

A regular meeting of the Town of LaGrange Planning Board was held at the LaGrange Town Hall, 120 Stringham Road on Tuesday September 20, 2011. Chairman Alan Bell called the meeting to order at 7:30 p.m. Board members Tony Brenner, Joe Zeidan, Frank Sforza, John Gunn and Bob Straub were present. Stacy Olyha and Dennis Rosenfeld were absent. Also present was Wanda Livigni, Administrator of Public Works, Greg Bolner from Clark Patterson Lee and Walter Artus from Stormwater Management Consultants.

Mr. Bell announced Mr. Sforza, in the absence of board members, would be a voting member.

Mr. Straub made a motion to accept the minutes of August 16, 2011 seconded by Mr. Brenner and the motion carried unanimously. MINUTES ACCEPTED.

### **PUBLIC HEARING:**

**KIMBARK LOT LINE REALIGNMENT** - Proposed lot line realignment located on Traver Road containing 14.05 acres (Grid No. 6462-03-164213

Mr. David Kim bark appeared before the board. Mr. Kim bark presented the notice from the paper and return receipts from the adjacent property owners.

Mr. Kimbark said his father is giving him 10 acres of his property. He showed the board the map and pointed out his father's property. Mr. Bell asked how large was the whole parcel. Mr. Bell said well actually there's 2 parcels? And asked Mr. Kimbark if he owned the parcel adjacent to his father's and Mr. Kimbark said yes. Mr. Bell said and he's moving the lot line to give him more property. Mr. Kimbark said yes. Mr. Kim bark did not use the microphone and his comments were inaudible.

Mr. Bell declared the public hearing open and asked if anybody in the audience wished to speak for or against the application. There was no response.

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

Mr. Straub made a motion 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. Brenner and carried unanimously. NEGATIVE DECLARATION.

Mr. Brenner made a motion to grant preliminary subdivision approval, seconded by Mr. Straub and the motion carried unanimously. PRELIMINARY SUBDIVISION APPROVAL

Mr. Gunn made a motion to grant final subdivision approval, seconded by Mr. Straub and the motion carried unanimously. FINAL SUBDIVISION APPROVAL

**QUIK CHECK CORPORATION**.- Proposed site plan located on Rte. 55; Initial presentation.

Mr. Bob Valerio, Vice President of Real Estate for Quik Check appeared before the board. He said with him were his engineers. Mr. Valerio said they are a New Jersey based company with 126 stores located primarily in Northern and Central New Jersey and the Hudson Valley. He said they have 10 stores in the Hudson Valley and have been in business since the late 1800's.

Mr. Valerio said their business grew out of the milk/dairy business, a family owned company with 2,800 employees, all corporate employees and added they do not franchise. Mr. Valerio said they are in the convenience store business and they would like to talk to the board about a proposal they hope to bring the Town of LaGrange and be a good neighbor. He said they employ approximately 35-50 people per unit. He said the developments usually run about 6,000,000 and will generate somewhere between \$750,000 - \$1,000,000 worth of federal, state and local taxes. Almost all of the employees they have come from the very neighborhoods in which they operate in.

Derek Jordan with Bohler Engineering was present representing Quik Check on this application. He showed the board the site plan. He said they are proposing a 6,584 sq. ft. convenience store with fuel component with 8 dispensers, which is 16 fueling positions, located on NYS Rte. 55 and Skidmore Road. He said they are proposing, from an access standpoint, a single full movement driveway to highway Rte. 55 and a single full movement driveway to Skidmore Road. In addition to the convenient store there are some seats inside for patrons to utilize. There are 14 seats inside and 8 proposed outside. He said they are proposing 58 parking spaces which is in compliance with the ordinance which requires 42. Mr. Bell asked the ordinance requires 42 and you are proposing 58? Mr. Jordan said yes.

Mr. Jordan the state access is off of Rte. 55 which will be a full movement. Typical with a convenience store, especially with Quik Check, they found their operations work best if the canopy is in front. They are proposing a single loading zone in the rear for grocery type delivery and a trash enclosure and maintenance shed in the rear. Additionally up front they are proposing four – 20,000 gallon fuel tanks, double wall fiberglass tanks. He said there is ample room between where the fuel tank would sit and canopy for the cars to still bypass. Mr. Bell asked if the fuel tanks would be new and Mr. Jordan replied yes. Mr. Bell said this site was a gas station and asked if that mean they would remove the old ones. Ms. Livigni said they were already gone. Mr. Sforza asked if they were doing underground fuel tanks and Mr. Mr. Jordan said yes and added everything would be underground and in full compliance with all the state regulations for fuel tanks. The biggest restriction for development on this site is the wetlands which he said were delineated on the plan and survey. He said the vast majority of the eastern portion of the site are running from the northern most portion all the way down to Route 55 as well as

the triangular intersection of Route 55 and Skidmore Rd. Those wetlands are under the jurisdiction of the Army Corp of Engineers and there are no development buffers as part of those and he said they had an application into them for them to take jurisdiction and confirm the lines. The buffer shown is in regards to the possible location of septic which is under the health code. He said the dotted line is a buffer around the wetlands in which you are not allowed to locate a septic system inside that buffer. He said what that basically allows for is a single location in which you could put a septic field which is in the northwestern portion of the property which is a thin strip he showed the board. He said they have done septic testing there and the results have not come back positive in terms of being able to construct a septic system. Part of being before the board is to discuss the possibility of sewer. He said he knows there have been plans to construct a gravity sewer in this area and asked for an update and/or discussion on what the progress is of that and the additional options to tie into a sewer system. Ms. Livigni said this is probably not the best board to discuss sewer with, it would be the Town Board and said she would love for them to come in to a Town Board workshop and talk to them directly. She said the town is working to get this commercial strip serviced with sewer.

Mr. Bell asked about the wetlands, and it was stated earlier that they were Army Corp wetlands and therefore they don't have buffers. He said they would be subject to the town's buffers and Mr. Artus said that was correct, the town has buffers based upon the size of the wetland. Mr. Bell informed the applicant there is a town code regarding buffers they would have to adhere to. Mr. Jordan said that was it for what they have now and said they were here for feedback. He said this was an operating gas station and is now closed. Mr. Bell asked if the existing building was going to be the building or were they going to destroy that and put something completely new and the answer was something completely new. Mr. Jordan said the survey that was prepared by control point associates. Mr. Jordan showed the existing building. He said there is a 1,500 sq. ft. building with 3 dispensers, 6 fueling positions there now. Mr. Zeidan asked how would that work with town center and asked would it have to be 2 story. Mr. Bell replied yes, that was true. Mr. Bell said they have all kinds of challenges, because the building has to be 2 stories and his recollection it requires the building near the road and the canopy behind, even if it was commercial that would be true. Mr. Artus said they will get that comment back from the county as well. Mr. Jordan said they have noted the Town Center standards on the site plan and the variances associated with that based on the layout. Ms. Livigni said they had come in and met preliminarily with Ken and herself. Mr. Bell mentioned architectural and the code. Mr. Jordan said from a layout standpoint, this is what works best or most efficient for Quik Check. Mr. Bell said he presumed that they were not thinking to make the building 2 stories at this point and Mr. Jordan said correct. Mr. Jordan said with the way the wetlands are featured on the site, this is the layout that best utilizes it. He said in terms of moving the building up it forces moving the canopy in the back which causes problems with the wetlands and the underground fuel storage tank. He said the wetlands is really what most drives this layout. Mr. Bell said aside from the fact that every gas station in the country wants the canopy in the front you mean? Mr. Bell said all looks like it is ready for a public hearing. Mr. Jordan said they need to go to the Town Board to discuss sewer. Ms. Livigni said they could do that in parallel. The Board set a public hearing for November 15, 2011

and requested a \$1,500 escrow. Mr. Zeidan asked would they have to bring something with them to show a two story?

RE-APPROVALS:

LAKE RIDGE SUBDIVISION – Request for a 4<sup>th</sup> re-approval of final subdivision approval.

Mr. Straub made a motion to grant a 4<sup>th</sup> re-approval, seconded by Mr. Zeidan and the motion carried unanimously. 4<sup>TH</sup> RE-APPROVAL

ROLLING MEADOWS SUBDIVISION – Request for a 4<sup>th</sup> re-approval of final subdivision approval.

Mr. Straub made a motion to grant a 4<sup>th</sup> re-approval, seconded by Mr. Brenner and the motion carried unanimously. 4<sup>TH</sup> RE-APPROVAL

Respectfully submitted

Eileen Mang  
Planning Board Secretary