

WORKSHOP MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, October 17, 2024

CALL TO ORDER TIME: 5:30pm

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, Bill Meltzer, Carl DiLorenzo, Gerry Marion, Fred Pizzuto, Evan Pendleton (Alternate), Lenny Auchmoody (Town Board); Board Staff: Dave Barton, Paul Van Cott (via Zoom), Christian Moore, and Sarah Van Nostrand.

Absent: Board Members: Lambros Violaris

Minutes to Approve at the October 24, 2024, meeting
September 19, 2024 & September 26, 2024

New Business:

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

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

Review Status: Application and plans circulated to the board.

Joe (Applicant) said in 2005 he built his house; in the plans it showed a future apartment in the basement. In 2005 he downscaled it, had plans drawn up to finish the basement and put bathroom in when they finished it in 2008, they added a kitchen, he got a building permit, electrical inspection and a certificate of occupancy for the entire finished basement, including the bathroom and kitchen. The accessory apartment law didn't exist then and at this time he wants to bring the house into compliance and wants to have it as a legal accessory apartment.

Dave said that the applicant is appearing before the ZBA as he is slightly under, less than a tenth of an acre. The requirement for the amount of acreage he needs in the zone for the accessory apartment, he appeared before the ZBA last week. It is 0.08-acres that

he needs. He feels that this is a fairly easy accessory apartment, he believes that it is over the 650 square feet. The Town Board did not pass the law, they closed the public hearing on that law, he anticipates that the laws will be passed on the 6th at the workshop meeting. By the time the board sees this again the laws will be in place for 900 square feet.

Bill asked if the unit is under 900 square feet.

Dave said it is.

Scott asked what is the total square footage.

Joe said he believes it is 716.

Scott said it is just over the 650 if that law doesn't pass.

Dave said if that is the case then at the ZBA meeting they will just add that variance to the application.

Carl asked what is the total acreage of the property.

Dave said 0.92-acres in a 1-acre zone, so 0.08-acres of relief is what he is looking for.

Carl said he doesn't understand why he needs 1-acre to do an accessory apartment.

Dave said the accessory apartment law requires the minimum acreage for the zone in which the accessory apartment is located.

Franco said because the plans are stamped 2008, does this pre-date the 650 square feet law.

Dave said it does, but this isn't an apartment that is being shown, it is an as built for the finished basement. What is being done is bringing the entire building under compliance. The applicant has been taxed on a two-family for many years now, its just that the paperwork and act of legalizing the apartment never happened.

Scott said all building permits and inspections have been taken care of.

Dave said for the finished basement yes, they have. They will do one final inspection if the board approves this. It is an allowed use in the zone, if the ZBA gives him relief.

Bill asked is it just one bedroom.

Dave said yes.

Carl asked if the storage is going to be used for the accessory apartment.

Dave said he believes it is for the main house.

Joe said the storage is for the main house.

Public hearing scheduled for December 5, 2024.

Old Business:

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: Response letter circulated to the board.

SEQRA Status: Unlisted Action

Patti (Applicant's Agent) said that she was able to address the questions regarding the easements. She said that Paul is probably reviewing them to make sure that they are in order. They were reviewed and approved by the town when they were initially established as a part of the original subdivision in 2008. At the point in time that the easements were originally granted for the property, it was water, sewer and stormwater, it was a blanket easement over 9.7 acres at that point. Then when Macks Lane LLC purchased the corner lot, they came back to the town and asked if they would be willing to restrict the easements, and you can see there is easement one and two. Easement one runs along Route 9W and easement two is in the northeast corner and they asked to revise the easement as it was a part of their property, so the easement didn't cover where the building was. At that point in time, they filed a subsequent easement that just addressed that lot, but the blanket easement on the remaining lands, known as lot number 1 and lot number 2 of this subdivision, the entire property is covered.

Christian asked about the access.

Patti said the access is part of the easements, covenants, and restrictions.

Christian said that would travel with both of these new lots.

Patti said yes.

Dave said he had a conversation with Patti about a road and he thinks she has a good solution.

Patti said that Vandervoort St. was created in the 30s, 40s or 50s, but at that point in time there were not subdivision maps that were created with it. The only person who uses Vandervoort St. and Collins Ave to Route 9W is one dwelling unit on Collins Ave.,

which is tax map lot 29 because 26.18 actually owns out to Sherwood Lane. The suggestion is that the applicant reach out to the owner of that lot and grant them an easement by meets and bounds so that it won't be taken from them. They don't plan on using it, it wouldn't be appropriate to use it as part of this commercial development that they are proposing, especially since there is a buffer requirement between residential and commercial zones, so it needs that buffer anyways. Between now and what they hope the public hearing set for the one meeting in December is that they will reach out to them and offer them a permanent easement, so they can continue to have free access in the future.

Dave asked is this for both the one on Vandervoort St and Collins Ave.

Patti said it would be for tax map 29 which is at the end of Collins Ave.

Dave said 25 is the one by Vandervoort.

Patti said that one goes through Sherwood Lane and goes through other properties, as that parcel is further east.

Dave said so you are saying that they don't use that one going to 9W, they go up to Sherwood.

Patti said correct.

Franco asked if it is a private road.

Patti said yes. She said there is no maintenance agreement to have, the applicant has no desire to take care of it because they don't use it, so they would be seceding their rights to other people who want to continue to use it.

Public hearing scheduled for December 5, 2024.

Public Hearings:

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

Applicant is seeking a special use permit to create an accessory apartment in the basement of her house.

Review Status: Public hearing scheduled for October 24, 2024

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: Close public hearing, approval resolution.

Nick (Applicant's Agent-Carson Power) said that Plattekill approved the project last Thursday, they do a floor vote and ratified in the minutes, but they requested that a resolution be put together and are working with them on that. It will be reflected in the minutes which will be forthcoming. The SEQRA negative declaration was issued and sent to the board, so this board should be able to make a determination on this project. This upcoming Tuesday is when they expect Plattekill to ratify a written resolution of the special use permit and site plan approval that they granted.

Paul said that he has reviewed the negative declaration that was signed by the Town of Plattekill Planning Board and has no objections to it. That is reflected in the draft resolution. A draft resolution has been prepared and his office has no objections to the Planning Board's approval of the resolution. The one question he raised was to CPL in regards to the Ulster County comments regarding compliance with the recommendations. Ulster County makes recommendations but calls them required modifications. Substantially the board appears to be in compliance with the required modifications, if the board does approve it, it would be good to have it approved with a super majority vote, so there is no question regarding if the board met what Ulster County sought.

Christian said the county had four things that they wanted to have. They are okay with two of them, one of them was regarding fire access and the fire department signed off on it, so it is fine and the seed mix is fine. They did have a requirement regarding stormwater, regular site visits by an inspector should be conducted to ensure that the site remains compliant and that a daily log must be available online on the Town's website for public viewing. The DEC has no requirement that they are aware of, CPL is going to be doing inspections for any construction project in Lloyd, that is by the regular requirement and the applicant is required to do their own inspections every week and those are not kept on a town website, those are kept in a lockbox on site. He is not sure where that requirement comes from, but he doesn't believe the DEC requires that at all.

Scott said was it something that is forthcoming in the new law.

Dave said they are not doing that; he cannot send someone out there everyday to check on stormwater. Christian and his team do the stormwater inspections for the town. The town has trusted them for a while, so he is good with that. There is simply no way to send someone out every day. The applicant as Christian pointed out is responsible and the DEC will hammer them and if the town is doing their piece which is required and they do regularly the town doesn't get hit, the applicant does, he agrees with Christian.

Christian said that they have do a written weekly inspection and the contractor and the

end of every day has to make sure that silt isn't getting into the stream. That is the limit of the daily on-site work, they never file anything. They would have to have an online portal and upload everyday and you would have to have it not only for Lloyd, but for Plattekill also.

No public comment

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

Roll Call Vote:

Fred-aye
Bill-aye
Franco-aye
Scott-aye
Charly-aye
Carl-aye
Gerry-aye

All ayes, motion passed to approve the resolution.

New Short-Term Rentals:

Cabin Carly LLC: 40 Carly Dr.

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

Nicole (Applicant) said that she is the owner of 40 Carly Dr. and she is here for her special permit to operate a short-term rental.

Scott asked how many bedrooms.

Nicole said there are 3 bedrooms.

Scott asked how many guests are looking to have.

Nicole said that she seeking 6 people.

Scott asked how many parking spaces do you have.

Nicole said maximum of 3 parking spots, one for each bedroom.

Scott asked you have space for parking.

Dave said she has a very long driveway.

Scott asked if she had the rules posted and an outline of the property posted.

Nicole said yes.

Bill asked if the address was posted at the end of the driveway.

Nicole said yes.

Gerry asked about the emergency contact.

Bill asked if someone at the house was going to be the emergency contact or someone else.

Nicole said that she would be doing most of the managing herself. She will not be living at the property when the guests are there. She has spoken with a local handyman Bill Ahmetaj and he is going to be her point of contact.

Bill asked where is he located.

Nicole said she did check it is within 30 miles.

Scott said his name, address and phone number would have to be posted with the building department. He asked if it had been inspected.

Dave said yes.

Nicole said that Bill Ahmetaj address is 17 Wintergreen Ct, Montgomery.

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.

Alice (16 Carly Dr) said that when she spoke with Nicole, she said that she wanted 8 people. She said that she did send a letter.

Bob (16 Carly) read the letter he submitted.

Scott said that the application says 6 people, that is all that can be in there. He said that everyone should read the code and see how the law is enacted because if there are any complaints the building department can possibly pull the permit if there are any issues that are valid.

Dave said that they are currently in the process of that now.

Scott said that the town is enforcing the code and trying to uphold the concerns of the neighbors.

Dave said he has only had one complaint and his office generated that complaint.

Bill asked is there any issue with a 1000-gallon tank for a 3 bedroom.

Franco said a 3-bedroom is 1000-gallon.

Charly asked what about the distance from the septic to the neighbors well. The board would have to see a map. That would be a board of health issue wouldn't it.

Scott said that would be a board of health issue.

Christian said that the board of health they would have to observe separation.

Franco said he is surprised that it would be approve by the health department because minimum is 100-feet.

Scott said in this case the property is a single-family residence and it would still be single family, the use is still the same.

Bob said that he doesn't know if the wells will be able to pump enough water for the demand.

Fred said if it becomes a problem then the permit would be pulled.

Franco said it would be the homeowners problem that it ran out of water.

Scott said that the permit wouldn't be pulled because if it was a homeowner there and they ran out of water they would have to get it fixed.

Public hearing left open to next week.

Bartolotti, Madeline & Raymond: 10-12 Bell Dr.

Review Status: Application and supporting documents circulated to the board.

SEQRA Status: Type II
Potential Action: Open the public hearing.

No applicant.

Continued Short-term Rentals:

Naranjo, Cesar: 269 Pancake Hollow Rd.

Review Status: Updated application circulated to the board.
SEQRA Status: Type II
Potential Action: Close public hearing, approval resolution.

Cesar (Applicant) said that he sent the board the updated application reflecting the changes in parking and local manager and sent it to the building department.

Paul said that the board has seen the space before and the applicant did update the application to have no more than 4 parking spaces.

No public comment

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

Paul read the resolution.

Scott asked for motion to approve the resolution.
Motion made by Franco, 2nd by Gerry.
All ayes, motion passed to approve the resolution.

Informal Discussion:

Fjord Vineyards

Matthew (applicant) said that they own Fjord Vineyards and have owned it for almost a decade in the Town of Marlboro.

Franco asked where are they located.

Matthew said they are located off of Ridge Road and that is their current tasting room location, which they lease. They recently purchased 30-acres on the south end of Lloyd at the end of Perkinsville Rd. There is about 25-acres of land that has been farmed. They are looking to relocate their tasting room business to this location. They have a market New York grant application to fund the project.

Casey (applicant) said it is an agritourism grant.

Matthew said he currently farms 37-acres of grapes in the Town of Marlboro and he is looking forward to farming this property. They wanted to come tonight to introduce the project and hope they can start the dialog going and seeing what they need.

Fred asked is it active grapes now.

Matthew said no it was 15-acres of zucchini and cucumbers this year. All of the other properties that they manage are out of the town, but they hope to move their operations here with a state-of-the-art tasting room which he thinks would be beneficial to agritourism in the area. They are currently growing out of their location. They have a small 20-something car parking lot.

Scott said you have room to grow at this location.

Bill asked what is the lot to the south of you, where all those cars are parked.

Matthew said it is a used car lot.

Discussion about other lots took place.

Matthew said that he has been in contact with DOT, they want them to do a traffic study, where their proposed entrance is going to be they have a really good line of sight. The current entrance isn't a good place to turn into the site.

Franco asked what is your plan, he saw an open-air pavilion and you mentioned a tasting room, is that going to be fully enclosed.

Matthew said it is going to be enclosed, from their experience people want to be outside.

Casey said their plan is to plan 10-12-acres of new vines, have the state-of-the-art tasting room and have that be very focused on tasting, maybe doing small tasting dinners. They are not interested in the wedding world. They want to keep it very wine focused, very community oriented, bringing people in maybe to do food trucks, they don't want to be a restaurant. They are just looking to expand on what they do at Fjord now.

Franco said your peak season would be the fall. What are you going to do for the winter.

Casey said right now they close up their tasting room for the winter because they don't have any indoor space to take advantage of that. With the new tasting room, they are going to be able to have indoor space, where they can do events. They plan on building a kitchen where they could do demonstrations. They want to keep the ball rolling all through winter.

Matthew said that is one of the current reasons they are moving out of their current space, also they don't own it, so it is nice to move onto a piece of property that you do own. It is an ideal location as there are lots of things to do in the area and he hopes that it brings people in.

Charly asked what is their time frame in getting started with this.

Casey said they are hoping to break ground in January or February. If they get this grant, it will be really nice. They hope to be done mid-2026. They have a project manager, an architect, engineer, they are ready, but until they find if they get the grant, which they will know by the end of November, beginning of December they cannot hit any buttons.

Matthew said that with grant money, you cannot spend any of it until it's been awarded.

Franco said you can line up everything, like your traffic study.

Casey said that is why they have come here tonight because she was looking over the application and seeing what pertains to the project and what doesn't. They wanted to show their faces and ask what the next steps would be if they do get the grant.

Dave said he reached out to Ag and Markets and the Farm Bureau just for clarification, and they both agree that if you are selling wine from your own property, it is an agricultural use, which is allowed in the zone by right, so no site plan needed. The board will have no review over the project, it will just be a building permit. There is a piece although you are a farm, you will still have to comply with stormwater regulations, when they get close and start breaking ground they will meet again and he will bring the engineer in, just to make sure that everyone is compliant with the stormwater.

Christian asked about how many seats will you have there.

Casey said seating wise they are still trying to figure that out, they are honing into that number, but they do know the parking amount and that is around 70-75 parking spaces.

Christian said in addition to your permit for DOT which you will have to get in any case and compliance with stormwater, you are also going to need to get board of health approval from Ulster County for water supply and sewage disposal. Your sewage disposal is going to rely on your seating, he thinks it is 25-35 gallons per seat.

Motion to Adjourn.