

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

**Thursday, June 16, 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**

**Minutes to Approve at June 23, 2022 meeting**

May 19, 2022 & May 26, 2022

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

**Absent:** Scott McCarthy

**New Business:**

**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: Application and plans circulated to the board.

Alex (Kasselmann Solar Applicant's agent) said that they are proposing a 113.76Kw roof-mounted solar array. They will be flushed mounted and will be split into 8-arrays. Five of the arrays will be on the eastern facing side and three of the arrays will be on the western facing side. The arrays will be used for on-site consumption. There will be one inverter for each array. The arrays were moved back from the edge of the roof planes. The four-degree slope will have minimal impact on traffic driving by. There are trees on both sides of the lot to shield the arrays from view. The arrays will be spaced about 4-feet apart from each other. The eastern side will be 8-feet from the ridge, where the western side will be 5-feet from the ridge.

Paul said this is a type II action under SEQRA so no review is required.

Lambros asked if with the four-degree pitch was an analysis done to see if there would be any reflection interference to the drivers on 299?

Alex asked like a glare analysis?

Lambros replied yes.

Alex replied that he doesn't believe one was done.

Dave said that the property is on the north side of 299, and the sun will be to the south, so to hit drivers it would have to refract back, which would be unlikely to happen.

Carl asked what is the maximum square footage allowed for a solar array on commercial?

Dave replied that there isn't a maximum. There is a trigger for Planning Board review is if the array is over 1,000 square feet.

Charly asked if the board could set a public hearing for July?

Dave replied next week.

### **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: Application and plans circulated to the board.

Juan (applicant) said that would like to take an existing business (Lakeside Licks) and turn into a garden center. He advised that there aren't going to be too many changes to the site. One of the changes is that they are going to remove the mini-golf course. They plan on having a little route, where patrons can come in and get a wagon to go around and get whatever they need to and circle back at the end. They hope to provide the community with fairly priced plants because they would get the them directly. He hopes to make that area a little nicer than it is now. The red lines on the site plan are not exact they plan on making it a little shorter and more direct.

Larry asked if the garden center would be seasonal business or a year-round business?

Juan replied that it would almost be year-round. The spring and summer would be the busiest time, but in the winter, they would like to sell Christmas trees.

Larry said that in that case the blacktopping would have to be done.

Juan replied yes.

Sal asked if there was a well and septic system?

Juan replied yes there is a well and septic system.

Sal asked if it was on the site plan?

Juan replied yes, it is on the site plan proposal. Right near the handicap parking is a blue square where the well is located. The septic tank is going to be on the right-hand side and is not shown on the plans, but can add it.

Sal asked if they were installing the septic tank?

Juan replied that it is existing.

Sal asked what about lighting in the parking lot?

Juan replied that there is lighting already on the site and plans on keeping it the same.

Franco asked if they were going to remove the lighting in the back?

Juan replied that he thinks they will keep it. Not that they would need it per say, but it is already there.

Sal asked if there was going to be a sign?

Juan replied that there is already an existing sign. It is a little high and might make it a little bit lower and opening week they might have a sign that says Grand Opening.

Charly said that he will have to look at the Town Code for sign details. He asked about outside storage of bulk materials, are you planning on selling stone or mulch?

Juan said no, and not in the foreseeable future either. It will be strictly be just plants. Hopefully in the future they will be able to get into sod, but nothing too heavy.

Charly replied okay, as bulk materials aren't allowed in the DB Zone.

Dave said that no outside storage is allowed in the DB Zone, but with the board's permission they might allow it if it is in a closed container or area. If he is not going to do it, it can be built into the approval.

Sal asked if the plants are going to be in the building?

Juan replied that yes, they are not proposing any changes to the building. Currently there is a kitchen on the 1<sup>st</sup> floor and the 2<sup>nd</sup> floor would be used for storage. The 1<sup>st</sup> floor is going to be converted to an office center, to be able to check people out and have all the paperwork ready. Upstairs they plan on using for storage. He would like to bring up that upstairs was built to be an apartment and he knows that it gets inspected yearly by the fire marshal, so he would like to know to know what the board thinks about him possibly moving in there?

Sal asked what would it be an accessory apartment?

Dave said he was checking to see if it was allowed in the DB Zone.

Sal asked where the plants would be stored?

Juan replied that the map is a little misleading at the moment they are make the paths straighter. He plans on having the plants in sections, like trees are in one area, then shrubs, then flowers. They are possibly going to make little stands for the smaller plants, more or less they are going to be in 5 or 10-gallon containers and they are going to lay them out in a nice organized way.

Dave replied that an upper floor apartment is allowed in DB Zone.

Paul said that this is a Type II SEQRA action, so no SEQRA review is needed. Depending on where the board is they could set this for a public hearing at next week's meeting.

Sal asked if pavement and utilities were staying the same or was there going to be changes made?

Juan said that nothing is changing, but if the board wants the blacktop, then they will add it.

Charly asked if drainage would have to be looked at?

Dave replied he doesn't think so as the site is completely built now. The compacted gravel acts as an impervious surface now, so with the additional paving as long as it does not increase the amount of impervious surface, that has been taken care of the 1<sup>st</sup> time around.

Christian said that he wants to know if there are any changes to the parking requirements. He noticed that the loading area is situated on the opposite side of the parking area from the access off of Lily Lake Rd. He wants to know the maximum size of the vehicles that will be entering the site? His concern is that very large vehicles won't be able to navigate the parking area, would they have to back out of the site. Erosion control measures should be shown on the plans on areas where there is ground disturbance. He would like to know if any fertilizer going to be stored there. He noticed that there is a proposed sign and is not sure if details of the sign need to be provided. He knows that the lighting is going to remain the same, but would like to know if the current lighting complies with the code.

Juan replied that the largest size truck will be a box truck. He expects a lot of pickup trucks stopping by to pick plants up. For large order he knows that it will be box trucks. They are going to ship the plants here via box truck. He is not planning on storing fertilizer or anything in bulk now or in the near future, just plants. He understands the codes about the sign and will look into it.

Franco asked if they are going to do any major renovations inside or outside like an addition?

Juan replied no additions and no major renovations besides what was mentioned before.

### **Old Business:**

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

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

Review Status: Updated plans and memo circulated to board.

Sean (applicant's agent) said that he finished the plan which has been simplified. The additional apartment has been removed from the project as the owners have found out that they need that space for an office for the business. The covered parking structure in the rear has also, been tabled. The only outside changes are that they are doing is repairing the deck and adding a handicap ramp off of it. The owners also want to take up some of the pavement and add grass, they are proposing to use a Terra Grid Paving System, so they can drive a car back there without

compressing the grass. The 1<sup>st</sup> floor will be the business, the 2<sup>nd</sup> floor is their apartment, since there are no other elements anymore, this now qualifies as a live-work unit in the building code. There are no additional fire separation concerns at this time. Their bedroom will be up on the 3<sup>rd</sup> floor, the building will be sprinklered. That is the only element left to be determined, as the main may need to be upgraded to supply the sprinkler system, so they will either do that or put a holding tank with a pump in the basement. No other utilities are changing, the generator has been removed. There will be no gas on site everything will be electric. They are not proposing any outside changes, any repairs will be repair in kind only for upkeep of the building.

Paul said that this project is a Type II SEQRA action and no review is needed.

Sean said that the survey is almost done. The property is not on the historic registry, but is still waiting for the official letter.

Christian said that besides the survey his only comment is that proposed parking should be shown on the plan, currently they are not.

Sean replied that no parking is needed as they are in the Central Business District.

Christian said that he would like to make sure that the terra grid is able to handle the weight of the vehicles. He also wants to make sure that they are installed correctly and that they won't be torn up by snow plowing. He is concerned that the grass may not take if the base is compacted soil.

Dave replied that this is an existing site and feels that some of the comments might be beyond what's needs to be addressed.

Christian said that he would like to see the details regarding upgrading the service connection. Also, the design of the sprinkler system needs to be provided.

Franco asked if the generator is being removed?

Sean replied that's correct no generator.

Franco asked if they were going to have a tank in the basement for the sprinkler system?

Sean replied that is one of the options.

Franco asked what happens to the pumps if the electric goes out?

Dave replied that there is battery backup.

Sean said that the specs will be given to him by the suppression consultant when the plans are done. If they have to upgrade the main, they will, if its installing tank they will do that. He thinks that it will end up being upgrading the main.

### **New Public Hearings:**

#### **Elms Main Street LLC: Commercial Subdivision: 41-43 Main St. SBL: #88.69-2-31**

The applicant is proposing a two-lot subdivision of a 0.95-acre parcel of land located at 41-43 Main St. Currently the lot contains 2 apartment buildings and a laundromat along with parking. The parcel is serviced by municipal water and sewer. Proposed lot 1 will be a 0.50-acres and will include the 2 apartment buildings and parking. Proposed lot 2 will be 0.45-acres and will include the laundromat and parking. Lot 1 and 2 granting and reserving an easement for parking and right-of-way for ingress and egress. No new improvements on either lot.

Review Status: Abutter letters have been sent out and legal notice has been published in newspaper. Public hearing has been set for June 23, 2022.

SEQRA Status: Unlisted Action

Patti (applicant's agent) said that at the last meeting she mentioned that Dawes Septic mapped out the sewer lines, and found that apartment building 2 had a septic system and not a sewer line. The question was if there was a leach field. They came back the next day and pumped the tank out and found that there is a distribution box coming off of the side of it. She revised the map, to make lot 1 be 0.53-acres and lot 2 will be 0.42-acres to contain the area where the septic leach field is assumed to be. She determined where it would be based on where the existing trees are because the laterals cannot be in the root structures of the trees. She added a note to the plans that building 2 on lot has an individual septic system that will continued to pump out if it fails the building will have to connect to the town sewer.

Paul said that this project is an unlisted action for SEQRA. If the board is comfortable then staff could draft an approval resolution for the project for next weeks meeting.

Christian asked if there was any more discussion regarding the transportation corporation for water and sewer?

Patti said that she was waiting until the public hearing, and knows that it will be a condition of approval like the easements.

Christian asked if there was an approximate size on where the septic leach field is? His concern is that when the new lot line is drawn for lot number 2 that it doesn't cross over the leach field.

Patti replied that the way the lot line was laid out is based on where the trees are, the laterals cannot extend beyond the trees and made it bigger than what the laterals probably are. If there is even more than one lateral. They did not dig it up to investigate as they felt it best to leave everything in place.

Christian said that he has seen laterals go underneath tree roots. He is concerned that the leach field could encroach on lot 2.

Charly said that he knows the D-box was found but not dug up, so there is no way to know how many laterals there are. It might be best for it to be dug up to know the size.

Patti said that her concern is once they start disturbing it that it could cause bigger issues.

Franco asked if there are any laterals that could extend over into lot 2?

Patti said that she doesn't believe so. The board is welcome to go over and take a look at the site. They have the new lines marked out in the field.

Franco asked how big was the septic tank?

Patti replied that she thinks it was 750-gallons.

Franco said it is a two-family with a 750-gallon tank, is that big enough.

Patti replied if it was today's standards it would have to be 1,250-gallon tank because there are 4-bedrooms. They don't when or if it was ever pumped out, but now Dawes has them on a schedule to pump regularly.

Franco said that if it ever fails the only option is to connect to municipal sewer as there is no reserve.

Patti replied that's correct and it was noted on the plan.

Dave said that he knows the owner and he is sure that he would be okay granting an easement across lot 2 in case any repairs need to be made. He feels that it would be the quickest route forward as it is a single owner.

Carl said that back then it was probably only 300-feet of leach field. Depending on where it was runs it would probably be in that area.

Charly agrees with Dave's idea of an easement.

Patti said that it could be added as a note or it can be worked into the same easements as the parking or a separate easement depending on how the attorney would like to handle it.

Franco said his concern is lot 2 as it is not developed.

Patti replied that lot 2 is developed it is the laundromat.

Paul asked the board if he should draft a resolution for the board to consider at next week's meeting?

Charly said that is fine.

### **Continued Public Hearings:**

#### **Guardian Self-Storage: Commercial Site Plan: 50 North Roberts Rd. SBL: #96.1-1-30**

Applicant is seeking an amended site plan to construct a climate controlled self-storage building that is approximately 11,675 Sq. Ft.

Review Status: Waiting for Ulster County Planning Board Comments. Public hearing was opened on May 26, 2022.

SEQRA Status: Unlisted Action

Dave said that Ulster County has not seen it yet. It will be on next month's agenda, so you will see comments in July. He recommends that next week the board could close the public hearing, this way the County must get the comments as the clock will be ticking.

Board is good with that.

### **Administrative Business**

#### **The Villages**

Applicant is requesting a 90-day extension of the subdivision approval.

Paul said that the Town Board just approved the developer's agreement, a number of utility easements, and sidewalk easements. He feels that they are close to being able to bring in the subdivision plat for signature by the Planning Board Chair. They need to make sure everyone is comfortable with the metes and bound descriptions, making sure all the signatures are in the right places and that things will be filed as required. It will probably only take a week or two more to nail down the details and get it all finalized.

John said that he hopes to have the map filed prior to the expiration of the subdivision approval, just in case they cannot they would like another 90-day extension.

Paul said that he will bring a resolution to next week's meeting for the board to consider.

**Motion to Adjourn.**