

WORKSHOP MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, February 16, 2023

CALL TO ORDER TIME: 5:32pm

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, Lambros Violaris, and Bill Meltzer (Via Zoom); Board Staff: Dave Barton, Paul Van Cott (via Zoom), Christian Moore, and Sarah Van Nostrand.

Absent: Board Members: Carl DiLorenzo

Minutes to Approve at February 23, 2023 meeting

January 19, 2023 and January 26, 2023

New Business

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.

Angela (applicant) said that the accessory apartment would be for her mother who was currently living in the house with them. She was working with a local architect on the plans as the current house is 3 bedroom and one bath. With finances and trying to figure everything out and the best solution is the plans they came up with. The plans included an accessory apartment, it has an outside door for her mother. She thinks the only things in question is the door to the outside of the apartment and the tiny kitchen that she would have upstairs in her apartment.

Dave said that the deck does encroach on that side in what could be the setback for that side, but the total setback is all good. It meets the maximum size that the board has stuck to, it is one bedroom.

Scott asked if they went to the Zoning Board for a variance?

Dave replied typically he wouldn't have sent them the deck is close to the ground, its only 2 steps down, its more like a patio.

Scott said that they meet the square footage size.

Dave mentioned that they are in the water and sewer district.

Board to set public hearing next week.

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.

Steve (Control Point, Applicant's Agent) said that the building is being proposed for storage only. It meets all zoning requirements.

Scott asked if any lighting was proposed on the outside of the building and that the property is only going to be used until 6pm? In the wintertime when you have people working until 6pm, its dark at 4, so he would like to see some sort of lighting.

Dave said that its mentioned that the site is mostly gravel. The orthos that he has from 2001 show the site as treed. He is wondering is it compacted gravel, did someone put gravel down and tamp it to make a big field of gravel.

Steve said he wasn't on site, so he cannot answer that right now.

Christian said that one of the questions that they have is that existing aerals that they have and they show that not long ago that site was lawn and now it's being indicated that it is gravel. When was the gravel put down, was it put down in anticipation for the contractor's yard. He also wants to know if there are any plans for outdoor storage.

Scott asked how many employees are going to be there?

Steve said that there are going to be no employees on site, it's going to be workers accessing the storage building, so no one will be on site, that's one of the reasons that there are no other improvements to the site, including exterior lighting. He see's the board point that there might be a time where it would be needed.

Scott said that they are concerned about the safety of the people walking in and out of the building.

Franco asked if they were going to have a bathroom in there?

Steve replied no bathroom.

Sal said so no water and sewer hookup?

Steve replied that's correct. There is a note that states the site is going to be serviced by electricity, no exterior lighting is proposed though they may change that. Hours of access are 7 am to 6 pm, Monday through Friday. No employees on site, they show 2 parking spaces based on the square footage.

Dave said that the board typically has looked for a little more sense of space for something like this as it's just going to be a big shed on a property. They are not proposing any exterior lighting though that might change in the future, nor are they proposing a fence, he has no idea what the parking is, what the routes through the site are. The site is fully graveled and that's a new event, he thinks stormwater has to be considered. There is no landscaping shown, he knows that it's a Light Industrial area, but the board has asked others to do a little something. The project to the west on Riverside Rd, which was a paint and steel type building, the board asked for some landscaping, where they pull up to the building and parking area.

Scott asked does it have a lot of growth around it now?

Dave said no, according to the application the site is gravel.

Charly asked wasn't this Rover's lot?

Dave replied they put a water line through it.

Charly said that it's only been within the last couple of months that the gravel has gone down, the site was all grass.

Christian said that the street view showed trees along the front, now they only exist in the south-east corner where the drainage easement is but should something go in that easement those trees might have to come out. He would recommend some additional landscaping.

Franco asked is it just the one door on the building?

Steve replied yes.

Franco asked no door in the back?

Steve said that he has the plans and does not see a door in the back.

Franco asked Dave if that building would need an emergency exit as there is only one-way in and one-way out?

Dave said that there would be a man door.

Lambros asked if a fire protection system would be needed?

Dave replied no, the square footage wouldn't trigger that. The way it sounds that it's just being storage for equipment which wouldn't trigger it either.

Charly asked what are they using the building for, he knows its storage, but storage of what?

Steve replied construction and whatever materials might come around.

Charly asked what kind of construction company are they?

Steve replied that he doesn't know as he hasn't delt with them.

Christian said that the notes on the plans refer to storage of construction lighting.

Charly asked like lighting fixtures?

Scott said like those temporary lighting fixtures for the side of the road.

Dave said it's bridge painting.

Scott asked if there was going to be any vehicle storage or anything of that nature?

Steve replied that is correct. He can add a note to the maps about outdoor storage, he doesn't think they are proposing any.

Scott replied that a note should be added to the map.

Franco said that it could be added to the resolution.

Scott said that if it is put on the map it will be there forever.

Christian said that the other thing that he noted was that the existing driveway was over 40-feet wide onto a county highway and he assumes that the county blessed the location of the driveway. He is wondering why it needs to be that wide.

Dave said that Upper North Rd is a town road.

Steve said if they want it narrower then they can propose it.

Christian suggested that the town highway department should take a look at it. They may want it paved if it is not paved now. Right now the plan shows a 8-inch culvert underneath the driveway, which seems a bit small as he is concerned about it clogging.

Franco asked what size trucks are going to be entering and exiting the property?

Old Business

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.

Dino (property owner) said that he brought pictures of the deck. He mentioned that he wants to take it down and redo it.

Scott said that its pretty much converting the first floor over.

Dino replied yes.

Scott asked if any bedrooms were added?

Dino said no.

Scott asked if he found any information on the septic?

Dino said that he tried to reach out the old owner, the only response he got was that it is fairly new.

Scott said that the board's concern is the size.

Dino said that the owner was using the property as a two family, and if anything goes wrong with the septic system he will have to deal with it.

Sal asked if he was just adding a deck? He knows that its being converted to a 2-family.

Dino replied that he is getting rid of part of the deck and changing the layout of it, so it doesn't look like 2 decks.

Sal asked you are converting the garage to a bedroom?

Dino said that the garage is existing and used as a garage. He doesn't know if it was a garage from the start, as its not even the right size for one.

Board to set public hearing at next week's meeting.

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.

Brian (applicant's agent) said that they are currently working through the final comments from CPL. He had a conference call with CPL regarding their comments. He also had a conference call with Dave regarding the flood plain permit.

Scott asked if they were going to make the roofline more constant?

Brian replied that the short answer is yes, they are working on a consolidated roofline.

Brian showed a rendering of the building.

Brian said that the rendering was outdated as it was created at a point during the Zoning Board of Appeals process to give that board an idea of what they were doing. This model was not updated as at that time there were 5 docks which they don't have. The Zoning Board wanted a cut out in the front of the building in the north-east corner. There will be something to block the mechanicals on the roof.

Dave said that in this case parapet walls in this configuration will be required.

Scott said so, the rendering that is on the screen now is close to what it will look like?

Brian said to keep in mind that the detail needed to create a good rendering wasn't used in this case, it was a basic thing. When they are ready to appear before the board again, they will have more information like the colors of the building, the building materials, construction, etc.

Scott said that the board will need a more fine tuned rendering.

Brian said that was noted.

Scott asked if the lights were staying the same? Are they all LED?

Brian said that was a comment from the town engineer, and that on the submission they were not going to change the lights with new lighting being compliant. All of the poles and fixtures will be dark sky compliant. It will be shown on the revised photometric plan.

Franco mentioned if they were going to add an FDC connection or a sprinkler system and he doesn't see it on the comments.

Brian said that at the moment he doesn't have an answer. As it relates to the building construction, design, the need for fire suppression, he thinks the FDC connection is easy to put

on the plan. As for the building being sprinkled he doesn't have any level of details as it is not done by his firm.

Franco asked what type of material will be stored in the warehouse?

Brian replied that he isn't sure of the classification as he hasn't been in the building. It's distribution of goods, so how they would be classified, the racking they want, proximity of that material to the ceiling, its not his area of design, so he cannot give any clarity to the board on that.

Charly asked if the building was occupied by multiple different businesses?

Dave replied that currently it is.

Charly asked is it staying like that?

Dave said that he didn't know.

Charly said that everyone would need to know what's stored where.

Dave said that it's mostly home goods. It's an Amazon redistribution port.

Sal said it's just storage there is no manufacturing?

Dave replied no manufacturing.

Christian said that have discussed with the applicant their comments about stormwater, and they believe that they have an approach that will satisfy those comments, so they have to wait and see what they will provide next.

New Short-Term Rentals (Public Hearings)

New Paltz Road LLC: 9 New Paltz Rd.: SBL #88.13-10-6

Review Status: Application and documents circulated to the board.

Potential Actions: Open Public hearing

Scott asked for a motion to open the public hearing.

Motion made by Franco, 2nd by Sal.

All ayes motion passed to open the public hearing.

Scott asked if the applicant could state her name and where they live?

Kathryn (property owner) said that she lives in Kingston.

Scott asked if this has been a short-term rental?

Kathryn replied yes.

Sal asked is there 2 apartments?

Kathryn said that it is a 2-family.

Sal asked it's 2 apartments and 1 STR unit?

Kathryn replied its 2-family total, one side is rent full time and the other unit is rented out short-term.

Franco asked the first floor is the residence and the second floor is the short-term rental.

Kathryn said no, the other way around.

Dave said that the county has it listed as 4 bedrooms?

Kathryn replied correct, 2 and 2.

Dave said on the application you list bedroom 1 and bedroom 2, are those just the STR piece?

Kathryn replied yes.

Scott asked if she had a septic?

Kathryn said no, municipal water and sewer.

Scott asked if an inspection was done and if any violations were found?

Dave said none were found.

Scott asked if rules were posted in the house?

Kathryn said yes.

Paul suggested that a few questions the board may want to ask are if the applicant understands the new regulations pertaining to the operation of STRs and are they comfortable with complying with them. Second have there been any compliance issues with the STR.

Scott asked if there were any issues with the STR?

Kathryn replied no.

Scott asked what about the neighbors?

Kathryn said that all the neighbors are great. She read the regulations and wants to thank the town for making them, as they helped her add things to her rules even though there haven't been any issues so far. She has no issues complying with the regulations.

Board to have a draft resolution for the next meeting.

Moses Gates: 20 New Paltz Rd.: SBL #88.13-9-34

Review Status: Application and documents circulated to the board.

Potential Actions: Open Public hearing

Scott asked for a motion to open the public hearing.

Motion made by Franco, 2nd by Gerry.

All ayes motion passed to open the public hearing.

Scott asked is this an owner occupied short-term rental?

Moses Gates (Property Owner) said that he is there part-time, last year it was owner occupied, but now he is back in New York City, but plans on being up there with his family for some months out of the year. The rest of the time renting it out on a short-term basis.

Scott asked if an inspection was done?

Dave said yes.

Franco said that its in the water and sewer district so there are no issues there.

Scott asked how many parking spaces does he have?

Moses replied that there are 2 parking spaces.

Dave asked the applicant if he was familiar with and comfortable with the regulations?

Moses replied yes.

Bill asked isn't there a geographical limit on where the local manager is located? As he doesn't know how far away Stone Ridge is from the town.

Dave said that its less than 30 minutes away.

Bill asked is there a criteria is it supposed to be less than a half-hour?

Dave replied yes it has to be less than 30 minutes.

Board asked for a draft resolution for next week's meeting.

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

Review Status: Application and documents circulated to the board.

Potential Actions: Open Public hearing

Scott asked for a motion to open the public hearing.

Motion made by Gerry, 2nd by Franco.

All ayes, motion passed to open the public hearing.

Lindsay Allison (property owner) said that they have had inspections on their property and passed them all including the fire safety.

Scott asked if they were comfortable with the rules and regulations?

Lindsay replied yes they are and have included things like the noise ordinance of the town in the rules that they send out to the guests that stay.

Franco said that the only issues he sees is that the septic might be undersized for the number of bedrooms. The septic system is below going down towards the river and there might be access issues to it. He noticed that there was no safety railing on the hot tub steps. He suggested that they either upgrade the septic system or downsize the number of people allowed to stay. For septic you are allowed 110 gallons per bedroom and that's usually for one bed.

Lindsay said that they had a permit to legalize the forth bedroom and nothing was said about the septic.

Charly said that would still give them 8, four bedrooms, 2 people in each.

Franco said that the septic is inadequate for the number of bedrooms.

Scott said people for the number of bedrooms you have, is going to make your septic too small.

Franco said what you may want to do is get a hold of an engineer and have him look at that and then come back to the board. Or reduce the number of guests.

Scott asked if that would be an enforcement piece on the building department end to make sure they don't have too many guests?

Dave replied yes.

Scott asked if they live at the property at any time?

Lindsay said yes they do.

Scott asked how many days are you there?

Lindsay said that they are up there at least once a month if not more mainly on the weekends.

Scott said that they should take a look at the definition of owner occupied in the code. It states to be owner occupied you need to stay at the property for at least 180-days.

David Peltz (152 Bellevue Rd) wants to thank the town for implementing the code. Regarding the special use application, he has no objections as long as they follow the regulations. However, based on his observations from last year, there were some issues that were not in compliance with the regulations. First this short-term rental states that the maximum occupancy is 12 guests and last year there were multiple occasions that the house was used for large events. Right now, their listing states to contact the owner if a renter wants to have a small event at the space. The short-term rental application states that there are 6 parking spots which are in the driveway, the code states that there shall be no on-street parking allowed. Last year during the events hosted there were occasions when 20-30 cars were parked up and down Bellevue Road. Third the town regulation provides that unreasonable loud and disturbing noise should not occur during certain hours. His experience is that even when the house is not being used for events it tends to be a loud party venue. The town regulation prohibits camping on the property as well as the erection of tents or other shelters. Last year the owners erected a large yurt in the woods. Lastly the town's regulations requires the property owners to submit a copy of the house rules and the house rules for 148 Bellevue states that there is a maximum occupancy of 12 and say no parties or events, which will hopefully be followed going forward. He thinks that the house rules should also let the renters be aware of the town's regulations regarding parking, noise, and camping.

Scott said that there are a few things that need to be mitigated, the septic, the parking issue, maybe the amount of people they have staying there. He thinks that the building inspector can go out there and limit the occupancy?

Dave replied it's a single-family dwelling that would be driven by the septic system.

Paul said that if the applicant can before the next meeting update the board on how long it will take to mitigate these issues, the board can continue the public hearing until that date.

Lindsay said that some of the regulations she has learned through this process and they have added them to the house rules since the ones that were submitted with the application.

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

Review Status: Application and documents circulated to the board.

Potential Actions: Open Public hearing

Scott asked for a motion to open the public hearing.

Motion made by Franco, 2nd by Gerry.
All ayes, motion passed to open the public hearing.

Scott said that he noticed that on the application it states an occupancy of 12 guests, is there any paperwork on the septic system to say what size it is?

Israel (owner of the LLC and property) said that the septic is 1,250.

Sal said 1,250 gallons is 4 bedrooms.

Franco replied yes. He mentioned that he drove out there and the house is beautiful and in the middle of nowhere.

Israel said that he does this professionally and takes pride in it, he vets his guests and is very on top of it. He has cameras and listens to voice, gets notifications. He is in constant contact with the neighbors. So far no one has complained, he hopes they are being open with him about anything and if there was anything the next door neighbor reaches out to him. His handy-man lives less than 20-minutes away and is listed on the application for emergencies.

Sal mentioned that they have the same issue with the septic.

Franco said that this is a new house, so there should be drawings of the septic system.

Israel said that everything is in, he got it from the town.

Scott said that they don't have it.

Israel asked if he would get it from the town as he never received it at the closing?

Scott said that the county should have it.

Charly replied that it should be on file. Even though you have 3 or 4 bedrooms they give you certain criteria for a 4 bedroom you need to have a 1,250 gallon tank. After that you go to a 1,500 gallon tank, which is just for storage of solid waste and the septic design goes out to the field and that has to be adequate enough, just because you have enough storage the disposal system has to be able to handle 12 people. You have to have some kind of engineer that can stamp off on it to make sure that it can handle it. The last thing the board wants is for septic to be coming up and going into a neighbors properties or contaminating wells.

Franco said that the odors are what people complain about.

Israel said what do you suggest, just contact his engineer to look into it to see if it's big enough for 12 people or does he lower the amount of guests?

Charly said probably be a combination of both.

Israel said what is it in the town code?

Franco said it's not town code its health department, so you might want to check with them.

Christian said that when doing a sewage disposal system design, design is based on the number of bedrooms only. It's 110 gallons per day per bedroom and you size the system accordingly, it doesn't matter from the health department point of view if you have 1 person occupying a structure or 10. However if there is going to be periods of time when more people are going to be occupying the dwelling than is normally anticipated some care should be taken.

Scott said this use is above and beyond the normal capacity for the 110. He means that because you are going to put more people in there that use is going to be so much more on that property.

Franco said you are doubling the use just like the other one.

Christian said in that case he would suggest that clarification be gotten from Ulster County Health Department in terms of what flows are permitted. In terms of the design it's based on bedroom count only, it doesn't take into account the number of people.

Dave said that he thinks they can assume that there are no single-family dwellings with that many people.

Scott said that's where he was going with that, because the use is changing so drastically, which is why he is concerned.

Israel asked if lowering it to 10 would work for the board?

Paul said if you think of a family you can have a 3 bedroom house with 6 or 7 family members. He thinks the board will be safer with sticking with what the county allows and doing it on a per bedroom basis. With the other one that is advertising it as a 4-bedroom then they need to have a septic system that will accommodate 4-bedrooms. He understands the concern, but there may be limitations on what the town can do legally.

Scott said the board cannot tell him how to do it, but check the septic system, make sure you have capacity for the 12. He knows that it cannot be mandated according to the law, but the board is requiring it because they feel there is going to be 12 people there. With 12 people the septic system will crash quickly.

Franco said that he is in the middle of nowhere, so he definitely has reserve if the SDS goes bad.

Israel said that he pumps out the septic more often then he would if he lived there, he cleans it once a year. Most people around here he feels cleans it once every 2-3 years. It's just something he does to keep it in working order.

Sal said that maybe the answer is that they look at the site plan and building plan and make a judgement does this occupancy make sense for this place. Of course they can get an engineer

report, which is great if it's needed, so we just look at the overall property. Maybe the board should look at how much space to park, how much land they have and the square footage of the house.

Israel said that he doesn't remember off the top of head, but it is a large house. There is a lot of property in the front and the back.

Dave said that the town has received complaints about events at this property.

Israel asked are you referring to the one last week?

Dave replied yes and also there have been some previously.

Israel said that he keeps in touch with the neighbors and he didn't hear anything.

Dave said its been the number of people.

Israel said that there was an incident two weeks ago where someone rented the house in the middle of the week and booked for 8 guests and he showed up with 30 cars in the driveway, which got him upset. He is working with Airbnb to find the person and he also told the neighbors if he gets a fine for that he will spilt it with them. He is not here to make anyone's life miserable, the idea of this property is to have family vacation home. He is very strict about parties, it was without his consent and he took action. Airbnb suggested that he add how many cars can be parked in the driveway. He is also going to put a fine in the listing for any cars over 6.

Greg (owner of 8 Picnic Woods Rd.) mentioned that one day when he was checking on his property he saw 20 cars parked in the driveway and on the lawn. He also mentioned that he heard from one of the neighbors that there was a renter who had a dog that ran loose in their yards. In that area the backyards are connected and open to each other. He has 2 kids one is autistic and the other is afraid of dogs, so he is concerned that there is no defined property line. If dogs are going to be allowed he is concerned about his kids outside playing and an animal just running over into their property because there are no barriers.

Franco said that the town does have a leash law.

Israel said that one of the neighbors did call him regarding the dog, but it hasn't happened since. He said that if it does happen again, he will put in his house rules no pets.

Franco said that because this will have to be renew and if it keeps coming up then, they will put a restriction on pets.

Dave said that the board won't see it again.

Scott said that would be a restriction.

Dave said they are conditions not restrictions, they could have a fence be added.

Greg said that you can see the property and that there are no natural barriers for what goes into the back of his property into the big open field behind his property is owned by Walker. That big pile of trees just above that is where he is planning on building.

Margaret (Lives at 1199 Route 44/55) said that she keeps a close eye on the property. The other night there were a lot of cars, she never heard a thing. She has never had any issues with noise and they seem like nice people who stay. Once in a while she will hear a child ask for someone to go out to the pool with them. Israel has done a good job vetting the guests for the most part.

Scott said that at this point the board would like to see the size of the septic, parking.

Dave said there is plenty of parking to satisfy the 12 guests if he can figure out his septic.

Israel said that the driveway is huge and there is a landing in the back next to the dumpster and there is a 2-car garage as well.

Franco said that they don't want people parking on the lawn as the septic may be in the front of the house.

Israel said that the septic is in the back.

Sal said that square footage of the house would be good.

Israel said that he can call the septic company and then have the engineer sign off on it.

Scott suggested that they get the drawing so they can see what it is.

Greg said that this was a part of a 7-lot subdivision so if you go to the county website and look for Walker it was originally filed 20-years ago, but it has every single one of the properties and shows where the proposed well and septic system.

Christian said that if it's a filed subdivision map from the last 20 years or so it should have all that information.

Israel said that he has worked with many municipalities and he said he appreciates the way things were written out, very clear, no surprises and he loves the line that we are here to work with you.

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

Review Status: Application and documents circulated to the board.

Potential Actions: Open Public hearing

Scott asked for a motion to open the public hearing.

Motion made by Franco, 2nd by Sal.

All ayes motion passed to open the public hearing.

Scott asked if she was familiar with and understood the regulations.

Jessica Perrizo (property owner) said that she only rents 2 of 3 bedrooms out and keeps one for themselves and only allows up to 4 people. There are 4 parking spots if the renters need. She is at the property quite often and didn't rent it out much last year, but would like to opportunity to in the future.

Scott said so it is owner occupied since you stay there too.

Jessica replied that they are there more than 180-days.

Bill asked if she was renting it out when she was there or when you are not there?

Jessica said that she doesn't stay there when guests are there. They just keep a room for themselves.

Franco said that he was out looking at the house and it's a very nice house. The only issue is that the driveway is shared and there is no road frontage.

Jessica said that they have a right-of-way to get to the house.

Scott asked when you rent 2 bedrooms do you rent it out as one unit with 2 bedrooms or do you rent 2 bedrooms as an STR each?

Jessica replied one unit, with 2 bedrooms, so it would only be 1 party of people at a time.

Scott said you are saying a maximum of 6 occupants?

Jessica said 4.

Scott said on the application it says 6.

Franco asked if she wants to change it?

Jessica replied change it because on the listing it has 4, there is room for 6, but she would rather it be 4.

Scott asked what was the number of parking spaces?

Jessica said there is room for 4 cars if need be.

Scott said is this the one with a common driveway?

Jessica said it's a shared driveway, but she has a parking area. You go up the driveway and into the gravel parking area and there is room for 4 cars.

Scott asked if the local agent was listed on the documents?

Jessica said yes, he lives in New Paltz.

Scott asked if there were any complaints regarding this property?

Jessica said the man who owns the driveway called about a truck that was in the driveway when he was coming home. Which she told him to let them know if he wants them to make sure there is no one in the driveway when he comes home they can work to facilitate that.

Adam Kane (owner of 185 Pancake Hollow) said that the driveway she used is only an alleged right-of-way because the town has some kind of regulation about 2 houses being on a driveway and she would be the third house. This is causing him undue stress and aggravation. He did propose a driveway agreement to her multiple times, but she refused them all. There have been multiple calls to the police, multiple complaints, not only has he come home to trucks in the driveway, but has had people parked in his driveway and on his lawn. This is an ongoing problem and it presents safety issues because if he cannot access his house and get into his driveway then emergency vehicles also cannot. She has not only rented this to regular people but to commercial enterprises, film crews. He has had shuttle buses stop at the end of his driveway where it meets the street, which became a bus stop multiple times a day. He has had guests come over and not be able to access his driveway because of her guests. She is not there 180-days a year, he is lucky if he sees her 1 weekend a month. He feels that the board should deny this permit. He asked the board why are they here, because there are issues with short-term rentals with certain people that are absentee owners because they cannot control their guests and what goes on. He thinks the parking is inadequate because if you put 4 cars in the driveway you aren't going to be able to move around, so what ends up happening is they come up to his house to turn around.

Scott said that the reason we are here is to express what concerns you may have with the application. What's happened in the past is the reason why we are here today because they have already made new laws to address these issues, so the board knows what's going on in the town and that you are not getting blindsided by what wasn't regulated by the town. Now that it is being regulated, the board can only speak to the items that would come after the application is accepted. The main goal is to put forth the rules, have them abide by the rules and two years from now when they look to get it renewed, they can be denied or approved based on their good history or their bad history.

Adam said that there isn't enough parking and that she has had more than 4 guests at a time there.

Franco said the board can add conditions.

Adam said that he went through this process 9-years ago and owns a bed and breakfast and feels that this application is to use his own property against himself as competition.

Franco said there are 3 residences that share that driveway, not 2?

Adam said 2 that are legal as far as he knows and her house would be the third which came later.

Franco said that he can see why people would have issues turning around.

Sal asked when was that house built is it an old non-conforming structure?

Dave said that the parcel the application is for, used to have a trailer on it.

Sal said that he suggests the board get a survey for the property and any easements and have them review by staff.

Scott said that there has to be some kind of easement for the driveway.

Lambros said that commercial business keeps getting brought up on the application is there a request for a commercial business?

Scott replied that they are no permitted. If she rents to a commercial business that's the issue.

Dave said that they can work with CPL and come up with a solution. The main issue that Adam had was people coming up his driveway, the board could condition it, so that a turnaround be installed on her property. Right now if he remembers correctly the driveway just goes into her house and that there aren't spaces which is another condition that the board can think about.

Jessica replied that there are spaces, she can submit a clearer picture.

Scott said that would be helpful. If you have a survey map send that to us as well.

Jessica said that she had her lawyer look at the driveway situation and that's what she has been going off of. She purchased this last year and she said that it is a right-of-way and it would be backed up by the title company.

Paul asked if she could share that information? This way if it is a shared driveway the board can think about making sure that there is some kind of maintenance agreement.

Christiana and John Allen (205 Pancake Hollow) what would the frequency of this be? From what they have seen they don't seem to be there a whole lot. There is sporadic renting and they do hear noise there hasn't been awful, but they can hear people having conversations on the deck. Their other concern is that there are no boundaries, no fences and her property is very small. How will the guests know borders, where there won't be people looking to trek into the woods.

Jessica said that she doesn't allow pets. For the borders she has put no trespassing on the outside of the property lines and that is posted right next to the door. There are stakes where the property edges are, maybe she can make them more colorful or a little more obvious.

Scott mentioned that the public speaking at the meeting should also take a look at the law to see what conditions the property has to follow.

Christiana asked is there something in there regarding noise?

Scott replied that is in there.

Franco asked if she rented out to a film company?

Jessica said no that was a thing that happened in the fall, that was some designers that wanted to come in and use the house and do three different designs, so that's where the truck was in the driveway. She won't do it again if its not something that's look favorably upon with the town.

Franco said so they used residential for commercial.

Jessica said yes.

Scott said it cannot be used for that, that would be one of the requirements in the law.

Motion to Adjourn.