

REGULAR MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, March 23, 2023

CALL TO ORDER TIME: 7:00pm

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, Gerry Marion, Sal Cuciti, Carl DiLorenzo, Bill Meltzer (Via Zoom), Lambros Violaris (Alternate); Board Staff: Dave Barton, Paul Van Cott (Via Zoom), Andy Learn, and Sarah Van Nostrand.

Minutes to Approve at March 23, 2023 meeting

February 16, 2023 & February 23, 2023

Scott asked for a motion to approve the minutes.

Motion made by Franco, 2nd by Gerry.

6-eyes, 1-abstain (Carl DiLorenzo)

New Business

Boyd, Frank: Special Use Permit: 73 Hurds Rd. SBL #94.2-2-27

Applicant is seeking a special use permit to legalize an accessory apartment above the garage.

Review Status: Application circulated to the board.

Potential Action: Board to set public hearing for April 27th.

Scott asked for a motion to schedule the public hearing for April 27th.

Motion made by Franco, 2nd by Sal.

All ayes, motion passed to schedule the public hearing.

Trapani, Dorothy: Special Use Permit: 1 Prospero Drive, SBL #88.17-4-21

Applicant is seeking a special use permit to legalize an accessory apartment.

Review Status: Application circulated to the board.

Potential Action: Board to set public hearing for April 27th.

Scott asked for a motion to schedule the public hearing for April 27th.
Motion made by Sal, 2nd by Franco.
All ayes, motion passed to schedule the public hearing.

Moss, Cameron & Anna: Lot Line Revision: 8 Prospero Drive & 81 Mile Hill Rd., SBL #88.17-4-17, 88.17-16.100, & 88.17-4-16.300

Applicant is seeking a lot line revision between their 2 parcels of land. Proposed lot #1 is currently a 3.95-acre vacant parcel of land with the remains of a dwelling. Proposed lot #2 is currently a 1.63-acre parcel with an existing structure and has received an open development permit for construction of a single-family dwelling. It is proposed that 88.17-4-16.1 will convey 0.46-acres to be combined with 88.17-4-17. The resultant lots will be lot #1 3.49-acres and lot #2 2.09-acres, making lot #2 conforming in area.

Potential Action: TBD

Patti (Applicant's agent) said that she has spoken with Dave and understands that there are some concerns about making sure that they end up with 2 buildable lots here. Especially regarding the grades on the 3.49-acre lot. She has spoken with the applicants and advised them that they had the option to do the environmental constraint map and seeing if they could make the lot buildable or just suggest that they combine the two parcels by deed. They are weighing their options, they will make a decision on what's going to be done, either she will be back next month or the board will have a formal withdrawal.

Ruiz, Giuliana: Water Bluff Overlay District: 17 Cross Creek Run: SBL# 80.3-2-27.140

Applicant is seeking to demolish the brick patio, modify the fence to sit on property line, and installation of an inground pool, pool patio, pool deck, pool barrier and wall all within the water bluff overlay.

Review Status: Application circulated to the board.
Potential Action: Board to set public hearing for April 27th.

Scott asked for a motion to schedule the public hearing for April 27th.
Motion made by Gerry, 2nd by Sal.
6-ayes, 1-abstain (Carl DiLorenzo), motion passed to schedule the public hearing.

Old Business

Delta Contracting Enterprises: Site Plan: 219 Upper North Rd.: SBL #87.8-1-10.100

Applicant is seeking site plan approval to construct a 2226 square foot storage building on a 1.13-acre parcel located on the westerly side of North Rd.

Review Status: Updated plans and memo circulated to the board.

Patti (Applicant's agent) said that some of the items that board asked her to address was fencing along the property that has been added to the map. She had proposed that there would be no lighting on the site, but the board had some concerns about making sure there was at least security lighting. They have added a motion detector light on the building, which has been shown on the plan and have provided the cut sheets for it. She has also provided the cut sheets for the fencing and showed some landscaping, some proposed new trees along the frontage and that the area is to be seeded and maintained.

Andy said that most of the comments have been addressed. He is wondering if some notes about storage should be added, in terms of material storage or equipment storage. As far as the fencing is concerned, he thinks the board should look at the south side of the site along the easement and consider whether or not the fencing that is shown is adequate.

Patti said what he is talking about is that they turned the fence 50-feet into the property because there were existing trees there and they didn't feel it necessary to fence the entire southernly bounds.

Andy said that he would discourage installing any fencing across the easement, but to turn it into the property to provide a little better screening from Upper North Rd.

Patti said that she turned it back about 50-feet.

Andy asked on the south side?

Patti replied yes.

Andy said that he doesn't see it on the plan.

Patti said that was her intent, so if it is not on the plan that way.

Andy said 50-feet should be enough.

Patti said on the north side she did the entire boundary line on the south she just had a 50-foot return.

Scott said that the board was concerned about having gasoline stored inside the building. On the plans it lists, portable lighting, generators, signage, dust collectors etc., the boards concern is that there is gas in the building, if you are not doing it, he suggests removing it from the plans.

Patti said this is no different than storing your car in the garage that has gasoline in the tank. They are not putting bulk storage of gasoline in there.

Scott said that the board doesn't know how much fuel will be in the building.

Franco said that there is no water or sewer in the building, just some minor electric.

Patti said that's correct.

Franco said that it was only supposed to be storage of building materials.

Patti said no, they were always said it was equipment for construction and the board asked her to expand. Look at the equipment that they are bringing in for the 44/55 job that's the kind of equipment that they rent out to contractors. She is sure that a portable generator that runs that lighting is going to have gasoline in it. She didn't think that was an issue as it is no more gasoline than they are storing in their vehicles that are put into your personal garage. This is just a metal storage building, they are not putting bulk gasoline tanks in there.

Scott said it is a big building and if every item in there has gasoline than that would be a lot of gasoline.

Patti said she doesn't know if there are a lot of ignition sources. She is not sure how this is any different than any other storage building.

Scott asked before they go out to rental they check the machine to make sure that they work.

Franco said they are probably fueled on site before they leave.

Scott said so they are empty in storage?

Franco said that because its emergency use for construction that they would always be filled.

Patti said so they wouldn't need to fill them on site if they are already filled.

Dave said last time Sal mentioned that it was an incidental storage building.

Sal said from the board's view it is a minor storage facility. If there is fuel in there Dave can require them to put a hazardous cabinet in there.

Lambros said that he assumes that there won't be storage of flammable gasoline, kerosene, etc., that it will be just what is in the equipment themselves.

Patti said that is correct.

Dave said unless it is in an approved container, it is a rated container and can be stored up to a certain amount. There is a certain amount of gallons that can be stored in this type of occupancy.

Scott asked does it show the doors on the back of the building as the board requested.

Patti said that it does not the applicant was looking into if it was feasible to be able to put into the building, again that is something that generally gets handled at the building department level, if it is required for building code or fire code purposes then it will have to be in there.

Scott asked for a motion to schedule the public hearing.

Motion made by Charly, 2nd by Sal.

All ayes, motion passed to schedule the public hearing.

180 South Street LLC: Commercial Site Plan: 180 South St. SBL: #87.3-5-14.

The applicant proposes to construct a 24,196 sq. ft. building addition keyed onto the west, south and east axis of the existing structure along with a loading area containing 4 loading docks at 180 South Street. The proposed use is allowed in the A zone and requires site plan approval and a special use permit. The applicant is proposing to rehabilitate the structure, construct a building addition with site appurtenances and increase roof height to increase distribution center operation productivity. No changes to the remaining principal access points are proposed. No new water or sewer services are proposed.

Potential Action: Board to set public hearing for April 27th.

Scott asked for a motion to schedule the public hearing.

Motion made by Franco, 2nd by Charly.

Sal asked if there was an EAF for the project?

Dave said yes, but it was long ago.

6-ayes, 1-abstian (Carl DiLorenzo), motion passed to schedule the public hearing.

Public Hearings

Dion Properties: Special Use Permit: 612 N. Elting Corners Rd.: SBL #87.1-1-24.200

Applicant is seeking to convert a single-family dwelling into a 2-family dwelling.

Potential Actions: Open public hearing.

Scott asked for a motion to open the public hearing.

Motion made by Franco, 2nd by Sal

6-ayes, 1-abstian (Carl DiLorenzo), motion passed to open the public hearing.

No public comment

Scott asked for a motion to close the public hearing.

Motion made by Franco, 2nd by Gerry.

6-ayes, 1-abstian (Carl DiLorenzo), motion passed to close the public hearing.

Paul read the resolution.

Scott asked for a motion to approve the resolution.

Motion made by Franco, 2nd by Bill.

6-ayes, 1-abstian (Carl DiLorenzo), motion passed to approve the resolution.

Cacciola, Angela: Special Use Permit: 6 Smith Ter.: SBL #88.1-17-7-36

Applicant is seeking a special use permit for an accessory apartment.

Potential Actions: Open public hearing.

Scott asked for a motion to open the public hearing.

Motion made by Franco, 2nd by Sal

6-ayes, 1-abstian (Carl DiLorenzo), motion passed to open the public hearing.

Donna (14 Smith Ter.) said that she is against this as there are enough rental properties in her neighborhood, which will decrease the values of their homes and cause for more traffic on a very narrow street to begin with.

Donald (15 Smith Ter.) said that he owned 2 pieces of property back in Poughkeepsie and they did a similar thing and before he knew it one had a two story addition and the other one had three apartments. He is opposed to it completely. He has one question for the board when this permit was applied for the dwelling extension and that was for the daughter and now it is going to be just a general rental.

Scott said that maybe the applicant should speak on behalf of the project as he believes that it is being built for her mother.

Donald said that her mother is not there anymore or won't be. Was he misinformed that her mother is going to be moving and she wants the permit to be changed?

Sal said it doesn't really matter as the permit doesn't say who it is for.

Scott said the way it was stated was that it was for her mother at the time.

Angela (Applicant) said that the apartment is for her mother, who recently lost her house in Florida. She lives in the main part of the house and the main part of the house is too small for 4 adults. They needed to have something and her mom is 70-years old and deserves her own space

to live. That is why they are putting the extension on the house because with COVID and everything that happened, she cannot afford to buy her own property nor can she afford to rent, so the only option was to add on to her home, so she can have her own home.

Dave said the dwelling piece is under 650 square feet.

Donald when they applied for that for her mother, he has no issues with that. Maybe he has been misinformed that the mother may be moving and that she wants to change the permit that she applied for the extension to be another family.

Scott said that it doesn't matter who she is renting it to, she is asking for an accessory apartment.

Carl said that maybe they need to clarify for the public that an accessory apartment is no longer a mother/daughter, it doesn't matter who lives there. It has to meet certain criteria, and it doesn't necessarily have to be her mom that lives there.

Sal said he thinks its great that she is doing that for her mom.

Scott asked for a motion to close the public hearing.

Motion made by Franco, 2nd by Sal.

6-ayes, 1-abstian (Carl DiLorenzo), motion passed to close the public hearing.

Paul read the resolution.

Scott asked for a motion to approve the resolution.

Motion made by Franco, 2nd by Sal.

6-ayes, 1-abstian (Carl DiLorenzo), motion passed to approve the resolution.

New Short-Term Rentals (Public Hearings)

Jordan Wills: 1 View Place: SBL #95.4-2-15

Review Status: Public hearing closed 3/16/23.

Potential Action: Approval resolution.

Paul read the resolution.

Scott asked for a motion to approve the resolution.

Motion made by Franco, 2nd by Bill.

6-ayes, 1-abstian (Carl DiLorenzo), motion passed to approve the resolution.

Continued Short-Term Rentals (Public Hearings)

Lindsay Allison: 148 Bellevue Rd: SBL #88.1-3-24.115

Review Status: Public hearing opened on 2/16/23.

Tom (applicant) said that they are prepared to reduce the number of guests to 8 which has already been updated on the listing. He thinks that was the last open item.

Franco said that there should be a restriction of no street parking.

Tom said there is already a restriction of 6 cars max in the driveway.

Dave mentioned that was event there that included a yurt and parking on the street. The number of occupants. He thinks that all there was. No events and no parking on the road.

Tom said that they are selling the yurt to women who were here last week.

David (152 Bellevue Rd) asked if the number of guests being reduced to 8, are the vehicles going to be reduced to 4?

Scott said that he doesn't see how that would change much.

Sal said that depends on how much space they have.

Franco said there is more than enough room for 6 cars in that driveway.

Tom said that they have 12 cars in the driveway.

Scott asked could they all turn round?

Tom said that they couldn't turn around, they could back out. They understand that there is no on street parking and have added that to the house rules.

David (152 Bellevue Rd) said that on their Airbnb site he sees where they reduced it to 8 guests, but in the drop down menu where you put the number of guests it still shows 12.

Tom replied that he doesn't know how to fix that, but he will.

Charly asked if they reached out to the highway supervisor to see if a sign could be posted regarding no parking.

Dave said that they could build it into the permit, that there is to be no parking on the road.

Scott asked do you have a sign with your address on?

Tom said yes.

Joan Kelly (5 Greatview Lane) asked how the building department will enforce the maximum number of guests.

Dave said that is not a question for the board, it is a question for the building department and to stop by the department tomorrow.

Scott asked for a motion to close the public hearing.

Motion made by Franco, 2nd by Gerry.

6-eyes, 1-abstian (Carl DiLorenzo), motion passed to close the public hearing.

4 Picnic Woods LLC: 4 Picnic Woods Rd.: SBL #94.2-18.634

Review Status: Public hearing opened on 2/16/23.

Israel (applicant) said that Dave was over at the property on Tuesday and he thinks he was satisfied with what he saw.

Scott asked so he met the criteria on the low flow. He thinks that was everything the board needed.

Sal asked how many occupants are they doing on this one?

Israel said 10.

Scott said that's right it was 10 with the low flow.

Scott asked for a motion to close the public hearing.

Motion made by Franco, 2nd by Gerry.

6-eyes, 1-abstian (Carl DiLorenzo), Motion passed to close the public hearing.

Paul said that they were thinking that the board might want an occupancy limit for this.

Scott said you mean advertise it that way?

Israel said you want to advertise it at 10, of course. He said that he would change it tonight.

Paul read the resolution.

Scott asked for a motion to approve the resolution.

Motion made by Gerry, 2nd by Sal.

6-eyes, 1-abstian (Carl DiLorenzo), motion passed to approve the resolution.

Jessica Perrizo: 189 Pancake Hollow Rd.: SBL #88.4-1-34

Review Status: Public hearing opened on 2/16/23.

Scott asked for a motion to close the public hearing.

Motion made by Charly, 2nd by Gerry.
6-eyes, 1-abstian (Carl DiLorenzo), motion passed to close the public hearing.

Paul read the resolution.

Franco asked were there any conditions that the board wanted to add?

Scott said he didn't think so.

Scott asked for a motion approve the resolution.

Motion made by Franco, 2nd by Sal.

6-eyes, 1-abstian (Carl DiLorenzo), motion passed to approve the resolution.

Administrative Business:

The Views

Paul read the resolution that the board approved at last week's meeting.

Motion to Adjourn.