

REGULAR MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, June 27, 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: Charly Long, Carl DiLorenzo, Franco Zani, Gerry Marion, Bill Meltzer, Lambros Violaris, Lenny Auchmoody (Town Board); Board Staff: Dave Barton, Paul Van Cott (Via Zoom), Andy Learn, and Sarah Van Nostrand.

Absent: Board Members: Scott McCarthy and Fred Pizzuto

Minutes to Approve at the June 27, 2024, meeting
May 16, 2024 & May 23, 2024

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

Administrative Business:

ADC Ulster (Falcon Ridge): Draft Scope Public Hearing

Charly said we will be providing an opportunity for public comment on the Draft Scope the Applicant has submitted to the Planning Board for the information to be included in a Draft Environmental Impact Statement for the 166-lot residential subdivision the Applicant is proposing to undertake on Falcon Ridge. The Draft Scope is posted on the Planning Board's webpage along with an explanation of the Environment Impact Statement process and other relevant contact information. Notice of this opportunity for public comment tonight was provided to agencies and interested members of the public, published in the NYSDEC Environmental Notice Bulletin on June 12, 2024, and included on the Planning Board's agenda. The Planning Board will not be responding to any comments tonight, or otherwise commenting on the project, but all comments made will be considered by the Board in its finalization of the Scope. Written comments on the Draft Scope will continue to be received by the Planning Board until July 10th. The Applicant is attending remotely tonight and will be listening to public comments as well. Is there anyone here or on Zoom that would like to make a comment tonight on the Draft Scope for the ADC Ulster project?

No comments

Dave said seeing that there are no comments, the applicants can go and if any written or verbal comments that might come in later, he will supply them with a copy of the meeting recording.

Old Business:

Ohioville Solar: Special Use Permit and Site Plan: Crow Hill Rd

Review Status: Updated Plans circulated to the board.

Dave said that they received comments from CPL mostly still concerning stormwater.

Andy said yes, pretty much just stormwater.

Nick (Applicant's agent, Carson Power) said that they had a board meeting with Plattekill on Tuesday, they received an additional round of comments and will make sure that they are sharing with this board. Plattekill referred the project to the county for comments and hopefully will have those comments back by mid-July, once they receive those comments he will share with this board. He has received guidance that if there is no major county comments and provided, they can address all the stormwater comments on both sides, Plattekill should be prepared to set a public hearing for August which will be confirmed at the July meeting. He believes the plan was to coordinate the public hearing times between both towns. He looked at the comments quickly, they did meet with CPL offline on the 21st. It looks like predominantly these comments were addressed or discussed at the meeting. The only comment/question that came up was the one on alternatives to the level spreaders, he was under the understanding that they would be providing a memo that would stipulate how the level spreaders would be maintained and the inspection schedule and also speak to the construction phasing in tandem to that and that would be sufficient to insure the board that the level spreaders would be an adequate stormwater feature, but in the letter they received says that alternatives should be suggested. After the May meeting, they shortened and offset the level spreaders they had initially, that was the plan, if there are additional alternatives they would love for any suggestions that they have. Level spreaders are an approved method, as far as they are concerned, they are happy to supply more information on how they have used them in the past.

Andy said he thinks if they can provide the operation and maintenance and the long-term construction phase operation and how they will be maintained and inspection, that should be sufficient. He is not going to provide suggestions, but he does think that they should look at alternatives to see if there is anything else available that would work. Just because they do have concerns about those level spreaders.

Nick said that they will provide the materials and go back and see if there are any alternatives and then they can go from there.

Public Hearings:

K888 Holding LLC: Special Use Permit: 28 Toc Drive: SBL #88.17-11-4.600

Applicant is seeking a special use permit to legalize a 2-family house.

Review Status: Public hearing set for June 27, 2024

Potential Action: Open public hearing, close public hearing, approval resolution

Charly 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.

Rob (Applicant's agent) said that the property was built in the mid-1990s and was laid out to be a two-family property. They are seeking approval to legalize the two-family use of this property. The tax records show this as a two-family residential duplex, and they need to make sure every record is in line with what that is. The only other thing after this is to make an appointment with the building department after this approval and make sure they are completely up to code and that everything looks good inside the property. They have been involved with the property for two years and have made some visual improvements on the outside. They removed a bunch of trash, removed two rusty sheds, they have hired professional landscapers to keep up on lawn maintenance, snow removal.

Christina (30 Toc Dr) said she is in opposition to the legalization of the two-family home. She wants it postponed as there are a lot of problems with it. The person who bought it turned it into a two-family residence and it wasn't like that before. He didn't provide enough parking space for the people living there. He has saddled 30 Toc Drive with parking problems. The owner doesn't live at this house, what he has done is there is a crappy car parked in the driveway that is covered up all the time and has never moved and is taking up a parking space that the tenants could use. The property manager showed up one day, the emergency road is still in effect, the bridge is not done and there are no parking signs, the property manager shows up and parked on the road, which prevented a delivery truck from being able to deliver the load to the house. When the first tenants moved in there were no issues with parking. As soon as the people moved upstairs, parking problems exploded, they were just parking on the emergency road.

Charly said there are signs, did you call the police or complained.

Christina said that they were told to call the police, but it seemed a little harsh, so she didn't call the police. One day the husband was being dropped off not in 28 Toc Drive's driveway, but 30 Toc Drive, she spoke with him and explained the problem. He said that they can drive up and park on the grass.

Dave said he thinks the point is that there are parking issues, it is not a public road, it is town property.

Christina asked if she could show pictures.

Charly said if there are parking issues, he thinks that the police should be called. The board could ask the property manager why there are parking issues.

Christina showed pictures.

Charly said you said there are parking issues, you are going to have to work them out with the owner and manager. This is to approve whether he can have the two-family.

Christina said that they don't have the parking to park the cars and that is the problem. The other problem is these rentals leave their garbage bins out the entire time by the road. All the other houses put their garbage bins out on garbage day and then pull them back. The town should have an ordinance because it makes the road unsightly.

Dave said the town does, you can just call the building department, they fix that.

Charly said it would be the police or the building department for code enforcement.

Christina said she asking for this to be postponed until the parking problem is solved because she doesn't want to be dealing with their parking problem.

Dave said if the board looks up at the screen, he points out the neighbor's house and asked her if the cars in the picture were hers.

Christina said yes.

Dave said the cars seem to be parked on the road.

Christina said no they are not parked on the road. What you have is the emergency access road and they were given special permission that they could continue to park where they are. That is also a water channel where everything is being dumped because of the way this road was built the water is being dumped on them. During the wintertime she has to go and cut out a special water channel, so they are not dammed up.

Dave said this is actually town property, everything between the two lines. When you mentioned the delivery truck having issues, is it because there were other cars parked on the opposite side of the road.

Christina said he has parked on the emergency road, and she had her car parked on the right side of the road in front of the house.

Dave said his point to the board is that it is town property, they have a right to park there

as long as parking is allowed.

Franco asked what is the width of the road, is it 22-feet.

Dave said it is wider than that, the right-of-way is 50-feet. It was never paved, so it is gravel all the way down to the crossing.

Franco asked with your driveway there, why do you park in the road and not in the driveway.

Christina said because one of the other people park their car there.

Franco said it looks like you could park 5-6 cars in the driveway.

Christina said no just 3. If someone else is parking, there it is not them.

Franco said it is easier for you to park in the road than it is in your driveway.

Christina said one of the people works at the hospital, so they have crazy hours, so they park in the driveway, she parks on the left and the other car is the garbage car which they use to take garbage to the dump.

Charly said you are complaining about people parking in that spot where you are parking.

Christina said no, they are parking on the road itself and during holidays they are parking in front of another neighbor's house.

Charly said he hears her complaint, but the board isn't going to leave this open tonight or delay it, if you have a problem or a violation then you are to call the police or call the building department.

Christina said why do they have to be saddled with this, for starters they could remove the crappy car.

Charly said the board cannot tell the owner to remove the car.

Rob said he has received a call about the garbage cans being left out. The tenant was in labor, and the trash can was left outside, so he called someone else and had them move the cans. He is not aware of the trash can being left out any other time. One of the things they did to improve the overall look of the place and to start to move forward was remove a temporary garage structure. Under that garage there was a concrete pad which is the spot that you are referencing, that was not a parking space it was a concrete pad for a temporary garage that was taken down. In his notes part of the process is to get approval for this from the Planning Board and from there plans can be submitted on how he will outline parking, they have an outline of four different parking spaces which there

is plenty of room for with the current configuration. That includes taking down one more shed. There were three ratty looking sheds on the property, and they have already taken down two of them. The third is a plastic shed and if he can get an okay on the parking plan, he would be more than happy to take it down and make outlined parking spaces.

Bill asked how many cars are at the property currently, are there 4 cars.

Rob said currently there are 3 cars that are consistently there, the people who live upstairs have one and the people who live downstairs have 2. Every time he has been to this property he has pulled into the driveway. This property was built as two in the beginning, it was referenced that it was never two apartments. The prior owner did have it broken down into two apartments, he only lived in the first apartment and decided not to rent out the few years prior to the sale the rental of the downstairs unit.

Franco said they are going to have four parking spaces and they have a right to park on the shoulder of a town road unless it is posted otherwise.

Christina said they were ignoring everything.

Charly asked is it posted no parking.

Christina said yes.

Charly said but you park there.

Christina said it is not posted for them. They have no parking signs on the right side of the road, and she was told that they can park where they are.

Charly said the board can move forward with this there is no reason they cannot.

Paul said they could add a condition to the approval resolution that would require proof of adequate on-site parking for the use and have that provided to the building department to their satisfaction.

Rob said he has a parking plan drawn up that shows the best layout for this property.

Andy asked if he had the plan tonight.

Rob said not tonight, but he can get it out.

Charly asked for a motion to close the public hearing.

Motion made by Franco, 2nd by Gerry.

All ayes, motion passed to close the public hearing.

Paul read the resolution.

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

Conte, John: Special Use Permit: 225 Martin Ave: SBL #79.2-2-10.110

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

Review Status: Public hearing set for June 27, 2024
Potential Action: Open public hearing, close public hearing, approval resolution

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

John (applicant) said that he is looking to build a two-car garage with an accessory 1 bedroom apartment above it.

No public comment

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

Dave went through the SEAF with the board.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

Board agrees no to small impact.

2. Will the proposed action result in a change in the use or intensity of use of land?

Board agrees no to small impact.

3. Will the proposed action impair the character or quality of the existing community?

Board agrees no to small impact.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?

None in the Town of Lloyd.

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?

Board agrees no to small impact.

6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?

Board agrees no to small impact.

7. Will the proposed action impact existing: a. public/private water supplies? b. public/private wastewater treatment utilities?

Board agrees no to small impact.

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?

Board agrees no to small impact.

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?

Board agrees no to small impact.

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

Board agrees no to small impact.

11. Will the proposed action create a hazard to environmental resources or human health?

Board agrees no to small impact.

Paul read the resolution.

Charly asked for a motion to approve the resolution.

Motion made by Bill, 2nd by Lambros.

All ayes, motion passed to approve the resolution.

First Presbyterian Church of Highland: Subdivision: 26-28 Church St: SBL #88.69-1-9

Applicant is seeking a subdivision to separate the manse from the church.

Review Status: Public hearing set for June 27, 2024.

SEQRA Status: Unlisted Action

Potential Action: Open Public hearing, close public hearing, approval resolution

Charly 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.

Patti (applicant's agent) said they have a proposal for a two-lot subdivision of a 0.66-acre parcel of land located right across the street. The proposal is to separate the manse from the church building, they have received ZBA approval for the setback because the buildings are currently too close to meet current setback requirements. The applicant is working with the town water and sewer department to split the water and sewer facilities between the structures. She has submitted documentation that it is in progress, but she is aware that it would be a condition of approval.

No public comment

Charly asked for a motion to close the public hearing.

Motion made by Bill, 2nd by Gerry.

All ayes, motion passed to close the public hearing.

Dave went through the SEAF with the board.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

Board agrees no to small impact.

2. Will the proposed action result in a change in the use or intensity of use of land?

Board agrees no to small impact.

3. Will the proposed action impair the character or quality of the existing community?

Board agrees no to small impact.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?

None in the Town of Lloyd.

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?

Board agrees no to small impact.

6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?

Board agrees no to small impact.

7. Will the proposed action impact existing: a. public/private water supplies? b. public/private wastewater treatment utilities?

Board agrees no to small impact.

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?

Board agrees no to small impact.

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?

Board agrees no to small impact.

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

Board agrees no to small impact.

11. Will the proposed action create a hazard to environmental resources or human health?

Board agrees no to small impact.

Paul read the resolution.

Charly asked for a motion to approve the resolution.

Motion made by Bill, 2nd by Gerry.

All ayes, motion passed to approve the resolution.

Kocho-Shellenberg, Erik: Subdivision: 149 Martin Ave: SBL #79.4-2-1.100

Applicant is seeking a two-lot subdivision.

Review Status: Public hearing set for June 27, 2024.

SEQRA Status: Unlisted Action

Potential Action: Open public hearing, close public hearing, approval resolution

Charly 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.

Erik (applicant) said he owns 149 Martin Ave, and he wants to do a subdivision to take off a 1.1-acre parcel, so his parents can build a house there. They have all the engineering stuff taken care of.

No public comment

Charly asked for a motion to close the public hearing.

Motion made by Bill, 2nd by Gerry.

Dave went through the SEAF with the board.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

Board agrees no to small impact.

2. Will the proposed action result in a change in the use or intensity of use of land?

Board agrees no to small impact.

3. Will the proposed action impair the character or quality of the existing community?

Board agrees no to small impact.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?

None in the Town of Lloyd.

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?

Board agrees no to small impact.

6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?

Board agrees no to small impact.

7. Will the proposed action impact existing: a. public/private water supplies? b. public/private wastewater treatment utilities?

Board agrees no to small impact.

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?

Board agrees no to small impact.

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?

Board agrees no to small impact.

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

Board agrees no to small impact.

11. Will the proposed action create a hazard to environmental resources or human health?
Board agrees no to small impact.

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

**Reynolds, Mark: Special Use Permit: 235 Hawley’s Corners Rd: SBL
#79.4-1-30**

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

Review Status: Public hearing set for June 27, 2024.
Potential Action: Open public hearing, close public hearing, approval resolution

Charly 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.

Mark (Applicant) said that he is seeking approval for the apartment in the basement.
Nothing has changed in terms of size or done any work.

No public comment

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

Paul read the resolution.

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

Short-Term Rentals:

Reynolds, Mark: 235 Hawley’s Corners Rd.

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

Charly asked for a motion to open the public hearing.

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

Bill said he saw that the application was submitted back in March of 23, his only question is has it been rented out since March of 23.

Mark (Applicant) said no.

No public comment

Charly asked for a motion to close the public hearing.
Motion made by Bill, 2nd by Franco.

Paul read the resolution.

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

Kofoed, Mara: 50 Bellevue Rd

Review Status: Public hearing opened on June 20, 2024
SEQRA Status: Type II
Potential Action: Close public hearing, approval resolution

Charly 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.

Paul read the resolution.

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

Dovgan IV, Ivan: 1317 Route 44-55

Review Status: Public hearing opened on June 20, 2024
SEQRA Status: Type II
Potential Action: Close public hearing, approval resolution

Charly 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.

Paul read the resolution.

Charly asked for a motion to approve the resolution.

Motion made by Franco, 2nd by Gerry.

All ayes, motion passed to approve the resolution.

Motion to Adjourn.