

REGULAR MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, December 5, 2024

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, Carl DiLorenzo, Franco Zani, Gerry Marion, Bill Meltzer, Lambros Violaris, Fred Pizzuto (Alternate), Evan Pendleton (Alternate), Lenny Auchmoody (Town Board); Board Staff: Dave Barton, Andy Learn, and Sarah Van Nostrand.

Scott mentioned that this is Carl's last meeting on the Planning Board and said a few words about Carl's time on the board.

Minutes to Approve at the December 5, 2024, meeting

October 17, 2024 & October 24, 2024

Scott asked for a motion to approve the minutes.

Motion made by Bill, 2nd by Fred.

6-eyes, 0-nays, 1-recusal (Lambros as he wasn't at the meetings).

Public Hearings:

**Mazzetti, Joe: Special use permit: 509 N Elting Corners Rd: SBL
#79.3-1-33.212**

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

Review Status: Public hearing set for 12-5-2024

Potential Action: Open public hearing

Scott asked if the board could open the public hearing.

Dave said that the board has to open the public hearing as it was noticed. The ZBA hasn't made its determination yet, they took a straw poll vote, but no formal resolution yet, that will take place next week. This board cannot act until the ZBA has the resolution passed.

Scott asked for a motion to open the public hearing.
Motion made by Franco, 2nd by Fred.
All ayes, motion passed to open the public hearing.

No public comment

Dave said that the board has had several emails from one neighbor, but none of them spoke to application itself.

Scott agrees.

Public hearing left open, until the information is received from the Zoning Board.

Highland Estates: Subdivision: Route 9W: SBL #96.9-1-35.210

Applicant is seeking a two-lot subdivision, no new construction is proposed at this time.

Review Status: Public hearing set for 12-5-2024

SEQRA Status: Unlisted Action

Potential Action: Open Public hearing

Patti (applicant's agent) said it is a two-lot subdivision of a parcel located at the intersection of Macks Ln and Route 9W. It is a total of 7.84-acre lot, split into a 3.1-acre lot on Macks Ln and a 4.66-acre lot on Route 9W. She has submitted to the board proposed meets and bounds description for lot number 2 which includes revision of right-of-way for Vandervoort Rd and Collins Ave which has been in existence since the 1930s, but never dedicated as public roadways. At one point in time she thinks that the developer was hoping that it would happen, but that was before the time of subdivision maps being filed with the county clerk, they are reserved in all the deeds and she wanted to make sure it was clear for the record.

Scott asked for a motion to open the public hearing.

Motion made by Franco, 2nd by Bill.

All ayes, motion passed to open the public hearing.

Robert Feeney (16 Sherwood Lane) said that he shares a common boundary along lot number 2. In speaking to this paper road Vandervoort Rd, if you look at the Ulster County tax map, it shows that it has been abandoned because he guesses that it was never proposed over the years. It also does not delineate location of this road (physically), it borders his line of property and the Highland Estates property.

Bill asked which lot is his lot.

Dave showed the parcel on the screen.

Robert said on the sheets he passed around it would be the 3.8-acre lot. He is seeking advice as he doesn't know the true situation here, he tried to research it when he purchased the property. The best he could find is that there are two land locked properties here 96.9-1-25 and 96.9-1-29. They are small lots. The best he can make out is these land locked parcels needed some type of right-of-way; he couldn't research and find a right-of-way. It is a problem since he maintained it the prior owner of the other lot has maintained it. He is concerned about this subdivision, is the town planning on putting a road in there, are they looking to take this over. On the map it shows Vandervoort Rd going all the way to Sherwood Lane that hasn't ever been the case, it ends at his property. On his survey it shows that he owns all the property including Collins Ave and it shows that this Vandervoort paper road ends at his lot.

Dave said it is important to recognize that the term road is being used and this is not a road.

Scott asked the applicant what is the intent of this subdivision.

Patti said these lots are being subdivided, they are both commercial properties, and she hopes at some point they will have applicants come back for commercial development of the properties. The reason for her putting the reservation in the current deed of record, so that it would not restrict the properties that use Vandervoort.

Robert said that there is no Vandervoort St as it was abandoned.

Patti said it is not abandoned, it is a paper street as it was never a roadway to begin with.

Franco asked if he did any research to see how Vandervoort was abandoned.

Robert said he spent a day at the county clerks office and wasn't able to get any information.

Dave said none of this application has anything to do with Vandervoort, it is depicted on the map because there is a description for it. The action before the Planning Board is a subdivision, not the outcome of whatever the road is.

Scott said the road is still there, she is not doing anything to the road.

Robert said it was brought up at the last meeting.

Patti said just to make sure it was preserved. She said both streets are paper streets of record, they are in the deeds of record. She said she made sure that there was a separate driveway, separate from Vandervoort St to access the lot, that was a requirement of the Planning Board at the point in time this was subdivided, so the lot would own 25 feet of road frontage unrestricted off of Sherwood Lane, but it doesn't restrict other people who

have rights from using Vandervoort St or Collins Ave.

Dave said it is not just anybody, if it was a public road anyone could walk it. Her statement about people with rights would be only people with authority over the property, people with direct deeded access can walk it.

Robert said with the subdivision he also has concerns about the fire hydrant easements and some of the other easements. On multiple occasions they have opened the fire hydrant and it has washed out this road. He has a pond at the bottom of the property and has some concerns about development that may take place on this lot, that the aquifer and the environmental areas be protected. His property is very low at that point.

Scott said that would have to be taken up when someone decides to build on it, right now this is just a lot division.

Robert said that the town code chapter 90, section 90-1 (b)(1) states: It is declared to be the policy of the Town of Lloyd Planning Board to consider land subdivisions as part of a plan for the orderly, efficient, economic and environmentally sound development of the Town. Town code 90-1 (b)(4)(i) states: In order to avoid a segmented review and to promote optimum use of the parcel in the future, applicants may be required to prepare a conceptual plan for their entire parcel whenever an application to subdivide a portion of a larger lot is submitted. His question to the board is are they considering requesting a conceptual plan of the subdivision as in line with their policy.

Patti said there already has been a conceptual site plan presented to the board as part of the subdivision of Macks Lane LLC and that it was approved by the Planning Board for the site plan development of the overall property, so what they are just doing is separating different lots, so the overall development plan can happen on more than one lot. To answer your question yes, there is a conceptual site plan on file that she believes was done in 2016.

Robert said he doesn't know if that was done specific to this subdivision application because in the September 19th meeting the applicant's agent stated that there is no proposed new development, and if there is no new development then why is it being subdivided.

Patti said that they are subdividing it at this time because the owner of the overall property is interested in not doing a full development of the property. If you look at the original site plan, there was development on multiple parts of the property with the idea always in mind that it could potentially be subdivided in the future. If the current owner is not interested in developing the entire site, he has the option to subdivide it at this point in time and letting one owner develop one part and another owner develop the other part.

Robert said the only concern his son and him have is when and if it is developed, there are a lot of trees there and a lot of wildlife there and there are a lot of environmental

issues as he said with the pond and drainage that they are concerned about. His son is a musician and his wife is a writer. They are very concerned with noise; they have had to soundproof the house.

Scott said the board is only doing a subdivision at this point.

Dave said this board is very good at applying conditions for remedying those issues. Lighting is going to be an issue for you, the town is a dark sky community, so all the lighting has to be down lighting. Again, this is when something is proposed in the future.

Scott said this is when something is proposed, right now there is no application of anything being proposed at this point. The board is just looking at a subdivision. When that time comes you are more than welcome to come back and speak to all the things that concern you at that time. The board will address them, mitigate them, the board will bring these things to light, so they will be addressed.

Scott asked for a motion to close the public hearing.
Motion made by Franco, 2nd by Fred.
All ayes, motion passed to close the public hearing.

Dave read the SEQRA resolution.

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

Scott read the approval resolution.

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

New Short-Term Rentals:

33 Maple Ave LLC: 33 Maple Ave

Review Status: Application and supporting documents circulated to the board.
SEQRA Status: Type II
Potential Action: Open Public hearing.

Scott asked for a motion to open the public hearing.
Motion made by Franco, 2nd by Bill.
All ayes, motion passed to open the public hearing.

Scott asked how many bedrooms do you have.

Fritz (Property owner) said 3 bedrooms, 2.5 baths.

Bill asked, is this the one where the map showed an office converted to a bedroom.

Sarah said that there is a CC for the conversion of the office.

Dave said good question, but they have it as a 3 bedroom.

Scott asked what is the parking like.

Dave said quite good, it is a very nice home.

Fritz said they had to put a driveway in as it was item 4 and over the years it got really bad with the weather, so they got it paved.

Scott asked if at the end of driveway there is a posting of the address.

Fritz said yes.

Scott asked is there a boarder map inside, so when people rent, they know where the property ends.

Fritz said yes everything is posted.

Scott said you have someone local taking care of the home.

Fritz said yes, they have a local company they are in Modena.

No public comment

Scott asked for a motion to close the public hearing.

Motion made by Franco, 2nd by Bill.

All ayes, motion passed to close the public hearing.

Scott read the resolution.

Scott asked for a motion to approve the resolution.

Motion made by Franco, 2nd by Lambros.

All ayes, motion passed to approve the resolution.

Continued Short-Term Rentals:
Huq, Stephanie: 53 Oakes Rd

Review Status: Parking site plan circulated to the board.

SEQRA Status: Type II
Potential Action: TBD

Dave said as a reminder to the board the last piece of discussion was the issue of parking because there is a through access though this parcel and the engineer has designed a pull off parking area.

Scott said is this the one that had the steep slope.

Dave said correct. He asked what is the amount of grading that will have to be done there for a flat area for cars.

Bradley (engineer) said he doesn't have exact numbers, but he can say that the driveway will be raised up to equalize the grades maybe less than a foot or so. They designed the parking spaces going into the hill at the back of the parking spaces the retaining wall will be about 9 feet tall.

Franco asked if they are changing the grade of the road from 7% and are you going to stop it where it gets to 15%.

Bradley said it is going to be about the same as it is today, he thinks the road is about 7%. They are cutting into the hill where the parking spaces are going to go.

Dave said he thinks the members question was will the access to the property to the south be adjusted in such a way that, that parcel would not have access once this is done.

Bradley said that the cars will park in the parking spaces and the access to the property to the south will remain opened.

Dave said it will be about the same as it is now.

Andy said 6.8% is a little steep for a cross slip for parking, normally it is only about 5%. He asked how much maneuvering space do you have from the end of the parking spaces?

Bradley said the parking spaces are 18-feet deep as per town code and the driveway is 12 feet, so they will have about 14-feet to back up and turn around, which should be fine for a passenger vehicle.

Scott asked does the 18-feet come out past that wall.

Andy said 18 X 9 is a standard parking space.

Bradley said he used the town parking code.

Dave said that he is glad to see that they are adding a guiderail as there was already an incident at this location.

Andy asked is the finished surface just gravel.

Bradley said it is going to be paved.

Dave said that it will only go down to where the gravel ends in front of the house.

Bradley said that is correct.

Andy said the steep section definitely has to be paved.

Bradley said that all the new would be paved until it gets to the front of the house.

Andy said one thing he doesn't see the details for the guiderail, he thinks that they need to see that.

Bradley said they can add it.

Dave said that they will make it a condition of the building permit.

Scott asked for a motion to close the public hearing.

Motion made by Bill, 2nd by Lambros.

All ayes, motion passed to close the public hearing.

Scott read the resolution.

Scott asked for a motion to approve the resolution.

Motion made by Bill, 2nd by Lambros.

All ayes, motion passed to approve the resolution.

Carl made a speech about his time on the Planning Board.