

WORKSHOP MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, April 15, 2021

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
VIA Webex

Minutes to Approve

January 28, 2021, February 18, 2021 and February 25, 2021, March 18, 2021, March 22, 2021, and March 25, 2021.

Attendance: Scott McCarthy, Charly Long, Sal Cuciti, Carl DiLorenzo, Gerry Marion, Larry Hammond, Franco Zani, Lambros Violaris, William Meltzer; Board staff Dave Barton, Sarah Van Nostrand, Andrew Learn and Paul Van Cott

Old Business:

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.

Tyler Fronte (applicant) mentioned that the traffic report for this project should be done sometime next week. He mentioned that he had met with the water and sewer committee, and that committee feels the best route to hook up to water and sewer to is the main that is across 9W near Walgreens for a permeant connection. He asked if the planning board would be lead agency for SEQRA review?

Paul said that because it's less than 4,000 sq. ft. it would be a type II action and doesn't require SEQRA review.

Tyler replied that yes, the project is under 4,000 sq. ft.

Scott asked about the issues going to the ZBA.

Dave replied that they are for sign height relief of 1'8" and lot coverage.

Ray talked about the water & sewer meeting and that Stewart's would need to provide easements along the property line for future connections to the north and south of the project.

Scott asked where the sidewalks were going to be?

Tyler responded that initially they were going to run them around the edge of the site. They didn't see any sidewalks nearby, they thought the concrete curbing were sidewalks, so they took them out of the project. They would be willing to put in sidewalks, but is concerned that there are no other sidewalks to the south of the project and doesn't want sidewalks to no where that won't be used. He mentioned that he heard that the DOT and county are talking about widening 9W in the future and that the sidewalks would get torn up in a year or two of being put in.

Charly said that he had asked at the last meeting about sidewalks, he isn't sure if they are called sidewalks or not but down by Wagon Wheels there is a curb with an extended piece of concrete and doesn't think they would widen the road and remove them as they put them in.

Tyler replied they are not technically sidewalks, but they do exist today and that is what is in front of this site.

Scott feels that the sidewalks should be put back in the project.

Tyler asked do you mean the entire perimeter of the site or just 9W or just Chapel Hill?

Scott answers at least the 2 sides 9W and Chapel Hill.

Larry asked what does the code say about sidewalks?

Dave thinks the code says digression, but Ulster County Planning Board and DOT encourage sidewalks in other locations. He isn't sure of the code, but encourages the board to consider sidewalks at least on 9W and Chapel Hill.

Tyler said if there are going to be future sidewalks another option to look into could be setting aside an escrow and if the road widening doesn't occur can use the money to put in the sidewalks.

Franco said at this point with all the new development, he feels that the board should require it.

Scott agrees that sidewalks should be put in.

Lambros mentioned that he would like to see crosswalks with lights to keep people safe crossing 9W and Chapel Hill.

Villages ALF: Site plan and SUP. Route 9W: master parcel # 95.12-1-15.100

Applicant is seeking a SUP and site plan approval for an ALF.

Scott asked Paul where should we go from here?

Paul mentioned the letter that the board has received from the applicant related to SEQRA. He then said if the board is ready to, they can direct staff to draft a determination on SEQRA.

Scott said let's talk about the letter 1st.

Paul said what the applicant did in a letter to the planning board was to say they are really focused on the ALF at this point and with respect to the conceptual residential portion of the project on the upper portion of the project site, the town would have the opportunity to do a new SEQRA review of that development if and when a PRRD application is received.

Scott asked what are our next steps?

Paul said you could hear from the applicant, but staff would ask that you direct them to put together a draft determination for the board to review and consider that the proposed PRRD and the ALF may conceptually be undertaken without significant adverse environmental impact and that there is no need for an EIS at this point. He also said that if the board did proceed to requiring an EIS you wouldn't end up in a much different place than you would be by having the ability to conduct future review of the upper residential development.

Sal asked Paul when you go ahead with this paperwork what are you going to do with all the impacts that the board found and any mitigation to go with those?

Paul said what part 3 requires is that for each impact that has been identified as moderate to large if you make it a negative declaration, you have to explain why that determination is appropriate for those impacts. You also have to explain why it is not a significant adverse environmental impact based on the application and the mitigation that would be applied to reduce those impacts.

Sal suggests that they discuss the mitigation to see if it actually does do that before the board signs off on it.

Paul said that's up to the board, but some of that has been done. What the staff would do is build that into a draft determination to have the opportunity to discuss it with it in front of you, when you are having that conversation.

Scott asked what are the concerns that are moderate to large impacts are they for the ALF or the PRRD? As if they are for the PRRD the town will be able to review SEQRA again.

Sal said he wouldn't suggest any endless process, but there are 2 ways to move on. One is to backtrack and the other is to discuss mitigation on traffic and land.

Paul mentioned that at the last meeting there was a lot of mitigation talked about on land and traffic. He said the next step to focus this conversation is to put something together that brings everything into one place. This can be done through a draft determination which will go through each of the issues and how the applicant proposes or conceptually proposes to mitigate it.

Sal said so, the plan reflects nothing real, is that right?

Paul replied with respect to the upper development is only conceptual. He said that when a PRRD application comes in it will be a new action and will have all the information the board would need including detailed mitigation measures.

Sal said if they move forward, he would like the applicant to lower the number of houses for the PRRD and feels that would be good mitigation.

Paul said where everyone is at with this project is until they submit an application for the PRRD it's all abstract at this point the number doesn't matter.

Gerry said that it doesn't match the current zoning laws which is R-1/2 acre.

Paul replies it does match the zoning for a PRRD.

John Furst (Applicant's agent) said that it wouldn't be fair to everyone for them to submit a conceptual R-1/2 acre buildout because the client wants to build a senior development, so they want to do a PRRD at some point, but are not sure when and don't know the details. He mentioned that Sal's concerns about some of the steep slopes and what units to take out and what units to keep in that will be in discussion once they get to that point.

Dave said it is possible to write into the determination some of the boards concerns, for example suggest to the town board when they review it that the board's concerns be met before coming before the town board. For example, steep slopes, Twaalfskill flooding, and soils.

Scott asked for a motion to be made to draft a negative declaration.

Motion made by Franco, 2nd by Charly.

Scott did a vote.

Sal-nay

Gerry-nay

Carl asked if the letter wording could be changed from town to planning board.

John Frust said he has no problem changing it.

Carl asked if the planning board would be lead agency for the PRRD.

Paul said that he believes the planning board will be, but the town board will have its voice.

Scott made an amendment to the motion to draw up the negative declaration with the recommendation that the planning board be lead agency.

Carl-aye

Charly-aye

Franco-aye

Larry-aye

Scott-aye

Motion passed to draw up a negative declaration.

New Business

Rover Contracting (Riverside Corners): Site Plan Review: 251 N. Riverside Rd.: SBL: 87.8-1-10.3 in LI zone.

Applicant is seeking site plan approval to permit construction of a 9,800 square foot warehouse building for storage and maintenance of equipment for a construction company, with an attached two-story office and file storage annex totaling 3,000 square feet in size.

Dave mentioned that he had met with Patti (applicant's agent) and asked her to also submit an elevation map, a lighting plan, maybe more landscaping.

Patti said that the property is adjacent to Red Barn Produce building, near the intersection with Upper North Rd and North Riverside. There is a stormwater study being done on the site. Ulster County Department of Health have been there already for the septic system. She also said that before they settled on a final site plan, lighting plan and elevation maps, she wanted the board to look at the project and see if they had any concerns. She also mentioned that she located the wooded buffer and shifted the building to the east to keep the natural buffer that is there now. Dave asked Patti if they were going to have signs? He mentioned that he doesn't see a dumpster either.

Patti replied that she would find out and add to the plan.

Carl asked Patti where the septic and well were.

Patti said that the water is municipal, septic system is all the way at the north.

Carl asked if in the wooded buffer they would have pine trees or any existing now?

Patti said no there are no pine trees.

Carl asked if that would be an option?

Patti replied that she would go out and look and take some photos to see what they could place.

Charly asked if there would be any drainage?

Patti said that Andy is working on drainage. She mentioned that there is a ditch along the roadway.

Dave asked Patti if the applicant wanted to install the fence?

Patti said yes.

Dave mentioned that they would need a cut sheet of it, so the board can get a sense of what it is.

Also, would like to know if its for security or just visual?

Patti said that the client wanted the property fence, but she didn't ask why. She said that she would find out.

Franco said that the applicant will be using the property for heavy equipment for construction. Is there enough room to get a 20' truck or a dump truck in there and turn around or will all the equipment be off loaded on Riverside?

Patti said no, the trucks will be able to drive through the building.

Franco said his concern would be loading/unloading equipment on Riverside.

Patti said that is why there is so much blacktop in the back of the building, which allows the trucks to make the swing into the building.

Scott asked it's not a material storage either or is it just equipment?

Patti replied just equipment.

Franco asked that because they are going to be doing maintenance on construction equipment in the building and a file storage will it be sprinklered?

Patti says she doesn't get into that that would be for the building department. Patti asked Franco if his concern was the draw on the water?

Franco replied that his concern is doing file storage if they are going to be paper, but also on the maintenance if they are going to be welding, cutting and other stuff it could be a potential fire hazard.

Patti mentioned that the file storage is a 2-story attached office, so downstairs would be the staff working and upstairs would be the file storage which would be separate from the maintenance building.

Scott asked if they plan to have a retention tank or something for the oil?

Charly said it would be like a water/oil separator.

Patti said that would be inside the building under the floor drain?

Scott replied then it would go outside into a tank.

Gerry asked if they would have a fuel storage tank for the machinery.

Patti replied not to her knowledge, but she would check to make sure.

Cuisine Machine, INC.: Site Plan Review: Route 9W: SBL: 88.1-3-18 in DB zone.

Applicant is seeking site plan approval of a site plan to permit a Restaurant Use of Mobile Food Trucks with Take Out service only.

Harry (applicant) is the owner of the property and has been working on the plan for over 4 years. He thinks it's a nice space to put in a group of food trucks. Has no plan for a special food other

than the fact that he's not looking for hot dogs or pizza, he wants more upscale food trucks. He asked if the board had any questions or concerns.

Sal asked how many food trucks are being proposed on the site?

Patti (applicant's agent) replied that they are proposing 2 pads for food trucks. The vehicles seen on the drawing are cars that are parked and accessing the food trucks. While there still is a driveway around the site for traffic. She mentioned that they met with DOT at the site and conceptually approved the one way in and one way out. She also, mentioned that they understand that this meets the definition of a restaurant. Patti just wanted the board to look at the project and make sure it will conform to the use before adding in all the other details and what information the board would be looking as Harry moves forward with the process.

Sal said that he thinks it is very cool. He also asked if there were going to be any tables then the biggest issue would be restrooms. As for details he would like to see anything dealing with water, sewer or power the board should know.

Harry said he doesn't think that it would be necessary, but if need be, he will work something out.

Patti mentioned that she did speak with the board of health about this project as she was new to this and wanted to figure out what other permits would be needed. She said that the applicant stressed that it was a takeout only site. She said that each food truck has to be self-contained, which means they would be responsible for getting the food service permits through the Ulster County Board of Health. Applicant will supply the electricity for the food trucks.

Harry replied that they would supply electric and also access to a computer or at least wi-fi for call-in orders.

Scott asked Harry if they were going to be his food trucks or sub-contractors?

Harry replied they will be sub-contractors; they will have to comply with all the Board of Health rules. He is just renting the pads for the food trucks to park.

Sal asked Dave where does this belong if at all in the building codes?

Dave said no where in the building code, but for zoning it is a restaurant otherwise it would have to be a mobile vendor which would require not being on a private site and getting a permit from the town board. He also says that the flappy guys and flappy flags are not allowed.

Carl asked where is the site located?

Patti replied that it is just south of Lumen Lane.

Carl asked what was in red on the bottom of the site near 9W?

Patti replied it is a DOT drainage easement.

Sal asked is there any drainage structure in the easement?

Patti replied yes there is. She mentioned that it used to be open, but Harry got a permit from DOT to put a catch basin in.

Dave asked if they would have to get a DOT permit for another road cut?

Patti said yes, they will have to.

Franco asked how long is it from entrance to exit? As he is concerned about tractor trailers entering the site. Also, would like to know how they will handle the back up of traffic?

Patti replied that it is about 185'.

Harry said that they would have exclude 18 wheelers from the site.

Franco mentioned that the problem with 18 wheelers is most of the time when they see food and are hungry, they just pull off to the side of the road, which could block traffic in the right lane.

Patti said that she did discuss that concern with the DOT, and they suggested putting some kind of planting barrier or guardrail to prevent people from parking on the road.

Carl asked if there were signs that the DOT could put up on the side of the road?
Patti replied that she wasn't sure, but will discuss it with DOT.

Garcia/Trainor: Lot line Revision: Pancake Hollow Rd. SBL: 87.3-2-10 and 87.3-2-11

Applicant proposes to convey a 0.15-acre parcel of land from her unimproved 6.84-acre parcel to adjoining lands of co-applicant. The approximately fifteen-foot-wide fee parcel of land will supplement an existing twelve-foot-wide right-of-way over an existing driveway leading from Sundial Lane.

Patti (applicant's agent) mentioned that Ms. Garcia is looking to sell her property and before selling her property she was interested in conveying the 12' right-of-way that had always been used by the lands of Trainor, so they would have the title to it, instead of just a right-of-way. She was concerned about how the board would feel about a 12' right-of-way and increased it to 15', as for an open-development has been deemed wide enough for safe and adequate access. At this time the lands of Trainor are only serviced by the right-of-way, this revision will improve a pre-existing nonconformity of no fee at all to at least 15'.

Sal asked how many acres is the land of Trainor?

Patti replies that it is 6.06 acres and will be expanded to 6.21 acres.

Sal asked if that was their only access?

Patti replies they do have another right-of-way, but there was some regrading done and is no longer accessible.

Larry asked would this make it a flag lot instead of a right-of-way?

Patti replied that she guesses so, as it technically fits the definition of one as opposed to having no frontage at all.

Larry asked wouldn't it better to have 25' the same as other flag lots?

Patti said it would the current land owner was willing to convey 12' where the right-of-way was and she asked if it could be increased to 15'. She isn't sure if they could get it increased to the 25' and thought 15' was better than 0.

Sal mentioned that it is a good thing and sees nothing wrong with it and is solving a problem.

Gerry, also agrees that it is a good thing.

Board to set public hearing at next meeting.

Public Hearings

Denis Brathwaite and MSW: Lot line revision 13 Alex and 30 Alex Ct. SBL: 87.22-1-2 and 87.22-1-3

Applicant is proposing a lot line revision for 13 and 30 Alex Court to allow setback compliance.

Silver Gardens (was Goldenview II): site plan. Argent Drive. #96.29-3-3.11 in PUD

Applicant proposes 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: Type I Action based on Part 1 of SEAF. Planning Board is lead agency.

Justin (applicant's agent) mentioned that they had a meeting with the water & sewer committee to review the utilities. The main concern was the dead-end water main and an easement for future connections. They have modified the water lines to get the water services closer to the end of the line, so there was a lesser section of water main that could potentially sit stagnant. He showed the updated map. He asked Ray if the new plan fixed the issue.

Ray replies yes that fixes the concern that the water & sewer committee had.

Justin asked if there was any place the water easement should be placed?

Ray replied they don't have a set route for it. He mentioned that the best thing to do is to provide one that is least impactful to the applicant. It should be as straight as possible.

Justin said that they would put the sketch together.

Ray said as long as the easement is clear on the plan, and can discuss the language of it. As it is an easement it will be filed, so the purchaser of lot 2 would be aware of the easement.

Justin asked if the width of that be 20'?

Ray said 30'.

Gerry asked is lot 2 involved in the project at all?

Justin replied the creation of it is, but there is no proposed development.

Gerry asked Paul why wouldn't there be a potential buildout for that site?

Paul replied that there is no proposal.

Gerry asked aren't they supposed to for SEQRA purposes?

Paul mentioned that there is a 2-lot subdivision, one lot they are proposing to build on and the other lot they have no proposal what so ever. There is no reasonably foreseeable development on that lot at this point that would allow you to conduct SEQRA review.

Mike Moriello (applicant's lawyer) mentions that there is no plan to do anything with that lot, so they are not obligated to show a plan and in fact it would be improper for them to speculate as to what that use would be. If there is a use for it in the future the applicant would have to come back for review.

Larry thinks they should put a deed restriction on lot 2 about the water connection.

Mike said that applicant would be fine with doing that, but there are a couple of ways to do it without a deed restriction. He said that Paul is correct about just showing the easement on the map and filing it which will run with the land.

Ray mentioned that is why they want it on the easement map and subdivision map that get filed with the County.

Mike said that Justin could just show the easement on the subdivision map and wouldn't need to file a separate map.

Carl asked Paul when he was referring to the original PUD, how was the senior housing designated there?

Paul replied that the overall PUD site was intended to be built out as apartment buildings. At the far it was what appeared to be an apartment tower, so it was all intended to be residential. What has occurred over the years is they took some of the smaller apartment buildings and combined them into one building, so the density didn't change, they are still below what was originally allowed.

Mr. Gerentine asked Justin to update the board on the landscape plan.

Justin showed the new landscaping map. He mentioned that based on comments from Scenic Hudson and Palisades that they have extended the buffer that is along the trail. He also said that they received the list of native species that Scenic Hudson wanted to see more of and added them into the buffers/screening areas.

Scott asked Justin if they addressed the extra trees along the trail.

Justin said they did extend the buffer further to the south.

Paul mentioned that they sent along some public comments to the applicant and would like the applicant to respond to the comments before a SEQRA determination is made.

Mr. Gerentine replied that he feels he has answered all the public comments.

Scott said just to review them and make sure that nothing else needs to be addressed.

Mr. Gerentine asked what the process would be for next meeting?

Paul replied that the subdivision hearing has not been opened yet. The reason for that is before opening it SEQRA determination has to be made. He also said that if the board needs no further information, then a determination could be made at the next meeting.

Dave read through part 2 of SEQRA for the board to see if there was any more information that they would need.

Paul asked for any of those areas is there anything additional that the board needs?

Scott asked the board for thoughts on this. As there were no comments, he then said that at this stage he feels that they have met their obligations to say we don't need any more information at this time.

Paul said what they could do next week is go through part 2 and if the board reaches a point where it's comfortable with making a determination, you can direct staff to make that determination for the May meeting.

Motion to Adjourn.