

WORKSHOP MEETING Minutes
TOWN OF LLOYD PLANNING BOARD

Thursday, May 20, 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

April 6, 2021-special meeting, April 15, 2021 and April 22, 2021

Attendance: Carl DiLorenzo, Franco Zani, Gerry Marion, Bill Meltzer, Lambros Violaris, Sal Cuciti, Larry Hammond, Claire Winslow (town board); Board staff, Dave Barton, Sarah Van Nostrand, Andrew Learn, Paul Van Cott

Old Business:

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.

New maps received and circulated to the board.

Paul said that the staff's suggestion is for the applicant to really now focus on the ALF and so start as you said with the applicant that the applicant presenting, bringing the board up to date with the ALF and the new maps that have been provided and start talking about that to allow the planning board to drill down into that. He also said the procedural steps the board could take as early as next week would be to refer the ALF to the county and to consider opening a public hearing on the ALF application, so those are the things for the board's consideration based on this discussion and the regular meeting next week.

Sal said okay thanks Paul.

John (applicant's agent) said that Kelly put together a nice PowerPoint presentation. Again, the team is honing into the ALF, a submission was made last week, Kelly has summarized the submission for the board members and again the focus of tonight is on the ALF.

Kelly (part of the applicant's team) showed the PowerPoint. She said previously the board had looked at the entire property and of course concluded the SEQRA review. The team is now

focused on the smaller project which is the ALF the 12+ acre property, the team is going to detail and drill down on the site plan and its components for this portion of the project. She mentioned that the newest submission contained a new site plan which contained details for just the ALF, the elevations of course they want to remind everyone that the application before the board is for site plan, SUP and subdivision because this property consists of several parcels that were conciliated into being the 12-acre lot. She also mentioned that as a reminder that the board adopted the neg. dec on May, 12, 2021. She mentioned that Andy W. was on the line and can go in as much detail as the board wants on the ALF portion and what the applicant is proposing.

Sal said he would like them to focus on the retaining wall design, elevation and maybe the elevation of the building roof line in relation to the road and maybe just walk the board through the grades.

Andy W. (part of the applicant's team) mentioned that the site plan shows conformance with the zoning requirements. He also said that one of the main features that will be visible would be the retaining wall along 9W. They made it so it would block headlights from the parking extending it 3 feet above grade all along 9W and are going to fieldstone line it, so it will look like a 3-foot-high fieldstone wall.

Sal asked if the map could be zoomed in on, to see where the wall is.

Andy W. said you can see it along, its like a heavy dashed line along the parking on the east side and then along Health Care Center Lane, so that entire wall that you will see from 9W will be fieldstone faced with a cap on it.

Sal asked how much of that wall will be exposed and what is the elevation of that is relative to the elevation of that road?

Andy W. replied that it would be 23' high at the highest spot to get the stormwater storage in there. In front of the parking, it is 10' tall tapering down to 3' tall as more decorative.

Sal asked so it would be 23' high at the pond?

Andy W. replied yes.

Sal asked so it would be 23' exposed?

Andy W. replied exposed 23'.

Sal asked how tall at the parking lot?

Andy W. said max 10'.

Sal asked if the applicant could give him the elevation, what are they about 10' over the road?

Andy W. asked in which spot?

Sal said from the parking lot.

Andy W. said it's about 10'.

Sal mentioned that he saw on the plans that there is a retaining wall around the rear of the building and was just curious about that. He also would like to know the grade up to the houses to the south.

Andy W. then showed the grading and utility map, which shows the utilities, it shows the sewer line running around the back of the building connecting down to 9W storage, the water main same thing extending it up to the southern end of the property on Mayer Dr., hydrants wrapping all the way around, so there is fire access to the west of the building, full grading plan. As part of the stormwater plan, they are doing an acre of pervious surface, so there will be a lot of

infiltration to comply with the requirements for stormwater. The lighting plan was shown and that it is in compliance with the town code. The landscape plan was shown, the applicant is proposing to plant 297 trees, 356 shrubs, so along Mayer Drive it will be tree lined along with Health Care Way, landscaping along 9W, heavy screening along Mayer Drive. Erosion and sediment control plan was shown, also submitted a detailed plan showing how everything would be built. Showed a road profile showing that the road is no more than 10% grade.

Kelly mentioned that the last sheet is elevation of the buildings.

Sal asked about the height of the building, he would like to know the height of the front ridge and rear ridge in relation to the road and then how is the applicant's team calculating the height of the building? He would also like to see a cross section or some kind of diagram that shows this elevation and how it complies with zoning.

Don (part of applicant's team) said the way height is calculated is the average grade around the perimeter of the building to the average height of the middle of the roof, that is how the building height is calculated, they have run those calculations and submitted them to Dave and he concurred that the calculations were correct by the definition of the town zoning.

Sal would like a copy of the calculations as it looks like 50' high according to the plans.

Don said that the building is terraced into the hill, the front building and rear building are only 2 stories, but are stepped up from each other, he believes by at least 40 feet. Front to back he believes there is a 50-foot rise. The site section will help, you can see from the side elevations, from the upper road to the front parking, you can see how that grade has changed, this is the bottom elevation is the elevation at the loading dock on the north end, the other elevation gives you a little more representative of what is there, but the site does rise almost 50 feet from front to back, so the building is responding to that change in grade by terracing up.

Kelly said that was the end of the presentation. She showed the subdivision map and said that they have gone it over it before. She also mentioned what the next steps could be for this project is to refer it to Ulster County Planning Board and talk about scheduling a public hearing.

Carl asked if Kelly could show the site plan, he is concerned about the loading dock is there enough room for turn around there and also where your dumpsters are going to be placed is there enough room for a turn around.

Andy W. said that yes, he believes there is, and he will show truck turning movements on the next set to show the board that it does work.

Dave said the thinking for tonight's meeting was a reset for the board after the SEQRA piece, so the board can start to get into it. There are hard copies in the office of the maps. He mentioned that there is a running list of things to think about, lighting plan, lighting style, height, turn radius with the trucks, details like that.

Charly asked what the distance between where the wall would be and the sidewalk and what is your guiderail or are you going to have something there?

Sal replied he sees what Charly is saying, is the wall itself going to be the guiderail?

Charly said he knows the wall is high, but you know for length. He just doesn't know the distance from the sidewalk to the parking area.

Andy W. replied that the sidewalk would be 35' to the wall, and the plan is that this wall will serve as a joint guiderail and decorative wall, it's going to be a concrete wall that is going to be

faced with fieldstone, so along Health Care Center Drive it's going to serve as a guiderail as well.

Charly asked is the parking lot area is higher than that, so what would stop a car from going off that?

Andy W. replied that the wall would be 3' higher. It will not only stop people from driving off, but also will keep headlights from shining out, and help with screening.

Dave asked if there was a good elevation model of what that wall will look like?

Kelly replied no, but the team can add that.

Dave said he thinks the board would like to see that to clear up their concerns about the height.

Sal said either elevations or if you have a model of the buildings and paving and put it into google earth that would be amazing, but think about if you could do that, if not we'll work off drawings.

Kelly said okay.

Andy L. said that CPL did a full review if the board would like him to go over some of CPL's comments. He mentioned that they are looking for a maintenance agreement for sidewalks, that is proposed along 9W. He wanted to bring up the sales office there are couple of things that he needs clarification on, it doesn't seem that it is included in the parking calculations is that right or does the applicant need to add it?

Kelly replied that the team can add that.

Andy L. also it seems the applicant needs a sidewalk connection to the ALF can the applicant extend the sidewalk over to the building? As far as the fire hydrant right in front of the building, the elevation is getting pretty high there, can Andy W. give some calculations to see if they can get the required fire flow for that hydrant without a booster?

Andy W. replied sure, no problem.

Andy L. mentioned that the applicant is showing that the water line will be extended over to Mayer Drive, the applicant needs to do the same with the sewer.

Andy W. said that this was their first shot at what they thought the town wanted.

Andy L. said it looks like it will be cutting into the property a little bit, so if it's going to be dedicated, easements are going to be needed for that, they need to be shown on the subdivision plat and the site plan map. He also, mentioned that there were comments during SEQRA process about noise and hours of operation being put on the map and making sure that complies with the Town's noise ordinance. He assumes that there is a commercial kitchen in the building, so the applicant is going to have to find a place to put exterior grease traps. He mentioned that a SWPPP was provided that was for the whole site, but the applicant should prepare a separate SWPPP just for the ALF, but that's going to show that you have the capacity for everything that you are thinking will go into this site from any future development.

Andy W. mentioned that there is a SWPPP they are working on now, it's been sized, so what you are seeing is the correct size, but they are working on the SWPPP for this specific project.

Andy L. wants to point out that the neg. dec. has a couple of things in there about erosion control that he wants to make sure the applicant includes on the plans, specifically having to do with steep slopes. He thinks that at least the erosion control plan should show the steep slope areas, which is anything over 15% and you are showing 7.1 acres of disturbance, he is assuming that the applicant is going to ask for a waiver to go over those 5 acres during construction. There

needs to be a note on the plan that you cannot go over 5 acres if you are disturbing steep slopes. Also, in the neg. dec. it talks about doubling up the required erosion controls, so like double silt fence, doubling the application of hay and mulch, double the size of sediment traps.

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.

Traffic study received and circulated to the board.

Ken Wersted (traffic expert for applicant) mentioned that he can give an overview of the traffic and then go from there.

Sal said that he would like to jump right into a traffic discussion if that is okay with the board? He said that there is one concern he has is drivers northbound on 9W turning into South Chapel Hill Rd. and there is this sort of problem with people making lefts across the divided double-double yellow on 9W it starts before South Chapel Hill Rd. and everyone coming northbound that's going to stop into Stewart's shop is going to make a left across southbound traffic and take South Chapel Hill Rd. to the entrance to the store, so two things is the left across how is that safe, should something be done and there is a sight distance problem on South Chapel Hill Rd. which was identified.

Kenneth said starting with the northbound direction if you are headed northbound wanted to come into the site driveway at the site proper is all right-in and right-out, so you couldn't come up to the signal and make your way in, so at the southern end of South Chapel Hill Rd. there is a break in the striping down there which would allow you to make the left turn to come into South Chapel Hill Rd. and then as you come up a couple hundred feet you would make the right turn into the shop, so that's kind of the direction you would go to get into there.

Sal asked why is that okay, when a couple hundred feet up the road we don't want people to make the left across?

Ken replied part of it is the volume of traffic there. He said he has seen both conditions, so there is an example by his office where there is a bank on the corner of an intersection like this and you would be allowed to go northbound and make the left turn into the bank driveway because you have a left turn lane there, so if we translate that to the car dealership that is there on the corner as you go northbound you are allowed to make the left turn into the car dealership as you are doing it from a left turn lane, right at that location. In the case of this project the driveway might be moving south a little bit, to stop in the turn lane you won't be fully in the turn lane, so doing it down at South Chapel Hill you have that ability to make that turn and they just always assumed that based on the volumes going through there, that the DOT would only allow right-in and right-out of the site from 9W, as the self-storage and the Villages ALF are only right-in and right-out, so they applied the same kind of conditions to this location.

Sal asked if it would be a good idea to look at restriping for a turn lane for northbound drivers to be able to stop safely and not restrict that traffic lane and make a left into South Chapel Hill Rd.?

He is worried that someone will stop and get rear-ended, and get driven into southbound traffic or cut across.

Ken said that they would look at, the road isn't as wide down there at that point the road is still flaring out, it's still getting wider as you approach the little plaza to the south and as you approach the existing car dealership at that point it is full width there, so whether the applicant has the ability to do that down at the intersection of South Chapel Hill or perhaps if there is a way to do it closer to the intersection is something the applicant would have to review with the DOT because he knows down at South Chapel Hill the lane is only about 8 feet wide, so you would be nervous about sitting in that lane with cars going past you on either side and having your mirrors kind of knocked off there.

Sal asked if they could talk about the level of service F at the intersection?

Ken said that first he will touch on the sight distance. Right now, there are a lot of trees the site is kind of fully vegetated along there and the distance looking out to the left, you know you got trees and everything, obviously when the site is developed a lot of that will get cleared out and your sight distance will increase, so as your sitting on the driveway exiting Stewart's onto South Chapel Hill Rd., its not going to look like what it looks like today, there will be increased sight distance, so you will be able to see to about 310 feet is what they estimated based on the vegetation that then becomes further south to the back of the plaza that's to the south of the site, to the north you will be able to see all the way to Chapel Hill Rd, so its not as high as they would anticipate or they would want for a 35 mile-an-hour road, but at the same time because the road is so short people probably aren't doing 35 miles-an-hour through there. They are coming up to an intersection where they have to yield to southbound volumes on 9W, then they make the turn and it doesn't make a lot of sense trying to get up to 35 only to come to a stop when you hit Chapel Hill, so they think those speeds are a little less and that in general the sight distance there will be enough stopping sight distance. Switching over to the intersection, they had looked at it and did do some traffic counts on South Chapel Hill Rd, the north and south end during the pandemic, but they compared those volumes to what they had from the intersection based on previous counts before the pandemic and they found there was a difference in the volumes, so during the pandemic their figure was around 30%, so those existing volumes that they counted were approximately 20-30% lower than what they counted in 2018, so they used 2018 as kind of their existing conditions and they took their new counts, so they factored them up.

Sal asked where is the level service of F, is that Chapel Hill Rd. eastbound, where is that condition?

Ken replied its Chapel Hill eastbound, and Mack's Lane direction, and then also, northbound/southbound left turn lanes on 9W, so all of those movements are generally (aside from Chapel Hill eastbound) that is a very heavy movement, but relative to the other directions the southbound left turn from 9W into Walgreens, Route 9W northbound turning left onto Chapel Hill going to the west and then coming out of Mack's Lane. Those are all generally lower volume movements, so he thinks signal timing is going to favor the other movements the north/southbound thru movements and then the eastbound double left turn to go north, but even still under those conditions they still have those level of service F's for those conditions.

Carl asked if South Chapel Hill Rd. a town road or a county road?

Ken said that he believes South Chapel Hill Rd. is a town road.

Carl said that he would like to suggest the town's highway superintendent, look at the traffic report and have him give the board his comments.

Ken replied they can do that, looking at the site driveways, looking at the conditions of the road along those lines?

Carl replies yes, distance conditions of the road, what the applicant is proposing to making a left hand turn at South Chapel Hill and after you clear cut the area will the sight distance still be adequate for the amount of traffic that road will have plus what the applicant is suggesting as a part of the speed limit and will people take that into consideration, he would just like his comments on the project itself concerning the town road. He doesn't know if the applicant has gotten as far as asking the county highway department to comment on the Chapel Hill Rd. with the level of service F's there.

Ken said that he thinks Tyler had some discussion with DOT and the county, he doesn't know if the report has been submitted to them yet, but because they need a permit from DOT, they would need a permit from the county obviously they are a stakeholder here and need to review the report and weigh in on those items.

Carl said okay, thank you.

Sal asked if Tyler had anything to add?

Tyler mentioned that he just wanted to update board on where the project stands, biggest point tonight was the traffic study that he submitted. He mentioned that the SWPPP should be in next week for the board to review. He also said that they are in front of the ZBA for sign height and lot coverage relief. He said that they are going to add the sidewalks along Chapel Hill Rd. and Route 9W.

Selux Corporation: Solar Array, site plan (subject to site plan and SUP under Zoning Code 100-39-1); 5 Lumen Lane, in GB zone.

Applicant is seeking commercial site plan and special use permit approval to construct and maintain a 750 KW solar array in an unused portion of the parcel.

SWPPP received and circulated to board.

SEQRA status: Undetermined

Sal asked Dave if they were doing Selux?

Dave replied yes, they were waiting on modifications to the SWPPP based on a possible expansion of the rest of the facility, they have since withdrawn the possible expansion and they are going to hire an engineer to figure out some other stuff, so all they are doing is just the solar again he thinks they are here.

Zach (applicant) said Dave is exactly right the last time they touched base they were gathering the SWPPP and making the modification and so they have gotten all that taken care of. He mentioned that he had dropped off a paper copy and circulated a digital copy. He said the next steps are to see if there are any comments and if there is anything else the board would need to proceed to the next stage of this project.

Dave asked if Andy got all that stuff?

Andy L. replied that he got all that stuff and did a review, the SWPPP is actually in really good shape, the applicant did a nice job on it, He does have a few comments,

but it's mostly clean up stuff. He feels the comments could be addressed fairly quickly. He doesn't think there are any comments that deal with technical stuff that needs to be gone through.

Sal asked, so if Andy is good with the SWPPP what's next does the board do site plan approval?

Paul said this requires a special use permit as well as site plan approval, so he thinks the next step would be to schedule a public hearing when the board feels they have a complete enough package. He asked Dave if it requires referral to Ulster County Planning Board or are there any triggers that you are aware of?

Dave said yes, he thinks it will have to be referred to the Ulster County Planning Board. He thinks it's within 500 feet of a county road and he thinks its over the square footage requirement, so he thinks at the next meeting the board would refer to the county for comment, so he feels if the board is amendable to it to set a public hearing for next month for the SUP and site plan approval and he will refer it to the county. If the board is comfortable with that, then that's sort of it.

Sal asked if the board was comfortable with the project? He then said if so, then at the next meeting the board will be setting a public hearing for the following month.

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.

Updated maps received and circulated to the board.

Sal asked if a site plan could be pulled up and where is the board with this project?

Dave pulled up the site plan map.

Patti (applicant's agent) said that last month when this project appeared before the board, they requested additional information on elevation, lighting, landscaping options for conifer screening they also received a comment letter from Andy Learn, they did supply a response memo to that along with the engineering plans that were developed by Andy W.. She also said one of the major changes made was removing the fencing that was around the property, the board was wondering what the purpose of that was and what kind of details, and the applicant said he didn't really need the fencing, so just get rid of it. It does become a maintenance issue, so basically the board has all the details that were requested. She said that she doesn't know if Andy Learn had the chance to review the response memo.

Sal asked if the board has an elevation map?

Patti showed the rendering that was done and she mentioned that it was submitted.

Sal said that's not quite what he was looking for.

Patti said that is similar to what she submitted for the metal building that was installed up the street and that was acceptable on that one, so the board needs to let her know they are looking for.

Sal said he would like to see basic architectural elevations, building what the siding is, the height it is, what the slope of the roof is.

Patti said they are prefabricated buildings, she can give the board specifications on it as far as size and type and so forth, but generally speaking when they send it to the county, they are looking for the pretty picture and when they get to the building permit phase is when they are developing the detailed drawings.

Sal asked if anyone else on the board had any questions?

Charly said at last month's meeting the board talked about the business, different trucks coming in and trying to make the turns into the back, the board had said something if Patti knew what type of business it was, they also talked about some heavy equipment. He would like clarify, Rover Contracting, he thinks they are a painting business from Hopewell are we talking about the same thing?

Patti said she thinks they have a few companies from what she understands and they told her that the equipment that they wanted to store and maintain here was construction equipment.

Charly asked if it was going to be heavy equipment, are they going to be doing their painting, is there any kind of chemicals, or what kind of painting do they do just to clarify a little bit what type of business it actually is?

Patti said that she would check.

Sal mentioned that there was a question last month on the floor drain or something like that, if they were going to paint.

Patti said that they had talked about an oil-water separator in the building and she did pass that along to Andy W. she doesn't think it was incorporated in these plans.

Gerry asked if there would be fuel storage?

Patti replied no, she did ask about that, there is absolutely no fuel storage on site.

Sal asked Patti if it was a heated building?

Patti said that the 2 story-office is, and she is not sure if the interior of this is going to be heated or not, but they are going to be working on equipment in there in the wintertime, so she is going to say that she is assuming that it is.

Sal asked wouldn't they need fuel for that?

Patti said well heating fuel, she thought the board wanted to know last month if it was fuel storage for putting gasoline or diesel into vehicles.

Sal said like pumps for trucks.

Dave said they have gas under the street there, natural gas.

Sal said okay.

Franco asked Patti as far as loading and unloading the equipment it won't be done on the street, right? It will be done in the parking lot.

Patti said correct, that is why they have the large parking lot in the rear.

Franco asked and as far as mechanics, the project went from being storage to mechanical work in the building?

Patti said the applicant told her cleaning and maintenance, so she doesn't know how mechanical that gets. Once they are inside a fully enclosed building, she doesn't know what they will be doing, what cleaning and maintenance actually means. Can the applicant do an oil change in there, she doesn't know.

Dave asked Patti if she can look into the cleaning piece, he knows them as a sandblasting company, so if they are sandblasting, grit and paint needs to be cleaned off the building they need to make sure the board is comfortable with how they dispose of that material

Andy said to add to that if they are using water, that's another reason for an oil water separator and potentially other types of separation.

Dave said speaking of water it seems to him that there will be an easement across the other property for that water line.

Patti said that is correct, the applicant is purchasing both parcels, but they are not combing them, so yes, they will be granting themselves an easement to bring the water line in.

Andy L. said if the applicant does that they need to, even though the properties are under the same owner, they have to make sure that water line only serves one property because otherwise you get into basically selling water and then you have to be a transportation company.

Patti asked if Andy could explain that again?

Andy replied the water that is coming from Upper North Rd., that's going across a property that its not serving, so you have to make sure that in the future that line doesn't get tapped to serve another property or the property that it's passing through. They have to make that clear.

Patti said so even if they are under the same ownership, they would still have to be two separate taps?

Andy L replied, yes, it gets complicated, but basically if its under the same ownership it can be done, but there has to be the deed restriction that says that they always have to be under the same ownership.

Patti said okay. Her understanding is that there has always been a line put across North Rd., so she would imagine the other lot would also be able to tap off of that and have a separate service to their lot and then just an easement to this lot. Would that be acceptable?

Andy said they are getting into some details that they would really have to work out, technically he thinks it has to be a separate tap from the main, but they can talk about that. He said the map says it's a sleeve, is it actually a sleeve or is there actually a tap off the main already?

Patti replied she would have to check with the current owner of the property, she is sure he is well aware.

Andy said that would be good to know.

Sal asked if there were any more questions from the board? Hearing none he asked Andy L. to comment.

Andy L. said he has some real concerns about the wide apron, 2 aprons, one not being very wide, generally and he knows this is a county jurisdiction, so its not really the town's say, but he can say that they are not going to like it, unless the applicant has already had conversation.

Patti said she has talked to the county already and has an email from Adam and she conveyed to him the concerns, and has recently been staked out where the driveways are going to be because Adam was going to take a look at it and he said because its commercial it shouldn't be an issue, but he won't know until he goes for a site visit, so they are still waiting to hear back from him, but it seems they allow wider entrances when they are commercial. Basically, the way the building is with the three front doors they were pretty limited with how it can be done.

Andy L. said he thinks what has to be done is to show turning movements, are these basically loading docks are they pulling straight in, how is that going to work?

Patti said their maneuvering to the rear of the building, driving in and then driving out the front, so that they wouldn't be backing up into the road in anyway.

Andy L. said okay we can make that, enter and exit only apron, that helps. He said that helps a lot with that comment. He made the comment that they are very close to your 1-acre limit that would kick you into a need for a SWPPP, he sees that they are just under it which is fine, but because they are so close, he would like to see a note on the plan that they are going to put construction fencing along that line to make sure that they hold to that limit. He doesn't remember if he made this comment before, but even though it's not required it would be a good idea to put some of the roof runoff in the ground if you can put just a dry well or two.

Patti said Andy you did and Andy W. responded to that, she believes it had to do something with the rock and soils. She read the response, the roof leaders have been shown on the plans to connect to the stormwater collection system due to the shallow bedrock in the building location of poorly drained soils, infiltration practices are difficult to incorporate into this design.

Andy L. replied okay fair enough, and they are right at the limit, so he won't ask them to do a swale or something that could help with that, which is fine. The last thing he was going to ask about was the water line, but they have already talked about that. The only other thing, his comment was about a dense vegetative buffer, now he knows that applies to residential districts and this is technically not a district, but you do have a residence right next door, it might be a good idea to try to provide additional screening there.

Patti replies that she went out and took photographs and looked at the existing vegetation and you will see that they did propose a in the area of where the house is 4 additional large red cedar trees, they don't want to take trees down to plant trees, so she thinks if anybody has the opportunity to head out there because again the boundary line the majority of that buffer area is on the applicant's property which is why they kept the building where they did to be able to preserve that buffer. There are some nice trees there and then there is also, a juniper shrub that is partially on the neighbors' property and partially on the applicant's that is a nice visual buffer as well. When she was out there last week there was a beautiful pink dogwood in bloom, so there are trees in there that they want to maintain, but agreed that in the area of that residence she saw a nice area to really fill in there.

Andy L. said it looks fine to him, but it's really up to the board, so he'll leave it to them to say if they think it's okay or not. That's all he had.

Sal asked Patti what the set back on that side?

Patti replied 41 feet.

Sal said, so right you said it is mostly wooded?

Patti replied yes. She said there are some pretty large maple and oaks in there as well. Along the roadway there's a couple of arborvitaes and a white pine and then on the neighbor's property there's a spruce.

Sal asked the board if they were good with this project?

Franco asked what the hours of operation were because if they are going to be doing any type of equipment mechanics, they need to know what type of noise they are dealing with because of the houses on the west side being so close.

Patti said 7am-6pm Monday-Friday.

Franco asked if all the work will be done inside the building, there will be none outside the building?

Patti said yes that is her understanding. She also asked procedurally what's next? She knows it has to be referred to the Ulster County Planning Board and she just wants to make sure that the board has enough information to do that.

Paul said that is an option procedurally.

Sal replied there is still information needed about what is going on in the building. He feels that they will talk more about it next week.

Patti said her question what additional information would the board be looking for to send it to the county. Obviously, a better narrative from the applicant of exactly what type of equipment he has and what he is going to do with it on site to deem this a complete application basically so it's ready to send.

Sal replied he's not ready to say that, so he will talk about it next week.

New Business

ADC Ulster, LLC- Falcon Ridge Subdivision, 301 Upper North Rd., SBL# 80.3-1-18.110 &80.3-1-31, in R1 and LI zone.

The applicant proposes to develop a 166 lot-Conservation Subdivision with frontage along Upper North Road and North Chodikee Lake Road. The applicant is proposing to connect to the Town water system. The applicant is proposing an on-site Sanitary Sewer Treatment Plant.

Paul said in terms of this because the sewer reach is still an outstanding issue the two things that were discussed with John about doing are one, to refer the project to the water & sewer committee to refresh their recommendation for sewer because that is a big issue here and the second thing for the board to consider is the possibility next week circulating this project for lead agency status.

Sal said that he has no issues with making a motion to circulate for lead agency next week. As far as referring it to water & sewer, that's logical, but there's a lot of questions with the project, so fine to refer it. The applicant is here, do they want to talk about the project a little bit?

Justin (applicant's agent) showed the site plan map. He said that the project is off of Upper North Rd. it's 528 acres in size. Zoned R-1 and along Upper North Rd. a small part is in LI zone. The development will be completely located in the R-1, the applicant is not proposing any development in the LI zone and those structures already in the LI zone would be removed as part

of the application. The prior plan they were proposing up around 211 lots, the current plan the applicant is proposing 166-lots this is a conservation subdivision and have submitted as permitted in the zone. The applicant put together a resource map showing what the build out could be under the R-1 zoning district with R-1 being 1-acre minimum and after subtracting slopes and wetlands and waterbodies, got them to a yield of 166 lots, so they are right at that number. They plan on hooking up to town water, there is water adjacent to the project site. He mentioned that CPL did some water & sewer investigation reports that were commissioned through the applicant for the project, some improvements will be needed to hook up to town water. They are removed from sewer by over a mile north, CPL did some reports on sewer and the improvements needed onsite and offsite would cost between 2.25 and 3.6 million dollars, based on that the applicant is proposing an onsite sewer treatment plant. There is a class C stream that runs through the site, so they would be looking to do an onsite treatment plant with discharge into that stream.

Carl asked what is the size of the lots 1-acre?

Justin said no, the R-1 zone that the project is in is 1-acre minimum, but they are doing a conservation subdivision, so their average lot size is about ½ acre.

Carl asked, so you're looking to hook up to town water, correct?

Justin replied yes.

Carl mentioned that the sewer treatment plant would need some research on the filtration of it into a stream.

Franco said that he could put this project on the schedule for Thursday June 3rd for the water & sewer committee meeting. He asked if that was good for the applicant.

Justin replied that it was good for him.

Sal asked if the board had any other comments?

Larry asked what is the maximum distance to a cul-de-sac?

Justin replied that the northern ones are connected by an emergency access road, so they are not a dead end, so they could make their way around to the other side if required.

Sal asked what is your maximum dead-end distance?

Andy L. said let me just clarify that even if they are connected by an emergency access road, they would need to be paved, so they are accessible year-round.

Sal said so, basically it would become a loop road.

Justin replied that he understands. He mentioned that he would get a rough cut on it.

Sal mentioned that he would like to see an actual yield plan for the 1-acre with grading, so that he knows the number of lots is realistic before they go too far. What he is saying is an actual theoretical plan to see how many lots actually work, so that the conservation subdivision idea is equalized to what the conventional would be.

Andy L. said Justin correct me if he is wrong, that there had been one done a while ago.

Justin replied that they had put together a resource map, he thinks the code has those two different options, you can prepare a resource map or an actual yield map. They have provided a resource map and that's how they got to the 166 lots.

Sal asked so what was it just a calculation or did the applicant actually go in and show that the design worked?

Justin replied a calculation.

Sal said that because this property is so steep and has so many features, he feels it's not as valid as an actual plan and this is a site that's sort of got a lot of issues coming in the future, so he's

just throwing it out to the board, it's just how he feels. He thinks that there should be an actual yield plan a very realistic one and see if this number of lots is realistic.

Andy L. said that he has the resource map in front of him and it looks like its about 246 acres of steep slopes on the site.

Justin said that Larry had asked about the dead-ends and he did a quick calculation the longest one is about 2,000 feet. Regarding the conservation subdivision he didn't mean to infer that the board is required to give the applicant it and basically stating that it is within the code to reduce the lot size from the 1-acre, so that is what is being proposed and the plan itself, if you were to look at the aerial for the project site you would see that the applicant has concentrated the development on those areas that more or less have been impacted already or are developed, the ridge along the top and going west there are serve slopes that go down to lake Chodikee to the west of the site, they are not touching any of that they have tried to stick to that developed or impacted area that exists today.

Sal said okay, this is not a criticism, it's just where the board is with the project, obviously the conceptual plan has a long way to go before the board knows it's real and is buildable. He asked if anyone else had anything to say.

Dave said that the staff will prepare an official referral to the water & sewer committee and will have a draft intent to declare lead agency for next meeting.

Peppino's Food- Amended Site Plan, 304 Station Rd., SBL# 86.4-1-22, in Ag Zone.

Applicant is seeking an amended site plan originally approved on 3/21/02 to delete the 12 parking spaces on the north side of the building and add 18 parking spaces on the east side of the building.

Dave introduced the project saying that there was a site plan approval that was not followed., for the building, some work was done, the building department asked the applicant to come back with the amended plan, so it was official on the books enforcement wise and they prepared what they did. He has to check with Andy L. on the stormwater pieces if added parking, but not them parking in other areas, the plan that he has, he's not sure they jive stormwater wise. Dave showed the map, and said that he doesn't have the original plan handy, but the parking is to the right of the screen and the other parking is the gravel parking and loading area which exists currently.

Sal asked if the applicant would like to speak?

Phil Giamportone (applicant's agent) said that the property was purchased and was an old apple cooler building that was purchased by Peppino's Foods back in 2001/2002, the parking lot on the east side at the time was a dirt lot when he bought it because the offices are actually on the east side of the building there. He mentioned that there was a ownership dispute of that strip of land to the east side of the building, that was the old railroad bed, the applicant acquired the strip of land on the east side of the property, half that strip of 50' wide as well as the old approved site plan there was a block of land right on Station Road that was acquired as well and the applicant has consolidated the three deeds, the parking lot itself was paved in 2008, so it was always dirt parking lot and the applicant had it paved, so its been an existing parking lot for 13 years.

Sal asked Dave if they were doing a site plan approval to bring it to compliance?

Dave replied yes.

Sal said okay, he knows he needs more time to look at it and that the staff does as well.

Dave said that he would talk to Andy L. about the stormwater and have an answer next week.

Mountainside Woods- Lot Line Revision, 2 Benjamin Dr. and 23 Vista Dr., SBL# 87.21-3-11 and 87.21-1-39.100

Applicant is seeking to revise lot size to accommodate setbacks.

Applicant was not at meeting.

Board possibly will set a public hearing next week.

All Space Storage- Site Plan, 480 Route 299, SBL# 87.1-2-28, in DB zone.

Applicant is seeking site plan approval to add additional storage facilities to an existing site already containing storage facilities.

Dave mentioned that the applicant went to the ZBA for relief for area coverage and got that relief. They got a letter from the Ulster County Planning Board in response to the ZBA referral and will share that one with the board. This will also have to go to the county at some point for site plan.

Sal asked if it is type II for SEQRA, it looks pretty big aerial wise, it doesn't put into a type I does it?

Kelly (applicant's agent) said she believes that it's an unlisted action and site plan amendment, but will leave it to Paul.

Paul replied that yes, he would agree that it is an unlisted action.

Kelly pulled up the site plan and said that as Dave had mentioned they did ask for and receive a variance from the ZBA for lot coverage 40% is permitted and the applicant received a variance for 50% for lot coverage. What the applicant is proposing is 5 new storage buildings in the back of the facility that will be enclosed with a similar chain link fence, additional stormwater detention area between the existing buildings and the proposed buildings. There is a total of 13 existing buildings now and 5 new buildings that the applicant is proposing. She mentioned that they got a response letter from the county that was pretty positive towards them, in that they said they use this facility throughout Ulster County as an ideal design that they like to see on other self-storage facilities, so they were pretty happy to receive that. The applicant is proposing to use the exact same design, colors, materials, they just simply want to add 5 new existing buildings. She said that she can provide Andy L. with the drainage information that is he going to want and any other information the board would like.

Dave asked if they could provide a lighting plan as the only complaint about the project during the ZBA public hearing was about the lighting.

Kelly replied that she would make sure they get it.

Sal said that he had the lighting plan.

Kelly replied she thought she had. She also said that they are going to use the same lights that they used on the existing units. She said that the site went through the Central Hudson upgrade and they came in and provided LED lighting, so the issue the neighbor had is that some of the lights it didn't look like some of the cutoffs were still on, so they all came with cutoffs as far as

they could tell. She said she is happy to meet with the neighbor and walking the site with them if he would like them to.

Dave said he would personally like that to happen. If the board is happy with that, he has no issues.

Sal said what would help is if the owner would fix the lights, so there are no problems and speed this project along. If the lights get fixed so the neighbor is not blinded at night that would be a huge help.

Kelly replied that she wants to be good neighbors. She said that she would coordinate through Dave to try to get his contact information and then they will set up a meeting with him.

Dave said that's great Kelly, thank you.

Sal asked what are the next steps for this project.

Paul said it is up to the board if they want to refer to Ulster County Planning Board and possibly set a public hearing next week or if they think they need another month and get some more information.

Sal said it would probably depend on Andy's comments and if they are resolved.

Andy said that he had a couple of questions for Kelly, one of them is he would like to know how the roof leaders are handled on the existing facility are they all tied directly into drainage structures?

Kelly replied they are not, they are sheet flow, just off and then that parking lot area is just drain into catch basins and then into that storm area.

Andy said that's not ideal, he would prefer to see them tied in, you have enough of them.

Kelly said she would look into doing that.

Andy also mentioned that he would like to see a turning movement plan, just to show that the fire apparatus can get around at least the perimeter of the site. He doesn't think they got the full SWPPP, he thinks it was just a preliminary drainage analyst which is fine, but he will need that full SWPPP. The only other thing is that the EAF mentions a flood plain, he thinks it is out by the road, is that right?

Kelly replied she would pull it up and detail it on the plans, as she thinks it's a little portion in the back. She said that she would have it ready for next week's meeting.

Andy said from what he saw he doesn't think it will affect the project, but it will be good to confirm that.

Paul said if the board has all those issues resolved for next week's meeting, would the board feel comfortable moving forward?

Franco asked if Kelly could get the owner to clean up the tires that have been dumped into the back, and would it be possible to add a privacy fence to screen the back of the property there?

Kelly replied that she would look at that. She mentioned that they are constantly doing maintenance there and ask them routinely to go back there to clean as tenants leave and throw stuff back there, but they will get a head of it.

Franco said the person he talked to said they basically use it as a dumping grounds back and it's basically right in his backyard.

Kelly said they will take care of it.

Sal asked if there was any screening there or any proposed?

Kelly replied that she would look and see what they could do about planting some evergreens, especially during the winter and it will probably address the neighbors' lights issue as well, she said that they could put some evergreens back it will help year-round.

Sal said that would be great.

McGahan, Ryan- Solar Array (roof), 21 Falcon Dr. SBL# 86.4-3-36

Applicant is seeking to install a 1242 sq. ft. roof mounted solar array.

Matt (applicant's agent) said that it is a 24.84 kW sized solar array, it fits within the requirements of a residential solar array as dictated by NYSRDA and Central Hudson, the public service commission, it is roof mounted on an existing 2-story garage structure that is unoccupied there will be no disturbance to the ground, underground infrastructure is already in place and the customer demonstrated electrical load supports this size solar system, so it's not oversized its appropriately sized.

Sal said let's go to Dave 1st, is there any background on it.

Dave said the only reason it is before the board is 1,000 sq. ft. limit on residential, it is in the town code.

Sal asked, so that makes it a site plan approval?

Dave replied, yes.

Paul said it would be type II for SEQRA.

Sal said so, basically the board would set a hearing at the next meeting?

Dave said yes, unless there are any concerns.

Sal asked if anyone else on the board had any comments?

Gerry asked if there would be a battery storage?

Matt replied no battery storage.

Charly asked what the pitch of the roof is, you mentioned it is on a garage, correct?

Matt replied that is correct.

Charly asked will it be facing any other dwellings on that road?

Matt replied that it would be facing the back of the dwelling to the south which is owned by the property owner's father-in-law and there are no concerns. The applicant designed this structure to accommodate solar it's a very ideal situation for a solar installation system to be facing south and have optimal exposure.

Sal said to Matt that it was very likely that the board would set a public hearing next week.

Public Hearings

Garcia/Trainer: 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.

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. SEQRA SEAF Part 2/3 review required.

Hearing status: Site plan review hearing opened, continued; Subdivision hearing cannot be opened until a SEQRA determination.

Paul mentioned that the draft SEQRA documents would be sent to the board for next week. He said that they will be sent around in the morning, is that correct Dave?

Dave replied yes, they are finalizing them now and tomorrow morning the board will get them. Paul said okay, at the meeting next week procedure wise if the board makes a SEQRA determination, they can at that point open the hearing on the proposed subdivision and continuing the site plan hearing.

Dave said that they have received comments back from Ulster County Planning Board and that the board should take a look at it. He said that the county comments were very positive and never before in his 14 years of doing this job he has never seen the county say they were in full support of a project and that it should be approved.

Paul asked if the applicant wants to respond to the county's suggestions? He also said that Justin had come up with an additional improvement to the project, and asked if he wanted to talk about it briefly?

Justin (applicant's agent) said just to touch on the Ulster County Planning Comments, one comment was that the county wanted to see a charging system, the applicant will add a conduit from the building out to the parking area, so it could be provided in the future, that is how the applicant would like to incorporate that in. The other comment was a bicycle rack and within the building there is a bike storage room, it's maybe 10 X 10, so there is space to keep bikes out of the weather. The last item is that through recent conversations and design reviews, the access drive right now crosses an army corp. wetland area and the applicant is proposing to put in a drainage culvert and fill in that area it was .03-acres of disturbance to that existing wetland area to put in that culvert, driveway and sidewalk to get into the site, what the applicant wants to do now is actually going to introduce a bridge or span that wetlands area, so they won't actually physically disturb the wetland area and then they won't have any wetland disturbance, all access to the site will go over the bridge. The applicant would also like to run the water line over the bridge, which will have to work out and would like to run an alternative route for the sewer.

Administrative Business

Cerniglia- ODA

Dave said that it is an applicant referral from the town board, Ms. Cerniglia is requesting an ODA (open development area) for lots off Prospero Drive. An open development area is required when a lot does not directly abut an approved state, county or town road. The town law of New York State says no permit can be issued for a lot that does not have frontage (abuts) an approved road, so the way around that in New York State is to apply to a town board for an ODA. There is another applicant associated with this who desires to he believes to purchase Cerniglia's lots in order to build a driveway through it to another lot that he intends to build a house on, on Mile Hill Rd. He also said that Andy, the fire chief and Riche has a piece of the puzzle because he gets the say, yea or nay on the driveway request and the hiccup is that the lot does not touch a road, though the lot has access, it doesn't meet the end of the roadway on Prospero Drive. He showed the map of the proposed driveway and pointed out that the lot doesn't meet the road.

Sal asked Paul what the legal procedure for this project is?

Dave said that it is a request for comment from the town board.

Paul said that the board should be looking at it from a standpoint of their thoughts about development issues related to it, including the ultimate lot that would be potential developed and providing the recommendation back to the town board.

Sal what is the lot proposed is it a single-family house, correct?

Paul said that's correct.

Mr. Cerniglia (applicant) said that before the town took over the road last year, they had a right-of-way from Mile Hill Rd. all the way in, using Dominick Drive and Prospero Rd. it was a private road, they had no issues before with getting to the back property because there was a home on that back property which they tore down because it was no longer sustainable, so his question is being that the town has taken over the road and they are not going all the way back to that property, is this a real major issue?

Ms. Cerniglia (applicant) said that the map from Brooks & Brooks that dated back to 2008, shows the right-of-way to that back lot, basically what they could have asked for was a lot line revision because they are taking one parcel of land selling it to one individual where the existing house is and that back lot is being sold to another individual, but after her conversation with Dave and Patti that an ODA permit needs to be obtained in order to get access for that 75' which the town road (Prospero Drive) does not connect to that back lot and is only off by 75', even though there was a right-of-way that was established (grandfathered in) over 50 years ago.

Basically, the other person is going to be taking that lot and getting access to the house he wants to build on. She said that this would be a case for a lot line revision, but because they are in contract with the 1st piece of property now, they cannot get to the property in the back.

Sal said he would have to look at the parcels on Ulster County Parcel Viewer.

Ms. Cerniglia mentioned that she had submitted the maps that showed Prospero Drive that goes to the three lots, and where the right-of-way goes. She showed the map.

Sal asked if lot 18 was theirs?

Ms. Cerniglia said yes, that was their lot.

Sal asked why they couldn't just grant the other person an easement, is it because of your contract?

Mr. Cerniglia said they are in contract right now with lot 18, so they cannot do any changes to lot 18.

Ms. Cerniglia said that's what they should have done in the beginning. She's not sure what's involved in granting an easement, but to do a lot line revision means changing of course changing the contract for lot 18, so that's why it was suggested to her from the town board as

well as others that an ODA permit would need to be required. She said it's pretty clear cut she just wants to sell lot 17.

Sal said that it looks pretty simple, but thinks the board should look at the maps and talk about it more next week. He asked if the board had any comments?

Franco asked if Dave could put the map on the screen again?

Cameron Moss (applicant) said that on the map where it says proposed house that is where he plans on building it, and that it is not accessible from Mile Hill Rd. because of the steepness of the hill at Mile Hill Rd. the whole intention of this is to buy both lots to get access to where the proposed house is, from Prospero Drive.

Franco asked, so you are going to build on lot 16?

Cameron said 16.100 yes.

Franco said, so the town road ends (Prospero Drive) why not just extend the road and dedicate it to the town, you would have to build it to town standards that work wouldn't it Dave?

Ms. Cerniglia replied that she had suggested that to Richie, but because there is no existing house except the foundation, to be honest it looks like one piece of property, so no one was really going back there that 75', but yes that is what should have been done. She said should they do that, that depends on how long it will take, is it just a simple thing just bring it out 75', but she thinks that when they started to take over and taking care of the road because of the house that is right before that lot do have people living there that the town assumed that it was ending there, when they should have just gone all the way through.

Franco said he thinks the problem is that it all depends on what is dedicated to the town. He asked Andy if he could weigh in on it, would that be doable extend the road and then dedicate it to the town?

Andy L. replied yes, it could be done, its not going to be cheap to build it to town standards because its not just the road, when you start building a road you have to think about drainage and think about other things too.

Dave asked wouldn't that cross the lot that Ms. Cerniglia said they were in contract with?

Ms. Cerniglia said yes, the road is not blacktopped yet.

Mr. Cerniglia replied that the road was not built yet.

Sal said if you cannot do a lot line revision then you cannot do this.

Dave replied that was the point he was making.

Mr. Cerniglia said that why they are going for an ODA.

Sal said that the board isn't making and decision on this, they are just gathering comments for the town board.

Paul said that he has been talking with Dave and they will try to come up with ways to focus the board on what they should be looking at.

Motion to Adjourn.