

A regular meeting of the Town of LaGrange Planning Board was held at the LaGrange Town Hall, 120 Stringham Road on Thursday, April 20, 2017. Chairman Stacy Olyha called the meeting to order at 7:00pm. Board members Robert Straub, Mary Morrison, Dennis Rosenfeld, Frank Sforsky, Christian Rohrbach, Marc Komorsky and Randy Aldrich were present. Also present was Wanda Livigni, Administrator of Planning & Public Works, Ron Blass from VanDeWater & VanDeWater, Walter Artus from SMC and Greg Bolner from CPL.

The Board accepted the minutes of March 16, 2017,

PUBLIC HEARING:

WHITLINGER LOT LINE REALIGNMENT, SUBDIVISION, SITE PLAN & SPECIAL USE PERMIT – Proposed project located on Noxon Road containing 92.514 acres (Grid No. 6450-02-580785)

Mr. Dave Whitlinger, applicant and Mr. Dennis Lynch from M.A. Day Engineering were present.

Ms. Livigni advised the Board that there was an error made in providing the correct mailing list to the applicant/engineer for the adjacent property owners. It was an incomplete list. She said she was going to recommend the public hearing be adjourned anyway because the 30 days for outside agencies to respond hasn't happened yet. Ms. Livigni said the Board can adjourn it but they will not have to advertise in the paper. Mr. Rosenfeld asked if they had the correct list now and Ms. Livigni replied yes.

Mr. Whitlinger provided the board with books to coincide with the poster board being shown. Mr. Whitlinger said he was interested in putting together a regional craft brewery, a farm brewery. He said what they are looking for is a lot of the product produced as far as beer goes will be grown on site, consisting of 100 acres of barley, 15 acres of hops, pumpkins, blueberries, many spices that are used in beer as well. He said they will be a farm to glass brewery. He said they are very interested in being full circle sustainability. He referred the board to slide 3 showing the hops and barley and other special ingredients to turn that into really great beer. He said then they collect all that spent material. He said all the solid material doesn't go into the beer, they pull that out and feed that to the livestock including chickens, sheep, goats and then we use that manure to use back in the crops. He said hops are really nitrogen hungry plants and they need to thrive on nitrogen and we get a lot of it from the manure and so we will have a nitrogen factory so to speak in full circle. He said they are really interested in the sustainability in everything that they do, the composting, the water treatment, all of those aspects of their business will be evident to anybody that is there. He said they are also interested in creating unique marketing events on site and letting the public engage with the farm to the extent that they can be a community resource in showing full sustainable farming. He said everything from engaging with the local schools to helping with 4H projects and whatever they can do to engage the public in the farm process and all of the things they are doing to advocate farming.

Mr. Whitlinger referred to slide 4 which showed the actual brewing process. He showed the stainless steel vessels and said they were similar to what they would have on site.

Mr. Whitlinger referred to the block of land containing 135 acres and directly south is another 100 acres they are leasing for the barley and to the extent that they may continue to further farm more of the land further south of there as production increases. He showed slide 6 goes through some characteristics of the project, the farm brewery, growing the hops, growing the barley, pumpkins and specialty items including the herb garden and they will also have about 25

hives of bees and those also help with the fertilization and help with the farming aspect but they will also use the honey from that for certain beer and for producing some meads. He talked about small flocks and herds of animals in order to address the composting he described, vegetable gardens and greenhouse for the tap room food as well as a community garden that feeds a food bank in the area and develop a gardening club as part of the aspect of giving back to the community, and that there is at least an acre of land that the gardening club takes care of to help contribute to the food bank.

Mr. Whitlinger said the brewery itself will be producing 10,000 barrels annually. There will be a farm store both from the produce that we create as well as other farms in the area that might have a need for venue for them to sell and we are going to have a lot of eggs! With the number of chickens, they will have and they will be looking to move the eggs through the store. He talked about ornamental gardens, play areas for kids and talked about the back area having a lot of space for walking trails, etc. He said they want to be a strong community resource. He talked about where ever there is a club a volunteer organization somebody that is looking for a space to hold an event, meet, do something social for community, they would like to become that and be that resource to your community.

Mr. Whitlinger referred to the next couple of pages as concept drawings, and a friend of his helped out. He showed the board a rendering of what the building might look like, including the hops field to the right, showing Noxon Road that would be below the cloud line. He showed the beer garden, parking lot. He said the next page showed more detail to the building. Again, the beer garden, children's play area and tables and shade for people to enjoy.

Mr. Whitlinger showed slide 9 which was a representation of what it would look like from the road, Noxon Road. He showed the entranceway, hops trellises and the building in the background. He showed the board a rendering of the entryway to the building and to the grounds. He said you can see they are looking to both advertise the tap room as well as the farm store and the events that might be going on there, obviously very community oriented with a desire for the establishment. Next he showed a rendering from inside looking out into the beer garden with lots of people and the next one a rendering of the beer garden and then referred to concept drawing 6 and said they have a lot of desire to be a bike friendly community. Looking forward to folks coming by bike, electric car charging stations to embrace the ecology and eco-friendliness.

Mr. Lynch then spoke. He said this is a lot line realignment, subdivision as part of this site plan. said the site consists of 2 existing parcels. He showed one parcel consisting of 343 acres, pointed out the lot line. He showed the board another existing lot and said they are proposing to do a lot line realignment to convey approximately 40 acres to this parcel making a total of 127 acres for that one parcel. Also as a part of this they are doing a subdivision pointing out the 2 existing single family homes and carving out their own lots to be separate from the brewery.

Mr. Lynch showed the board the site plan for the brewery. He said the building is set back off the property, basically a north/south configuration. He said this is a partial site plan on a larger scale and showed the road coming in off of Noxon approximately 30,000 sq. ft. brew house/tap room. He said approximately 50/50 between the brewing operations and the tap room. He said the beer gardens are located to the rear or the south of the building along with the play area. He said they are proposing the parking to the rear, approximately 210 parking spaces and they are proposing to pave approximately 90 and the other 120 will remain land banked to minimize the amount of impervious coverage on the site in the event they are needed on a more daily basis. He said they can pave them if needed and the intent is to have as little impact as

possible to the site. He said they are in front of the Board of Health for the SDS, the county for the entrance which will be reviewed and approved by them.

Ms. Olyha declared the public hearing open and asked if there was anyone in the audience who wished to comment. She said any comments made will be required to be responded to in writing to the satisfaction of the Planning Board.

Connie Lucioni of 4 Heritage Lane spoke. She said she wasn't notified in the mail and felt it was unfair to the people who did not get notified and wanted to be here. She said she was told that if Mr. Whitlinger did not get the variance granted, then the April 20 hearing would not take place. She said she was checking the minutes and they were never posted and it was 2 days ago that this public hearing was going to be held. She said by then unfortunately the neighbors could not be here because of other obligations. Ms. Olyha said it will be held at the next meeting in May and it was posted in the Poughkeepsie Journal and the agenda is posted on our website the beginning of the week on our website. He said they will be sending out notices to the adjoining property owners according to our code and it will be for the next meeting. Ms. Lucioni asked if they would have an opportunity to speak. Ms. Olyha said yes, we are adjourning the public hearing tonight and it will continue next month. Ms. Olyha asked her if she had a comment for this evening and then she wouldn't have to come back Ms. Lucioni said she would rather wait so she could prepare something. Ms. Lucioni thanked the Board.

There were no further comments so Mr. Straub made a motion to adjourn the public hearing to May 18, 2017, seconded by Mr. Sforza and the motion carried. PUBLIC HEARING
ADJOURNED

Mr. Artus said the Board should declare our intent to be Lead Agency and circulate.

Mr. Rohrbach made a motion to circulate to declare our intent to be Lead Agency, seconded by Mr. Straub and the motion carried unanimously. CIRCULATE FOR LEAD AGENCY.

Ms. Olyha had a few questions. Mr. Lynch said he was in receipt of the consultants' comment memos.

Ms. Olyha asked hours of operation. Mr. Whitlinger said it is 24/7. Ms. Olyha said she meant the public there. Mr. Whitlinger said it would be largely weekends, mid-morning/noon time frame to whatever hour is town ordinance. Ms. Olyha asked him to start thinking about what you want because that usually is a part of the application and a part of the Board's decision. The Board likes to know these kinds of things. She asked are weekends going to be different from weekdays?

Ms. Olyha if it is 7 days a week for the public, what are the hours. She asked about a liquor license. Mr. Whitlinger said yes the state issues breweries liquor licenses. Ms. Olyha said with the hours of operation being answered, that will address some of the traffic questions, we need to do traffic studies. Ms. Olyha asked how the alcohol will be served, from a counter or is like a restaurant style. Mr. Whitlinger said it's largely from across the bar. Ms. Olyha referred to the picture with a big out door area. She asked what else will be there besides the picnic tables and asked if people are supposed to bring their own picnic stuff or are you serving food. Mr. Whitlinger said food will be served and there will be games to be played. Ms. Olyha asked will it be served restaurant style or is it pick up something from a buffet? Mr. Whitlinger replied it will be across the counter. Will it be like what they do at the ice-cream place? So they would go to a counter, get it first and then go sit down? Mr. Whitlinger said yes. Ms. Olyha told Mr. Whitlinger

he might want to start thinking about types of foods and what they are serving because that will depend on whether it is a restaurant or just a snack. Mr. Whitlinger said Ags & Markets is pretty good on describing that as well as far as what we grow and what we serve that we grow. Ms. Olyha said so you are only serving what you grow? Mr. Whitlinger said that is not the restriction but things that we grow we will obviously serve predominately. Ms. Livigni asked if it was correct that they could partner with other farms as well? Mr. Whitlinger said that is correct and there's a predominance measure of that it is you sell. Ms. Olyha said the reason she is asking is when they design the septic and water out there, if it's going to be a restaurant type style place you are going to have to be able to take care of the waste from that kind of preparation. Mr. Whitlinger said they are well aware of that, including separation of grease and sizing the septic system for that number of people. He said there was actually a footnote and you may have seen the word restaurant used on the engineering documents and that's because they don't have tap room in most of the guidance they are trying to use so they are using the next possible proxy and that is the largest or most conservative in the direction that is going to provide the most space.

Mr. Rosenfeld asked if the operational hours would change with the seasons. Mr. Whitlinger said likely. He said the farm to table and farm to glass aspect is what they are and the crops that are available in the winter are different from the summer. Mr. Rohrbach said you mentioned that the brewery operation would be 24/7 and asked if there would be people who would reside onsite. Mr. Whitlinger said the reason he said 24/7 is once you start a batch you might be brewing from 6AM to midnight then once it goes into the fermentation it has to be monitored so that's going on forever as long as beer is being produced. So, yes there are 2 houses on site and at some point it will make sense for them to be staffed, living quarters for farmers as well as brewers.

Mr. Komorsky asked if the play area would have a special surface. Ms. Olyha said that is something for them to look into.

Mr. Lynch said they did submit to the Board of Health and the DEC for a SPEDES permit for the septic and will meet all the requirements. He said they also submitted to DPW for an entrance permit and as part of that he was sure they would be asking for traffic and they would be the ones that would determine what mitigation needed for that entrance.

Ms. Morrison talked about the traffic and the idea of bikes and traffic on Noxon Road and added it seemed like a concern.

Mr. Bolner said there are some utility comments he put in his letter. He said there really aren't any utilities shown and he talked about the significant refrigeration process and the outdoor noise associated with the compressors and added it would need to be addressed, the location of them and maybe an enclosure to keep it quiet.

Mr. Lynch said they had a habitat assessment report done that wasn't part of the submission so that will be included in the next submission. Mr. Lynch talked about the parking requirements including curbs and landscaping. He said they meet the code but they would prefer to have no curbs. He said Greg had mentioned putting landscaping around the parking as opposed to in the center of the islands. He said he would like a waiver for no curbs and providing landscaping around the entire parking lot. Mr. Bolner said he meant landscaping around the parking lot and in the islands. Mr. Bolner said the code reads 15% of the surface area has to be landscaped within that and generally on most site plans you are dealing with a smaller area, this is a large area and it was a question to the board as well, whether they provide landscaping in the islands

as they are shown as well as to meet that 15% and provide a buffer landscaping around the parking lot where you then be allowed to say from that buffer area is your measurement of your 15%. Mr. Bolner said that buffer would be nice and to allow them to count that as their 15% would promote that. Ms. Olyha said the curbing part was just town center. We don't need that everywhere. Mr. Bolner said it actually says it in parking code and again similar to another application that came before the Board recently, he had recommended the board may wish to waive that because of the nature/type of use. He said he thought it was still important to have landscaping within the parking lot especially being such a large parking lot to provide some shade trees, etc.

Mr. Lynch asked if the Board would make that determination whether or not to provide the curbs. Mr. Artus recommended the applicant prepare a list for the Planning Board of what they want waived. Ms. Olyha asked if they got their variance from the ZBA and the answer was yes.

Mr. Lynch talked about the topo and said he could provide it within the disturbed areas and Ms. Olyha advised him to create a list of requested waivers for the Board.

Mr. Bolner said this is an ag exempt property and said he thought it was important for the applicant to educate the public so people know what those exempts are and recommended the applicant give a brief summary. Ms. Livigni said when Mr. Whitlinger made his application there was a letter from ags & markets so maybe she suggested putting it on the website or adding it to the agenda. She said it's a little lengthy to digest in a summary. She suggested adding on the letter to the adjacent property owners, just the link to the Ags & Market site so they are coming in with a little more knowledge. The Board liked that idea.

Mr. Rohrbach said the CAC had several comments and Mr. Lynch said he received it and will respond.

VERIZON WIRELESS SITE PLAN AND SPECIAL USE PERMIT (TITUSVILLE) – Proposed site plan and special use permit located on Maloney Road containing 51.2 acres (Grid No. 6359-01-235737)

Ms. Olyha said this application was not on the agenda because they indicated they were not done completing their balloon study and they did not submit any response to the consultants' memos so they chose to be off.

HOMELAND TOWERS INC SITE PLAN & SPECIAL USE PERMIT – Proposed site plan and special use permit located at 130-132 Stringham Road containing 319,295 square feet (Grid No. 64690-02-704709)

Robert Gordioso from Snyder & Snyder on behalf of Homeland Towers and Verizon Wireless appeared before the board. He said they are proposing a wireless facility on the town owned property which they have entered into a lease with the town. It is the DPW yard, recycling center, it's a good location given the current use. He said the reason they are here is they initially submitted a number of items, not all, but they wanted to focus on getting the balloon test done. He said the balloon test was not up in the air, the balloon was up in the air but we wanted to get it done before the trees so we could show worse case scenario and it was noted in the newspaper and residents. He said they hope to have the renderings and photographs and the remaining items as part of the visual evaluation being prepared by Saratoga Associates hopefully sometime next week. He said they have submitted all the application forms and fees. He said they prepared a structural analysis showing the tower being able to support co-location

and they did a radio frequency exposure report confirming the facility will be in compliance with the federal regulations and they did an FAA analysis confirming that there would be no impact, air navigation, no coloring or FAA lighting required. He said they submitted the initial site plan to show the location of the facility on the property and the various setbacks and they do meet them with the new code for the residential district. He said they also meet the setback to the school property, actual building. Mr. Gordioso said they have to submit the RF maps and said he wanted to make sure they picked up your consultant comments on the other application and incorporate them into our report. He said we hope to submit the visual resource evaluation by next week. Mr. Gordioso asked the board if they had any questions and if they could take the next step in the process. Ms. Livigni asked when are the RF maps coming. Mr. Gordioso said they already finalized the draft and he said he has a call with the RF engineer on Monday and will hope to have it submitted next week or early following week. Ms. Olyha asked if we were having Mr. Graiff look at this and Ms. Livigni said that's why we need the RF maps. Ms. Olyha asked if we had to circulate for Lead Agency. Mr. Gordioso said the Town Board already acted on their own SEQR review. He said there are no wetland issues, no DEC, no SWPPP issues as far as the DEC goes. He said they do a SHPPO filing but they are not an approval authority. He said he didn't believe there were any involved agencies. Mr. Blass said it looks like there are no other permitting agency. Ms. Livigni said it is pretty close to the Sprout Creek. Mr. Artus said if it is within 200 feet of the center line of the Sprout Creek, it would be in the Stream Corridor Protection Overlay Zone which would kick in a special use permit and a Type 1 Action. Ms. Olyha asked about the wetlands behind the town garage. Ms. Livigni said she believed it was outside the buffer.

Mr. Blass said with respect to the Stream Corridor Protection Overlay Zone. Who approves it? The Planning Board was the answer. Mr. Blass said then the Planning Board would remain the only agency with permitting power. The Board and Mr. Gordioso continued to discuss the issue of the wetlands and he said he would double check to make sure about the wetlands.

Mr. Gordioso said there are a number of special notifications under the code and said he believed it had to go to Dutchess County Emergency Services and county planning and adjoining municipalities and asked if they could schedule the public hearing so we could get started with the notices. Ms. Olyha said our engineer has to look at his and we need the RF maps.

Ms. Olyha talked about the wetland again. After much discussion amongst the Board, Mr. Artus suggested the applicant locate the stream on the map.

Mr. Gordioso asked about the code section the Board had mentioned. Mr. Artus said he wasn't sure off the top of his head but it is under Overlay Zones.

Ms. Olyha referred to page 10 of the application (eaf) she said it should be yes. Page 12 they don't list the Blandings Turtle, you list the Bog turtle. Page 10F – referred to the property that the old firehouse sits on was an old landfill so there was a solid waste management area deposited in this area so that whole area was that. Page 12 – add Blandings Turtles to M & O because they are in that wetland marked on the map. She said they use the Town Highway Garage berm to nest and we've one every single year for the past several. Ms. Livigni said she thought Mike had to move that nest for them to go in there and asked Mr. Gordioso if he did that yet. Mr. Gordioso did not know. Ms. Livigni said the DEC required they build a berm around that wetland so that the turtles couldn't get in our out. It would have to go through the turtle tunnels. Page 13 – H the answer should be yes, Baird Park is one, Freedom Park and

Stringham Park and added you can include the TSP because it is a parkway. Ms. Olyha requested a \$2,000 escrow.

Mr. Sforza asked Mr. Gordioso if he was aware that the Town is planning on building a new salt shed and car wash on that property. Mr. Gordioso said he didn't believe it was in his area. Ms. Livigni said Clark Patterson was involved with the site plans, she was pretty sure when they take a look at it they will make sure there is no conflict.

Mr. Gordioso asked if they could be placed on the May agenda. Ms. Livigni said our goal is to put you on every agenda unless you request otherwise.

Mr. Rosenfeld made a motion to adjourn the meeting at 8:15, seconded by Mr. Straub and the motion carried unanimously.

Respectfully submitted

Eileen Mang
Planning Board Secretary