

REGULAR MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, May 25, 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, Gerry Marion, Bill Meltzer, Sal Cuciti, Lambros Violaris, and Lenny Auchmoody (Town Board); Board Staff: Dave Barton, Paul Van Cott, Andy Learn, and Sarah Van Nostrand.

Absent: Board Members: Franco Zani

Minutes to Approve at May 25, 2023 meeting
April 20, 2023 & April 27, 2023

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

New Business

The Villages PRRD: Site Plan: SBL #95.2-2-3.211 & 95.2-2-9.100

Applicant is proposing 197 independent living cottages and club house and an ALF.

Review Status: Updated plans circulated to the board
Potential Action: TBD

John (applicant's agent) said that there was a conference call with the Department of Health and they confirmed that the upper section of the assisted living facility does not require a license from the Department of Health.

Scott asked where they were with DOT approval.

Kelly (a part of the applicant's team) said that what they hope is the final submission went back into DOT with the drainage report, and some outstanding comments, there were pole heights that

were changed on the plans, so that went in this week. It is their expectation that this is the final version, but they never know with the review what might be found. They are continuing to advance the submittals for the two long lead items.

Andy said that he has comments, the first one is clarification on the naming of the phases, he knows that they are trying to be flexible in the order of the phases but would like clarification within each section there is going to be some reliance on which one comes first, especially for the cottages. They are also going to need pretty detailed site plans and utility plans to clarify how the phases are going to be built out, so there is continuity of services: water, sewer, drainage, stormwater. There is going to be some stormwater management practices that are going to overlap with other phases, so make sure that they all work properly. Grading in some places too is going to need to be phased in particular the emergency access road is going to need to be graded out so they can see how that is going to work before the full phase build out is completed created. The phasing for the ALF building, if the upper section is built first, how that wall is going to be constructed and how that foundation for the lower building is going to be constructed, they are going to need some pretty detailed plans of that is going to work, to make sure when it comes to build that lower building, building that foundation doesn't undermine that wall that is holding up the other building.

Kelly said much of that is done, much of that wall and design, its just a matter of illustrating that to you.

Andy said they talked about coordinating with the fire department to make sure whatever surface is on the emergency access road is acceptable to them. It will probably be item 4, but some form of paving may be necessary.

Scott said that the board had asked last time how many cottages were sold and the second part of that was the affordable housing schedule and how they were going to go about managing that in terms of the cottages being built.

Kelly said that they agreed to do was to put a column on the table, and for every phase show how many affordable units would be included.

Scott asked what about how many were sold.

Kelly said she doesn't think any are sold yet because he is not in a position to sell. He has a lot of interest in them, but she doesn't believe that any units are sold.

Scott said you want to start on the cottages first though.

Kelly replied yes. As for Andy's comments the site has been fully graded and designed. As they start to talk about how to move from one phase to another, the phasing plan they provided last week show the cottages intended for that phase, but it doesn't necessarily describe the limits of disturbance. As Andy indicated there is other infrastructure that may be in phase 3 that has occur in order for phase 2 to work. In addition to having detailed grading plans, erosion and sediment

control plans for the whole overall site, there will be an individual grading, landscaping, erosion, and utilities for each phase.

Paul said the only thing he would add from the call with DOH last week relates to Andy's comments is just being clear about what's being done in respect to the lower building that will require a DOH license, they don't want the project undertaken until that license is obtained, they need to be clear on that with DOH.

Dave suggested that the board start thinking of the phasing plan, does it work, does the sequence of the total number of units work.

Sal said are the cottages that are built before the ALF are they included in this health care community.

John said it is what is called a life plan community.

Sal asked how is that going to work without the assisted living there.

John said there is different types of housing being offered to seniors, so there is independent housing with the cottages.

Sal said they still depend on the part, that is how the zoning works, it depends on it being a part of the community with a contract.

John said no the contract that you are thinking of is the old code, where you had the continuing care retirement community and that was under the old town code. When the code was amended three years ago it did away with the CCRC.

Sal said the definition of the independent living cottages still says that they are in a CCRC, which is some kind of contract community. He doesn't see how they operate as they are just houses, they don't have anything to do with health care at a certain point.

John said if the residents want they have options to work with home care service agencies that are licensed by the Department of Health, they also have the option of possibly a doctor, which the developer would like to introduce that offers concierge services. The doctor will make house calls, so there are health care options for those residents in the cottages if they want it.

Sal said they should take a look at the definition of independent living unit as he thought it was part of a life care contract and that is in the definition. If they are not and there is nothing there, then what are they, if there is no contract there then they don't meet that definition.

John said he thinks that language was carried over and was left in there as the code did away with the CCRC requirements. When they originally appeared before the Planning Board 4 years ago in the code it talked about a Continuing Care Retirement Community where there was a contract and you had to move from one phase to another, but since then a lot has changed, the code was updated and did away with the CCRC.

Paul said he will look into that.

Sal asked if Apple Lane was a major entranceway now.

John said no, it is emergency access only.

Sal said on the plans it looks like there might be sidewalks going down Apple Lane.

Dave said no that is utilities.

Andy said what you might be seeing is they are putting a second water line up Apple Lane to improve water flow through that area.

Sal said he thinks that the length of their roads is too long. You have 200 houses with a 3000-foot cul-de-sac.

John said that in one of the SEQRA reviews they did the calculations as this issue came up before, 2 or 3 years ago regarding the length of the cul-de-sac, he knows they did an analyst of that.

Sal asked if they were going to give the board an elevation of the rear ALF building, as they are going to have to live with the back part built before the front.

Scott said a floor plan would help as well.

Kelly said the front independent of the lower building, is what you are looking for.

Sal said the steep slopes map, he thinks they are doing a lot to avoid steep slopes, but he thinks the board should look at it. He noticed that there a lot of easements on the property. They are modifying the lot line and creating a lot of easements, he feels that they are thinking about separating the two lots which worries him. If it is separated then if one person owns the rear section with all the houses and a different person owns the front section then theoretically it could get sold or go out of business and the houses would be orphaned.

John said there are already cross-easements, an access easement, the lots are already under separate ownership. They are owned by the same person, but different entities. Part of that has to do with the fact that the assisted living facility needs to be on a separate parcel from the cottages.

Sal asked why does it have to be on a separate parcel.

John said he thinks it has to be that way for the Department of Health license application, he thinks they wanted it on a separate parcel.

Sal asked if the apartments have kitchens or are they dwelling units, in the Upper ALF.

John said they will have a separate bedroom, bathroom, and will have a kitchen/living area.

Dave said that when the parking calculations were done he didn't know if they added in the upper section, so there might be a need to look at that. He assumes that if people were in the ALF under some kind of medical care they would not have a car, these people are 62 and up, so they could have a car and maybe couldn't buy into the independent cottages and thought it was the better route for them and they could still have a car.

Scott said he doesn't think the board thought of it any other way besides that they are living inside.

Kelly said that the steep slope plan Sal was asking for is included in the plans.

Peppino's Food: Amended Site Plan: 304 Station Rd.: SBL #86.4-1-22.100

Applicant is seeking an amended site plan to construct a 70' X 165' building for produce storage.

Review status: Application and site plan circulated to the board.

Potential Action: TBD

Patti (applicant's agent) said that the major issue was the parking, that she relocated on the easterly side of the existing building. She was sent the ZBA documentation in regards to the project, they are back for new site plan approval, so some of the conditions of the original variance have altered. The adjoining landowners have plowed and seeded the land, although due to topography and the existing tree buffer they stopped more than 50-feet away from the boundary line. The landowner is relocating the proposed parking and is going to extend the gravel area on the westerly side of the building to encompass the four overhead doors. The 12 parking spaces will be relocated parallel to Station Rd.

Andy said that they need to know the condition of the foundation to make sure it is suitable to construct on. He has some questions on how the new building will be accessed, are there going to be loading docks or additional truck traffic that needed to access that area. They were also looking for lighting, landscaping, and sign details. He would like to know the disturbance area to see if stormwater management would come into play.

Patti said that the area of disturbance would be less than an acre as they are only extending the gravel parking area to the south by about 50-feet, squaring it off and adding the parking which would have to be 18-feet deep, by 12 spaces would be 120-feet.

Andy said keep in mind that removing the old pavement would also count towards that disturbance.

Patti asked what old pavement.

Andy said that it was mentioned that you were relocating the parking or was that just proposed parking.

Patti said that was just proposed parking.

Andy said the last comment is regarding ADA access and how that was going to be done.

Scott said also truck positioning throughout the parking spaces to make sure that they can make that turn.

Patti asked if the board could set a public hearing, in case there are other issues that they need to address they come out sooner.

Scott asked if she was going to go to the Zoning Board first.

Patti said that she is.

Scott asked if the board could do that.

Dave said you could hold the public hearing open.

Patti said she is fine with the public hearing being held open.

Sal asked if they were going to have 2 hearing as the application is not complete as they need revised plans.

Patti said hopefully she will have the revised plans by the June meeting deadline to give everyone time to review them.

Scott asked for a motion to set the public hearing for June 22.

Motion made by Sal, 2nd by Gerry.

All ayes, motion passed to set the public hearing for June 22.

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 Stats: Public hearing was closed on 4/27/23

Potential Action: Approval resolution

Paul read the resolution.

**Relyea, Susan: Lot Line Revision: 1 Maple Ave & Brinkerhoff Ave,
SBL #88.17-10-3.200 & 88.17-10-4**

Applicant is seeking a lot line revision to convey a 0.44-acre parcel from tax parcel 88.17-10-4 to tax parcel 88.17-10-3.200. The resultant parcels will be lot #1 a 0.79-acre parcel containing all the improvements currently appurtenant to the lot and lot #2 a 0.18-acre parcel with an existing 2-family dwelling and attached garage and will require an area variance.

Potential Action: Board to possibly set public hearing for June 22, 2023

Patti (applicant's agent) said that she last appeared before the board in March at that time they discussed that there were variances needed. She appeared before the ZBA in April and a public hearing was scheduled for May 11 at the public hearing they did a straw poll, authorizing the ZBA attorney to draft a resolution of approval because that meeting will take place before the meeting in June she is requesting that the board schedule a public hearing for the June 22 meeting.

Scott asked for a motion to set a public hearing for June 22.
Motion made by Gerry, 2nd by Bill.
All ayes, motion passed to set a public hearing for June 22.

**Walton, Gia Marie: Lot Line Revision & Subdivision: 1, 25, and 27 Picnic
Woods Rd, SBL #94.2-2-18.130, 94.2-2-18.141, 94.2-2-18.142**

Applicant is seeking a 2 lot subdivision with 2 lot line revisions. Proposed lot #1 will be 2.01-acres in size and is improved with an existing house, well and septic system. Proposed lot #2 is a new buildable flag lot 2.04-acres in size and will need an area variance. Proposed lot #3 will be a 2.06-acre lot improved with an existing house, well and septic system. Proposed lot #4 is a previously approved vacant residential lot that will be increased in size from 4.05-acres to 4.17-acres, so the existing driveway is located entirely within the lot bounds.

Potential Action: Board to possibly set public hearing for June 22, 2023

Patti (applicant's agent) said that is similar to the last application, although this one had questions raised regarding a sediment and erosion control plan required and potential previous impacts to federal wetlands. She has been working with Dave, the applicant and Andy's office to resolve the outstanding issues. She feels she will be able to address all the outstanding issues. They are anticipating getting ZBA approval in the beginning of June and is looking to schedule a public hearing for June 22.

Paul said he can confirm that the ZBA did a straw poll and are supportive of the area variance.

Andy said that he spoke with Patti today regarding the erosion control issues, they think they

have a plan for that, and they should be able to have what they need before the next meeting.

Scott asked for a motion to set a public hearing for June 22.

Motion made by Sal, 2nd by Charly.

All ayes, motion passed to set the public hearing for June 22.

New Short-Term Rentals (Public Hearings)

Hidden Gems NY Stone Home: 383 Upper North Rd: SBL #80.3-1-30.200

Review Status: Public hearing opened 5/18/23

Potential Action: Close public hearing, approval resolution

Dave said that Anthony (building inspector) went up there and inspected the low-flows which are all installed.

No public comments

Scott asked for a motion to close the public hearing.

Motion made by Bill, 2nd by Sal.

All ayes, motion passed to close the public hearing.

Paul read the resolution.

Paul said he doesn't have the occupancy condition in the resolution. The board was going to limit it to how many people.

Nanci (applicant) said it was 8 people.

Paul said he would propose add that in as a condition of this resolution.

Scott asked for a motion to approve the resolution.

Motion made by Bill, 2nd by Gerry.

All ayes, motion passed to approve the resolution.

Continued Short-Term Rentals

Micah Straight: 14 Tina Drive: SBL #87.3-3-19

Review Status: Public hearing closed on 5/18/23

Potential Action: Approval resolution

Paul read the resolution.

Scott asked for a motion to approve the resolution.

Motion made by Sal, 2nd by Bill.
All ayes, motion passed to approve the resolution.

Other Discussions:

Board discussed ADC Ulster Falcon Ridge project.

Motion to Adjourn.