

WORKSHOP MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, January 18, 2024

CALL TO ORDER TIME: 5:30pm

PLEDGE OF ALLEGIANCE

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

OFFICIALLY OPEN THE MEETING

Attendance: Board members: Scott McCarthy, Charly Long, Franco Zani, Carl DiLorenzo, Gerry Marion, Lambros Violaris, Bill Meltzer (Via Zoom), Fred Pizzuto (Via Zoom), Lenny Auchmoody (Town Board); Board Staff: Dave Barton, Paul Van Cott, Christian Moore, and Sarah Van Nostrand.

Minutes to Approve at the January 25, 2024 meeting
December 7, 2023

Old Business

The Villages

Review Status: Next phase plans circulated to the board.

John (Applicant's agent) said that the resolution back in August of 2023 granted an overall site plan and a resolution for phase A and part of that resolution was coming back. They are back before the board for site plan approval for phase B and C. With respect to phase A, they have submitted an overall site plan. They have received Department of Health approvals, DEC approvals, basically they have completed all the conditions in connection with the overall site plan and phase A, they have also filed the lot line change map. They have been knocking out the conditions of approval over the last 6 months. They have received Department of Health approval; they are just waiting for the official sign off from the county.

Paul said that the original approval granted them do certain aspects of phase A and certain aspects of the 3 model independent living units, so that is the approval that they had. Now you are back in for the site plans for phase A, B and C.

John said no the site plan for phase A was reviewed back in August and approved with the conditional approval.

Kelly (A part of the applicant's team) said that in the resolution overall was approved

and phase A was approved. There was an authorization by the Planning Board that the applicant could proceed with a building permit to complete certain site work to allow the development of the site to allow those three models. That building permit was applied for and printed, and that work is ongoing.

Paul said site plans for phase A have not been signed yet.

Kelly said that is correct.

Paul said before you get those signed you need to get the overall site plan signed.

John said that was just submitted.

Kelly said they didn't want to submit the overall site plan and the phase A site plan for signature because they needed to meet the conditions of approval and two, they wanted to have complete DEC and Ulster County Health Department approval of the water lines. DEC approval came in before Christmas and Health Department approval just came in. Now the town has the overall site plan for the chair's signature, there were a number of conditions that had to be met, they have provided a letter, those plans reflect any changes that the DEC and the Health Department needed and those have been addressed and approved by them. At this point the SWPPP, water and sewer are completed. Phase A would have come in at the same time for signature, but there were a few comments that they wanted to clarify, and they should be dropped off to the town soon.

Paul said that you need to get the overall site plan and phase A site plan signed.

Kelly said that is correct. They delayed submitting phase B, C1 and C2 for the same reasons, they didn't want to submit to the board if it didn't reflect the overall approvals from Ulster County and DEC as far as the SWPPP is concerned, so the plans in front of the board have been reviewed by CPL in regards to stormwater, water, and sewer. The SWPPP has been finalized. New York State DEC has reviewed the sewer and Ulster County Department of Health has reviewed the water.

John said they have submitted phase B, C1 and C2 for the board's more detailed review of the phases.

Paul said the board can review the submissions, but in terms of actions he thinks they need to be clear in terms of where they are in the signing of the site plans and what that means in terms of the board being able to make a decision.

Franco asked if they could give updates on the construction.

Kelly said that they applied for 3 permits to DOT. The first was for the work in the right-of-way, which included the sanitary, water and storm work, the re-alignment at the bottom of the street that work has been completed. The second permit that was received

from DOT was for the traffic signal and some work along Mayer Dr and Route 9W. That work is in interim as the DOT doesn't allow work in the right-of-way during winter. All of the work needed to install the traffic signal that is subsurface is completed, they are in the process now of waiting for the long lead items. The third permit that was applied to DOT had to do with the sidewalks. One of the conditions of approval was that the applicant has to install sidewalks from Mayer Drive north to connect with the existing system. That continues to be under review by DOT, the last comment letter that they got was right after the holidays, so they are working on revisions to the plans. That one involves right-of-way work and real estate with DOT and that process takes a little bit longer. All of the work that was required for the town's sanitary sewer along Mayer Drive and into the site, all of that has been relocated. With respect to the site Health Care Center Lane which intersects with Mayer has been installed, all of the infrastructure has been installed along that road, the two big storm chambers have been installed, that road is paved all the way up to where the models will be constructed. The models will be constructed on Peach Lane, there was a portion of Peach Lane that has been paved, the water and sewer for those three models are in. They are about ready to submit applications for those three models. The grading and tree removal along the properties on Apple Lane has occurred. The water line on Apple Lane has not been installed, mostly because the timing of when that would have been installed was around the holidays and they didn't think it was appropriate to be digging up in front of the neighbors' properties. The booster pump has been designed and finished and approved by Ulster County. Light pole bases have been installed; guide rails have been installed all the way up to where those models are.

Franco said okay.

Kelly said that the site seems to hold well with weather conditions, there were some concerns of neighbors in regards to offsite stormwater issues and they were immediately there to show them that it wasn't from this project, but they did some offsite work to prevent any more stormwater runoff.

Carl asked if they are finished with the wall.

Kelly said no.

Carl asked if structurally it is holding up.

Kelly said yes and it is inspected by a third-party structural engineer and the manufacturer comes out and inspects it as well and the reports are provided to the town.

Gerry said to be clear you have permits in hand from the DOT for the light minus the sidewalk.

Kelly said correct, there were about 3 months of prep work, so if the masts come in during winter they could be installed.

Paul said there is no certificate of occupancy issued for phase A until that is installed and operational.

Kelly said that is why they split the sidewalk permit part because they knew that the sidewalk permit would take a longer time frame as it involved real estate.

Christian said that they have some comments based on the phasing plan provided, they have some concerns on how the ALF is going to proceed. The rest of the comments are site specific and detailed.

Scott asked if there has been any complaints to the town.

Dave said there was one about offsite runoff of water and he went out at 8:05 am and found the team already there and had figured out on their end how to correct it.

Franco said after that rain and snow melt event he didn't see any pictures of flooding on 9W, so everything must be good.

New Business

Murphy, Joshua: Special Use Permit: 6 Christopher Ave: SBL #88.69-6-7

Applicant is seeking a special use permit to convert the garage into an accessory apartment.

Review Status: Application and plans circulated to the board.

Josh (Applicant) said that his long-term goal is to convert the garage to an Airbnb studio apartment, and it will allow his parents to stay with them. It will be beneficial to his family.

Dave said that the place has plenty of parking. He asked if this is an accessory apartment with STR or no.

Scott said accessory apartment first.

Dave said he just mentioned a short-term rental as well.

Josh said that's the goal, but if you cannot process them at the same time.

Dave said they can, but you will have to come back for another round of this, if you decide not to do the STR now.

Scott said in the past the board likes to see them merged together or separate. If you want to merge them together then it would be a reapplication to the building department.

Dave said just amend the current application. There are a couple of more steps they would have to do an inspection, so they really couldn't do that until the space is built, so they will have to do the accessory unit first.

Gerry said why cannot he just do it and be done with it.

Dave said they cannot do a fire safety inspection until the space is built, so he needs a special use permit from the board before that happens.

Scott said let's get the special use permit done first and when you are ready to do the special use permit for the STR come back, it's the easiest way.

Gerry asked if the board could approve it pending all the inspections.

Dave said the board could, he just wouldn't be able to issue a STR permit until all of that was done.

Scott said that many things come before the board, so it doesn't really matter if this does.

Dave said because of the location he doesn't think there is going to be a lot of push back.

Franco asked what is the square footage of the garage that you are looking to convert to the accessory apartment.

Josh said 275.

Board to potentially set public hearing for next month at next week's meeting.

Public Hearings

Highland 9W Self-storage: Special Use Permit: 3659 Route 9W: SBL #95.2-2-34.110

Applicant is seeking a special use permit to install a roof-mounted solar array.

Review Status: Public hearing set for January 25, 2024.

Continued Public Hearings

SCC Holding Corp: Site Plan: 104 North Rd.: SBL #88.1-4-24

Applicant is seeking site plan approval to build a duplex (two-family dwelling).

Review Status: Ulster County Planning Board comments received. Public hearing opened on 12/7/2023. Updated plans circulated to the board.

Franco said that the double cleanouts are backwards. The y's should face each other because one will go back to the house and the other will go towards the road. The way they are currently facing if there is a backup there is no way to snake it.

Scott said that is an issue that has to be corrected.

Christian said that they have a number of comments regarding the water service and the EAF needs to be revised and resubmitted. He has some concerns regarding the driveway, the grading for the driveway still hasn't been shown. With the driveway adjustments there will be an effect of channeling water into the roadway unless there is something there to capture that and put it into the ditch.

Romeo, Randy: Amended Site Plan: 25-27 Church St: SBL #88.69-9-14

Applicant is seeking an amended site plan to convert garage into storage space and to add a second floor with 2 apartments.

Review Status: Ulster County Planning Board comments received. Public hearing opened on 12/7/2023.

180 South St: Commercial Site Plan: 180 South St: SBL #87.3-5-14

Review Status: Updated plans circulated to the board.

Scott asked if the renderings could be pulled up.

Franco said that he likes it.

Scott said he sent an email stating that he liked it.

Gerry said it's better than what is there now.

Scott said the board didn't want it flat and they have added texture to the project. He also likes how the lights are softer and less industrial feeling for that street.

Christian said that they noticed that some of the lights have a double headed wall sconce, some of those provide uplighting and that is not allowed.

Dave said downlighting is allowed, so they could raise them up.

Christian said in prior meetings they showed renderings with a blue line and it seems they have gotten away from that.

Paul asked if Christian had a comment letter.

Christian said yes and its primarily pertaining to the new drainage line.

Dave said one of the issues in the past was that the board wanted them to break up the front of the building and he feels that they have done that with the new renderings.

Short-Term Rentals (Public Hearings)

Hashemian, Zahra: 39 Reservoir Rd.

Review Status: Application and supporting documents circulated to the board. Public hearing set for January 18 & January 25.

Potential Action: Open public hearing.

Scott asked for a motion to open the public hearing.

Motion made by Franco, 2nd by Gerry.

All ayes, motion passed to open the public hearing.

Zahra (Applicant) said that she has run Airbnb's off and on for over 12 years in other areas. She likes to be in contact with the guests and is always concerned about the neighbors. She is in contact with the guests in case they need anything, if there are any issues and responds to them. Sometimes she gets people who stay for a week and other times people just stay for a weekend. She likes to host people who have had previous good reviews. If they haven't rented through Airbnb before she asks a lot of questions as she likes to vet people to make sure that they are good to be in her home.

Dave said he has a question on the occupancy of the home. On the original application you had 10 but was asked to change it to 6 due to the number of bedrooms. This is in the water and sewer district, so septic is not an issue. On the next page under occupancy, it looks like there are 13 possible guests. Can you tell me how many guests you are looking to rent to.

Zahra said that she would like to have no more than 6-8 guests in the home, even though there are places to sleep because she thinks that more than 8 is too many people. If septic is not an issue, then she would like to list it for 8 and if it is an issue then 6 is fine.

Bill said that the picture that was shown, it doesn't look like there is enough parking for that many cars.

Zahra said it is a pretty long driveway and there is a 2-car garage. She thinks you could fit at least 3-4 cars in the driveway, if 2 cars park side by side.

Gerry asked if the rental included use of the garage.

Zahra said yes.

Scott said that the board is still doing most of the STRs based on the bedrooms and the septic system that is available for the bedrooms.

Dave said the septic size for a house not in the sewer district is based on the number of bedrooms.

Scott said he is concerned with all these rooms having people sleep in them.

Zahra said there are 3 bedrooms upstairs and 2 living room spaces downstairs and one living room space can accommodate a couple of guests.

Scott said the board was trying to use bedrooms as places for people to sleep as opposed to, there is room in an unused pantry closet and the board doesn't want that. The board is trying to keep it consistent with the number of bedrooms, sticking with 6 if that is a good possibility.

Franco asked how far away the maintenance manager is.

Zahra said she would be living in the house part time, has a friend that is 15 miles away and another workman. She plans on being very active and very much there.

Bill asked where is the emergency contact.

Zahra said Rosendale.

Administrative Business

Falcon Ridge-SEQRA Declaration

Potential Action: SEQRA Declaration resolution

Andy (applicant's agent) said that they were before in December and there was a proposed part II and resolution, he submitted a letter to the board for consideration regarding the part II, the board did not have time to review that, so they are back tonight. They were provided with the proposed part II and proposed resolution as revised, so they are here for the boards SEQRA determination on the project.

Paul said after the December 7th meeting, he has updated the FEAF and updated the resolution. In part to respond to some of the comments that the applicant had made. It helped to make sure that the board's rationale was clear. The updated FEAF Part II and resolution have been provided to the board for consideration and approval.

Scott asked the board can do it at the next meeting.

Paul said the board can do it tonight if they like. The board has spent a lot of time thinking about this and thinks the applicant is looking forward to moving ahead with the process. The next step for the applicant if the board adopts this resolution would be for them to provide a draft scope for a DEIS and the board will review that provide comments, get public comments and eventually adopt a final scope that would provide the basis to go ahead and start working on the DEIS. One of the things that he has discussed with Dave and CPL is that the board may want to have its own experts look at some of the different areas of impact.

Bill asked was Fred on the town board when this was approved as he doesn't know if there is an issue with that.

Paul said former Supervisor Pizzuto was on the Town Board when the board adopted the resolution regarding SEQRA lead agency for the Planning Board. He doesn't necessarily see that as a conflict at this point.

Bill said that was his concern.

Andy asked Paul for clarification on the issue.

Paul said that Fred who is now an alternate on the board was the Supervisor for the town at the time, that the Town Board consented lead agency status for the Planning Board, so he was a part of the resolution that was adopted.

Paul read the resolution.

Scott asked for a motion to approve the resolution as read.

Motion made by Carl, 2nd by Bill.

Roll Call Vote:

Lambros-aye

Franco-aye

Scott-aye

Charly-aye

Carl-aye

Gerry-aye

Andy asked if the board when the draft scope is submitted, clearly there will be an opportunity for written comment, but does the board also hold a public scoping meeting at a board meeting or simply state that the draft scope has been received and a public written comment period established.

Paul said that would be a board preference but would suggest that there be an opportunity at a Planning Board meeting for public comment before finalizing anything.

He asked if the board wants him to follow up on the outside experts.

Scott said yes.

Paul said he had a conversation with Dave and CPL but has not talked with the applicant but the three potential consultants that they have identified that are needed are cultural resources, the visual impacts and then plants and animals.

Gerry said he is okay with it as long as there is no conflict of interest to the applicant.

Paul said that he will clear it with the applicant. They have three potential names already Hudson Cultural Resources has done work with CPL and himself. There is a gentleman named George Janes he is out of the city and has done work in Dutchess County, he would be the visual consultant. Then CPL identified Aspen Environmental, Carol Knapp.

Andy said that they just came from a meeting in Poughkeepsie where they are dealing with her on a project.

Paul said that he will talk with the applicant more and make sure there are no issues but those are the ones that staff will recommend at this point.

Motion to Adjourn.