

A regular meeting of the Town of LaGrange Planning Board was held on April 21, 2009 at LaGrange Town Hall, 120 Stringham Road. Chairman Alan Bell called the meeting to order at 7:30 p.m. Board members John Gunn, Tony Brenner, Ed Jessup, Stacy Olyha, Bob Straub were present. Also present was Maureen Harvey, alternate board member. Dennis Rosenfeld was absent. Also present was Rebecca Valk from VanDeWater & VanDeWater, Walter Artus of Stormwater Management Consultants and Greg Bolner of Clark Patterson Lee.

Mr. Gunn made a motion to accept the minutes of March 17, 2009, seconded by Mr. Straub and the motion carried unanimously. MINUTES ACCEPTED.

Mr. Bell announced in the absence of Dennis Rosenfeld, Maureen Harvey would be a voting member.

PUBLIC HEARINGS:

D'AMATO SPECIAL USE PERMIT – Proposed Special Use Permit located on Cramer Road containing 3.06 acres (Grid No. 6361-04-853370)

Mr. D'Amato appeared before the board regarding this application. He said he wants to put a small accessory apartment in his house for his mother-in-law who is 84, including a small kitchen, bathroom, bedroom.

Mr. Bell declared the public hearing open for public comment and asked if there was anyone in the audience who wished to speak for or against the application.

Karen Halloway of 26 Horseshoe Drive asked Mr. D'Amato if his house was up for sale. Mr. D'Amato replied yes. Mr. Bell asked Mr. D'amato if he was selling his house. He replied they were putting it up for sale. He said his mother-in-law only comes up for a couple of weeks in the summer and it's just himself and his wife living there. Mr. Bell asked Mr. D'Amato if he was aware that the Special Use Permit for the accessory apartment does not transfer with the house when he sells it. Mr. D'Amato replied correct. He said the builder was supposed to do this 25 years ago and they just found out that it wasn't done. Ms. Valk asked Mr. D'Amato if the apartment was already existing. Mr. D'Amato replied yes. Ms. Valk said then the purpose of this was to actually legalize an already existing apartment. Mr. D'amato said yes.

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

Mr. Bell said he had a note from the Building Inspector which says this was being put on the agenda and asked if there was any reason to believe they were not in compliance with everything. Mr. Bell said he assumed everything did because it wouldn't be on the agenda if the Building Inspector didn't think so.

Mr. Straub made a motion to deem the project 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. Mr. Gunn seconded it and it was carried unanimously. **NEGATIVE DECLARATION.**

Mr. Gunn made a motion to grant a Special Use Permit, conditioned on the Building Inspector's satisfaction with all the criteria in the code, seconded by Mr. Straub and the motion carried unanimously.

ROLLING MEADOWS SUBDIVISION – Proposed 130-lot subdivision located on Rte. 55/Saxon Drive containing 70.625 acres (Grid No. 6361-04-778118)

Ms. Jolanda Jansen of Spectra Engineering appeared before the board. Ms. Jansen said this subdivision received final approval from the town in 2007 and has been completely reviewed, including environmental impact statements and all of the issues have been addressed. Ms. Jansen said because of the change in the economy there is no way possible to do 130 lots at one time as one project. She said she was showing the board what the project looks like in 5 phases. She said they have met with the Highway Dept. and with the Fire Dept. and they have come up with a safe and organized way to Phase the project so that each phase stands alone. Ms. Jansen said the project will take a little bit longer to complete and added it would be done at the rate that it works with the economy.

Ms. Jansen went over the plans. She said the very first thing that will happen will be the construction of a traffic light and turning lanes at the entrance to allow construction traffic to safely enter and leave the property. She showed the board where the entrance road would be on the map. She showed the board where Phase I would start. She said they would be bringing sewer from Mandalay Drive to service the houses and they would connect to the Deerfield Booster Pump Station on Mandalay Drive and from there the water supply would be brought into the property.

Ms. Jansen said Phase I would be 32 lots and from the end of the cul-de-sac there would be a gated emergency access road for ambulances and fire engines. Ms. Jansen said the final project would have a through road to Saxon Drive, but the Phase I project would not. She said to provide a secondary entrance for emergency vehicles, there will be an emergency road that the emergency vehicles can use.

Ms. Jansen said Phase II was the same configuration and some houses get built and they will be up to 50 and then in Phase III they will do the connection to Saxon Drive and complete that part of the site. She said they work their way back to fill in the gap and do the portion that is below Vista Ridge. She said each phase has its own stormwater management and each phase functions independently and will the environmental impacts of the stormwater will be addressed in each phase. She said none of them are dependent on something that is going to happen later. Ms. Jansen said this is a cluster with a very

large conservation easement, including all of the wetlands on both sides of the property and a perimeter around most of the property. She said all of the houses are close to the road and the lots are fairly small and there is a very large amount of open space that will be preserved forever. She said the conservation easement will be managed by the town, but the land will be owned by the individual property owners legally, but they won't be allowed to clear it or build on it.

Mr. Bell asked which phase does the road get connected to Saxon. Ms. Jansen replied Phase III.

Mr. Bell declared the public hearing open for public comment and asked if there was anyone in the audience who wished to speak for or against the application.

Mr. Bell emphasized that the subdivision itself was approved 2 years ago and the purpose here is to discuss the phasing itself, not the entire subdivision.

Claire Tutoni of 4 Saxon Drive said they asked a lot of questions the 1st go round and a lot of questions were not answered. She talked about water and upsetting the water tables.

Mr. Bell said he didn't believe it was fair to say that it wasn't addressed. Mr. Bell said the original plan has an extensive stormwater management plan as part of that plan. He said since it hasn't been built yet, it doesn't surprise him that the existing water conditions haven't changed. He said it is also not fair to state that you know for a fact that when they build things, it's going to get worse.

Mr. Bell said Ms. Tutoni stated that there were a lot of questions that were not addressed and he said if she went into both the plan and the environmental impact statement, she would find that wasn't the case.

Ms. Jansen showed Ms. Tutoni a phase III diversion swale, phase I diversion swale, and a very large pond that will completely retain all of the water. She said they are intercepting and diverting completely across to the pond any runoff that is coming off the hill.

Ms. Tutoni asked when they cut through for the emergency vehicles, will it be gated so there won't be problems with the kids going in there. Mr. Bell said the emergency access road will have a gate on it which is locked which emergency vehicles will have keys. Mr. Bell couldn't say if dirt bikes would be able to find another way onto the property.

William Spiak of 863 Freedom Plains Road. He asked if in the future he could jump into the sewer line or water for his property. He asked about lot sizes.

Mr. Bell said regarding tying into the sewer or water district, that was a question for the town board. Ms. Jansen said the portion of the lot that's built on is quite small. She said the zoning they are in is the same. Ms. Jansen said the lots actually include all of the acreage that's on the conservation easement so some of them are very large. The portion

of the lot that's built on is quite small. She said the zoning they are in is the same. Ms. Jansen said this was clustered so the dimensions were different from standard zoning.

Mr. Bell said the town code has a provision if you bring in a plan that the lot sizes are the minimum size required by zoning and the number of lots is agreed to by the board and the applicant, then you can submit an alternate plan which clusters those houses on smaller lots with an aim of leaving a large portion of the land undeveloped and protected permanently from development.

Mr. Spiak said the large portion of land he was talking about was wasted land anyway, and added they were talking about swamp land. Mr. Bell said you cannot use the swamp land to come up with the number of legal lots. The original plan has to be legal and it doesn't include building houses in swamps. Ms. Jansen said the original conventional layout under the zoning of this parcel was 130 lots and then they clustered it.

Ms. Jansen referred to phase V. She pointed to the location of the houses and the conservation easement and stated there was nothing that would be built there.

Greg Zeno of 819 Freedom Plains Road showed the board his property and asked about the mature trees. Mr. Bell asked if the trees were on his property. Mr. Zeno said yes and the trees grow close to the road. Ms. Jansen said she didn't have the sheet showing the trees. Mr. Bell said any questions that arise that are not answered now would be answered in writing and added all of the comments and questions would need to be responded to by the applicant in writing. Ms. Jansen said they had a detailed plan which shows what happens to the trees in the entrance road. Mr. Bell said the plan Ms. Jansen just referred to was on file in the Planning Department.

Mr. Zeno asked about power lines and if they would be buried. He said it is overhead right now to Pegasus. Ms. Jansen said they will bring in underground lines for the subdivision.

Dan O'Halloran of 70 Michael's Lane asked about the construction of the road and would it be done in phases or all at once. Mr. Bell said the road construction would be done in phases and therefore would be done over a longer period of time. Mr. O'Halloran asked about blasting. Mr. Gueron responded there is no blasting. Mr. O'Halloran asked about how long this would take. Mr. Gueron said initially they thought they could do the 130 lots in 2 years. He said things have changed but he was very optimistic about the economy. Mr. Gueron said he hoped it would be shorter than 7 years and again repeated he was very optimistic.

Jordan Field of 15 Mandalay Drive asked about the conservation line for the residents of Mandalay Drive and how it would run along their property lines. Ms. Jansen showed Mr. Field the conservation line. He asked about the sewer main going in. Ms. Jansen said it would be one of the first things going in because they need to have it in place and once it is in place, no traffic or activity. He asked about time frame. Ms. Jansen's answer was inaudible.

Annie Zeno of 819 Freedom Plains Road asked if she would be notified if they would lose power with changing things over. Ms. Jansen said the power from Ms. Zeno's house probably comes from a pole on Rte. 55 so it wouldn't be affected by what they do. She said she didn't think they were supplying Ms. Zeno with power from the subdivision.

Ms. Zeno said her driveway will be affected and asked how the turning lane would affect her driveway. Ms. Jansen said when it is time to do that part of the construction the actual construction manager will make sure that she has access and work it out with Ms. Zeno directly. She said it was too early because they don't have the person who will be doing that work yet. Ms. Zeno talked about the tree line and privacy.

William Spiak spoke again. He asked what is the plan to start construction. Ms. Jansen said they are in the process of getting approval for the phasing plan and there were a number of steps before they can file the map so they were not at construction yet and added she didn't know if they would be there possibly at the end of the summer at the earliest. Ms. Jansen said it really still depends on the economy and finances whether anything happens this year. Ms. Jansen said first the traffic light then utilities.

Joe Detony of 4 Saxon Drive asked about the trees, shrubs and flowers right on the corner of his property line and was doubtful that they would be able to go through the road without destroying them. Ms. Jensen said all work will be in the applicant's property line and within the town right-of-way. She said they were not allowed to do anything that affects a property that somebody else legally owns.

Mr. Bell said if the shrubs and trees and flowers were in the town right-of-way, that would be different. Mr. Detony said he understood that they wouldn't be coming over onto his property line, however they cannot foresee debris and accidents with things falling off a truck on the way in and out. He said his property line extends into the cul-de-sac. Ms. Jensen said the construction vehicles are not allowed to enter the site via Saxon Drive, so only when they are actually working there, building that piece of the connection will they be in that area. Mr. Bell said in the initial approval the board insisted they improve the intersection at Rte. 55 with a traffic light so that all access to the site for construction vehicles could come in that way. Mr. Detony asked if there was end date when this could run out or if the economy takes a bad down turn, could they be dealing with this over the next 20-30 years. Mr. Bell replied the final approval of any subdivision extends for 3 years so if at the end of the 3 years they haven't built all of the phases they have to come back to get the board to re-approve the entire thing. He said the clock will start ticking when the phasing is approved. Ms. Valk said the actual filing of phase I will actually start the clock.

Mr. Bell asked if they didn't come in for 3 years what would happen, did it lapse or would they be subject to zoning changes. Ms. Valk said arguably there would have to be an argument that they have gained vested rights to the entire subdivision or else they would have to be subject to any zoning that's in affect, which could possibly require a new layout. Mr. Bell said they don't have to come in for re-approval because they have

an approved plan, but if they don't then when they go to build another phase they could be subject to whatever changes there were in the zoning law. Mr. Detony said there is an abundance of diverse natural wildlife and certain species that are endangered or soon to be, specifically the Blandings and Painted Box. He asked if any provision have been made to deal with any of these that may be in the areas under construction. If it is found during the construction phases that they do exist, will this put a halt to the construction.

Mr. Bell asked Mr. Detony to clarify if he meant if there were species that are found that were not anticipated in the environmental impact study, what would happen. Mr. Detony said yes. Ms. Jansen said they were in the part of Dutchess County that does have Blandings Turtles. She said there are very specific construction techniques that are well known that would be utilized if such turtles were found, including a specific height protection fence and a way to handle the trenches and if they were to encounter turtles they didn't know about, both construction techniques could be implemented. Ms. Jansen said Blandings turtles were not located on this property.

Mr. Bell said what the board does for any project is they ask for a study by a licensed professional as to the suitability of the habitat for endangered species. He said if they say that the habitat on the site is the kind of habitat that those endangered species would use then the board asks for a more extensive study to determine whether they exist. He said he cannot remember what the findings were with this.

A question regarding Hudsonia was brought up. Mr. Bell said Hudsonia recently gave a presentation on habitat to the town board of which each planning board member has a copy of. He said the board is familiar with the group and the work they do. To date he said he didn't know if they have worked directly with them. Mr. Bell said they sometimes comment and express their concerns during the period of SEQR review for projects and the board considers what they have to say.

Ms. Olyha said Hudsonia manages the site for the DEC and Hudsonia does look at the projects in the town, but they don't have any authority. Ms. Olyha said the DEC was an involved agency in this DEIS.

Mr. Detony said if something is discovered on the property would they be given that same consideration. Mr. Bell said the applicant answered that previously.

Karen Holloway of 26 Horseshoe Drive asked how large the houses were. The answer was 2,800 to 3,000 sq. ft. She asked if they were single story or 2 story. The answer was 2-story colonials, single family.

Ray Swanno of 51 Mandalay Drive. He talked about turtles as well. There was another species that was brought to the board's attention that he couldn't remember, but they were not endangered. He said to the best of his knowledge, that was not addressed.

Mr. Swanno expressed his concern that there are existing subdivisions in the town of LaGrange that have gates that preclude thru traffic. He said there is another subdivision,

possibly Dutchess Farms that they were complaining about cars speeding through there since the Taconic accesses were closed. He said they have people speeding through Mandalay Drive too. He said he believed his concerns were ignored by the previous board about opening up Saxon's access through Saxon particularly for the people that will be on the west side of the subdivision. Mr. Swanno said they are not going to go out Rte. 55, they are going to come through Saxon Drive onto Mandalay and out Vail Road. He said if they have problems with traffic he asked the board if they would consider re-gating that.

Mr. Bell said the Planning Board doesn't make determinations about gating existing roads because they don't have the authority. Mr. Bell said the Town Board has the authority and added that he didn't believe the Town Board was planning on shutting down any of those roads. Ms. Valk added that she didn't believe that the Town Board had any authority to close down already existing roadway. She said this was an issue that came up in Dutchess Farms.

Ms. Harvey asked if the light on Rte. 55 was to remain after construction is complete. Mr. Bell replied it was permanent.

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

OTHER BUSINESS:

TITUSVILLE LIGHTING SITE PLAN – Proposed site plan located on Titusville Road (Grid no. 6360-03-109390); rescind site plan approval. Consideration of SEQR determination and site plan approval.

Mr. Tom Cummings appeared before the board. Mr. Cummings said at the last meeting when this was approved there were some conditions and additions requested. He said they changed the 250 watts to 175 and said he did that. Mr. Bell said the board granted site plan approval for this, but the board had not done SEQR so the board has to rescind the site plan approval, do SEQR and then redo the site plan approval.

Mr. Gunn made a motion to rescind site plan approval, seconded by Mr. Straub and the motion carried unanimously. SITE PLAN APPROVAL RESCINDED

Mr. Straub made a motion to deem the project 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. Mr. Jessup seconded it and it was carried unanimously. NEGATIVE DECLARATION.

Mr. Brenner made a motion to grant site plan approval, seconded by Mr. Jessup and the motion carried 6 -1. Ms. Olyha voted no. SITE PLAN APPROVAL GRANTED

PINE HILL ESTATES SUBDIVISION – Proposed 31-lot subdivision located on Overlook Road containing 73.29 acres (Grid No. 6361-02-630549/500585); circulate for Lead Agency.

Mr. Jessup made a motion to circulate for Lead Agency, Seconded by Maureen Harvey and the motion carried unanimously. CIRCULATE FOR LEAD AGENCY.

DALEY FARM PDD – Proposed Planned Development District located on Titusville Rd./Noxon Road (Grid No. 6360-03-081270/229310); consideration of completeness of DEIS

Mr. Bell said he believed that the board was ready to vote for completeness of the Draft DEIS.

Ms. Valk said if the board is deeming it complete, the public hearing should be discussed. Mr. Straub made a motion to deem the DEIS for Daley Farm PDD complete, seconded by Mr. Gunn and the motion carried unanimously. DEIS DEEMED COMPLETE.

Mr. Jessup made a motion to set the public hearing for May 19, 2009, seconded by Mr. Gunn and the motion carried unanimously. PUBLIC HEARING SET.

12 WALKER ROAD – Proposed site plan located on Walker road/NYS Rte. 376 containing 0.97 acres (Grid No. 6260-04-620248); discussion.

Mr. Shawn Farrell of Morris Associates appeared before the board. Mr. Farrell said he received an e-mail from Wanda earlier in the day asking if tonight they would be ready to be considered to set the public hearing in May. He said everything seemed ok and then he said he arrived at the meeting and he was told the project was off the agenda.

Mr. Bell said he thinks he knows what happened. He said he had two memos from Ken McLaughlin, the Building Inspector which outline what appear to be potential zoning violations with the plan. He said they need to go to the ZBA to obtain variances before the planning board can proceed. Mr. Bell said since both memos were dated today his guess was he delivered them after Mr. Farrell heard from Wanda. Mr. Bell said the board cannot take action on things when the board is being told they are in violation of the zoning code.

Mr. Bell told Mr. Farrell the best thing to do would be to talk to Mr. McLaughlin. Mr. Farrell said he talked to Ken and he said Ken didn't think it would be a problem.

The issue of the handicap ramp not meeting the minimum setback of 45' from the right-of-way of Rte. 376 was discussed. Mr. Farrell asked when the ZBA meets. Mr. Bell replied the 1st Monday of the month. Mr. McCay and Mr. Serino were also present. Mr. McCay said his concern was that if they keep pushing the project back, they may have to abandon it. Mr. Bell said the board doesn't want to see that happen either. He said there really is not much the board can do if they require variances. Ms. Valk said it's not a

violation with anything that is existing, it's something on the plans that Ken is referring to. Mr. Bell asked if the zoning table was not included in the plan under the extensive paving, a variance may also be required for the maximum lot coverage as a percent of the lot area. Mr. Farrell said he checked it and he said their maximum was 50% and they were at 42%. Mr. Bell said that left the handicap ramp.

Ms. Valk said the board cannot give final approval until they get variances but they could work that out with Ken. Ms. Valk said the board could put them on the agenda for next month and if they do not satisfy Ken's questions or alternatively go to the ZBA, then they won't have the public hearing.

Mr. Bell said the board can set the public hearing and if they are not ready, they will be pulled from the agenda.

Mr. Straub made a motion, based on the recommendation of the attorney, to set a public hearing for May 19, 2009 conditioned on the satisfactory response to issues raised by Ken McLaughlin, Building Inspector. The motion was seconded by Mr. Gunn and the motion carried unanimously. PUBLIC HEARING SET.

HARVEST RIDGE SUBDIVISION – DISCUSSION

Mr. Ernst Martin of Paggi, Martin & DelBene and Mr. Jon Adams appeared before the board.

Mr. Martin said they have met on numerous occasions with the town's consultants and he believes they have a plan that is complete. He said the only outstanding item involves the floodplain. He said originally when they did the flood study for this project they included not only Harvest Ridge but the possible subdivision across the street, Crystal Lakes. He said they were done at the same time. Mr. Martin said when got the response from FEMA, if one read the letter one could possibly interpret that one project was dependent on the other. They were done more or less as a convenience to study them together, but they act on their own.

Mr. Martin said to clear up the matter they had the floodplain engineer Leonard Jackson go through and do another analysis. He said the analysis is complete and they are ready to submit that to FEMA, however before that can be done it has to be acknowledged by the town supervisor. Mr. Martin said the town engineer would have to be given the direction to review it and make recommendations to either the Planning Board or to the town supervisor. Mr. Bell said in this case, he believed it was a recommendation to the town supervisor. Mr. Martin said FEMA will not review it until it is acknowledged by the town. Mr. Bell asked Mr. Bolner if he had been given that direction yet. Mr. Bolner replied he was given the direction to provide the _____ to the town and he said he sent an e-mail to Wanda.

Mr. Bell said they are proposing changes which will result in the boundaries of the floodplain changing. In order to incorporate that into the plan they have to submit their analysis and plan for that to FEMA. In order for them to do that, the town engineer has

to evaluate it and then they recommend to the supervisor that he send it to FEMA for their review and then FEMA sends it back.

Mr. Martin said 3 years ago this was done. Mr. Bell said when they did it the last time they were doing it for this project as well as for the property across the street. What came back from FEMA seemed to link the 2 projects meaning that work needed to be done on both properties in order to satisfy it and since they are separate projects they have to redo it so that they are not linked to work being done on the other side to get this project worked out.

Mr. Bell said when it comes back from FEMA indicating it looks good with the new maps, then the board will be able to make a final determination on the project.

Mr. Martin said he believed the consultants would acknowledge that they have a plan that is complete. Mr. Bolner said the actual acknowledgement as far as the plan being complete, it is actually being looked at by another person in his office. He said he did get some feedback that he does feel it is a complete application but he said he wants to confirm if there is more that they need to look at beyond this. He said he wants to make sure they fully protect the town. He said by the town supervisor signing that document, what is he specifically stating and he said he didn't know that. Mr. Bolner asked is the supervisor just acknowledging that it was submitted or is he acknowledging that it is accurate and correct. Mr. Bolner said he didn't know that answer.

Mr. Bell asked Ms. Valk if she knew. Ms. Valk replied no. Mr. Martin said they want the town to acknowledge it because it's issued through the town. Mr. Bell said FEMA insists that the request for the re-drawing of the map come from the town, not from the applicant. The town has to be satisfied that what they are submitting is accurate and desirable, from the town's perspective.

Mr. Adams said FEMA doesn't like to get involved with repetitive reviews. He said they like to see the end rather than the beginning. Mr. Bell said rather than to review what if's. Mr. Adams agreed.

Mr. Bell said this subdivision has already been given preliminary approval and final approval is awaiting basically the consultants telling us that all of the technical details have been taken care of to their satisfaction. Mr. Bell said the board is interested in the engineers and Highway Superintendent telling us that they are satisfied that this plan shows that the roads and the houses aren't going to be flooded as well as no negative impact downstream.

Mr. Martin said assuming FEMA approves this, it doesn't change the floodplain map. The next stage is the area gets regarded as per the floodplain study and this particular plan, an as-built has to be generated and then that as-built has to be sent to FEMA and certified and at that point they change the map.

Mr. Gunn asked if the highlighted area on the map was a phase. Mr. Martin said yes. He said that was the other reason why they were before the board. They want to talk about phasing. Mr. Martin said because of the economy the applicant would like to phase the project. Mr. Bell said his understanding was that in the phasing plan being proposed all of the infrastructure is going to be built in phase I. Mr. Martin said that was correct. Mr. Bell said the only thing that is going to be phased is the filing of the maps and so from the board's perspective the only thing that is affected is the number of lots which means it affects their tax payments.

Mr. Martin said Phase I is 26 lots, all the infrastructure will be built, including roads and storm sewer, water main, drainage facilities. Phase II is 24 lots and that is really the only difference.

Mr. Bell said the board probably doesn't want to take any action on this right now. He said the town is contemplating legislation about phasing. Ms. Valk said she has not been involved in those discussions. Mr. Martin said the code provides that if phasing is to be considered that it be initially be brought before the board. Mr. Martin said they realize there is a whole process they would have to go through. Mr. Bell said the board was between preliminary and final and they are now coming in and talking about phasing. He asked if they had to go back through SEQR on the whole thing or was that something the board could use their judgment on. Ms. Valk said they will have to back through SEQR and there are steps where they can supplement the earlier SEQR to this change of circumstances rather than recreating the wheel, it can be supplemented with any additional facts. She said because of this change between preliminary and final they are going to need a new public hearing.

Ms. Valk said any changes in the plat that are substantially different from the preliminary require a new public hearing. Mr. Adams asked if he could look into that issue before a final decision is made. He said they are not changing the layout of the lots. He said he wasn't sure phasing was a change in the plat. He said they were not asking for any immediate action. He said he would like to explore it a little further. Ms. Valk said they have to make sure that they are treating everybody who looks to phase, the same way. Mr. Adams said he is not looking to re-invent the wheel.

REQUEST FOR TIME EXTENSIONS:

BIXBY SUBDIVISION – 90-day extension from re-approval of final subdivision.

Mr. Straub made a motion to grant a 90-day extension, seconded by Mr. Gunn and the motion carried unanimously. 90 DAY EXTENSION

BRADBURY SUBDIVISION – 6-month extension of preliminary subdivision approval

Ms. Olyha made a motion to grant a 6-month extension of preliminary subdivision approval, seconded by Mr. Straub and the motion carried unanimously. 6-MONTH EXTENSION

IMPROTA SUBDIVISION – 6-month extension of preliminary subdivision approval

Mr. Straub made a motion to grant a 6-month extension of preliminary subdivision approval, seconded by Mr. Gunn and the motion carried unanimously. 6-MONTH EXTENSION.

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

Respectfully submitted

Eileen Mang
Planning Board Secretary