

A regular meeting of the Town of LaGrange Planning Board was held at the LaGrange Town Hall, 120 Stringham Road on Thursday, November 19, 2015 at 7:00 PM. Board members Stacy Olyha, Robert Straub, John Gunn, Dennis Rosenfeld, Frank Sforza and Marc Komorsky were present. Tony Brenner and Joe Zeidan were absent. Also present was Wanda Livigni, Administrator of Planning & Public Works, Greg Bolner of CPL and Ron Blass of VanDeWater & VanDeWater.

Marc Komorsky was made a voting member in the absence of Tony Brenner.

Mr. Rosenfeld made a motion to accept the minutes of October 17, 2015, seconded by Mr. Straub and the motion carried unanimously. MINUTES ACCEPTED.

#### **PUBLIC HEARINGS:**

**DALEY FARM DEVELOPMENT** – Proposed subdivision and site plan located between Titusville Road and Colleen Court containing 233.33 acres (Grid No. 6360-03-081270, 099220, 229310)

Ms. Olyha said the applicant has asked for an adjournment until December because we had given them some questions and they felt they didn't have enough time to respond so they are being given to December to respond.

Ms. Olyha opened the public hearing, there was no public comment. Mr. Straub made a motion to adjourn, seconded by Mr. Rosenfeld and the motion carried unanimously.

**CENTRAL HUDSON G. LINE NORTH** – Proposed site plan containing 148.89 acres (Grid No. Sponsor owns utility, crossing various properties); declare lead agency and set special meeting for the PV public hearing being held on December 8<sup>th</sup>

Ms. Olyha said PV is going to hold a public hearing on December 8<sup>th</sup>, 2015 at the Town Hall in PV and they have invited us to come to their hearing so we can see the public responses and hear their comments so that we can use those in our SEQR determination if we declare ourselves Lead Agency. She said the first order of business is to declare Lead Agency. She asked if everybody got the resolution that Ron Blass sent out. Mr. Blass said the applicant has submitted a very thorough resolution as a proposal for the Board to make it's own, if you are so inclined. He said one of the key aspects of it is to submit your status as Lead Agency and another is to establish December 8<sup>th</sup> at 7:00, hypothetically as a special meeting of this board because there may well be a quorum there and so the open meetings law would suggest that this be declared as a special meeting even though there is no intention, as he understands it, that PV will make you a co-agency with respect to PV and its review of the site plan and other approvals in that municipality. He said you are there by invitation to watch, to observe and to take that experience and add it to your basis for making a SEQR determination. He said the third of the proposals in the resolution is to establish a public hearing for this Board for December 17<sup>th</sup> at 7:00 PM. He said other than that, the proposed resolution, which he has reviewed extensively and worked with Jennifer on has an excellent road map and a set of guide posts for issuing the appropriate notices by publication and direct mailing and taking into account age and markets variables and your own town code procedures and if you were to go with this resolution which he thought had no legal impediments, for one Eileen will have an excellent road map to work through the notices. He said the resolution serves those 3 central purposes in addition to giving the board the appropriate and accurate procedural guideposts and whether you use it as a resolution tonight or use it has an excellent set of guide posts is totally up to the Board.

Ms. Olyha read the entire resolution into the record (which is attached.)

Ms. Olyha continued to discuss the public hearing with the Board. She said the information will be coming into our Planning Office and distributed. She said we are the ones making the determination, keeping in mind how they feel in their town. That's why we want to attend their meeting so we can see the interaction between their people and board. Ms. Livigni said that public hearing in PV is actually their site plan public hearing. This Planning Board would be there to hear comments to be considered for SEQR, but for them it is their site plan hearing. Ms. Olyha said we are going to hold our public hearing on December 17. Ms. Olyha talked about a site visit and suggested after the public hearing and asked the board if they were interested in walking the line after we hear PV's comments and our comments. Ms. Livigni said there might be site specific locations after the public hearings to be identified.

Ms. Olyha suggested doing all 8 miles. Ms. Olyha said she was thinking the Saturday after LaGrange's public hearing. She recommended December 19<sup>th</sup>. The consultant for Central Hudson was not available. Ms. Livigni said the Board should have Ken's memo concerning a variance. She said it doesn't look like we will be closing SEQR out that soon.

Ms. Van Tuyl said SEQR must be completed for the Zoning Board to make a decision. Ms. Livigni said she knew that. She said the decision couldn't be made December 17, it would be January. Ms. Livigni said height issues concerning SEQR might be relevant and Ms. Van Tuyl said it would be great if Mike could be there because he is the designer of the line and chose why and how spans are being optimized.

Ms. Van Tuyl said they are very happy to have Ken's determination and they are now able to file for the variances. She said anticipating the possibility that Ken would rule that a special permit was required they have filed it. She said they will try to accommodate the Board with dates. Ms. Olyha said talk about weather getting bad was talked about so she didn't want the site visit to fall too far into January. Mr. Blass suggested between December 8 with the PV public hearing and Dec 17<sup>th</sup> with the LaGrange public hearing. Ms. Olyha said the only thing is they won't hear what LaGrange's comments are until after. She said we will hear PV's side not ours.

Ms. Van Tuyl and the board continued to discuss the site visit and picking a date. She suggested it might be helpful to see the line first before the public hearing. Ms. Olyha suggested December 12<sup>th</sup> or wait until January. Mr. Straub liked that idea. The Board agreed on December 12<sup>th</sup> at 9:00. The issue of where to meet was discussed. It was agreed to meet at the LaGrange town hall. Ms. Van Tuyl said Chris Callajaro can clear some space at the sub-station and agreed to meet at the Town Hall. So the final decision was to meet on December 12 at 9:00AM at Town Hall. Mr. Callajaro said he must notify the property owners before we come out on the property. He said he would have to do that and get their permission.

Ms. Van Tuyl so to be clear we are going to walking the portions in both Pleasant Valley and LaGrange. Ms. Olyha said yes. Ms. Livigni asked Ms. VanTuyl for a digital copy of the resolution and Ms. Van Tuyl said absolutely, both the notice and map and as noted she will send a location map to each of the recipients. Ms. Olyha said after the public hearing on the 8<sup>th</sup> in Pleasant Valley she would compile a list of comments before the 12<sup>th</sup>.

Mr. Straub made a motion to accept the motion as read, seconded by Mr. Gunn and the motion carried unanimously.

PAGE SUBDIVISION & LOT LINE REALIGNMENT – Proposed subdivision & Lot Line

Realignment located on Rombout Road containing 65.28 acres (Grid No. 6361-01-483824, 438728); initial presentation

John Andrews of Royde, Soyka & Andrews was present. He said this is a combination of a subdivision and Lot Line-Realignment. He said they are starting out with 2 lots, a large lot shown in green, the Page house parcel, approximately 60 acres and the 2<sup>nd</sup> parcel in pink, the old Hennessey house which is about 4.9 acres. He said they are proposing is the subdivision of lot # 1 and the realignment of the lot lines for the Hennessey parcel to end up with basically 3 new lots, He said Lot 1 meets or exceeds the zoning requirements, it's over 3 acres. The reconfigured existing parcel with the Hennessey house is going from 4 acres to 2.1 and the new lot # 2 is a little over 3 acres and the balance would be the remaining Page Parcel which is going from 60 acres down to about 55 acres. He said the 2 new lots will be served by wells and individual septics, new driveways. He said that is basically their proposal. Ms. Olyha asked about the access to the back part of the parcel and if it was through where it says other lands. Mr. Andrews said there was an existing driveway there with an existing house. She asked about the big house in the back and asked how you get to it. Mr. Andrews showed her. Mr. Andrews oriented the board, showing them Overlook Road, Rombout Road and Hennessey. Mr. Andrews said we are basically creating 2 new lots. Ms. Olyha asked about getting lot 1 off of Hennessey, because it has really bad curves. Mr. Andrews said he would go back and revisit it and he said if there is a way he can do something, that would be his preference. He said he did line of site analysis. Ms. Olyha said it's not really just line of sight, she said if there is any bit of frost or ice whatsoever, that particular turn sets everyone off. She said even if the rest of the county is fine, that particular curve is horrible in the winter. Mr. Andrews said if he could, he would try to re-orient that turn to get it off Hennessey and added it was a good point. Mr. Andrews said they have done deep tests and they are convinced they can get the septics on that. Mr. Rosenfeld what the pink lines meant. Mr. Andrews said it showed the existing parcel, 4.9 acres. He said there is a single map in the middle and apologized for the quality of the map.

Mr. Straub asked about future plans for the remaining large piece. Mr. Andrews said the rest of the large piece would stay and one of the reasons they chose those, when you sit up at that big house, you can't see this land, it slopes down so if this were to ever be sold or transferred, those houses, you can't see them.

Mr. Straub asked is it a possibility in the future that could be split? Mr. Andrews said if someone in the future wanted to subdivide that, it's entirely possible, and added it's not contemplated and he said the value of the house and the way it is sighted and the way the property falls around it, someone would be kind of foolish to develop around it because you don't want to look on a development from that kind of house, so that is why they picked the location, because it is less visible. Mr. Andrews said the likelihood of that land being developed is pretty slim. Mr. Straub suggested preserving the green area for the future. Mr. Andrews said he understood but didn't know if his client would be willing to do that. He said he can ask, but don't be surprised if the answer was no.

Mr. Page said it had an agricultural exemption and it has to be renewed on a periodic basis.

The Board set an escrow for \$1,000.

**LUCAS PV ARRAY WETLANDS PERMIT** – Proposed Wetlands permit located on Skidmore Road containing 34.2 acres (Grid No. 6562-04-654210); initial presentation

Ms. Molly Williams from Hudson Solar and Carlos Nookum appeared before the Board. She said they are present for their client Dieter and Dana Lucas at 330 Skidmore Road. She said this was approved with screening and then it was discovered they were in a flood area when they went to get the Building application. She said they filled out a floodplain application and then it was discovered they were in the 100 foot buffer of the wetland so they filled out the wetlands application. So they are hoping to get a wetlands permit to move forward with this and then the building permit. She said it's 4 poles being put behind a row of trees planted by the homeowner and there is also tall deciduous and evergreen trees in a line existing. She handed the board a packet showing the 100 foot buffer. She said essentially there is a couple of gardens and then an area they use for an ice skating rink. She showed the board where the 4 poles would go, left to the garden area. Ms. Olyha asked where is this in relation to the previous approval and Ms. Williams said it is in the same spot, they haven't moved it. She said the reason is they want it to be in an area that has the maximum solar resource and the most economical for the homeowner and most bang for its buck in terms of solar and closest to the house so the trenching is the least invasive and minimal impact. She said for the aesthetics, they want it to be as far away from the road to create a barrier from the road in that way. She said it is in an ideal location for all of those factors and there is no other place on the property to find that combination.

Ms. Livigni said to re state, you are not looking for any changes to what was previously approved as far as location and vegetative buffer, it is solely for the Wetlands buffer. Ms. Williams said they didn't realize they were in a 100 foot buffer because they would have done this all at once if they had known. Mr. Gunn asked if this was something the Army Corps of Engineers changed recently and the answer was no. Ms. Williams said there is a combination of wetlands, shrub wetlands and fresh water emergent wetlands that are located there. She said it is a nice swath between his property and a different property, a lot of which falls on the Lucas property. She said this array is in the developed part of this property. Mr. Straub asked about how much disturbance? Ms. Williams said just 4 posts. Mr. Nookum said they are going to have buried conduit, 1 ½ going through that is water proofed and meeting all requirements. Mr. Straub asked how deep and Mr. Nookum said 24" deep, which is national electric code. Ms. Livigni said and it is already disturbed. Ms. Williams said it is in an area on his property which is very well manicured and not in the wetland at all. She said it will meet all the codes in order to withstand flooding so if it were to interact with water at all, it would be safe from the water and water would be safe from it, it wouldn't impact it in any way.

Ms. Olyha referred to the Dutchess County Parcel Access map and asked if the blue shown was the actual floodplain and Ms. Williams said correct. The green is the wetland? Ms. Williams replied National Wetlands Inventory. Ms. Olyha said not only are they within the buffer of the wetlands, they are also in the floodplain and Ms. Williams said correct. Ms. Olyha said if you look at that page you will see that the floodplain is in every single piece of that property except for along the road frontage. Ms. Williams said it is zone A and that application is pending the Board's decision on the wetlands application. Ms. Olyha said also including the barns and the house and everything

on that site. Ms. Olyha said since it is in the floodplain we have to check that the four post array does not affect the flood elevation. Ms. Livigni said Building and Zoning is taking care of that. Ms. Olyha said we have to have a public hearing and added we can't grant the permit not knowing if it's going to affect the flood elevation; it's a part of SEQR. Ms. Livigni said we will have an answer next month, a conceptual answer, but the permit cannot be granted. Ms. Olyha said one thing this board has to look at it according to SEQR is that the flood elevation will not change with the new structure going on the floodplain. Ms. Williams asked so in other words, will the installation of the PV affect where the flood water goes? Ms. Olyha said the way it works, yes, it can work through it, we have to make sure it's not going to raise the elevation of where the floodplain boundary is. She said if you put a structure in the blue area and it changes because of the amount of water and how it flows and changes it to move to a different contour, then we are not allowed to let that happen, so that's what we have to look at. Mr. Nookum said it's basically 6 inches and Ms. Olyha said she knew that. She said depending where the flow is, and asked if there was a stream and she answered that by saying yes, there is a stream, the one that goes by Freedom Park. Ms. Olyha said so now that you have put an obstruction in it, it could change where that boundary is. Ms. Olyha said that has to be looked at for SEQR, it's a calculation, very easy to figure out but it has to be done in order for us to say, yes, there's nothing wrong. She said because if we say we can do it without that, then we as a board have not done what we are supposed to do in every aspect.

Ms. Williams said she was confused because they were here for the Wetlands permit, not the floodplain application. Ms. Livigni said it is within SEQR, we can handle it with Ken down stairs and we will get resolution to this to the satisfaction of the Planning Board. Ms. Livigni said Ms. Olyha is 100% correct; it's a part of SEQR for them to look at it, Ken will do that on the applicant's behalf as part of that floodplain permit. Ms. Livigni said don't worry about it.

Ms. Olyha said she is just reminding our consultants that this is something that has to be looked at before we can say yes or no. She said we have to look at everything so the Board is not negligible.

The Board set December 17<sup>th</sup> for a public hearing.

Mr. Komorsky asked based on where this is in whatever zone will this now, because water is involved, change the height of this PV. Ms. Williams said it already is 4 feet above the ground, it is within the code for flood damage prevention and they submitted a stamped engineer's letter with their floodplain application to explain all of the measures they have gone through to meet the code. Ms. Williams said she did not know they would have to have another public hearing. Ms. Olyha yes.

#### **REFERRALS FROM TOWN BOARD FOR DISCUSSION AND/OR COMMENT**

ATTACHED RESOLUTION CONCERNING A LOCAL LAW AMENDING CHAPTER 240 OF THE LAGRANGE ZONING CODE.

The Board discussed the resolution and Ms. Olyha said there was an error which said moving from a 1,000 from a public park or school to a 5,000 foot difference which is an error, and should be 500 feet not 5,000 feet.

Ms. Olyha asked the board for any comment. Ms. Olyha said this is a better change and she said there are gaps in our area and sometimes have no service.

Ms. Livigni asked about the 35 foot height restriction, which was ridiculous. She asked the board if they read the height thing. She said it doesn't say feet anymore, it has no height. She said she is uncomfortable with that section. Marc Komorsky read a portion "the total height of proposed structures and accessory element shall not be more than the maximum allowed in the zoning district in which the facility is located and shall be measured from the natural ground level to the top of the structure or the top of the uppermost fixture, antenna pertinent to fixed to the structure whichever is higher. The restriction shall not apply to commercial wireless facility i.e., those subject to the Federal Telecommunications Act of 1996." He said there is no number and Ms. Livigni said that is her concern. Ms. Livigni said there was a height restriction of 35 feet. Ms. Olyha said however if they are commercial which is Verizon, etc. they

have none. Ms. Livigni said she brought up at the Town Board was concern about that and it should be based on the surrounding area because if you put up a 1,000 foot tall tower you will get great coverage but do we really want a 1,000 foot tower next to 50 foot trees. Ms. Livigni said she didn't know if this Board shared the concern but this board would be the one to deal with. She said yes there is a visual analysis required. Ms. Olyha said there is no giving the board any guidelines as to what is the right height for a cell tower. Ms. Livigni said or something to make it comparative to what's in the area. Ms. Olyha said they can always go for a variance if you want it different than that.

Ms. Livigni asked Mr. Blass if he had any thoughts on this. He said he didn't but suggested looking up other codes elsewhere that do not have the standard height limitation or maybe even any foot height limitation built into the regulation, but had some other relative criteria such as visual impact, fall zone. Mr. Komorsky asked what does standard mean. Mr. Blass said nothing. Mr. Blass said what would happen in reality of there was no height limitation then you would handle it under SEQR, you would have the power under visual impact analysis. He said you can use SEQR to control visual impacts and to condition projects and to make decisions. He said he thought the intent of the Town Board was that the tower would be as tall as allowed by the setback requirement which is 1.5 times the height and also as tall as necessary theoretically to provide coverage to the gap which the carrier is attempting to close. He said the proposal is there is no fixed height limitation, no need to go to the ZBA for variances. Height would be regulated to a large degree by SEQR and the 1.5 x fall zone. He said the 1.5 X fall zone wouldn't make much difference if the parcel was 10+ acres. Mr. Blass said the Town Board's goal is clearly to get away from the 35' height limitation and have this go to the ZBA automatically. Ms. Olyha said look at the towers that are in Dutchess County, and the average height of them and make it that, then they would have to go to a variance if they wanted it higher than that. Mr. Blass said that's one way to do it. Mr. Blass said he really hasn't worked on this and has listened to some discussion at a board meeting or 2. He said the intent is it is going to be as high as reasonably necessary to build a gap in coverage. Mr. Gunn asked didn't Cuddy & Feder do most of the cell tower stuff 10 years ago and Mr. Blass said that was Chris Fisher. Ms. Olyha said most cell towers are co-locations so you want yours at the highest and then rent out the spaces so you want to get it as high as you can and everybody else below you and Mr. Blass said there is a motivation to that.

Mr. Blass said there is probably a state of the art regulation out there that deals with no fixed height limitation and he said he knew where to find it. He has a book in his office. Ms. Livigni asked if the Planning board would like him to find it. Ms. Olyha said she thought that part of this section 9 in here they are trying to do the propagation study, that's supposed to help set the height distance but like everything else you can make those numbers fit what you want.

Mr. Komorsky talked about dead spots in the town for repeaters and fire district in the certain part of LaGrange that they can't get a radio signal from command. He said if you fix the height requirement they might be in the dead spot where the height requirement is not enough. Mr. Blass said it's a line of sight technology and anything that blocks it will interfere with it so the more rolling hills in the way, the higher the tower has to be to close the gap. Mr. Straub asked the percentage of applicants that might come in here and it was very low. Mr. Gunn said it seems like a solution to have Ron find the book. Mr. Blass said he would find the book and give it to Alan.

Ms. Olyha said she would pass along the Planning Board's comments to the Town Board and have Ron look to see if he can find something to substantiate this.

Mr. Straub brought up the issue of paper copies v electronic copies being given to the Planning Board. The Board discussed the pros and cons.

Mr. Gunn made a motion to adjourn the public hearing at 9:00, seconded by Mr. Straub and the motion carried unanimously.

Respectfully submitted,

Eileen Mang

Planning Board Secretary

**Town of LaGrange Planning Board**

**Application of Central Hudson G-Line North rebuild**

**RESOLUTION CONFIRMING LEAD AGENCY STATUS AND SETTING FORTH  
PROCEDURES FOR PUBLIC HEARING AND REVIEW PROCESS**

**WHEREAS**, the Planning Board (“the Board”) has received an application from Central Hudson Gas & Electric Corporation for the rebuild of the G-Line North, a single-circuit 69kV electric transmission line that runs through the Towns of LaGrange and Pleasant Valley; and

**WHEREAS**, such development requires, among other permits and approvals from the Board (1) Site Plan/project development plan approval for the Essential Service use, pursuant to section 240-72 of the zoning law; (2) special permit approval, if determined by the Zoning Administrator to be required, to authorize development activity within a Ridgeline overlay District, pursuant to section 240-31.F of the zoning law; and (3) a wetland permit, in accordance with Article 124 of the Town Code; and

**WHEREAS**, the proposed action is also a Type I action under SEQR because it is a non-residential project resulting in disturbance of 10 or more acres of land; a coordinated SEQR review is being undertaken, and the Board duly circulated its intent to assert Lead Agency Status, and no Involved Agency has disputed this circulation, and it is appropriate that the Board confirm its Lead Agency status; and

**WHEREAS**, the Chair of the Board has met with the Chair of the Pleasant Valley Planning Board to establish a process to assure that all relevant issues of environmental concern relating to land in the Town of Pleasant Valley are fully considered by the Lead Agency in the SEQR review process; and

**WHEREAS**, the Board has been advised by the Planning and Zoning Administrators and the Town’s consultants that the application materials contain sufficient information to commence the public hearing and review process, subject to the continuing ability of the Board to request further information as may be required to enable the Board to render a decision on the application; and

**WHEREAS**, the Town of Pleasant Valley Planning Board has scheduled a public hearing at its Town Hall for December 8, 2015 beginning at 6:30 pm, and the Board has received a copy of the Notice of Hearing and the proposed map of the location of the G-Line in Pleasant Valley; and

**WHEREAS**, the Board will receive a written transcript of all comments received by the Town of Pleasant Valley Planning Board at its public hearing on December 8, 2015, to be included as part of the file and used in the SEQRA determination; and

**WHEREAS**, the Board further deems it appropriate to schedule a public hearing in the Town of LaGrange to receive public comments on the proposed application for LaGrange Planning Board approvals and on the relevant issues of environmental concern relating to the entire action including the construction of the entire 8 mile rebuild; and

**WHEREAS**, the Board wishes to set forth the procedures to be followed relating to the public hearing process and the public notice thereof;

**NOW THEREFORE, BE IT RESOLVED**, as follows:

1. The Board hereby confirms its status as Lead Agency for the coordinated SEQR review of the proposed action which constitutes the 8-mile rebuild and improvements at the Todd Hill substation, as more fully set forth in the project description.
2. The Board hereby determines that the applications for Site Development Plan, Special Permit and Wetland Permit are complete for purposes of commencing public review.
3. The Board hereby refers the Wetland application to the Town Clerk of the Town of Pleasant Valley and to the Town of LaGrange Conservation Advisory Council for comments pursuant to Section 124-9.D of the Town Code; and directs the Planning Board secretary to promptly send such referrals in writing.
4. The Board hereby sets a public hearing date for December 17, 2015 for purposes of a combined public hearing on the applications for Site Development Plan, Special Permit and Wetland Permit. At the hearing, the Board, in its capacity as Lead Agency, will also consider comments as to any issue of environmental concern

relating to the entire proposed action, i.e. the proposed rebuild along the entire 8 mile route, including lands in both LaGrange and Pleasant Valley.

5. The attached Notice of Hearing (“the Notice”), which provides notice of the filing of the application and of the combined public hearings, is hereby approved. The copy of the Notice intended for mailing to neighbors also includes an 11 x 17 map of the proposed G-Line rebuild route in the Town of LaGrange.
6. The applicant shall cause the Notice, without the attachment, to be published once in the Poughkeepsie Journal legal advertising section, on or before December 7, 2015, and shall file an affidavit of publication with the Planning Board secretary.
7. The applicant shall cause the Notice, without the attachment, to be delivered to the Town Clerk of the Town of Pleasant Valley, on or before December 7, 2015, and shall file an affidavit of delivery with the Planning Board secretary.
8. The Planning Board Secretary is directed to promptly post on the Town’s official sign board a copy of the Notice, which includes the map of the proposed G-Line rebuild route in the Town of LaGrange.
9. A copy of the attached notice shall be mailed by the Applicant, by certified mail<sup>1</sup>, on or before December 7, 2015 to the owners of all parcels in the Town of LaGrange over which the G-Line Right-of-Way crosses, and to the owners of lots in the Town of LaGrange abutting or adjacent<sup>2</sup> to those parcels, as they are listed on the latest tax assessment rolls.
10. The proposed action will occur partially on property within an agricultural district containing a farm operation, or on property with boundaries within 500 feet of a farm operation, located in an agricultural district, and the Applicant has accordingly filed an Agricultural Data Statement. When mailing the Notice to neighboring properties, the Applicant shall include notice of the application to the owners identified in the

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<sup>1</sup> The wetland application notice must be sent by certified mail, so the entire notice will be sent certified mail.

<sup>2</sup> In the location where the G-Line right-of-way is crossed by a Con Ed right-of-way in fee, the obligation to notice parcels adjoining or across the street shall extend for a distance of 500 feet from the G-line right-of-way.

Agricultural Data Statement pursuant to the provisions of Town Law 283-a. The Board shall evaluate and consider the agricultural data statement in its review of the possible impacts of the proposed action (in both Towns) upon the functioning of farm operations within such agricultural district.

11. The Applicant shall submit to the Planning Board Chairman, prior to the start of the public hearing, an affidavit of mailing in compliance with these provisions, together with the Post Office receipts for the certified mailing.
12. The Planning Board Chair is authorized to extend an invitation to the members of the Pleasant Valley Planning Board to attend the LaGrange hearing on December 17, 2015, and provide a copy of the Notice of Hearing.
13. At the hearing, the Board will record the comments by Stenographer to be paid for by the applicant, the transcript of which will be delivered to the Board as soon as it is available (anticipated to be during the first week of January, 2016)
14. The Board requires the applicant to prepare responses in writing to the comments made at the Town of LaGrange hearing, and also to the comments made and transcribed at the Pleasant Valley public hearing. The LaGrange Planning Board as lead agency will consider the responses to all comments insofar as they may be relevant to the environmental Determination of Significance, and also to the determination of the permits under the jurisdiction of the Town of LaGrange Planning Board.
15. The Board hereby schedules a special meeting for December 8, 2015 to be held at the Town of Pleasant Valley Town Hall 1554 Main Street, Pleasant Valley, for the purposes of allowing the Board members to attend the Pleasant Valley public hearing. The Planning Board secretary is hereby directed to provide notice of this special meeting as provided by law.

The foregoing resolution was voted upon with all Board members voting as follows:

	YEA	NAY
Stacy Olyha, Chair	<u>✓</u>	_____
Bob Straub	<u>✓</u>	_____
Dennis Rosenfeld	<u>✓</u>	_____
Anthony Brenner <i>absent</i>	_____	_____
John Gunn	<u>✓</u>	_____
Joseph Zeidan <i>absent</i>	_____	_____
Frank Sforza	<u>✓</u>	_____
Marc Komorsky, Alternate	<u>✓</u>	_____

Dated: November 19, 2015

  
EILEEN MANG  
Planning Board Clerk

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