

REGULAR MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, July 28, 2022

CALL TO ORDER TIME: 7:01pm

PLEDGE OF ALLEGIANCE

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

OFFICIALLY OPEN THE MEETING

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

Absent: Board Members: Sal Cuciti and Lambros Violaris.

Minutes to Approve at July 28, 2022 meeting

June 16, 2022 & June 23, 2022

Scott asked for a motion to accept the minutes.
Motion made by Franco, 2nd by Bill.
All ayes motion passed to accept the minutes.

New Business:

Saychek, Toni: Special Use Permit: 17 Van Orden Rd., SBL #96.3-3-1.111

Applicant is seeking a special use permit for a ground-mounted solar array.

Review Status: Application and plans circulated to the board.
SEQRA Status: Type II
Potential Action: Board to possibly set public hearing for August 25, 2022.

Scott asked for a motion to set a public hearing for August 25, 2022.
All ayes board set public hearing for August 25, 2022.

New Public Hearings:

Scott asked for a motion to open the public hearings.
Motion made by Bill, 2nd by Gerry.
All ayes, motion passed to open the public hearings.

Rodeway Inn & Suites: Commercial Special Use Permit: 660 Route 299, SBL # 87.1-3-2

Applicant is seeking a site plan and special use permit to install roof-mounted solar. The solar arrays will be mounted on the northwest and southeast facing roof planes. The total area of the combined arrays is to be approximately 5,909 square feet. Due to the location and 4-degree roof pitch, the flush mounted panels will have minimal impact on the visual character of the area.

Review Status: Public hearing has been set for July 28, 2022.

SEQRA Status: Type II

Potential Action: Board to open the public hearing, close the public hearing and possibly approve the project.

Alex (Applicant's agent from Kasselmann Solar) said that they are proposing this 113.76 kW solar array. As mentioned, the roof pitch is low and the array is behind the façade that can be seen from the roadway. There are 8 arrays, 7 of them are going to have 30-panels, and 1 array is going to have 27-panels. Each array will have a 11.4 k inverter. This solar array is sized for onsite consumption, it is not for net metering or net crediting for the business. The arrays will be spaced four feet apart and will be away from the edge of the roof.

Scott asked for a motion to close the public hearing.
Motion made by Gerry, 2nd by Larry.
All ayes motion passed to close the public hearing.

Scott read the resolution.

Scott asked for a motion to accept the resolution.
Motion made by Franco, 2nd by Bill.
All ayes motion passed to accept the resolution.

Chavez Garden Center LLC: Amended Site Plan: 288 Route 299, SBL # 87.2-1-9.223

Applicant is seeking to convert Lakeside Licks, to a garden center.

Review Status: Public hearing has been set for July 28, 2022.

SEQRA Status: Type II

Potential Action: Board to open the public hearing, close the public hearing and possibly approve the project.

Scott asked for a motion to open the public hearing.

Motion made by Franco, 2nd by Charly.

All ayes motion passed to open the public hearing.

Juan said that he reached out to the architect who did the original site plan and was told that they are not in business anymore. He found another name and reach out to them and is waiting for a response. In case the engineer does not agree to allow him to use the site plan, he has hired a new one to do the plans if need be.

Board to keep public hearing open.

Andy said that was his concern that it was certified by a licensed professional.

HHH Property Management LLC: Commercial Site Plan: 24 Main St. SBL: #88.69-9-2.

Applicant is seeking site plan approval to install a 1st floor yoga studio with residential living space above.

Review Status: Public hearing has been set for July 28, 2022.

SEQRA Status: Type II

Potential Action: Board to open the public hearing, close the public hearing and possibly approve the project.

Sean (applicant's agent) said that he is here tonight to hopefully get the board's permission to convert the upper floors from office space to living space.

Andy said that he hasn't seen a revised site plan, but the comments that are left can be conditions.

Scott asked for a motion to close the public hearing.

Motion made by Larry, 2nd by Franco.

All ayes motion passed to close the public hearing.

Scott read the resolution.

Scott asked for a motion to accept the resolution.

Motion made by Franco, 2nd by Gerry.

All ayes, motion passed to accept the resolution.

Administrative Business

The Villages of the Hudson Valley: PRRD

Kelly (A part of the applicant's team) said that in 2021 the board granted a negative declaration which outlined the impacts, it also, outlined that when the PRRD was filed the board would look at the delta changes of the project in regards to SEQRA. They have looked at utilities, provided a SWPPP, did detailed grading, detailed landscaping and a lot of visual analysts as a part of the review. At the end of the review the board adopted a negative declaration and a few months later approved the site plan for the ALF. They have provided detailed plans, but they understand that more might be needed. They are proposing 197 cottages, 18 of which are affordable housing for the PRRD and 119 units in the ALF. They have provided detailed grading, a more complete water and sewer analyst, overall landscaping plan. They have also provided what they think each unit will look like. They felt that it was best to get the layout of the site set with the board before focusing on the lighting and landscaping plan. There are 4 different architectural styles for the cottages and each one comes with a garage.

Andy suggested that they should highlight the steep slopes on the map, so the board can see how that relates to the proposed development. A preliminary stormwater Pollution Plan needs to be submitted, as there is a lot of underground storage and would like to know how that will work out. He needs the cut and fill calculations. A report needs to be done on the pressure and supply of the water with one 8-inch main, in the initial review there were other options and he would like to see them. Visual simulations, he feels that they will be important. It would good to have the same views to see the changes in how the layout will look. Open space has been mentioned, but he feels that more details will be good. He feels the traffic changes will be minor, but a memo should still be provided. The lighting plan they mentioned will be done at a later point, any additional information that could be provided will be good. An updated site management plan on the contaminated soils and how they will be managed should be submitted, especially with the residential nature, it was not too much of a concern for the ALF as they were not expecting people to be outside as much.

Scott asked for the water feeding into the property wasn't there two or three options?

Andy replied he thought there were two connections for the independent living. Right now, only one is shown. At the end of the line there could be a very low flow rate.

Scott said there was an option of it coming off of 9W with a pump?

Andy said that what was agreed upon was that part of the plan would be to upgrade the Vineyard Ave booster station, which will help, but a signal feed may not be enough.

Kelly said that fire and emergency services might have an issue as well.

Franco asked Andy if they should appear before the Water and Sewer Committee in August to discuss this?

Andy replied that it might be wise to have some information from the engineer before the meeting on how it will work.

Dave said that when doing the water piece, he assumes that the ends of the roads are dead ends for water?

Kelly said yes.

Dave said the committee will figure out the loop vs not.

Carl asked if they have eliminated the pool and is it out of the equation totally?

Kelly replied it is now.

Carl asked if they were going to eliminate the other outdoor activities?

Kelly replied that the amenities right now have not been finalized. The first thing was to get the layout of the roads, driveways and units. There is an area set aside for the amenities and they can decide what uses are going to be in there between now and next meeting.

Carl suggested that they keep the pool.

Kelly replied that they can look into it.

Carl asked if they could show the parking for the courts and the club house on the plans?

Kelly replied that they will add that in.

Bill asked if the affordable units were going to be built to the same standards as the regular units?

Kelly replied yes, but they may be slightly smaller.

Bill asked if there was going to be a preference for Town of Lloyd residents for these units?

Kelly replied she is not sure how that works.

Dave said in the code RUPCO that manages them for the town, there is a piece in there for a scoring system for people like firefighters, nurses, etc., but because this is for seniors, he is not sure how that will play out. RUPCO right now is income based, so the system remains to be seen. The board can work that out during site plan.

Kelly asked if they should come up with a plan for that?

Dave replied that it would be a great idea. He said that the board will want to see where they are located as those spots would be locked in forever.

Kelly replied that they do have them identified, but they were not shown on this plan and will make sure they are.

Paul said that there a resolution for the board to recirculate for lead agency and that is something that he recommends for the board to do. He said that this review is a higher-level review at this point, both in terms of making sure that the proposed PRRD meets the requirements of the zoning code in terms of a recommendation to the Town Board, but that also that as the Town Board has requested that the board conduct SEQRA review. Kelly is correct that the board has done a prior SEQRA review, but there was also agreement all around that when an actual application came in the board would make a new SEQRA determination. What he tried do in his July 21st email was to go though the issues that had been of concern to the board, when it issued its negative declaration and to say here is the extra information that you need. His recommendation to the board would be to ask the applicant to respond to the July 21st memo, if the board agrees with the issues that were covered. Some of the issues that he picked up on were related to wildlife and plants and the need for getting DEC input. One of the other issues that he picked up on was the contamination issue in the orchard, to make sure that a fully developed soil management plan that the board is comfortable with. The last big issue that came from the Town Board is the affordable housing piece and the need to have from the applicant a plan for how they are going to comply with the affordable housing regulations. Which is relevant to the board's SEQRA analyst, he feels that it would be helpful to the board.

Dave suggested that the applicant could combine both Paul's and Andy's memos and respond to them.

Charly asked with a project this big, biweekly inspections is that a normal time frame?

Andy replied it is based on area of disturbance, if it is more than 5-acres that's normal, for twice a week inspection. It was suggested that his office would do additional inspections on top of theirs.

Charly said that a lot of work could get done in two weeks.

Andy replied that biweekly means two times a week. The regulation is twice every 7 days.

Kelly said that with the site work there was someone from Andy's office, their engineer and someone from the building department who is stormwater trained.

Dave said that once they come in for the site plan signing, he will make sure that there is a construction escrow set up for the inspections.

Charly mentioned that it appears the site has been dormant for a few weeks now.

Kelly replied that the next step is the utilities, the biggest hurdle was the developer's agreement. It was just signed and they couldn't do anything until it was. They are preparing building permit drawings for the ALF; they will be coming forward soon with a permit for the utilities. They have ordered all the pipe and it is on the way. They cannot move forward yet as they don't have DEC's approval for the sewer. It is unusual as projects are normally reviewed by the County Health Department for water and sewer. The County reviewed the water and punted the sewer to New York State DEC. They have ordered the water and sewer pipe, with the hope that they will start within the next three weeks. Once they have the approval from the DEC, they will start the work in the DOT right-of-way first.

Andy asked what the status of the DOT permit was?

Kelly replied that Ken (Traffic engineer) is handling that. The person who was supposed to issue the DOT permit left and it hasn't been reassigned to anyone.

Dave said that if the PRRD gets approved that all the houses will be modular and they will be going up Mayer Drive. There are 196 units that will be going up Mayer Drive, they need to think about ways to manage that at that point as it is a lot of traffic. Hopefully the light will be in at that point. When a modular comes in, it is on one or two trucks, they come in crane it up, put it on. The application should think about them not having modulars delivered during rush hours or during the time that school buses are out.

Carl asked if they could make a rough-cut road as soon as you turn onto Mayer, so the trucks would be on their property?

Dave replied that DOT would not let them build a road that far down.

Kelly said that they will create a schedule of when tractor trailers could enter and when they cannot.

Scott asked if there was a way the town could make sure that once the project was complete that the road will be repaired?

Dave replied typically there is a road bond. CPL and the highway department will inspect the roads before the building department issues a CO, that either they have repaired it or the town will use the bond to repair it.

Kelly replied that there are improvements along Mayer Drive that can be incorporated into that at the end.

Charly said that once they figure out the staging and the schedule of the deliveries the board will review it because there is no room for modulars to park on Mayer Drive.

Dave said that the board is asking the applicant to create that plan. The board can even probably talk about it during SEQRA because there is a traffic component to it. If the board has the plan and is okay with it, then it mitigates that issue.

Kelly said that they will probably develop a phasing plan for the units. They will also figure out staging and landing areas.

Franco said that the last thing the town wants is to have tractor trailers lined up on 9W.

Kelly replied that they don't want that either.

Scott said that making the turn onto Mayer Drive is going to be hard enough.

Paul read the resolution.

Scott asked for a motion to accept the resolution.

Motion made by Franco, 2nd by Bill.

6-ayes, 1-nay, motion passed to accept the resolution.

Motion to Adjourn.