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By:

Wendy Rosinski, Town Clerk

**WORKSHOP MINUTES**  
**TOWN OF LLOYD PLANNING BOARD**

**Thursday October 17, 2019**

**CALL TO ORDER TIME:** 5:30 pm

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**   **Present:** Fred Pizzuto (Chair), Scott McCarthy (Vice-Chair), Lawrence Hammond, Carl DiLorenzo, Charly Long, Franco Zani, Lambros Violaris (Alternate), Sal Cuciti, David Barton (Building Department Director), Andrew Learn (Town Engineer).

**Absent:** Claire Winslow (Town Board Liaison) Laura Oddo-Kelly (Administrative Assistant To Planning and Zoning), Rob Stout (Land Use Attorney).

**ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS; ROOM CAPACITY IS 49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES.**

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**New Public Hearings**

**Costantino, Paul and Joanne, 30 Bellevue Rd, SBL # 88.17-2-13.100.**

Applicants are proposing a lot line revision to add a vacant 0.83 acre parcel of land to their single family residential lot. The acreage is topographically separated from the residence on adjoining lands of Diana & Paul Costantino and Kathleen Kouri and has been used and maintained by the applicants. The lot line revision will allow for the continued maintenance of the Hudson River viewshed on the applicant's parcel.

**As a Type II Action, no review of the Short EAF was required.**

**The Planning Board set the public hearing on 08.22.19 for the 09.26.19 meeting.**

**On 09.18.2019, the Board was presented with information on a discrepancy with boundry lines depicted on the maps from neighboring property owner Joseph Anzelone.**

**Brooks and Brooks, applicant's representative, have advised the Board that the boundry lines will be consistant with a 2014 Supreme Court decision in the final maps submitted in October.**

Patti Brooks, applicant's representative, was present and said they will supply new survey maps and narrative. Brooks disputed Anzelone's attorney saying that boundry lines between the two properties were never litigated. She discussed the right of way for Mr. Anzelone with the maps. She said her map is just a sketch map and she discussed revised maps. It was agreed to have Rob Stout review before going further.

## **Old Business**

**Auto Zone Retail Auto Parts Store, No# 6881, 3668 Route 9W, SBL# 96.1-4-18.241 in GB Zone. \*\*Adjourned until 11.21.2019 per request of applicant.**

Applicant is seeking commercial site plan approval for a land development project that will consist of a 6,816 sq ft single story structure for the retail sale of auto parts.

**The Board requested more detailed site plan that would include more aesthetically pleasing landscaping.**

**Received final review from CPL 09.23.2019.**

**Resubmittal received 10.01.19**

**The Board is waiting for the traffic study.**

**Cusa, Sal, North Road, SBL# 88.1-4-8.225, in R 1/2 Zone. \*\*Adjourned until 11.21.2019 per Water and Sewer Committee meeting discussion.**

Applicant is seeking subdivision approval proposing to divide lot SBL# 88.1-4-8.225 into 5 lots for single family residences.

**The Board requested a topography map and recommended the property be discussed at the next Water and Sewer Committee meeting.**

**GlidePath Power Solutions, Route 9W, 88.1-3-3.200 in LI Zone**

Applicant is seeking commercial site plan approval for a lithium battery energy storage system facility at the intersection of 9W and Route 299 that will provide capacity and ancillary services to the regional electric grid.

**Applicant presented preliminary site plan and SWPPP on 09.19.2019.**

**Received final review from CPL 09.23.19.**

**Site plan revised 09.26.19 to reflect individual cells plan per NYSERDA requirements.**

**Revised EAF and siteplan received 10.15.2019.**

**Circulated for Lead Agency 10.15.2019.**

Dave Young, applicant's representative, was present to reiterate that new plans were submitted last week as per Learn's comment letter. They are providing a green space around the facility and a tree survey is being completed. Hydrants are shown on the plan and storm water access will have an access.

Learn asked if the easement for storm water will provide a blanket coverage.

Young said there is an easement around the entire fence.

Learn said he thought they would actually bring a hydrant into the site.

Zani inquired how far the hydrants were from the site.

Young explained the measurements but said they could add one closer.

Pizzuto and Learn said they need a noise analysis because of the cooling units on each cell.

Learn asked where the clearing limit is on the entry road.

Young said they would show it.

Learn said they could circulate to the UCPB, DOT and the Fire Department when the hydrant appears on the plan.

Barton said they can't set the public hearing until the Lead Agency is established. The circulation just went out recently because they were waiting on the revised EAF. Glidepath will not be present at the next meeting.

**Joyful Moments Childcare, LLC, 620 New Paltz Rd, SBL # 87.10-6-6, in R ½ Zone.**

Applicant is seeking a special use permit to relocate a childcare business to a new location. **The Board has requested a more extensive site plan.**

Applicant, Eboni Cook, was present. A more extensive site plan and floor plans were submitted prior to the meeting.

Barton explained to the applicant that the Town Board is considering a moratorium on all commercial development in the Town. However, she may ask for a waiver from the Town Board to continue to review the application. He believes this project is suited for a waiver.

Pizzuto explained the moratorium further and stated that the basis for it is more for the six massive development projects on the 9W corridor that have the potential to greatly impact the Town, not this project. They need to review the Comprehensive Plan, and possibly create new zoning, so as to study the massive development before them and make sure the effect of such development will not have a negative impact on the Town.

Barton said the applicant should attend the public hearing to comment or submit a request for relief from the moratorium.

Learn said she should probably submit her request in writing ahead of time.

Cuciti said it would be business as usual prior to the moratorium. She can request a waiver because this type of project is not what the moratorium is designed for.

McCarthy said we don't want to be pushing applicants into the moratorium if they don't need to be there.

Barton said she should go to the public hearing because it would be at least two weeks before she can officially request relief after that.

Cook displayed the site plan and floor plans. She explained where the septic area is and that they would be utilizing the existing parking lighting. They would be putting a new septic system in which Lou DuBois is working on.

There was a discussion on parking and the entrance and exit to the lot. The Board said the applicant would have to either pave the lot to show the traffic pattern or use signs.

Learn said with ADA spaces there needs to be a smooth surface like asphalt or concrete to be compliant.

Cook said they would be doing minimal cooking on premises. The location of an outdoor designated play area is yet to be determined but she designated on the plan where it would most likely be..

The Board anticipates setting the public hearing at the 10.24.19 meeting for the 12.05.2019 meeting.

**Law, Ryan, 65 Hawleys Corners Road, SBL# 79.4-1-12.200, in R1 Zone. \*\*Adjourned until a revised plan is completed with the ZBA.**

Applicant is seeking a special use permit to allow an accessory apartment in part of a detached garage to be constructed in the front yard of his parcel. Applicant is seeking an area variance simultaneously from the ZBA to construct the building in the lower front yard.

**P WE Holdings, LLC, Route 9W, SBL # 88.1-4-8.222 in GB Zone. \*\*Adjourned until 11.21.2019 per request of applicant.**

Applicant is seeking commercial site plan approval to construct a 6,300 square foot catering hall/banquet facility on a 9.34 acre parcel of land located on Route 9W, southerly of North Road and northerly of Grand Street.

**The Board requested a grading plan.**

**RTH Realty Holdings, LLC, Upper North Road, SBL# 80.3-1-16 in LI Zone.**

Applicant is seeking commercial site plan approval to construct 12,000 sq ft warehouse and office space building along with associated parking and loading area. The proposed multi-use passive building is intended to be constructed on a 3.4 acre vacant parcel.

**The Board requested a 3D model of the building.**

Barton said he informed the applicant of the moratorium hearing and encouraged them to attend. Khattar Elmassalemah, P. E., applicant's representative, was present to give the status of the proposed project.

Barton said he has informed the applicant of the proposed moratorium. He said they may also attend the public hearing. Applicant stages real estate property listings in NYC and needs a warehouse to store the furniture and props for such.

Elmassalemah brought photographs to demonstrate the location and height of the proposed building. He explained the drainage and LED lights, which could be dimmable at night, that would be used on the property.

McCarthy suggested they use the LED lights with shutters so the light would not beam out to other properties.

Elmassalemah presented the Board with a cut sheet of the lighting fixtures.

Learn said he is still trying to complete his traffic comments. One of his biggest comments is stormwater. The site's limited disturbance doesn't include a small building on the property which needs to be included even if it is going to be demolished. If it is less than an acre it is erosion sediment. Learn said he was told by the DEC that if you have point .95 acres of disturbance in rounds up to one acre and the permit reads one acre. The regulations read that the building should be part of the project.

There was a discussion on the acreage.

Learn said it is up to the Town's discretion to make the decision on the acreage.

Elmassalemah said they would include it.

Learn said they need to meet with the Highway Superintendent and if the project is approved, the applicant needs to formally apply to the Water District. He added that the applicant also needs a vehicle maneuvering plan and information on the access to the loading dock.

Elmassalemah said the fire code provides multiple plans and he will provide the Board with all the information requested. He said there are two loading docks.

The Board anticipates setting the public hearing at the 10.24.19 meeting for the 12.05.2019 meeting.

Barton said he encouraged the applicant to attend the public hearing on the moratorium to request for relief from the moratorium.

**Stewart's Shops Corp, 3733 Route 9W, SBL# 96.9-1-33.100, in HBD Zone. \*\*Adjourned until feasibility and traffic studies are completed.**

Applicant is seeking commercial site plan approval proposing a new typical Stewart's Shops convenience store (3,850 s f) with self-service gasoline.

**Received final review from CPL 09.23.2019.**

**The Board is waiting for the feasibility and traffic study.**

**The Views at Highland, 3715-3725 Route 9W, SBL# 95.2-2-12.100 & 95.2-2-12.200 in HBD Zone. \*\*Adjourned until 10.24.2019 per request of applicant.**

Applicant is seeking commercial site plan approval to redevelop property at 3715-3725 Route 9W (SBL 95.2-2-12.100 & 12.200) for a mixed-use commercial and residential development with related parking and landscaping. The applicant proposes to construct two mixed-use buildings comprised of retail and office space on the first floor of each building and twenty-two apartment units located on the upper two floors in each respective buildings. In accordance with the Town of Lloyd Zoning Code Section 100-36D, ten percent of the proposed residential units will be designated as below market rates.

**The Village in the Hudson Valley, 3679 Route 9W, SBL#'s 95.12-1-5 &15.1, 95.2-2-3.21, 9 & 10 in R1/2 Zone. \*\*Adjourned until 11.21.2019 per request of applicant.**

Applicant is seeking commercial site plan approval for a proposed Continuing Care Retirement Community and a lot line revision to consolidate and reconfigure five parcels into two parcels.

**Informational Meeting was held on 08.22.19 at the Highland Fire House.**

A **Motion** was made by Carl DiLorenzo, seconded by Franco Zani to adjourn. All ayes. 6:36 PM