

REGULAR MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, December 2, 2021

CALL TO ORDER TIME: 7:00pm

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

Via Zoom

Attendance: Board Members: Scott McCarthy, Sal Cuciti, Larry Hammond, Carl DiLorenzo, Gerry Marion, Franco Zani, Bill Meltzer, Lambros Violaris; Board Staff: Dave Barton, Paul Van Cott, Andy Learn, and Sarah Van Nostrand.

Absent: Charly Long

Minutes to Approve

October 21, 2021, October 28, 2021, and November 18, 2021

Motion made by Sal, 2nd by Larry, all ayes motion passed to accept the minutes.

Old Business:

JTK Management- Site Plan, 86 North Rd., SBL #88.1-4-21

The applicant proposes construction of two two-family dwellings on the property. It is located primarily in the R-1/2 zone, and is located in a mixed-use area of single-family residences, multi-family residences and businesses. Each dwelling will be serviced by Town of Lloyd municipal water and sewer service.

SEQRA Status: Unlisted Action

Review Status: Public hearing closed

Potential Action: SEQRA determination, Final Approval

Patti (applicant's agent) mentioned that she has received new lighting plans from Selux, which she believes to now be in conformance with the Town Code. There are still some grading issues down by the roadway where the barn used to be. The Highway Superintendent has put a catch basin in as there are drainage issues on North Rd. All of this has been done very recently, so she has gone out into the field and located all of the improvements and have been added to the map. The last comment from CPL dealt with the fence/tree buffer, she mentioned that the applicant thought that it would be a little bit softer to have fences, trees, fences, trees, also there are some existing native trees that are to remain to add diversity.

Dave said that Paul has help draft the approval documents, and built into the resolutions are outstanding comments from CPL and the applicant would have to pay \$7,500 for recreation fees because they are creating new dwellings.

Andy said that the proposed culvert when pointed at a neighboring property it will require a drainage easement, to avoid that he suggested that they remove it and allow it to sheet flow, but it sounds like the Town installed a catch basin, which would like to see a catch basin on the property and tie into the one the Town installed. The lighting plan that he received look much better. The lighting plan should be included in the plan set and would like to see the mounting heights of the lights clearer on the map. He suggests that the Planning Board look at the fence/tree buffer. Also, would like to see the water calculations for the 2-inch water line was adequate service.

Patti replied that the lighting plan is included in the resolution and has added it to the site plan set. Will add the mounting heights to both the site plan and lighting plan. She said that they are not planning on adding a catch basin they plan on having it sheet flow into the Town basin. Andy replied that is fine, but the project is very close to the level of disturbance, so they have to be very careful to go over the 1-acre threshold.

Patti said that the resolution mentions a drainage easement if required and would like it to say if required by the Town engineer.

Paul said that the addition of the language that Patti suggested “if required by the Town engineer,” he thinks that it will take care of the issue. As for the lighting plan he has built that into the resolution.

Dave asked if Paul could amend that the November 30 lighting plan with revision 3?

Scott asked the board if they were comfortable enough for approval?

Franco replied that he was.

Sal said he was, but would like to know the language for the sheet flow. Is it going to say the culvert will be eliminated and sheet flow drainage is going to be shown?

Paul replied that it is already in as a comment, in the CPL memo, so they would just refer to that memo and say they have to satisfy that.

Dave went through the SEAF with the board.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

Board agrees no to small impact.

2. Will the proposed action result in a change in the use or intensity of use of land?

Board agrees no to small impact.

3. Will the proposed action impair the character or quality of the existing community?

Board agrees no to small impact.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?

Board agrees no impact.

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?

Board agrees no to small impact.

6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?

Board agrees no to small impact.

7. Will the proposed action impact existing: a. public/private water supplies? b. public/private wastewater treatment utilities?

Board agrees small impact.

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?

Board agrees no to small impact.

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?

Board agrees no to small impact.

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

Board agrees no to small impact.

11. Will the proposed action create a hazard to environmental resources or human health?

Board agrees no to small impact.

Paul read the negative declaration resolution.

Scott asked for a motion to accept the resolution.

Motion made by Franco, 2nd by Gerry.

All ayes motion passed to accept the negative declaration.

Paul read the approval resolution.

Scott asked for a motion to accept the resolution.

Motion made Sal, 2nd by Gerry.

Roll Call Vote:

Larry-aye

Gerry-aye

Franco-aye

Sal-aye

Carl-aye

Lambros-aye

Scott-aye

All ayes motion passed to accept the resolution.

Silver Gardens- Site Plan and subdivision, Argent Dr., SBL #96.29-3-3.11 in PUD.

Applicant proposes a 2-lot subdivision and to construct a three story, 55,000 square foot (total, all floors) affordable, rental housing complex for senior citizens. The complex will include 57, one-bedroom units, outdoor parking areas, a new roadway configuration from Argent Drive to access the complex and pedestrian connections to Argent.

SEQRA Status: Negative Declaration issued.

Procedural status: Subdivision and Site Plan approval granted.

Potential Action: Approval Extension

Paul said that the applicant has sent staff an email requesting an extension of the final plat approval. Under NYS law the final plat conditional approval that was granted by the Planning Board back in June will expire in December if the board doesn't extend it. Under NYS law the Planning Board can extend the approval in increments of 90-days. Based on the applicant's written request he has drafted a resolution for a 180-day extension of the conditional approval to give the applicant more time to comply to the conditions of the original approval.

Scott asked why the applicant needs the extension?

Paul said the conditions that the applicant needs to comply with is the developer's agreement, need to formally give the 0.09-acres to the Town for the improvements to Argent Drive, approve all required easements.

Mr. Gerentine replied that he has no commitment from NYS Division of Housing, the financing is based on tax credits, and they haven't released the results yet for this funding cycle. They would like the 180-days to give them ample time, and as soon as they get approval, they will start the next day proceeding and finalize the subdivision and site plan.

Scott asked the board if they thought 90 or 180-days was good?

Carl replied that 180-days is appropriate in this case.

Bill agreed that 180-days is appropriate.

Franco said he is fine with 180-days.

Scott said that 180-days is okay.

Paul read the resolution.

Scott asked for a motion to accept the resolution.

Motion made by Franco, 2nd by Carl.

Roll Call Vote:

Larry-aye

Scott-aye

Bill-aye

Gerry-no

Franco-aye

Carl-aye

Lambros-aye

Sal-Abstained

Motion passed to grant a 180-day extension for the subdivision approval.

New Business

Mountainside Woods: Lot Line Revision: 20 and 22 Emerson Terrace: SBL: 87.21-3-24 & 87.21-3-23.

Applicant is seeking a lot line revision for the purpose of meeting setbacks.

Review Status: Application and maps circulated to board.

Potential Action: Schedule Public Hearing for January 27, 2022

Scott asked for a motion to set a public hearing for January.

Motion made by Sal, 2nd by Gerry.

All ayes, motion passed to set a public hearing for January 27, 2022.

Garland, Stacey: Special Use Permit: 20 Carmella Rd.: SBL: 87.20-2-40.

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

Review Status: Application and plans circulated to board.

Potential Action: Schedule Public Hearing for January 27, 2022

Scott asked for a motion to set a public hearing for January.

Motion made by Franco, 2nd by Larry.

All ayes, motion passed to set a public hearing for January 27, 2022.

Extended Public Hearings

Stewart's: Site plan review: 3733 Route 9W: SBL: 96.9-1-33.100 in Highway Business District

Applicant is proposing a new typical Stewart's Shops convenience store (3,850 sq. ft.) with self-service gasoline.

SEQRA Status: Type II

Review Status: Public hearing was opened and extended.

Dave mentioned that CPL is working on the map plan report, there are some negotiations with the property owner to the south whether an easement or something else is needed.

Scott said that there was an email discussion of the sign and asked how they are placed.

Dave said the Highway Superintendent determines that a sign is needed, and then takes the appeal to the Town Board who authorizes the purchase of the sign.

Scott asked would the sign allow any vehicle over that weight go in and make deliveries?

Dave replied that the signs are more meant for a deterrence because they are non-ticket able offenses.

Ken (a part of the applicant's team) said that he has contacted Ulster County and have the paperwork for a permit, and has just received comments from DOT.

Andy asked Ken if any of the comments from DOT would affect the site layout?

Ken replied nothing he sees would affect site layout, they did ask for the turning templet for coming out onto 9W, just to make sure it is not crossing the double yellow line.

Tyler (applicant) said that he has spoken with the owner of Wagon Wheels for the sewer connection easement and have come up with an arrangement.

Andy asked Tyler to let him if a part of that arrangement would include connecting Wagon Wheels to the sewer as well.

Tyler replied that he would.

Franco asked if the deli has formally requested water and sewer from the town?

Andy replied not yet.

New Public Hearings

Suleiman, Saman: Subdivision: 465 Red Top Rd. SBL: 88.1-2-4.110

Applicant is seeking a subdivision of a 36.6-acre parcel into a 7.02-acre lot and a 29.5-acre lot. Proposed lot 1 will be a 7.02-acre lot with an existing house, well and septic system. Proposed lot 2 will be the remaining lands, a 29.5-acre vacant lot upon which no construction is proposed at this time.

SEQRA Status: Type II

Review Status: Application and maps circulated to board.

Paul mentioned that it is an Unlisted Action for SEQRA.

Scott asked for a motion to open the public hearing.

Motion made by Franco, 2nd by Gerry. Public hearing open.

No public comment

Scott asked for a motion to close the public hearing.

Motion made by Franco, 2nd by Gerry. Public hearing closed.

Dave went through the SEAF with the board.

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Board agrees no to small impact.

2. Will the proposed action result in a change in the use or intensity of use of land?

Board agrees no to small impact.

3. Will the proposed action impair the character or quality of the existing community?

Board agrees no to small impact.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?

Board agrees no impact.

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?

Board agrees no to small impact.

6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?

Board agrees no to small impact.

7. Will the proposed action impact existing: a. public/private water supplies? b. public/private wastewater treatment utilities?

Board agrees no to small impact.

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?

Board agrees no to small impact.

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?

Board agrees no to small impact.

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

Board agrees no to small impact.

11. Will the proposed action create a hazard to environmental resources or human health?

Board agrees no to small impact.

Paul read the negative declaration resolution.

Scott asked for a motion to accept the resolution.

Motion made by Gerry, 2nd by Sal.

All ayes, motion passed to accept the negative declaration.

Paul read the approval resolution.

Scott asked for a motion to accept the resolution.

Motion made by Sal, 2nd by Larry.

Roll Call Vote:

Larry-aye

Scott-aye

Bill-aye

Franco-aye

Sal-aye

Carl-aye

Lambros-aye

Lombardo, David: Special Use Permit: 8 Sheep Ln. SBL: 95.2-3-7.100

Applicant is proposing a small-scale ground mount solar, hidden from the neighborhood on a 7-acre parcel. Array will be 20' x 40'.

SEQRA Status: Type II

Review Status: Application and site plan circulated to board.

Scott asked for a motion to open the public hearing.

Motion made by Carl, 2nd by Sal. Public hearing open.

Sean (applicant's agent) mentioned that for the ground-mounted array they will be using screws, and no cement elements or anything to affect the earth.

No public comment

Scott asked for a motion to close the public hearing.

Motion made by Franco, 2nd by Sal.

All ayes, motion passed to close the public hearing.

Paul read the resolution.

Scott asked for a motion to accept the resolution.

Motion made by Franco, 2nd by Sal.

Roll Call Vote:

Larry-aye

Scott-aye

Bill-aye

Franco-aye

Sal-aye

Lambros-aye

Carl-aye

All ayes, motion passed to accept the resolution.

Motion to Adjourn.