

**REGULAR MEETING MINUTES**  
**TOWN OF LLOYD PLANNING BOARD**

**Thursday, September 26, 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), and Evan Pendleton (Alternate), Lenny Auchmoody (Town Board); Board Staff: Dave Barton, Paul Van Cott (via Zoom), Andy Learn (Via Zoom), and Sarah Van Nostrand

**Minutes to Approve at the September 26, 2024, meeting**  
August 15, 2024 & August 22, 2024

Scott asked for a motion to approve the minutes.  
Motion made by Fred, 2<sup>nd</sup> by Bill.  
6-eyes, 1-abstain (Franco, missed both meetings), motion passed to approve the minutes.

**New Business:**

**Strocchia, Carlos & Lenore: Special Use Permit: 15 Dogwood Knoll:  
SBL #87.2-3-33**

Applicant is seeking a special use permit to convert the garage into an accessory apartment.

Review Status: Application and plans circulated to the board.

Carlos (Applicant) said that they would like to convert their garage into an apartment for their son.

Bill said it looks like the garage is several stories tall. According to the elevations it appears to be three stories with windows.

Lenore (Applicant) replied that it is a raised ranch.

Bill asked what the square footage of the space was.

Carlos said that the apartment is only going to be 650 square feet.

Scott said it is in your home, but in the garage part of the home.

Carlos said that is correct.

Bill asked where was the entry door into the garage as he couldn't tell from the plans.

Dave pointed it out on the plans.

Scott asked is the use for them or a family member.

Lenore said they have an adult son with special needs and he is at the age where he needs his own space.

Franco asked what is their plan for the second floor.

Dave said there is no second floor it is the house, as it is a raised ranch.

Dave said that the plans show the conversion as 680 square feet and knows that the board has dug in for 650 square feet. However, the town board has set a public hearing for the adjustment to the higher number of 900 for their October meeting. It has been referred to the county and he expects nothing negative from the county, so it should be approved at their regular meeting in October he believes.

Charly asked how many bedrooms is the house now.

Carlos said currently 3.

Lenore said that they converted one of the bedrooms to an office. The third bedroom would be in the converted garage apartment.

Scott asked how big is the septic tank.

Carlos said 1,000 gallons.

Scott said 3 bedroom adding a fourth because we don't always live in the same house and it could be made into 4 bedrooms.

Board set the public hearing for October 24, 2024.

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

Applicant is seeking a 2-lot subdivision.

Review Status: Application and plan circulated to the board.

Dave said that he had a meeting with Patti (applicant's agent) and that they are still working on the comments from CPL, a lot of them revolve around easements. There are easements on the property now for stormwater and sewer. There are some odd drawings showing the water connected to the sewer line. Nevertheless, they are working on those comments and they should have a revised map, the easements prepared and the two lanes that are to the south where their centerline passes through the center of the drive, they should have it in hand by next meeting.

### **Old Business:**

#### **Jacobs, John & Mary: Subdivision 111 South St: SBL #87.3-5-2.314**

Applicant is seeking a 4-lot subdivision.

Review Status: Updated plans circulated to the board.

Dave said that they have fire department sign off. He noticed that CPL has a comment about wetland disturbance and he noticed that the DEC mapping that was done, used the army corp. wetlands and called it their own. The maps that he has for wetlands are much smaller on that side than what the DEC is calling their wetlands. They have more work to do as they are disturbing some of those DEC delineations. He said that they will have to get this done by January 1 when new regulations come into effect. He mentioned that one of the regulations is that there will be an 800-foot buffer around vernal pools.

Carl asked what is a vernal pool.

Dave said it is associated with springtime, it fills with water and salamanders, bugs and critters swim in them and lay eggs in them and then they dry up or dry down a little bit for some of the year.

### **Public Hearings:**

#### **Marion, Thomas & Eric: Lot Line Revision: 213 & 215 Vineyard Ave: SBL #87.4-5-21 & 87.4-5-22.100**

Review Status: Public hearing scheduled for September 26, 2024.

Potential Action: Open public hearing

Gerry recused because applicant is his brother.

Brendan (applicant's agent) said that this is a lot line revision to make the older house at 213 Vineyard Ave the farm, so the barn and garage that are on lot 1 will essentially be with the older house, it fixes a lot of problems, the lot line was going through the garage,

it was a zoning nightmare, so they are trying to clean it all up, separate the house in the back to be its own identity without any of the accessory structures.

Dave said just so the board is aware that this is also a subdivision as it is creating an additional lot.

Brendan said no it is not.

Dave asked if there are two lots now.

Brendan said yes.

Scott asked if the egress was still though lot 2.

Brendan said that for lot 1 is the primary is going to be using the 50-foot-wide access easement that is typically, he knows it was discussed at a previous meeting about the land locked nature of the parcel being okay.

Dave said his determination was that there is a house there now.

Brendan said that they are creating a utility easement for the north side of lot 2 to cover the sewer and water that go out to Vineyard Ave, they were also requested to add the water and sewer lines on the map, so that has been add for the lot in the front. There was a question about the centerline easement, that was the old access easement for lot 1, so that is going to be extinguished as it is no longer necessary the way it is written now.

Dave said that he sees a note on the map regarding the electrical line, he would like to know if there is an easement for that.

Brendan said he wrote that note as a blanket. When they did the survey, the line wasn't actually marked out, it is approximate from where the owner said it was located. If need be, they can have it marked out and create an easement over that line.

Dave said Paul can weigh in on it, but it is either that or you include in the water and sewer for lot 1 include also the right to use that for utilities, or easement it up.

Brendan said that they cannot change the electric now, it comes from a pole then into underground conduit.

Dave said an easement might be better.

Paul agrees that an easement makes sense.

Brendan said that he was trying to do a blanket across the parcel, but he will mark it out and get something more defined.

Andy said he had a chance to look at this quick this morning and it appears that most of their questions have been answered.

Paul said that besides cleaning up the easements and making sure that they have them, there is a draft resolution for this as it was seen as pretty straight forward and that this project is a Type II SEQRA action, so no SEQRA review is required. He said it would be good for the board to see the easements on the plat before acting he would think.

Dave asked if that could be conditioned it and then he could just resubmit prior to the chair signing it.

Paul said that they would just add that to the resolve clause that includes conditions prior to the chair signing the plat, it would include the easements for review by the town attorney and town engineer.

Scott asked for a motion to open the public hearing.  
Motion made by Bill, 2<sup>nd</sup> by Lambros.  
6-eyes, 1-abstain, motion passed to open the public hearing.

\*No public comment\*

Scott asked for a motion to close the public hearing.  
Motion made by Franco, 2<sup>nd</sup> by Bill.  
6-eyes, 1-abstain motion passed to close the public hearing.

Paul read the resolution.

Scott asked for a motion to approve the resolution.  
Motion made by Franco, 2<sup>nd</sup> by Lambros.  
6-eyes, 1-abstain (Gerry), 0-nays.  
Motion passed to approve the resolution.

### **Continued Public Hearings:**

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

Applicant is seeking a special use permit and site plan approval for a solar array.

Review Status: Public hearing opened August 22, 2024

Potential Action: TBD

Nick (applicant's agent-Carson Power) said that they were hoping that Plattekill would have granted approval and SEQRA neg. dec. at their meeting, they opened a public hearing last month intending it to be extended to this month, but they said 30-days. They were not comfortable closing SEQRA and issuing conditional approval this past Tuesday, so they are holding a special meeting on October 8, 2024, at which they are

going to issue a SEQRA neg. dec at that meeting. They have sent all the material and the latest round of engineer comments to all. There are a couple of comments regarding 100-year floods and they have a letter prepared that they will be submitting shortly to clear out the engineering comments. There was one final public comment that came in today and have drafted a response letter that they will submit to everyone.

Bill asked was the public comment from Lloyd or from Plattekill.

Nick said it was from Plattekill. She is from Plattekill, but not an adjoining landowner, he thinks she is the previous chair of the Plattekill Planning Board. She had some technical comments on the SWPPP which he thinks are not relevant, but he will leave that up to the board to decide.

Scott said that the board will leave the public hearing open until next month.

Paul suggested that the public hearing be left open until their workshop meeting on the 17<sup>th</sup> and see where they are. If they have the approvals and the board wants to they could take action on that date.

Public hearing extended to October 17, 2024.

### **New Short-Term Rentals:**

#### **Naranjo, Cesar: 269 Pancake Hollow Rd.**

Review Status: Public hearing opened September 19, 2024

SEQRA Status: Type II

Potential Action: TBD

Scott said that the board discussed parking, they did see the pictures, he would like to know what the plan was for 7 parking spaces. The board asked that the parking be decreased, which would make the solution to the problem a lot easier.

Cesar (applicant) said that he went with his vehicle to map out the most realistic parking spaces, without using anything on the grass. There are three options, two of the options have 7 parking spaces and one has 6 parking spaces, he just wants to put it on the table to see which one the board will approve. It is a single-family home, so he expects it to be families with one, two or three cars, no more than that. They are not planning on entertaining any big gatherings, that is not his intention, the property is not built for that even though it has many rooms, he thinks it will be very suitable for families. He put the options on the table to see which one he gets approved.

Scott asked how many parking spaces do you want.

Cesar said whatever the board thinks is realistic. Using his own car he realistically fit 7 cars.

Scott said taking your car out of one spot and putting into another doesn't work very well, you need to have 7 cars to show the board that it would work. What you provided is not 7 cars, he can number pictures 1-7, but that doesn't work. The board asked him if there was, anyway, he could reduce the number of cars, and you came back with 7 car parking options which doesn't work for the town at this point because they don't see the parking working. How many cars do you want, he has heard it said twice tonight 3 cars, then change the application to three and this all goes away.

Cesar said he thinks 6 cars would realistically fit.

Franco asked how many people can stay in this short-term rental.

Bill said 11.

Franco said this is that big house with all those bedrooms. He said no more than 4 cars.

Board agrees 4 cars.

Franco said you have to be able to move on the site.

Lambros said 4 cars, just because you can realistically jigsaw the cars to fit more doesn't mean it is going to happen.

Scott said he will agree with 4 cars, because emergency vehicles come in packs. You can comfortably fit 3 in there; he suggests that you change the application to 3 and the board will see you next month.

Bill asked if the board was good with the emergency contact that was submitted.

Scott said they gave an updated contact from the landscaping company in Gardiner.

Bill asked Dave if he is okay with the contact being a landscaper.

Scott said as long as someone can get there in the time frame that is required.

### **Kandiar, Goutham: 10 Eisgruber Park Ln.**

Review Status: Public hearing opened September 19, 2024

SEQRA Status: Type II

Potential Action: TBD

Scott said his concern is with cars driving through the park, not knowing who the people are. He had it as an STR for a period of time already.

Goutham said yes he has.

Scott asked how long was it posted.

Goutham said it was about 6-7 months.

Scott said that the board went through the deed that was on the parcel and they didn't see any restrictions for any type of use, but he understands the concerns of the neighborhood. The neighbors have concerns about strangers coming through the park, is there any way you can make more restrictions on the house rules, as far as how that would be handled.

Goutham (applicant) said that he generally rents it out for about two weekends a month, or sometimes not at all. He does hear the concerns about the traffic and the children, he is happy to work with the other residents to make sure everyone is happy. He said he will be the first to shut the short-term rental down if they disturb the neighborhood.

Bill asked during the 7 months he was operating it was there any complaints.

Dave said there have been no complaints for any STR since they have adopted the law.

Franco said because there is a maintenance agreement on the road and because you are going to have a lot more traffic for your STR have there been any arrangements with the neighbors about modifying the agreement.

Goutham said no, he talks to Eric (neighbor) every few weeks and he has known about this since he started about a year ago. When he has guests there, there is a slight increase in garbage, but there have been no complaints.

Franco said you are modifying the use of the maintenance agreement as he is adding increased use maybe he should pick up a bigger portion, but that is between you and your neighbors.

Paul said that is established by a private agreement that applies to all the neighbors.

Gerry asked is it a two-family, is staying there when he has guests.

Scott said no.

Gerry said then it is just one family or another staying there, so basically it hasn't changed.

Scott said it is in the deed covered that way, it has nothing to do with the board, they would have to do on their own. He said that is the neighborly thing to do, but the board has no jurisdiction over that. The same thing with the garbage, work it out with the neighbors.

Goutham said he will review that with Eric to make sure he is happy with the agreements in place.

Scott said before any arrival you may want to post or at least let them know the type of neighborhood and that it is a combined easement, that they would have to maintain slower speed.

Dave read the condition in the resolution regarding the shared driveway.

Goutham said he is happy to have that added to the house rules as well as communicated to them prior to their arrival.

Scott said just make sure that copy gets submitted to the town building department.

Carl asked if some kind of sign be posted in the park there.

Dave said that the applicant doesn't own the park, he only has access across it via the drive. If the park wanted to, they could put up signs.

Beth (7 Eisgruber) said that the board has touched upon most of her concerns. Other concerns is possibly a no pet policy or no dog policy. She has had people on her property at 10pm, she is going to out to walk her dog on a leash, she has had other people on her property, strangers on her lot with dogs. Which one scares you and then you have a confrontation of dogs. Plus, there are children running around, so that's a concern, someone not leashing up their pet, also not cleaning up after their pet. She will talk to Eric about putting signs up.

Dave asked the applicant what is his policy on pets currently.

Goutham said that he will have to review that with his management company. His understanding is that none of them should have brought pets, so far, but he will double check. His sister has a dog and his friends have a dog, so it could have been his own family. It is a big property; it is at least 50 yards from the edge of the house to the end of the property. He finds it odd that someone would be that far up there. What he will do is that his family and friends need to stay on 10 Eisgruber Park Lane, easy for him to communicate and they can abide by that. As far as for the guests, he will review the rules and set a policy for that.

Fred said that they need to comply with the leash law.

Dave said the other piece of it is if they do have pets, it should be made clear to them where the boundaries of the property are and they should remain there because the road is not a public road.

Goutham said he will communicate that and will be happy to add that to the house rules.

Scott asked for a motion to close the public hearing.  
Motion made by Gerry, 2<sup>nd</sup> by Bill.  
All ayes, motion passed to close the public hearing.

Paul read the resolution.

Scott asked for a motion to approve the resolution.  
Motion made by Charly, 2<sup>nd</sup> by Lambros.  
All ayes, motion passed to approve the resolution.