

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

**Thursday, June 17, 2021**

**CALL TO ORDER TIME: 5:30pm**

**PLEDGE OF ALLEGIANCE**

**OFFICIALLY OPEN THE MEETING**

**VIA Webex**

**Attendance:** Board Members: Scott McCarthy, Carl DiLorenzo, Sal Cuciti, Bill Meltzer, Gerry Marion, Larry Hammond, Franco Zani, Charly Long, Lambros Violaris, Claire Winslow (Town Board member); Board staff: Dave Barton, Paul Van Cott, Andy Learn, and Sarah Van Nostrand

**Minutes to Approve**

May 20, 2021

**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.

SEQRA status: Type II

SWPPP received and circulated to board.

No action taken

**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.

SEQRA status: Unlisted

No action taken

**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.

SEQRA status: Unlisted

Updated maps received and circulated to the board.

**\*Note this part of the meeting was not recorded\***

Dave mentioned that Patti (applicant's agent) submitted a lighting plan and detailed narrative letter about the applicant's company.

Patti asked why this project was under old business and not under public hearing as she had a note that the board set a public hearing for this month.

Scott asked if abutter letters went out for this project?

Sarah replied that they were not as other staff didn't have it noted for a public hearing.

Dave apologized and said that he would refer the project to the county and that the public hearing would be next month.

**Silver Gardens (was Goldenview II): site plan and subdivision. Argent Drive. #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.

Procedural status: Public hearings closed and preliminary plat plan approved; UCPB comments received.

SEQRA status: Negative Declaration issued.

**\*Note this part of the meeting was not recorded\***

Justin (applicant's agent) asked if the board staff could draft a resolution for next meeting?

Paul asked if they have created a final plat?

Justin showed the map and mentioned that they added the trail easement and water easement to the maps.

Andy L. mentioned that he would like to see the water easement looped from the access drive of the site.

Justin then showed the topographic map and mentioned that the bulk table was modified, showing that there is no proposed development on lot 2 at this time.

Andy L. mentioned that it looks like everything has been addressed.

Paul said that if the board is good, the staff can draft a final plat resolution and waive the public hearing.

### **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.

Procedural status: Referred to Water/Sewer Committee for recommendation; Planning Board review of sketch plan and Resource Map.

SEQRA status: Type I; Planning Board is seeking lead agency status.

No action taken.

Scott asked Franco to update the board on the Water & Sewer Committee meeting.

Franco said that at the meeting the applicant's team mentioned that they mentioned the two costs to run the sewer lines more expensive than it was for them to build a private treatment plant.

They are going to come back to water & sewer in August as they didn't have any plan on what they were going to build, the committee's concerns were that once something like this is built that the developer doesn't walk away from it, so what the committee wants is they want some guarantees, they also want to see something to review on paper on what type of treatment plant they plan on building. They couldn't present it that night, so they are coming back in August because they couldn't get it done in July because it's just too much work, so they are going back to water & sewer in August. He asked if Justin (applicant's agent) had any updates?

Justin said that they working on putting together the additional information, so they can back before the committee on that August meeting, so they are in the process of putting that material together for them.

Franco said once they get all that material at the August meeting, it shouldn't take the committee long to review then they will have a recommendation to send to the Town Board.

Scott asked if there was anything else that the staff would like to advise the board on?

Paul mentioned that the 30-day period for lead agency status hasn't run yet, so that's still pending but by the next meeting in July the board's SEQRA lead agency status should be established and could officially designate the Planning Board as lead agency at that time, so thinking about SEQRA and potential impacts of this project he thinks that it's worth the board considering, not only do you have the sewerage treatment plant you also have the potential for visual impacts and all the other resources out there. The applicant has provided a resource analyst map for the board's review along with the sketch plan and he thinks that something the

Planning Board may want to look at more closely to make sure that they captured all of the resources on that map that could be impacted and in particular thinking about the potential for visual impacts, the visual resources of that property, so that's another area of focus that the staff suggests the board gives some thought to before really drilling down too much into the design that the applicant has put forward.

Scott asked if Andy L. had anything?

Andy L. said that he would add aside from visual, he would advise the board to consider the steep slope impacts that are shown.

Scott asked if Dave had anything?

Dave said that SEQRA would be a little complicated and that the board should go through the long form sooner than later just to get their heads around the stuff that they did not too long ago because there are some issues that are going to be really weighty, that Andy L. and Paul already mentioned.

Sal asked why is the applicant not doing a yield plan for the zoning so the board can get an accurate number? He also said that he's not sold on a conservation subdivision as he would like to see the actual number that the applicant gets and then overlay both the steep slopes and wetlands and then see what's possible. He doesn't know how the rest of the board feels, but he feels that they are jumping right to 166 house conservation subdivision and he thinks the zoning book requires a yield plan.

Andy said that he can address the yield plan comment, the staff encouraged Andola to do a yield plan and that is what they wanted to do initially, but they ended up going back and using the equation, which ended up being what they went with. He thinks either way is an acceptable method of reaching that final lot count per the code anyway.

Carl asked Andy L. if in his comments he will be addressing soil testing and soil remediation for the project?

Andy L. replied that he will, but they haven't gotten that far yet, but that will be a part of the SEQRA review.

Scott said that the board is still in the preliminary stages of this project and no real evaluation has been made so far and he guesses that all comments are well taken, but he thinks the board is jumping the gun a little bit.

Dave said that to Sal's point there are calculations that need to be done and to Carl's point yes that work is going to be built in and that is what he suggested earlier that the board look at the long form EAF and kind of unpack it now in their minds, they don't have to do make any decisions yet, and there is no reason to get into the weeds just yet because lead agency hasn't been determined yet, but all that stuff will be built into that SEQRA review, so take the long form and doodle on it. He said that Andy L. and him have concerns about the street layout, he knows that the County will have issues with the street layout. He said when the board can declare lead agency then they can start getting into the weeds.

Paul said that the board is still at the sketch plan stage and this in some ways would be a good time for the board to consider whether they want to look at alternative layouts based on resource constraints and SEQRA potentially may give the board the vehicle for doing that, rather than getting too deep into the weeds and having a lot of reports done. Which may be helpful given the potential constraints of the environment, for this project and property involved.

Andy L. said that the lot count number is the maximum allowable, the board has digression to reduce that number to the number that they see fit, so even if they don't do a full sketch layout

that number that comes through with the equation the board has every digression to reduce that number to what they see fit.

Scott asked if there was anything else?

Sal said that it's a very steep, very complicated piece of property, so he said in some cases he would probably go with the calculation method, but looking at how complicated it really is and how steep it is, he would go with a layout map, rather than just reduce the applicant, just follow a very logical process that is what he is for.

### **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.

Additional information provided and circulated to Board; Public comment circulated to Board.

SEQRA status: Unlisted

No action taken.

Dave mentioned that some board members have reached out to him, and if they would like him to, he can forward those concerns on to the applicant now, so they can work on them. Sal said that Dave can forward his email to the applicant.

### **New Business**

#### **Leprechaun Ventures- Commercial Site Plan, 436 Upper North Rd., SBL #80.3-1-29.100, in LI zone.**

Applicant is seeking site plan approval to construct a 2,400 sq. ft. warehouse.

Application and site plan circulated to Board.

SEQRA status: Type II

Charles (applicant's agent) said that his client recently has had 3 surgeries, originally this was going to be built by the owner and he had a buyer for it, he was going to build a garage, but he has had neck surgery, back surgery and open-heart surgery within the last 3 months. He spoke with him today and he wasn't able to attend, but this is what they discussed just to be up front with the board, the applicant's intentions at this point are because he is not in any shape to be tackling any projects right now anytime soon, he would like to sell this property as shovel ready. The purpose right now if it works for the board is to get approval for this structure as has been

submitted and then he will not be building it. He mentioned that Dave had reached out to him already about supplying some additional information on the structure itself, but the only way the company releases that information is if you sign a contract to purchase it, so that won't be the case. The best he will be able to do with the building is the overall size height, length, width and that sort of thing he can give the board and if the new buyer decides that he wants to do something different then they will have to come back before the board. Does that work? Dave said so Charles, your client wants a site that is shovel ready with the proposed building that you have submitted?

Charles replied yes.

Dave asked so someone could come in and put that building up.

Charles said yes, they would be obligated to follow the plan as approved by the board and if the buyer wants something different it would be their responsibility to go back to the board. The client wants the property shovel ready for a 2,400 sq. ft. storage building with the provision of board approval.

Dave mentioned that the clock ticks against site plans once approved, he wants to say that its 2 years with two 1-year extension, it is possible that it is 3 years. He said just so the board knows, he suggested to Charles that a lighting and landscape plan as the person across 9W will see this out his front window and the board should consider landscaping along that side, also the board should make sure that light doesn't spill down to 9W because it is right on top of 9W.

Charles said there is no current plan for lighting on that site at this time as far as the current owner goes.

Dave asked if the board would like him to pull the plan up?

Scott replied yes if he could.

Franco asked aren't approvals based on site lighting also?

Dave replied yes, but if they aren't proposing any lighting, he doesn't know what the board is going to approve, he thinks it's strange that there would be no lighting even at an entrance door. Charles said that if it was required that he would put some on there, but the owner at this point hasn't discussed lighting on the building.

Dave said that it's about safety and that is one of the things the board has to consider is health, safety and welfare, so lighting at the doors is probably appropriate and as long as its fully shielded.

Charles said so it would be down lighting?

Dave replied yes, no light off the site.

Franco asked if there was a loading dock or overhead doors?

Charles replied in the front.

Franco said so there would need to be lighting there also.

Charles said that's where the access door to the building is.

Sal said that he believes that the site plan says the board has to have actual elevations, with all 4 sides, dimensions, and what the material is.

Charles mentioned that it is a pre-engineered steel building which is what the applicant was originally going to do and it was going to be a light green color, sort of a mist green. He doesn't believe that he will be able to get the board actual elevations as intended because you have to buy the plans before you do that, you have to have a contract with the company to do that, the company that is going to set it up, so that is why he supplied the board with a photograph as an example.

Scott said that he agrees with Sal that more information is needed, like knowing what the materials are made of and what they are going to look like, they also need to know how big the building is in reality of what the board is looking at.

Charles said that it is specified as a 2,400 sq. ft. building, 40 x 60 and the height would be no greater than 20 feet.

Scott said as far as handicap access the board will be looking for.

Charles asked is ADA compliance required on a private structure.

Dave said on a commercial structure absolutely.

Charles said but this structure isn't going to have people in and out, this warehouse would be for someone who has a construction business that just wants to store materials, that was the original intent.

Scott said well there are a lot of disabled contractors around.

Charles said that he understands that, but his understanding of the code is that when a building is open to the public it requires ADA compliance, ADA parking and so on, he never understood the code to infer that you would need ADA compliance on a privately owned structure where there was no one, but employees going in and out. He believes that it will be ADA compliant anyways, the door would be at grade, if it required a short ramp, it wouldn't be an issue.

Andy L. said that ADA compliance is not only required for public use, but also for employees.

Charles said that they can provide a ramp if that is what is necessary.

Franco said that just looking at what he sees, a standard door is 6'6" so probably at the door your 6'6" probably 10' overhead door and then he probably thinks another 5', so he thinks at the peak the applicant is probably at 18' at the most.

Charles said that 18-20' is what he had estimated, he mentioned 20' because he's not sure what the pitch of the roof would be.

Franco said just by looking at the picture that is what he came up with.

Charles mentioned that he was looking at the door more like 12' high, but usually if you're going to back a dump truck or a van in there or a box truck, you need more than 10', you are going to need more like 12'.

Scott said a lot of this still to him is speculation, the board defiantly needs more information on this. The board is kind of up in the air on the whole thing because the gentleman who owns it doesn't know if he's going to build it, give it to someone else, or give the rights to build it to someone else, things could change again there. Something in his opinion is something a little more solid, that the board can look at more tangible to get a hard line understanding of what is going on, on that property and what it's going to look like when it's done.

Carl asked Paul what he thinks about what the board is doing?

Paul said that the questions are well raised about the need for additional application materials and the code does require certain information has to be provided for a complete application, the board has some digression on what it waives, the elevation and the other stuff the board has asked for are things that they typically look for in a complete application, so he thinks the board is on the right track.

Carl said that he thinks the board should follow Paul's advice.

Scott asked if anyone else on the board had anything?

Gerry asked if drainage should be included as well?

Scott said good point.

Andy L. mentioned that he has looked at the plan and has several questions, the first is that he is a little unclear about the source of the boundaries and thinks a survey boundaries map stamped by

a surveyor should be provided especially with the DOT turn around cutting through the property there has to be easements for that, the DOT just doesn't cut turn arounds through properties without proper permission. He also has some questions about access the top of the driveway, it's unclear to him it looks like it's going to be very steep and difficult to access which may or may not need grading. He understands that there is existing sewer and water on the site, are there bathrooms proposed for this building or in the existing garage?

Charles said no, not to his knowledge, there was a trailer on the site that was removed and there is still a garage on the site, he thinks it is a one car garage.

Andy L. replied so, no water or sewer proposed on the site at this point?

Charles said it's there if they need it, but the applicant hasn't discussed that with him yet.

Andy L. said if there is any potential use that system the applicant would need to go to the health department for change of use because it is no longer residential it's commercial. He also would like to see turning movements based on the size of the vehicle that the applicant is expecting to get into the site, he would like to see how the vehicles enter and exit the site because we cannot be obstructing North Rd. if that is what it takes to get in and out of the site.

Charles mentioned that they have a 30-foot-wide driveway going into the site, it does drop off of North Road and they have a 40-foot turning radius at the T and then there is the parking area or turnaround area, back-to-back into the building is shown at 112 feet long and the largest thing that will be entering are straight trucks and box trucks.

Andy L. said that he kind of needs to see the largest vehicle they expect, he needs to see the movements for them in and out of the site.

Scott said at this point there is a lot more information that needs to be submitted to the board, so they can review it more.

Sal said that he is asking for elevations as it is in the zoning code that the board needs to have it.

Charles replied that he will have to bring this back before the owner and see how far or if he even wants to pursue it any farther.

Dave said that is what he was going to suggest because it sounds like things have changed since the ZBA application, because it was the understand that he was going to go forward with it himself.

Charles replied that was the intent.

Dave said that he would wait for a reply about how the applicant wants to proceed and then will let the board know.

Charles replied that he won't be able to provide all the information needed in a week even if the applicant wants to proceed.

### **Basciano, Stephanie- Lot line revision, 404 Pancake Hollow Rd., SBL #87.1-2-19.300 & 87.1-2-19.400**

Applicant is seeking a lot line revision between 4 existing lots on Pancake Hollow Rd. located in the R-1 zone and A zone.

Application and subdivision map circulated to Board.

SEQRA status: Unlisted

Patti (applicant's agent) mentioned that the property was originally subdivided back in the late 1980's to create one lot for Stephanie (applicant) and one lot for her brother, at this point in time the next generation (Stephanie's daughter) is looking to build a home and she is not looking to be as close to her mom as she would be if she built on the existing lot. For this one she has prepared maps that show existing conditions and proposed conditions because she was afraid that it would be too confusing for the board to figure out what lot lines were coming out and what was going in. The tax map lot in the upper corner you can see what the lots look like now, so basically, she is proposing to combine 19.3 and 19.4 and make that a large lot, and take 19.4 and kind of flip it onto the south side, so that she can be close to the parents, but have a larger lot and be a little bit further away. Basically the 2 lots on the upper side of the map are the ones that are going to be combined. The small lot would be made larger from 1.25-acres to 1.87-acres, and then the other lot will be south of what was the proposed road. When the land was originally subdivided back in the late 80's Ulster County Department of Works at that point in time said okay because you are only going to be servicing 3 houses in that location we will allow that driveway to stay, but if there is ever going to be future development of the overall parcel we want you to shift the proposed roadway to the south where the sight distance is better, so that is why there is a 50' wide reserved for future road which was actually created back in the late 80's, so that is why you see the southernly bounds was called revised lot number 1 as it has the reversed curves to it as it was part of the original road that was laid out. She said she knows it's confusing, but they are starting with 4 lots and ending with 4 lots and with the exception of the remaining lands all of the lots will increase in size.

Scott asked if anyone else had anything?

Sal asked who owns the road is it this lot 4 in the back?

Patti answered yes.

Sal asked they own it there are no easements or anything like that?

Patti mentioned that lots 1, 2, and 3 are subject to a roadway maintenance agreement that has already been filed and will be revised, so yes right now all the lots are owned by Stephanie, but in order for a proposed lot number 3 to be able to use the existing blacktopped driveway there is going to have to be an easement to cross that future road until such time that it is built, she put into the notes that lot 3 will retain a right-of-way over the existing driveway on lot 1 until such time the possible future road will be constructed.

Sal asked is that because the county wanted their entrance further south, so they have access to that road?

Patti replied that is correct, when lot 4 is further developed.

Scott asked if anyone else had anything?

Sal asked if all the lots conform to zoning or above the minimum size?

Patti replied all the lots are in the R-1 zone, so they only need to be the 1-acre, with the exception of lot number 2, they are all over the A zone requirements anyways.

Sal asked if the county health department has approved the septic layouts?

Patti said that they are in the process of doing board of health approval now, only for lot number 3, obviously lot number 1 has an existing house and lot number 2 had received board of health approval back in the 80's and they are making the lot larger, so they are not going to reapply for board of health approval at this time, but they are for lot where the new construction will take place.

**P. We Holdings- Commercial Site Plan, 3475 Route 9W, SBL #88.14-4-25, in GB zone.**

Applicant is seeking site plan approval to construct a commercial kitchen for catering and on-site take-out food sales.

Application and site plan circulated to Board.

SEQRA status: Type II

Scott asked if Dave had anything?

Dave said yes and asked Patti if she had sent over the elevation drawing that they had talked about?

Patti (applicant's agent) said she doesn't have it handy as she is not logged into her office computer.

Dave replied that he doesn't have it either. He said he does have the map if the board would like to see it.

Scott said that he would like to see the map.

Patti said that the board will remember that back in August 2019 Sal T. (applicant) had been before the board he wanted to construct a 6,300 square foot catering facility to accommodate up to 200 guests on the southernly end of this same property, it was delayed because they needed a lot line revision and then the moratorium, they did end up getting a waiver from the Town Board April 15<sup>th</sup> of last year, but at that point in time because of the virus a catering hall for 200 people was not something that made sense to move forward with, so the applicant hasn't given up on those plans, possibly in the far future, but at this point in time one of the reasons he was building the catering hall was that he has significantly out grown his kitchen in Sal's Place downtown to cook for his catering business, so that's the reason for this proposal at this time. On this plan that is shown, they are utilizing the same curb cut that DOT had already approved the location of design for, there is a stub at the south end in case he does do further development, he would be able to utilize the same driveway and this proposal is tucked into the northernly end at the plateau between 2 slopes. There is going to be a seasonal tent area with a picnic area, there are provisions for a bathroom that's for guests and walk-up service window in addition to the year-round drive thru window. She mentioned that municipal water and sewer will be designed to come in from North Rd. and Andy W. (part of the applicant's team) is working on those plans. The re-grading shown on the map of course is designed by Andy W.

Dave asked is he trying to connect to water and sewer for that small building from North Rd., it's going to cost as much to do that as it will to put that building up?

Patti replied potentially, but he is proposing to hook into water and sewer and she thinks once it gets onto that side, he will probably be able to use it, her understanding is that he will be able to use it for the southernly building, once the numbers come in, he might change his mind and put a well and septic system in.

Carl asked if the fire department could check the movement turning radius?

Patti mentioned that there is a detail, to show it in more detail, she mentioned that they used the same turning radius as was used for Dunkin because she knew that, that worked.

Andy L. said that one of his comments were that they would need to see the turning movements.

Dave mentioned that the applicant will also need to have more detail on their landscaping plan, a lighting plan will also need to be done.

Andy L. said that he will need to see the proposed grading for the entire site, not just the entrance road.

Paul asked if the board received elevations?

Dave replied not yet, just the photo that was mentioned earlier in the meeting.

Franco asked from North Rd. that's just going to be a utility easement for water and sewer, or is it going to be access for vehicles?

Patti replied that's just going to be for utilities.

Franco mentioned that he will need to have grease trap that will have to be sized.

Patti said that once Andy W. starts to work on that, that it would probably be a good idea to meet with the Water & Sewer Committee?

Franco said yes.

Scott asked where the power was coming into the site?

Patti replied that she wasn't sure.

Franco said from North Rd.

Andy L. said that the utilities will have to be installed underground.

## **Public Hearings**

### **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.

Procedural status: Referred to UCPB

SEQRA status: Negative Declaration issued

John (applicant's agent) mentioned that the team is working on a presentation for next week and that he is willing to take additional comments.

Sal asked if they had more renderings?

John replied that they did and are currently finalizing them now, they have 3 or 4 renderings from the locations that the board requested.

Carl asked about the turnaround area and snow storage next to the loading dock, is there an adequate turn around for the trucks?

John replied that the team is looking into it and are trying to finalize it.

Scott asked if the board was comfortable enough to have staff draw up a draft resolution for next meeting?

Franco said he was good with it.

Carl said that they can do a draft, but the board cannot do any final yet.  
Lambros said that he was fine with it.

**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.

SEQRA status: Unlisted

No comments.

**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.

CPL comments circulated to Board.

SEQRA status: Unlisted

Paul said that if the board would like he can draft a resolution.

**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.

Comment letter circulated to Board.

SEQRA status: Type II

Scott asked Paul to draft a resolution.

**Administrative Business**

Cerniglia- ODA

New information and CPL comments circulated to Board.

Paul said that the board's role is to provide a recommendation to the Town Board. He also  
mentioned that the board had asked Andy L. to provide comments on the project, which he has  
done and have been circulated. He advises the board to provide a recommendation that states that

they are okay with the ODA, but wants to make sure that everybody who may want to develop the property below the ODA is on notice of the challenges that they will face in complying with the code in order to construct a driveway down to proposed house location.

Dave mentioned that the staff will draft a response for the board to look at for next week.

**Motion to Adjourn.**

Draft-Not Approved