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**MEETING MINUTES**  
**TOWN OF LLOYD PLANNING BOARD**

**Thursday, June 23, 2016**

**CALL TO ORDER TIME:** 7:00pm

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE** **Present:** Dave Plavchak, Brad Scott, Peter Brooks, Scott McCord, Fred Pizzuto, Carl DiLorenzo, Lawrence Hammond, Jeff Paladino; Town Board Liaison, David Barton; Building Department Director, Andrew Learn of Morris Associates; Town Engineer  
**Absent:** Nicki Anzivina, William Ogden

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

**New Public Hearings**

**Highland Self-Storage, 3663-3667 Route 9W, SBL#95.2-2-34.100 & 95.2-2-6.100, in GB zone.**  
The applicant proposes demolishing an existing commercial office building, previously a residence, and construction of two self-storage buildings with a footprint of 37,100 square feet and total square footage of 89,300 square feet.  
The two tax parcels will be consolidated to create one new 8.63 acre lot.  
Patti Brooks of Brooks & Brooks Land Surveyors P.C., the applicant’s representative, was present for the meeting.  
Patti B. presented the project to the Board, showing them a revised multi-color landscaping map along with the elevations. Discussed was the buffering that will remain between the proposed structure and the bridge authority ramp. There will be no disturbance of the trees on that side of the property. It was said that even in the winter the buffering is thick so the view of the new building will be pretty limited. Newly submitted detail sheet was reviewed (date received-07/23/16) and is on file. Patti Brooks informed the Board that Ray Jurkowski with Morris Associates will be doing the Map Plan & Report.  
Patti B. had a question about Stormwater Management Practice.  
Patti: Do I need to prepare a metes and bounds description or is it sufficient to do a Blanket Easement over the property to access whatever is needed for maintenance.  
The Board suggested a Blanket Easement.  
The Board had no additional questions at this time.  
Because the Intent of Lead Agent letter is dated June 1, 2016 and has not reached the 30 day time limit frame, the Board will wait on SEQRA determination but hold the public hearing. This will give Andy Learn more time to revise his memo with satisfied updates so that there is not an overwhelming amount of conditions to satisfy for an approval.  
A **Motion** to open the public hearing was made by Fred Pizzuto, seconded by Lawrence Hammond. All ayes. There were no public comments.

A **Motion** to close the public hearing was made by Carl DiLorenzo, seconded by Scott McCord. All ayes. Patti: I had asked the applicant for some color clarifications so that it is in the record. In a past meeting the Board suggested something in the Tan family. So the doors are going to be of tan color, the silhouette grey will be around the doors and on the corner pieces, there will be cedar red trim (as shown in the colored elevation), the roof will be beige and then I added that natural similar tones are to be approved by the Building Department. This is a metal building with insulation board that is painted with a stucco like substance. There are about 7 different facades; I do not know how many colors you are looking for.

Dave P: I think the main concern were the majority of the building and the doors. I knew there would be some accent colors. I am ok with the colors chosen and okay if the Building Department has some detail color they would like to change but I do want the primary color and the look of the doors to be somewhat consistent with the look of the Town.

Dave: So you are okay with the look that is shown now?

The Board concurred that the three colors chosen are good choices with some flexibility of the Building Department's approval.

### **Extended Public Hearings**

#### **Hudson Summit LLC 2016 (3 lot subd), 52 Mayer Dr, SBL#95.12-2-7, in R ½ & R1 zone.**

The applicant would like a three lot subdivision. Two of the lots are for single family homes and the third the applicant would like to be dedicated to the Town.

This public hearing is still open; there were no new public comments at this time.

The Board is waiting for the applicant to submit updated maps to reflect the additional catch basins needed.

Dave P: In formally responding to the public comments it seems the biggest issue was the original promises made by the developer. In the research that Dave B. did and Terresa did, we found nothing beyond the contract signed by Bob Sheppard and the developer. Some residents had brochures from when they purchased the house but we have nothing on the site plan to show what that said. There were comments from the Marions who submitted pictures of the drainage issues; Anthony Giangrasso, Andrew Learn, Dave Barton, Rich Klotz, and many of us have been out there looking at the drainage. We have asked the developer to put two additional catch basins in, one on the side of where the 3-lot subdivision is and across the street in front of the Marion residence. The applicant also has the letter from Morris Associates regarding the condition of the pond, when we eventually move on this it will be a condition of approval. The Town Board will want to see it maintained before they accept it.

Larry: Did you check on Mr. Sheppard's signature? Did you check that the Town Board had approved for him to sign?

Dave B: I will check.

Peter: I keep saying, although no one seems to think it is worth much, is you could read that contract to say that he can cut off that detention pond and the Town will take it without saying anywhere about two extra lots.

Dave B: There are not a certain number of lots associated with the contract. I think those two lots are the basic minimum acreage he could have gotten on that lot by carving the pond off.

Peter: Was Bob Sheppard agreeing to take the pond or is he also agreeing he could get the extra two lots.

Dave B: The agreement says the pond can be carved off and the other lot was a lot. So now if he has this lot he could theoretically come to you and ask for a subdivision if it meets our requirements.

Brad: I think the thing is that it does not say he cannot do it.

Dave P: I think we need to clarify if Rich Klotz wants gravel down by the pond?

This public hearing will remain open.

## Closed Public Hearings

### **Smith, Matthew (Gina Marie Dance), 10 Commercial Ave, SBL#88.17-9-5.100, in GB zone.**

The applicant would like site plan approval to renovate the second floor of the building located at 10 Commercial Avenue. Gina Marie's Dance Studio would like to occupy 5770 sq.ft. of the second floor for her business. Interior and exterior renovations will be made.

Matt Smith was present for the meeting.

Dave Toder of Bolder Architecture., the applicant's representative, was present for the meeting.

Dave T: Revised maps have been submitted with a number of new items:

1. Parking - three ADA spaces have been provided.

The Board discussed the parking and their concern was to have the handicapped parking as close to the building as possible. Where it is shown makes the most sense due to the Highland Auto Repair shop needing the spaces in the area closest to the building near the dumpster.

2. Sign - Elevations were submitted which show the sign location which is to conform to the Town sign code requirements. The sign size shown on the map can be revised to meet the code standards.

3. The note about future connection to rail trail has been removed.

Dave B: The fire escape is existing so it will remain and be repaired.

Matt: The compressor units will be in the back of the building sitting on little pads on the ground. There will be four or five of them.

Larry: There is not much room behind your building; those units may be sitting on rail trail property.

Matt: I think there is enough room but we can put them on brackets on the back of the building.

4. Lighting – A lighting detail sheet has been submitted.

Discussion on lighting to include the height of the lights, the light at the rear egress and the brightness of the lights.

The Board discussed the UCPB comments regarding channelization.

Dave P: The area in the front of the building is narrow, as discussed and the impervious surface may be best for the site. I had asked Andy L. for some input on this and we have a memo on this dated June 23, 2016.

(See attached)

Channelization will not be done at this time.

The resolution of approval was read. (See attached)

A **Motion** to accept this resolution was made by Lawrence Hammond, seconded by Brad Scott.

**Vote:** Dave Plavchak – Aye, William Ogden – Absent, Carl DiLorenzo – Aye, Lawrence Hammond – Aye, Brad Scott – Aye, Fred Pizzuto – Nay, Peter Brooks – Nay, Nicki Anzivina – Absent, Scott McCord – Aye.

## Old Business

### **Vieira Sardinha Realty, LLC, Route 9W, SBL#96.1-4-18.241, in GB zone.**

The applicant would like siteplan approval to construct a 2,100 sq.ft. Dunkin Donuts Drive-thru restaurant with customary appurtenances.

Brad Scott recused.

Scott McCord stepped in.

Patti Brooks, the applicant's representative, was present for the meeting.

The Board reviewed Andy Learn's, comment memo dated June 22, 2016. (See attached)

Discussing questions:

#4 regarding future development Patti B. will provide a max build out schematic plan.

#5 regarding fire truck movement plan to indicate how Fire Dept. apparatus will access the site.

Patti B: The fire chief supplied to me the specific turning radius for their largest truck. With the ladder truck they actually have three different radii; one is the wheel radius (which needs to stay within the curbs, another is the bumper radius (because the wheel faces in so far) and there is the third radius for their aerial ladder to ensure that you have vertical clearance as well as horizontal clearance. On the map we have areas of no obstruction zones. In this area they cannot put anything above 2 ft. in height or the bumper will hit it.

#10 The Board discussed the parking area, its 24 ft. clearance and it being one way. With only striping at the ingress/egress of Wingate Way Andy Learn is concerned that someone could enter from the Wingate side entrance and not realize that the parking area is only a one way and drive thru the wrong way. The Board would like to see a physical curbed barrier to direct the traffic flow in the right direction.

Andy: You may want to check the turning radius' to make sure the fire trucks do not have to hop the curb; you may not want to make this a green area.

The Board will think about taking the 24' space in the parking area (between the parking spaces) and making it a smaller distance. (Maybe 20')

#6 Slopes – Andy would like Rich's consent on the 8% slope but the Planning Board does have the ability to waive this. Andy's suggestion, because there may be other buildings and uses on site, would be to combine entrances and bring it further south.

#7 Slope – on the exit ramp seems very steep. Andy L suggests 2(H):1(V) maximum.

#8 if a retaining wall is to be built, cut sheets are needed.

#13 & #14 Lighting and Landscaping plan.

#16 signage details - Patti is waiting for schematic to show where the sign will be located.

#30 Andy is not crazy about the wet swales that are being proposed so Andy asked that they be changed to bio retention filters because there is no standing water with those.

#31 some concern of the downstream areas so Andy asked that they try to get that mitigated.

#32 treat offsite runoff that runs through the site.

This application will be circulated for Lead Agency status.

A **Motion** to circulate a letter of intent for Lead Agent was made by Peter Brooks, seconded by Lawrence Hammond. All ayes.

Brad Scott Recused.

Scott McCord stepped in.

**Walker, Desmond, 3945 Route 9W, SBL#95.4-1-18, in HBD & R1 zone.**

The applicant would like to move his currently established business, Ultimate Auto Inc., from 512 Route 299 to a new location at 3545 Rt. 9W.

Wesley Walker was present for the meeting.

The Board has been waiting for Lou DuBois, the applicant's representative, to meet with the county regarding the Ulster County Planning Board comments.

**Cusa Builders 6 lot subd., N Elting Corners Rd, SBL#87.1-1-3.200, in R1 zone.**

The applicant would like to develop this 23.25 acres of land into 6 residential lots for the purpose of single family homes.

The Department of Environmental Conservation has signed off on the limits of the wetlands.

The Board is waiting for the Board of Health approval as well as a sediment erosion control plan.

## **Administrative Business**

### **Sign approval**

3509 Corp.; Community Car Wash Route 9W SBL# 88.13-2-9

New submission 6/22/16.

Matt Scott, the applicant, was present for the meeting.

After denial of an area variance by the Zoning Board of Appeals the applicant redesigned his sign proposal. The sign is the same height as the sign being replaced. It is under the 50 sq. ft. maximum requirement and the location will remain the same.

This sign requirement is all code compliant.

A **Motion** to accept this sign proposed was made by Carl DiLorenzo, seconded by Fred Pizzuto. All ayes.

### **PRD Discussion**

The Planning Board reviewed comments from Terresa Bakner, Land Use attorney, comments submitted by Dominick Martorana and Jessica Caswell and comments from the Ulster County Planning Board. The Planning Board will be finalizing their recommendations and submitting them to the Town Board. The Planning Board did not understand the recommendation in the draft that read ‘anything other than concrete’ and looks for clarification on that.

A question was about commercial uses and what is allowed. The Board had said ‘neighborhood uses’ in the proposed, Ms. Caswell had suggested filling in the uses allowed, but the Board does not know that they could actually sit at this moment and choose the uses one by one.

Peter B: UCPB commented on that same issue suggesting that we keep the language that we already have.

Dave P: I do agree with that also and I believe Dave B was going to talk with Terresa on this.

Dave B: I do agree, after looking back through this yesterday 5 years is the right answer instead of the three.

Dave P: Yes. That was another comment from Terresa. We had three years from time of approval to commence building and she had recommended five years.

Jeff: Are you agreeing that the commercial component will stay within the confines of the PRD or would it be open to the public?

Dave B: It would be open to the public but the primary service would be a small shop or professional office.

Jeff: How would that be defined?

Dave B: We used to have that defined as 4% total area of the PRD residential units and 3,000 s.f. or less.

Peter B: Suggested putting this language back in.

The Board discussed retail changing and how difficult it is to pin point now exactly what would be an approved business. (Future proposals would have to go before the Planning Board for approval)

Larry: If it is primarily for that development and you define the largest building it could be.

The Board agreed.

*Brad Scott returned to the meeting.*

*Scott McCord stepped out.*

Dave Plavchak to Jessica Caswell –

We have your comments and also a second email which I would like to clarify.

Ms. Caswell: The email was just me narrowing the first letter down. My concerns are the lack of definitions of any setbacks, no buffers,...did not finish

Dave P: There are setbacks, for one story minimum of 15 feet... did not finish.

Ms. Caswell: I misspoke; it is the fact that there are not enough. When you talk about a 35 ft. building 15 ft. setback?

Dave P: That is the minimum for one story. There were no minimum setbacks in the prior code. It was zero. Peter: One of the things we thought we were correcting was by saying a setback for a one story buildings has to be a minimum of 15 ft., two stories 20 ft. and 3 stories 30 ft. minimum set back. This refers to any building on the PRD site to any building adjacent outside of the PRD. There are different setbacks for building within the PRD.

The Board discussed setbacks and PRD's.

Peter: Just to re-cap we have two issues one is setbacks between any properties on the PRD and neighboring properties. Ms. Caswell is worried about what happened at Trailview, which is now set to be 15 feet from the property line if it is a one story building, 20 feet from the property line if it is a two story building and 30 feet from the property line if it is a three story building that is the minimum. The other issue is when you look at the buildings that are on the site, the building may include several different units, but if it is one or two stories they have to be at least 15 feet apart and if there are three stories they have to be 25 feet apart.

Dave P: I think we changed that to 35 feet apart.

Ms Caswell: When you have those large buildings like in our backyard how come there is not a minimum acreage requirement of 10 acres?

Peter: We talked about that a lot. There are a lot of smaller properties in the area with water and sewer. Although I think we have learned from some of the things that happened at Trailview; I would argue that the use of Trailview for apartments like that, and compared to neighborhoods like Sunny Brook and Cambridge Ct., this is a densely developed neighborhood. Being densely developed is not a bad idea.

Ms. Caswell: This is a totally different structure. No other town allows this.

Dave P: We were trying to comply with the current comprehensive plan and the current plan is driving density around the town center. I think if it is a smaller parcel with the setback requirement and the spacing requirements there will be a limitation on what could be done. With the zero setback it may have been feasible but now it may not be.

The Board reviewed buffers.

Ms Caswell questioned buffer distances, the taking down of mature trees and how high should the new landscaping be?

Dave P: In every application the surrounding and topography is going to be different. Every PRD application will have its own separate neighborhood around it. As a Planning Board we have more ability than we have had in the past and we are going to make sure we define all things. I do understand your concerns but I do not think that we can be that specific. We as a Board have learned a lot and I think the Town Board has learned a lot now we are trying to move forward and get as far ahead as we can and make this code better.

Ruth Dapp questioned what the comment was about road frontage?

Peter: I did not understand one of the attorney's comments. It had to do with a circumstance that we do not intend to allow happen; allow a PRD on a private road.

Ms. Caswell: The wording is very vague. What is in 'harmony' with you may not be with someone else.

Dave P: That is on us, we as a Board need to make those decisions.

Comments are on file from Dominick Martorana.

Many of the concerns are answered from the Comprehensive Plan.

(Comments are attached.)

Ms. Dapp: Because I did not have a site plan I could not rezone for PRD.

Dave: In the past the Town Board has acted because there was a use.

Peter: There would be a conceptual plan and once the Town Board rezoned it would go for site plan approval.

Ms. Dapp and Ms. Caswell were questioning the use of a second parcel, which holds a single family dwelling, that was zoned PRD after being subdivided from the Trailview parcel. The PRD language for the uses is in the PRD code.

A **Motion** to approve the minutes of the May 19, 2016 Planning Board Workshop, as edited, was made by Fred Pizzuto, seconded by Peter Brooks. All ayes. Lawrence Hammond and Brad Scott abstained.

A **Motion** to approve the minutes of the May 26, 2016 Planning Board Meeting, as edited, was made by Fred Pizzuto, seconded by Lawrence Hammond. All ayes. Carl DiLorenzo abstained.

A **Motion** to adjourn was made by Lawrence Hammond, seconded by Fred Pizzuto. All ayes. 9:20pm