger Keating from the Chazen Companies was present. Also present was representatives from the Credit Union Turner Construction and Mauri Architects.

He gave the Board a brief overview. He said last month he received comments from the consultants and revised the plan with mostly minor changes. He said one larger change was the removal of the parking spaces that were along Stringham Road, which generated a lot of discussion with respect to the parallel spaces that were going to be out on the road and they moved them into the site which changed the interior circulation. He said they have all 40 parking spaces inside the site, so it is consistent with zoning and also increase a little bit of the green space near the drive thru area as they were able to get rid of that lane and have one circulation pattern. He said some of the other comments included the stone walls and they revised them to add some curves and breaks in them to be more consistent with what is seen at the Hannaford Site Plan. He said at the last meeting they prepared a plan in response to some of the comments that came up with respect to the turtles. They have put together a turtle protection plan responding to the comments made about construction time ensuring they have adequate protection with a combination of curbing and fencing to do such a thing and it was also recommended they consider some signage within the site for people to look under cars before backing out and said they have added that to the plans as well. Mr. Keating said there was some discussion with respect to the lighting and they have been looking at that to consider shielding along that side to help reduce that. He said one nice thing about introducing the turtle fence along that property line is the New York State Safety Act that is considered a barrier and when they have a barrier they are allowed to stop their foot candle requirements at that fence line whereas if they don't have the fence line it is still subject to that Safety Act even though it's across the property, to maintain those levels. With the introduction of that fence in that location they can definitely do some work on it with a shield or even making it a more forward throw.

Mr. Bolner said it is treed along that edge and it is going on to the other property and it is wetlands mostly.

Mr. Keating said if you look at the plan it really doesn't look much different from what you have seen with previous applications with the exception of a little more green space in the interior. He said it is understanding that are up for a SEQR determination. He said the Credit Union is also in the process of trying to close on that property and one of the things which is a part of that process is to get some sort of condition of approval so they can continue to move forward with that process.

Ms. Olyha asked about a DEC letter from July and asked Mr. Keating if he saw it. She said it referred to them contacting someone. Mr. Keating said they did reach out verifying there are turtles and said he had a reply and Mr. Artus said we do need that this evening. Ms. Olyha said the letter she was referring to requested the applicant to contact Lisa Massi of Wildlife. Mr. Keating said the letter he had came from Andrea and said they received a response on August 11th. Ms. Livigni asked if it detailed the species and Mr. Keating said yes, it details the Indiana Bat, the Blandings Turtle and an Appalachian Oak Hickory Forest.

Ms. Livigni asked to look at the letter and said she would not accept it tonight but Mr. Keating would get it PDF'd to her. Ms. Olyha asked to see the turtle plan and green space. Mr. Keating showed the Board and described the green space.

Mr. Keating then showed the Board the turtle plan and described it. He said they would like to do the turtle fence all the way around but maybe the Board doesn't want as much fencing out there. He

described the curbing and the elevated curb to prevent the turtles from coming up into the parking lots. The alternative would be to take the fence bring it around and return it to the retaining wall to give them a clean connection point which basically secure that whole area. He said there is a nice advantage to that because they could do that off season and then when it came back around for construction time they would have a permanent measure in place so it would already be in place before construction started.

Ms. Olyha asked if there were any breaks in the curbing that if they happen to get into that area, they can get out. Mr. Keating said the turtle fence has an opening with only way which is out. Ms. Olyha said let's say they fall into the parking lot and they are in the parking lot is there a way for them to get out of the parking lot. He said they are going to use curbing as part of the project so they would incorporate the turtle curb into the normal curbing they would have within the project. Mr. Keating showed Ms. Olyha the fence and the retaining wall, that helps get their closure and he showed the Board on the plan.

Ms. Olyha asked about the curb going out of the parking area and if they were the right kind so they could climb back over. Mr. Keating said on the car side it would be your standard reveal and that normal curb would be everywhere interior to the site so they can get anywhere. He said he wouldn't want them to get trapped. Mr. Keating continued to discuss the curb line and the turtles.

Mr. Komorsky asked who would maintain this. Mr. Keating said everything they have discussed is a permanent measure that will live with the facility and this is something they would be maintaining. Mr. Keating said this will be a little unique because it will have an opening for the passage through.

Ms. Livigni said there was a comment letter in Greg Bolner's letter about getting something out to the Fire Inspector and recommended doing that sooner than later. Mr. Keating said they did provide extra plans when they did the submission to the town. Ms. Livigni said if you did, you are fine.

Mr. Artus said there were no more outstanding issue regarding SEQR.

Mr. Zeidan 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. Gunn and carried unanimously. **NEGATIVE DECLARATION.**

Ms. Livigni asked about deep hole tests. Mr. Keating said they grabbed some proctors for the building area and the canopy area out back. He said they did have a turtle monitor out there.

Mr. Artus said the main thing is we are still waiting on Health Department. Mr. Bolner said he had no major comments. Mr. Keating asked the Board could consider a conditional approval on the receipt of the Health Department. Ms. Olyha said the policy of the Board is we usually don't give conditionals when it involves other agencies. Ms. Livigni said in addition there is also the fire review. Mr. Keating referred to the DOT Permit and said they typically wouldn't pull that permit until we have a contractor. He said he did get an e-mail back from Chuck Walter saying he was ok with the plan but he wasn't going to have that permit until they are closer to having a contractor. He asked would that be a problem for approval. Mr. Artus said no you just need the letter of conceptual approval once you get Planning Board approval you will get the Highway Work permit from the DOT. Mr. Keating said since they have changed the insurance requirements we are not really wanting to own the construction permit because we are not the ones out on the road. He said they have to do sidewalk connections because we are touching the DOT sidewalk in the right of way. Ms. Livigni said it is town sidewalk and Mr. Keating said they do have a portion that is in the right of way and the waterline runs through inside and outside of the sidewalk.

Mr. Artus said relative to the SPEDES permit coverage, he is good to go with his comments and if Greg has any, as soon as they are addressed he would fill out the MS4 Acceptance and get it to Wanda so you can get your coverage. Mr. Keating said with respect to that, would it be ok for him to submit that to you and Wanda and then get it to Greg for the signoff. Mr. Keating asked would there need to be an additional escrow established for that piece. Ms. Livigni said the escrow policy is simple, when a submission comes in, a proposal is created and then collect the monies and whatever is in there at the end of it all will be given back to the applicant. Mr. Keating said ok, he is just making sure we understand.

CENTRAL HUDSON G LINE NORTH – Proposed site plan containing 148.89 acres (Grid No. Sponsor owns utility crossing various properties); consideration of circulation for Lead Agency.

Mr. Gary Cassaro, project engineer of the project for Central Hudson was present. Also present was Jennifer VanTyul, legal consultant from Cuddy & Feder, Greg Liberman, Environmental Consultant from EDR, Mike Compagna the Central Hudson Transmission Engineer for the project, Chris Callagaro, the area lineman foreman. Mr. Cassaro said they have submitted a site plan application with all the relevant documents. He said this project is a re-build of an existing 69 KV transmission line which they call G-Line North. He said it serves the local area and southern Dutchess County and it is a part of the transmission grid. He said the line itself was constructed in the 1930's so the reason for its replacement is age and deterioration. It's time to renew that infrastructure with modern materials, design and meeting current codes and to provide some storm hardening in the revised installation that will prevent outages and line trips. He said this is a line that runs within LaGrange as well as continues north to Pleasant Valley, The portion that Central Hudson proposes to rebuild spans about 8 miles. He said it goes from our Todd Hill Substation which is on Bushwick Rd. near Lauer Road and extends up to a few miles at one point 4 miles past our Tinkertown station which is in Pleasant Valley. The project also includes an expansion of our Todd Hill Substation with a new transformer which will feed this rebuilt portion of the line. He said the way the line breaks out is about 4.4 miles is in the Town of LaGrange and about 3.6 miles is in the town of Pleasant Valley. He said within LaGrange we have the majority of the line +the station expansion.

Mr. Cassaro said the lines are over 80 years old and we would propose to rebuild them with modern materials meeting current codes and from this rebuild we will have a line that has renewed infrastructure for the area, provide better strength and durability in storm resistance. He said we will have a renewed structure that will serve the area for many years to come.

Mr. Mike Compana, Lead Engineer for the project spoke. He said Gary did a good introduction of the overall project and he wanted to elaborate on another reason why this line was chosen for a full rebuild. He said in the last 13 years the G-line has seen over 50 outages due to lightening and due to vegetation falling on to the line. He said currently the line is actually 23-33 feet set off the right of way edge and as part of this rebuild they will be looking to move it 50 feet off the edge. Ms. Livigni asked how wide is the right of way and Mr. Compana said 50 feet. He said north of the Todd Hill substation there's a right of way with the C-line which they are currently re-building right now. As part of the storm hardening there's 2 options they are looking at to increase reliability and that is to move the line the 50 feet off the edge of right of way and also to increase the lightening mast which increases the distance from your shield wire to your actual conductors and in doing that you are creating a better shielding angle to your conductors which will prevent lightening strikes from hitting the conductor so it will hit the shield wire which goes down to the ground. Mr. Compana said because they went with the option of going with a full rebuild it gave him some flexibility with the design and you'll notice on the plan and profiles that the line is actually in a one for one replacement. He said they are going in and

optimizing the lines. The line as a whole started as 142 structures and they are moving it down to 114 and in Lagrange it is 84 to 62 structures.

Mr. Komorsky asked the height of the new pole. Mr. Compana said the new poles will range from 50 feet to 75 feet at the most. He said that is due to the lightening mast increase. He said they are upgrading the line to meet new standards so we have the National Electric Safety Code which comes out every 4 years with a new rendition and he said they hope nothing changes too drastically. He said this was built in the 1930's. He said along with optimizing the line they were able to reduce the pole count. Mr. Compana said that's basically a lot of what they have accomplished thus far in the design. He said just north of the Todd Hill substation, and this is new since they first presented the project, they will be rebuilding the distribution to 60 57 circuit distribution circuit on the new G-line which will reduce the number of poles in that corridor by more than half because they will be removing all the distribution poles, which is from Todd Hill to about a mile north of that location. Ms. Livigni asked if the footprint of the substation altering. Mr. Compana said yes. Ms. Olyha said so this isn't the one on Todd Hill, it's actually Bushwick Road. Mr. Bolner said in looking at the legend on the plans that were submitted it showed a dark dash line being the new line and then it had a light dash line being the existing line and then it appeared to be a line between those 2 that didn't seem to have a legend to it. He said right now there are 2 lines on the right of way. Mr. Compana said there's really only 2 lines from Todd Hill moving north to about Frost Hill Road and that is where the 115 KV C-line that they are rebuilding splits with the G-Line. Mr. Bolner said at Timothy Drive where the town has a water tank, there's 2 lines and 1 line on either side of the water tank, and asked will there be 3 lines? Mr. Compana said I believe you are seeing the distribution line that they are removing and putting underneath, under building on the G-Line. He said the water tank is a little bit north of it and added that's what he thought Mr. Bolner was seeing. Mr. Bolner asked so the line in the center, is that the new line? Mr. Compana said he is not familiar with what you are referring to. He said they have also identified the water tank. He said because of moving the line the additional 25 feet within the right-of-way it brought the line to be almost directly over that. He said they have identified it and have actually put a poll to the back end of that structure and that will increase our heights and they won't have as much sag in the actual conductor which will allow them to maintain their clearances that they need out to that structure. Mr. Bolner asked if the line is going to go right over the top of the tank? Mr. Compana said yes that is the poll they added to make up for the vertical clearance to your tank and Mr. Bolner asked what will the clearance be. Mr. Compana said 15 feet, and add a little into play into that. Mr. Bolner and Mr. Compana continued to discuss the line. Mr. Compana said what they would like to do during construction if possible with lining up everything, rebuilding that section of the G-Line from Todd Hill to Frost Hill Road in coordination with their C-Line rebuild that's going on and they want to do it so they don't disturb customers and they already have the matting as part of the C-Line section so the idea is they would be able to access that right of way using the same matting they have for the G-Line and they would have a perfect termination point for the G-Line. He said they can actually heat up the G-Line, it won't be a problem, leave it for about a year or maybe even less and then come back and finish up the G-Line. With that section of the G-Line being completed in coordination with the C-Line so we don't have to go in there a year after.

Mr. Zeidan asked if was going through the development where Vervalen is and Lincoln Ridge and Mr. Compana said yes. Mr. Zeidan asked if they considered going through the development underground and Mr. Compana said part of the beginning studies of almost any job. They do consider undergrounding, it is extremely expensive for transmission lines to go underground and it poses a problem in terms of maintenance because when you have an overhead line problems are very easy to identify and the issue with underground you end up with more disturbance because you have to dig up and find where the issue is. Mr. Cassaro said even if you underground the line you still have to maintain a right of way for access so no one could build over it and you still end up having to clear the area no matter what. Mr. Komorsky asked a question that was not audible. Mr. Compana replied you are looking at the Todd Hill substation

and directed the board to look at the G-Line G#2. He pointed out the C-Line coming out to the north Todd Hill substation, that's 115 KV line they are rebuilding right now. Mr. Komorsky asked what else is coming in there and Mr. Compana asked in terms of the substation?, Mr. Cassaro stepped up and said what we have here in the existing substation is 180-190 foot substation they are looking to extend it 60 feet out the northern end which back end from Bushwick Road. He said the reason for the expansion and fence line rearrangement will be to add a new 115 to 69 transformer. He talked about bus work between the transformer and the switches and also a new dead end structure which is an 8 structure that basically takes the stress when you come off the transmission line to the substation so that's the structure that breaks the stress between the transmission lines and the equipment in the substation. He showed the board the control house and said there would not be a new one put in. He said there is adequate space and capacity in this building to add cabinets to accommodate the new transformer. He said if you look at the site plan, there will be some storm water management on the east side. He said it is to comply with DEC requirements for storm water management.

Ms. Olyha asked how wide the current right of way is and Mr. Cassaro said it is 150 feet wide. Mr. Compana said they will not be requiring any right of way for this project. Mr. Cassaro said this is a line that is on an existing 150' right of way and it will remain 150'. He said the property line this runs on is all easements to Central Hudson. He said the only property Central Hudson owns with this application is the substation, a little under 4 acres. He said the existing property will accommodate the expansion they are proposing on the substation site. Mr. Compana said as a general replacement for these poles, the new ones are brown, weathered steel poles with a rust _____ on the outside and the rust actually helps with the degradation of the pole. He said they like them because they look nicer and he said they have their post insulators. Mr. Compana said they believe it looks more natural than galvanized steel poles. He said because this is an older line they've had to do replacements in the past and they have replaced with steel. He said the steel that is actually on the line right now is very similar to a full rebuild and most of the time it is the same configuration. He said they call this a post tangent structure because we have our post insulators which hold our actual conductor and it will be a single pole all the way down.

Ms. Olyha asked if the poles hit the center line and said she was worried about collapsing and said when you are within the 150 foot you have 75 feet on each side so a 50 foot one wouldn't matter but if you are getting closer to an edge, how do they run toward the homes? Mr. Compana said in terms of homes we have our clearances that we have to maintain as far as the National Electric Code. He said he didn't know the exact percentage but for a lot of the homes this move will actually move the poles away from people's homes which they thought was very advantageous. He said in terms of moving toward the edge of right a -way they are moving within the right-of-way so we would be actually further away from that edge. Ms. Livigni said the town had explored putting controls in with the radio feed to do down to the pump station and they had a tremendous amount of problems getting the radio to work. He said the town engineer explored that with somebody at Central Hudson and they are looking to go to cellular and asked is there any chance for interference with cellular coverage at that water tank with an antenna to transmit data. Mr. Compana said he wouldn't be the person to ask and said he could find out. He said they have done a lot of electrical studies and added he didn't know how that would impact. Ms. Olyha asked about a study for electromagnetic fields. Mr. Cassaro said there is a study document within the application. Ms. Livigni said it wasn't over the tank before and they still had problems so if it is going directly over the tank now they don't want to put in new controls that won't work. Mr. Cassaro said the existing line is installed 25 feet from the western edge of the existing 150 foot right-of-way. He said this proposal moves it 25 feet to the east so it puts 50 feet from the western side of the 150 foot right of way. Ms. Olyha asked do you keep the clearing the 150 feet? Mr. Cassaro said correct and the magic number of 50 feet is more of a Department of Public Service requirement for high voltage lines that they use on this also to have a cleared space to try to reduce the impact of storm damage from falling trees and tree limbs from wind damage. He said 50 feet is considered minimal for allowing that cleared space so you avoid tree fall on the line. Ms. Olyha said if you are only 25 feet away, then you can only get 25 feet and Mr. Cassaro said

presently, yes and added that is kind of a deficiency right now and that is why they are looking to correct that and move further into the right of way. Mr. Zeidan asked time table to get this done. Mr. Cassaro said they have 2 projects going hand in hand, the substation expansion and the lines. The substation expansion will probably be completed somewhere in the middle of 2017 and the lines has a completion date toward the end of 2017. He said they are coordinated. He said there is work going on the C-line, that 2.5 mile stretch with this line and if they were to get approvals that match the work for the C-line which they are intending to do around early to middle part of next year. He said the C-Line will be completed before April and looking to get into that November-December.

Ms. Olyha said she has the expansion in front of her and there is an extensive amount of drainage and detention ponds and asked if they were taking down the trees on the sites. Mr. Cassaro responded on that edge, yes. The eastern edge. There is a dirt access road there now along that side of the right of way but they would be trimming a little further in to accommodate an access road and the storm water measures that are needed. Mr. Cassaro said he believed the pond is more toward the northern end of the substation and that area is cleared right now. Mr. Liberman said the existing conditions plan for the Todd Hill Substation shows the existing access road, drainage swale and culverts that are all in that same vicinity and there is some clearing along the eastern edge and it's not a full clearing so as you are coming up Bushwick Road there will still be a tree line between the road and Todd Hill Substation. He said the majority of the clearing is far in the back and in fact in the simulation we actually show the revised tree line in terms of what's been cleared. The majority of the clearing is that back northeast corner. Coming up through Bushwick Road you won't even see it. The only vantage point to see the substation in general is from the driveways you are coming down, The arborvitae out front will remain as will the shrubbery out front will remain so the clearing is that edge with the majority in the back corner. Ms. Olyha asked if the swale was all grass and Mr. Liberman said they would be seeded and vegetated. Mr. Liberman from Environmental Design and Research went over the reports that were in the application package. He said the reports that were included were to support the information in the EAF and to provide enough information for the Board to make a decision relative to SEQR. He said they looked at all facets of the ecology and they looked at wetlands and streams and identified 18 wetlands and 9 streams, 2 of the wetlands are DEC wetlands and 5 of the streams are DEC streams. He said are avoiding all together 8 of the wetlands and the remaining are not being disturbed, they are being crossed and they will be crossed through the use of temporary construction matting to avoid impact. He said so when they speak to disturbance they are talking grading or building, the only grading relative to development would happen at the Todd Hill station. Everything else is just temporary access for construction vehicles. He said they are not proposing any new culvert or crossings. There is no new on right of way access roads that would cause any permanent or direct impacts to wetlands.

He said they reached out to the New York Natural Heritage Program and U.S. Fish and Wildlife relative to endangered species, Indiana Bat, Northern Long Eared Bat, Blandings Turtles are all within this area and they are well aware of it and have made concessions for winter clearing and clearing in fact is generally limited to this area and they've been able to minimize those impacts with respect to the Blandings Turtle. He said Central Hudson has a very robust protocol for this type of work that is already being implemented at the A & C line and all of those measures will be rolled out here for this project, monitoring, sweeps in the morning, construction work use of matting, etc. He said they are trying to get in front of the environmental issues and pull that into the design process. He talked about cultural resources they have coordinated with the OPRHP office and they have initial concerns of an area in the Town of Pleasant Valley and they have done an additional Phase 1 which was submitted and said they don't have the final letter of no affect yet but they expect it to be forthcoming. He said there was a noise study for the Todd Hill substation and said he couldn't speak to that and broadly there are no impacts found and this was done by Hush Acoustics. He said there is a SWPPP included for our project as well as the permit and controls at Todd Hill Substation and they took a pretty hard look at the visual impacts. He said they looked at it in 4 phases. We looked at a 1 mile radius around this line and they identified

sensitive sites in accordance with the DEC standards for visual impact, they looked at areas of state parks, areas on the federal registry and areas with sensitive site receptors where visual impacts could be a concern. From that point they actually went out and drove and took pictures of this route from every vantage point within that 1 mile radius and that is documented in the submittal as an attachment to the EAF, with a total of 70+ pictures. He said they then conducted a view shed analysis where they identify how much of this 1 mile radius is this line visible taking into account topography, heights of existing structures, forest cover and it turns out, less than 20% of the 1 mile radius can actually see the existing transmission line. He said when you overlay the new post poles proposed heights it actually increases by roughly 1% and added it is really marginal increase. He said in the areas where visibility remains, they are the same as they were visible in the existing condition. He said they went in and developed some simulations. They developed 4 total, one in Pleasant Valley, 3 in LaGrange and the goal with them was to present cross-section, road cross section of what this line will look like. They provided a range of landscape zones; they looked at the substation, at residential and agricultural areas and tried to include a difference of distances so everybody can get a real picture of what it is going to look like. He said what they found is this turns into a consolidation of 3 different pole structures, 4 in total with different prosperations, large insulators really to a streamlined monopole uniform design which has become the new typical condition of this line. He said they believe there is enough information in there, certainly a lot but for a project like this, it is warranted to support the EAF and help the Board as you make a decision.

Ms. Jennifer VanTuyl from Cuddy & Feder spoke. She said there has been discussion as to the extent of the action in this town as compared to the extent in the town of Pleasant Valley. She said this is a Type I Action because it involves physical disturbance of 10 acres or more just because the length of the right-of-way and it is also a Type 1 Action because a portion of it is in an agricultural and what that means is the SEQR review must be coordinated and you have a list of the various involved agencies and added it makes sense for the Planning Board to be the Lead Agency because the Town of LaGrange has most of the line and also has the work at the subdivision but that doesn't mean that all other involved agencies won't have input into the process but all things considered it is appropriate for the Planning Board to consider Lead Agency status tonight. She said there are some outstanding issues about zoning interpretation that are before the Zoning Administrator in LaGrange and Pleasant Valley which involve whether a special permit is required under the Ridgeline Protection because it talks about new development and they have submitted that application to the Board in the event it is required and she added they do not think it is that is not to say they have not done a thorough job of assessing the impacts of your ridgeline protectionary as Greg described. An extensive amount of work has been done in the visual and other impacts on those sensitive sites. She said those interpretation issues remain outstanding but that is not a reason to delay circulating and that is what she request the board consider tonight.

Ms. Olyha asked if they have been before Pleasant Valley. Ms. VanTuyl said they were before the Town Boards of both LaGrange and Pleasant Valley late last year. She said they also met with Ken McLaughlin here and Mike White in Pleasant Valley. She said they will be on the October 8th meeting with Pleasant Valley but all of the issues of Lead Agency and their suggestion, we've made it very clear that it is up to the Boards, not us, who you wish to designate as Lead Agency. She said they have said to both Town Boards that they we thought it was appropriate that the Planning Board in LaGrange be the Lead Agency. Ms. Olyha stated within our town you go through more residential areas with homes than in Pleasant Valley, with more people that are affected than in Pleasant Valley. Ms. Olyha asked does the board have any objection to circulate for Lead Agency. There was no objection.

Mr. Rosenfeld made the motion to circulate for Lead Agency, seconded by Mr. Zeidan and the motion carried unanimously. CIRCULATE FOR LEAD AGENCY.

PAGE SELF STORAGE AMENDED SITE PLAN – Proposed amended site plan located on Rte. 55 containing 21 +/- acres (Grid No. 6560-01-417899)

Mr. Jon Bodendorf was present. Ms. Livigni explained to the Board that Page Storage came in for a municipal search for whatever reason and in doing so the Building & Zoning Administrator found some violations because it doesn't match the approved site plan and was not in compliance. She said there appears to be a lot of construction material stored in the back. Mr. McLaughlin indicated that some soil mining may have gone on and also there are some RV's parked along the back, which aren't too visible from the road but they are there. She said Ken had a discussion with the property owner and he told the property owner in order to proceed with releasing the municipal search he would need to get an amended site plan application in front of the Planning Board and keep it active as well as put up a bond. Mr. Page has put up the bond and Mr. Page has made a partial submission and we are still waiting on plans. She said Mr. Page is on vacation this week and Mr. Bodendorf is the applicant's engineer and hasn't been directed to do much other than to be present tonight. She said the reason Mr. McLaughlin wants this on the agenda is because he said in the municipal search that the application was to be active in front of the Planning Board. She said no one showed up last month and we are trying to keep it active.

Mr. Bodendorf said in all honesty the first he heard of all of this was 2 days ago because he was copied on an e-mail. He said Mr. Page is out of town. He said he didn't think Mr. Page quite understood what was being asked of him. Mr. Bodendorf said what I brought here tonight is what Mr. Page believed is what the town was looking for and Mr. Bodendorf said he was pretty sure it was not. Mr. Bodendorf said he has not been officially retained to do anything at this point but they do expect either his firm or somebody else will be when he gets back. Mr. Bodendorf said he had nothing further beyond that. Ms. Livigni asked if Mr. Page indicated when he would be back. Mr. Bodendorf replied middle of next week. Ms. Livigni said maybe it makes sense for him to meet to Ken and herself and you if you are retained to go over the details. Ms. Olyha asked to be included in the meeting. Mr. Bodendorf said he would be happy to relay this to him. Mr. Komorsky said we have a piece of property with a number of violations on it, is that correct? And the answer was yes. Ms. Livigni said we will include the Planning Board Chair, it's really to get a complete application in the door and there hasn't been a plan submitted. As a courtesy Mr. Bodendorf came in to give you an idea of what's out there. Ms. Livigni said we are just trying to make this whole with the municipal search and the documents that came out of the town. Ms. Livigni said she appreciated Mr. Bodendorf coming in representing this without being retained.

There was a discussion as to who was next door to this and Roger & Sons was next door. Mr. Gunn said Eberhard's old building in the front and Roger & Sons went in the back. Ms. Livigni said our understanding is there is an arrangement between the 2 property owners that he puts his material there. Ms. Olyha said so the material in Page's belongs to the guy next store and Ms. Livigni said yes.

HIDDEN POND ESTATES SUBDIVISION – Proposed subdivision located on Bart Drive & Martin Drive (Grid No. 6360-03-478160) discussion concerning re-approval.

Mr. John Goetz applicant appeared. He said the Board asked last month for them to go before the Town Board to explain their intentions were with this project. He said he believed his attorney sent a letter to your town attorney stating their intentions as well. Ms. Livigni said last month Brian Stokosa showed the board the revised conceptual plan and she told the Planning Board it had to go back to the Town Board and it is tentatively on the October 14th Town Board agenda. She said she thought the town's attorney recommendation was.....Mr. Blass interjected and said he has received a communication from a lawyer representing the project. The purpose of the communication was to declare the project's position that it had the right to walk away from a \$60,000 contract with the Town to purchase a former well parcel which is a part of the project approved in June, 2014. The Town Board is politely considering that letter but has certainly taken no position with respect to that request and is reserving all of its rights under its contract.

In that regard it would be his recommendation to the Board to grant the maximum allowable re-approval of the subdivision that you have already approved in June, 2014 because quite honestly it doesn't do any harm and more significantly he didn't think the town should be taking any action which in any way erodes the project approval at this time that this board bestowed upon the applicant in June, 2014. He said the real estate contract of sale was contingent the giving of that approval by the Planning Board and gave it in June, 2014 and the town's rights under the real estate contract to sell ripened as a consequence of the fulfillment of that condition and the town doesn't want to do anything that at this stage pending the hearing the applicant at the Town Board level, that is inconsistent with its rights of that real estate contract. Therefore it was his recommendation to entertain the written resolution he presents tonight which will reapprove the project which was approved in June, 2014 and will basically take the approval out to June, 2015, prior to which time if the applicant wants to abandon the approval, it can certainly do so but the town would not be wise in assisting that endeavor at this point in time for the reasons stated.

Mr. Goetz said that is fine, he is real for re-approval tonight.

Ms. Olyha said it basically buys everybody some time to talk it out, think it out and be done and Mr. Blass added without prejudice.

Mr. Zeidan made a motion to grant Hidden Pond Estates re-approval, seconded by Mr. Sforza and the motion carried RE-APPROVAL GRANTED.

REQEUST FOR RE-APPROVAL:

SLEIGHT FARM SUBDIVISION PHASES 5 & 6 – Requesting re-approval. Sleight Farm Subdivision six (6) was granted final subdivision approval on June 21, 2004. Subsequent approvals were granted May 18, 2009 and October 18, 2012.

Ms. Olyha said the Town Board made a recommendation to the Planning Board to grant a re-approval.

Mr. Gunn made a motion to grant Sleight Farm Subdivision phases 5 & 6, seconded by Mr. Rosenfeld and the motion carried unanimously. RE-APPROVAL GRANTED. This re-approval is for a period of 3 years.

ROLLING MEADOWS SUBDIVISION – Requesting 8th re-approval of final subdivision approval.

Mr. Rosenfeld made a motion to grant re-approval of Rolling Meadows subdivision, seconded by Mr. Gunn and the motion carried unanimously. RE-APPROVAL GRANTED.

LAKE RIDGE SUBDIVISION – Requesting 8th re-approval of final subdivision approval.

Mr. Larry Paggi was present. Mr. Komorsky made a motion to grant re-approval of final subdivision approval, seconded by Mr. Rosenfeld and the motion carried unanimously. RE-APPROAL GRANTED.

REFERRALS FROM TOWN BOARD FOR DISCUSSION AND/OR COMMENT – Town of LaGrange proposed Local law amending Ch. 240, Zoning to add a new section 240-70.2 entitled Solar Energy Systems, amend Schedule A1.1 of section 240-27, amend schedule A1.2 of section 240-27 and to add new footnote 39 to schedule A of 240-27

The Planning Board had a discussion regarding the above referral and attached please find a copy of the discussion summarized along with comments and/or concerns from the Chairman of the Planning Board.

Mr. Gunn made a motion to adjourn the meeting at 9:00 P.M., seconded by Mr. Sforza and the motion carried unanimously. MEETING ADJOURNED

Respectfully Submitted,

A handwritten signature in cursive script that reads "Eileen Mang". The signature is written in black ink and is positioned above the printed name and title.

Eileen Mang
Planning Board Secretary.