

WORKSHOP MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, October 20, 2022

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

Attendance: Board members: Scott McCarthy, Charly Long, Sal Cuciti, Larry Hammond, Carl DiLorenzo, Gerry Marion, Franco Zani, Bill Meltzer (alternate), and Lenny Auchmoody (Town Board); Board Staff: Dave Barton, Paul Van Cott (via Zoom), Christian Moore, and Sarah Van Nostrand

Absent: Lambros Violaris

Minutes to Approve at October 27, 2022 meeting

August 18, 2022 & August 25, 2022

Continued Public Hearings

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 was opened on July 28, 2022. Updated site plan circulated to the board.

SEQRA Status: Type II

Dave said that the site plan is stamped by an engineer. It shows the paved parking spots and the truck movements at the roadway.

Christian said that the applicant has taken care most of their concerns about truck movements. If they are only going to add a layer of asphalt on top of the existing parking then a grading plan is not necessary to be submitted. Would like confirmation that the site only needs 2 ADA parking spaces. Parking should be screened, he is not sure if they are proposing any additional landscaping there, but he knows that the DOT right-of-way goes right up to the parking area. If this is year-round, he would like snow storage indicated on the plans.

Scott asked if the sign was going to change?

Christian replied that they did provide a sign detail.

Dave said it was going to be a monument sign.

Franco said that the new sign won't block site distance as it will be lower in height.

Christian said that as long as the sign in the same place as the existing one it should be out of the DOT right-of-way and not trigger anything with them. His only other comment is that it appears that they are not proposing any changes to the site lighting, and is not sure if the current lighting is acceptable to the town or if it is something that the town should look at.

Dave asked Franco as he lives out there if the lighting at night is bright?

Franco replied not really. The sign is far enough off the road that it won't block the view.

Old Business

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

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

SEQRA Status: Unlisted Action

Review Status: Updated plans circulated to the board.

Christian said that the applicant has submitted conceptual DOT approval for the drain line that is crossing the state highway. They are proposing separating the drain line out within the bounds of their property, the DOT would be responsible for the line in the right-of-way and easement and the owner will be responsible for the rest, if the DOT would be amenable to that they have no further comments. Would like to see at least 1 ADA compliant parking space. A lighting plan was submitted, they would like all lighting cut sheets to be added to the plans that get approved by the board.

Patti (applicant's agent) replied that the cut sheets were provided, but you want them included in the approval process?

Christian replied yes, so the plans reference the lighting, so there won't be confusion down the road.

Dave suggested that the board waive the ADA requirement, until before issuance of a building permit as he is not sure if any are required or not.

Carl asked if DOT could put no parking signs along the highway to prevent trucks from parking on the shoulder there?

Patti replied that DOT would not as they would then have to put signs up everywhere, plus there is no parking in the shoulder period. They are proposing a post and rail fence, plus a large detention basin and 2 berm planters to discourage anyone. It is not going to be easy to access the site, by parking in the shoulder.

Carl asked how far off of 9W will the post rail fence be?

Patti replied that it will be on the subject property.

Sal asked is the everything going to be paved, including the paths?

Patti replied yes it will be.

Dave said that the board could set a public hearing for their workshop meeting in November.

Scott asked for a motion to set a public hearing for November?

Motion made by Franco, 2nd by Gerry.

All ayes motion passed to set the public hearing for November 17th.

Alessi, Elena: Residential Subdivision: 50-52 John White Rd. SBL #80.3-1-19.200

Applicant is seeking a two-lot subdivision located at 50-52 John White Rd. The parcel is located at the end of John White Rd and is in the R-1 Zoning District. It is a 16.43-acre parcel with two existing dwellings. It is proposed that the parcel be subdivided to allow each dwelling to be located on its own parcel. Lot 1 will be 9.21-acres and lot 2 will be 7.22-acres each with an existing house and septic system.

SEQRA Status: Unlisted Action

Review Status: ZBA decision circulated to the board.

Scott asked wasn't the board doing something with the road?

Dave said that there is a driveway that circles the site, the driveway will still serve both lots. It is feasible, but difficult for the lot to the south (lot 1) to get their own driveway, but it is a steep downhill there. Where the driveway is now is, follows the valley.

Patti (applicant's agent) said that she is waiting for the agreements. The driveway will be shared until the spilt. Incorporated in the maintenance agreement is going to be the fact that neither of the owners can block that loop as it has to be kept free, opened and maintained for emergency vehicles. There will need to be utility easement for lot 2. She talked to the water department about the water meters, if it stays as the one, two-inch main servicing both the dwellings with their individual house services and going to have a transportation corporation, they are fine with it. If they decide not to do the transportation corporation and they run 2 separate individual lines, then they would review it and determine where the water pits would be. They are concerned about any purchasers that they are responsible for the entire 2-inch main that crosses their properties and that the town's responsibility ends at the end of John White Rd.

Franco replied that is what a transportation corporation would do. The board is going to need that before voting on this application.

Patti replied that their attorney is working on it. It has been a while since this project was in front of the board, so she wanted to give them an update.

Christian asked if the applicant's attorney has any idea on how long it will take?

Patti replied that she doesn't know anything about that process.

Dave said that the dumpster on the map, is that for the Alessi's, that is at the end of John White Rd in the right-of-way?

Patti replied that she believes it is.

Dave said maybe it can be permanently moved back into the site somehow.

Patti said okay.

Christian said that he has a comment on the common driveway. It appears that no improvements are being made and the owners mentioned that the driveway existed before the requirements of a shared driveway section of the code. He wants to know if the fire department has weighed in on the access to the driveway?

Patti replied that she hasn't asked the fire department to weigh in on this as they are not proposing any changes. If they were able to access the dwellings before they will still be able to access them. Typically, if they are not proposing any new construction, she doesn't ask the fire department to weigh in.

Christian said that the shared driveway does fall under that section of town code and should comply with the town road rural standards. If the board is inclined not to require that, then at a

minimum the fire department should weigh in, to make sure they can get in and out without issue.

Carl asked if there was a turnaround up there?

Patti replied no.

Carl feels that there should be something there.

Dave replied that it is a looped driveway. He suggested that Pete Miller should weigh in on it to make sure that they can get in and out of the driveway.

Franco said he is good with waiting for comments from the fire department.

Sal asked if the water lines are located on the map?

Patti replied it is the light blue dashed line that is adjacent to the driveway, that is labeled 2-inch main. Also, shown are the 3/4-inch service lines.

Franco asked on lot 1 the 3-family, do you know the approximate size of the septic tank.

Patti replied that she does not.

Franco asked how many bedrooms?

Patti replied that all of it is pre-existing.

Franco asked do you think the septic is capable of handling a 3-family house?

Patti replied that it has been handling a 3-family house for a lot of years.

Sal said that he knows there is going to be an easement for the driveway and that lot 1 can access the driveway, but you mentioned that there will be an agreement that it has to be left open all the time?

Patti replied one of the concerns voiced by this board and the Zoning Board and Building Department was making sure that the looped driveway stays intact. Right now, that is the pre-existing condition and the only way fire vehicles can circulate. As result of this subdivision, they don't want to see that taken away. Although the shared driveway is going to end where the blacktop drive splits, in that agreement there is going to be a stipulation that neither lot can sever the driveway or block it and it needs to be kept free and clear for emergency service vehicles.

Sal asked is it an agreement between both owners?

Patti replied that it will be a stipulation from the owner of everything, so when they sell the property that lot will be subject to that.

Sal said he just wanted to make sure that the town is not involved in it.

Dave replied no, it is a civil matter.

Scott said will there be a note on the map?

Dave replied that the town gets a copy of the maintenance agreement.

Scott replied okay, as long as we can look back at something.

Christian said that it would probably be a convent in the deed this way once it has been sold, the new owners and future owners would be aware of it.

Patti replied that it is a separate document that is filed. They usually file that agreement with the subdivision map. When they prepare the meets and bounds description for the lawyers who prepare the deeds, she references it in there.

Christian said you are going to have a few, the common driveway easement, utilities easement for the water and electric and the convent for the maintaining of the driveway.

Administrative Business

The Villages-PRRD SEQRA Review

Presentation was shown.

https://www.townoflloyd.com/sites/g/files/vyhlf3371/f/uploads/the_villages_-_power_point_presentation_-_10.20.2022.pdf (link to presentation)

Carl asked if there was a recreational area in the revised site plan?

Kelly (applicant's engineer) replied that there is.

Carl asked what is in it?

Kelly replied she cannot remember, but will have the answer next week.

Carl said that he would like to know how much of the site needs soil remediation, how deep it will have to be and where they plan on using the soil that the remove?

Kelly replied that this time most of the soil remediation is closer to the surface, they plan on using the soils under the road and in berms.

Carl asked so there is no concern to public health?

Kelly replied nope.

Carl said he understands under the roads as it will be covered, but a berm will be exposed.

Kelly said that they would be capped with top soil. The contamination is below the threshold levels, so it can be utilized in the landscape berms.

Bill asked if there was going to be a swimming pool? He read that there was going to be community gardens with an outdoor pool, but he didn't see the pool on the plans.

Kelly replied that she would look into it.

Bill asked about the developer's agreement for off-site improvements, does that have to worked out with other developers? What happens if the other developers don't pay their share?

Dave replied that it won't impact them directly.

Kelly replied that this project is doing the lion share of the work that effects everyone else. She thinks that the other agreements are for the project's lateral connections.

Bill asked if the other developers don't sign up, it won't affect this property.

Kelly replied that it doesn't matter. Originally it was going to impact it, but the applicant decided to do all of the work.

Dave said that if they didn't do their piece the other projects would have trouble.

Christian said that he would like to see a comparison map overlaid on one plan to make the changes easier to see. He would like to see the visuals updated from the same points as done previously. A preliminary soil management plan should be prepared for all the excavating being done. Regarding traffic it seems the scope of the project has decreased; it seems the study is being advanced despite the reduction. The SWPPP report was only 6 pages long and suggests that a more flushed out one be submitted. He would like to see infiltration tests done to show that the soils can handle the anticipated runoff going underground without causing a problem somewhere else. These infiltration systems are plastic underground chambers that allow the water to soak into the ground they have an overflow provided in case the soil doesn't absorb it quickly. Where ever there is a point discharge that is going right towards an adjacent property, they are going to be looking for detailed calculations to demonstrate that those discharge points won't concentrate on adjacent properties and cause off-site impacts.

Scott said that he has been getting questions about the building in the front.

Kelly replied that the building in the front is the sales office. It will stay where until the start working on the ALF then it will get moved to the top of the property.

Scott asked is it a model as well?

Kelly replied that it is not.

Scott asked will the building being there be a problem for staging or the building of the ALF or the staging of the PRRD buildings that are going to be brought into the back? As there have been concerns about trucks making the right turn onto Mayer then having issues making the incline and causing damage to the road.

Kelly said that on the phasing plan that was taken into consideration and they have shown on the plans the truck staging area for when that project would get built. They feel that the current contractor has been making that turn with low boys, that the ones carrying equipment should be able to. They did show the staging area for the trucks and show where they can unload and how they can turn around and leave the site again.

Scott asked about the wear the and tear on the road?

Dave replied that they will post a bond. Andy, Christian and crew will determine the value of that bond, before they can even get a permit.

Kelly said that the original visual analyst concluded that this site would not be visible, so that is why they provided the update from the architects. It seems senseless to go back and take the photographs from the same vantage points when the site has dropped 4-feet and from those vantage points the PRRD was not visible.

Charly said that when the board talked about Mayer Drive, he thought the board didn't want it used at all and you said that the contractor uses it now. They currently stop on Mayer and back into the site, if that is the case it will cause problems.

Kelly replied that the reason they back into the site now is because there is no loop. What is shown on the staging plans is that there will be a loop for trucks to go in and loop around.

Paul said that the board might want to think about what the board wants to set as a goal for next week. In regards with any other information that the board might need, so the applicant can get that ready by the November meeting.

Board agrees that they need time to review all the information.

Kelly said that they will have PVE with them at next week's meeting to answer any of the questions related to the soil.

Paul mentioned that the board also has to send recommendations to the Town Board, so that the Town Board can make its findings. Those considerations are parallel to their SEQRA review. He will send them around for the board to be thinking about to make sure that they have enough information to make your SEQRA recommendation and determination, but also your recommendations back to the Town Board.

Motion to Adjourn.