

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

**Thursday, November 21, 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, Carl DiLorenzo, Gerry Marion, Bill Meltzer, 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 December 5, 2024, meeting**  
October 17, 2024 & October 24, 2024

**Old Business:**

**Strocchia-Riviera, 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 closed on 10-24-2024.  
Potential action: Approval resolution

Paul read the resolution.

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

**New Business:**

**Merando, Peter: Special Use Permit: 45 Gabriety Rd: SBL #95.4-2-2.125**

Applicant is seeking a special use permit for a ground mounted solar array.

Review Status: Application and plans circulated to the board.

Cassandra (Applicant's agent) said that they are looking to install a 20-panel solar array, and they are looking to install it between the forest and the pool behind the house.

Christian asked if they are on sewer or septic out there.

Dave said that they are septic out there. The other issue is that it appears where the array is to be located is in the wetlands, is there anything from DEC regarding solar arrays in the wetland area.

Christian said it depends on if that is the wetland buffer or the wetland itself.

Dave said it is the wetland there is a 100 foot beyond it. It not marked on the property and the property is mowed back to where the trees are.

Christian said he believes it would have to be a permitted activity.

Paul asked if it was a classified wetland.

Dave said it is pulled from Ulster County which is based off of DEC mapping. There are army corp. wetlands as well, but he doesn't think they impact where this location is.

Christian said they need to verify where the DEC wetlands are and there are new regulations coming out the 1<sup>st</sup> of the year, so he doesn't know what class wetland this would be.

Dave said he has heard that they are a little more flexible with arrays because they are not like a structure as it is just a pole. The issue with arrays is shadow cast on the flora and fauna.

Christian said he cannot speak for the DEC, but he doesn't think that they would have an issue with this, but they still might need to issue a permit for it, so the applicant will have to get in touch with the DEC.

Paul said if it is out of the wetland and its in the adjacent area, the DEC is going to be concerned about is that stormwater is controlled to make sure that there isn't any impact on the wetland. If it is in the designated wetland then it may be a little more challenging than you might think depending on the value of the wetland. He asked the applicant if they have done any homework on the wetlands.

Cassandra said they haven't done any homework on the wetlands, unfortunately they were not aware that this was in the wetlands area, they believed it was not.

Franco asked what are the dimensions of the solar array.

Cassandra said this is 548 square feet.

Scott asked if decommissioning plans were needed.

Dave said they are only needed for large scale arrays.

Bill recused as it is his neighbor.

### **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 for an accessory apartment in the basement.

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

#### **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

Dave asked if there was a decision regarding the roadways.

Patti (applicant's agent) said that they are preparing a meets and bounds description for the conveyance of lot number 2. She read the description. She said that she ran the chain of title back to the subdivision done in the 1930s and no map was filed when the roads were called public highways, but they were never conveyed to the Town. With this they will memorialize the fact that they do exist as roadways since 1931 and the property is subject to it.

Patti gave an update on the Jacobs subdivision. She said they are still waiting on DEC it has been submitted to them for review, but they haven't sent any comments back yet.

### **Board Updates:**

Paul said he wants to let the board know that staff did receive comments from ADC

Ulster on the draft scope and they have sent those comments out to the consultants, they have asked not to be on the board's agenda until January to give the consultants time to respond to those comments and to make sure that the board has ample opportunity to review everything before they come to that meeting. The goal will be hopefully to get to a point at the January meeting where you can approve the scope for the draft environmental impact statement that they need to prepare and from that point they can go off and do the work and come back with a draft environmental impact statement at a future date.

Bill asked if there were any updates about the financing for The Villages.

Dave said the Town Board approved the operations and maintenance plan that The Villages sent. The Apple Lane remediation is done, there are deciduous and evergreen trees planted in a large berm and the fence is installed. He is waiting for contract information regarding the pump station. He heard through the grapevine that the financing should be closing in the middle of December. Two of the model houses have been put back on order, so they should be ready by the time the financing lands. In the spring he expects to see the contractor of Corewood back out there, with Mid-Hudson Construction managing the site.

Bill said the traffic light is still waiting.

Dave said they are still waiting for financing.

Fred asked if the state has approved the nursing home.

Dave said he doesn't have any information on that yet.

Paul said that John (Applicant's agent for The Villages) asked about how long their approvals are in effect. Staff tied their approval date back to the original approval of the overall site plan, so he believes they have until 2026 to substantially get this project on the way and if not then they have to get a renewal from the board.

Dave said there is an expiration date attached to site plan. He thinks August of this year started the 1-year time for the traffic light.

Scott said that the board asked them to put the light in first because of the construction traffic.

### **Informal Discussion:**

#### **3555 Route 9W: Mixed Use**

Dave said that he has plans and anyone is welcome to come to the office and see the plans, he can also try to email them as well. He suggested that if the board and the

applicant were up to it, to possibly do an informational meeting where the town would send letters out to everyone from 9W to Vineyard Ave because you will be concerned about traffic impacts and visual impacts. At the informational meeting they will be able to ask questions.

Scott said they typically do that for large projects, so everyone will be aware of what is happening.

Larry (public) asked is this a done deal.

Scott said no.

Larry said we will have some input.

Scott said everyone is seeing this for the first time tonight, yes, the board has the plans, but no one is asking them to sign anything tonight. They are here to share what their conceptual idea is for this property.

Larry asked how many people are going to be in these apartments.

Franco said that the town sets the zone this board just follows the code.

Larry asked is it allowed in that zone.

Dave said it is allowed in that zone otherwise they wouldn't be here. There are a great many things the board will listen to with the public on like viewshed impacts, noise, light impacts, the board will listen and ask the developer to mitigate them to the greatest extent possible.

Lauran (Applicant O'Neil Group) said that they are the developer who just bought the property, she is the lead developer and the attorney.

Brandon (A part of the applicant's team) said he helped design the site as well.

Lauran said that this property and area is somewhere they are new to, but not unfamiliar with. They have a pretty good track record in Dutchess County. They will, if there is interest in it, host an informal neighbor meeting, where they can take the public's direct feedback. They are not looking to pigeonhole; they want something that will be an overall benefit to the town and that is what they base their mission statement on. They are a family owned and operated developer, her parents started as construction workers and began to take an interest in building their own projects. They are not a cookie cutter developer, no two of their projects look the same, they design them with a lot of feedback from the Planning Board, engineer consultants and the public. They have a good landscaper doing the landscaping he does the landscaping for Vasser. They are not trying to build something that they want to hide especially because of the commercial mixed use, but they do want to make it more blended. The address for the project is

3555 Route 9W and it is a 4.2-acre parcel. Currently it has the vacant Chevy dealership on it and has been vacant for a number of years and it is in the Walkway Gateway District and Gateway Mixed Use Subdistrict as far as zoning goes. Their master concept plan was prepared by Hudson Land Design; the plan is four different buildings and that is an attempt to mitigate massing as well as to present more of a walkable store front. All commercial on the first floor it would be glass store fronts, mom and pop shops, they are not talking about a big box retail. If you would like to see the caliber of their tenants, you can look at their 1 Dutchess project, they are all small businesses, they like to support the community. The plan is that each of these four buildings will have residential units in them and then behind there will be a few townhouses. They are trying to diversify the type of buildings to blend with the area, mitigate massing, and give different options. She knows a question people asked was how many tenants would there be. It is 190-bedrooms, based on her experience she would say probably 175 tenants. They only place they would typically see children would be in the three-bedroom units from her experience. The mixed-use buildings would have approximately 2,500 square feet of commercial space per building, so they could do 1-2 store fronts in each building. The bulk of the units are 1-bedroom, so you are going to think; young professionals, single people are typical. In a lot of 1-bedrooms they also see a lot of empty nesters who don't want to leave the local area, but their house is too big for them. Parking will be combined mixed of surface and underground parking; each building will have its own garage and you can see the parking island in the middle that would service more of the commercial and most residents are going to have underground parking spots. There is no parking proposed in front of the buildings because they are trying to give off a walkable downtown. For site access it will be from 9W and there is a two-way as well on Roberto. It will present as three stories on 9W because of the way the property slopes but will be four stories from the back. The concept is pinning the foundation, they work with the topography, they are not trying to build on top they are building into almost. The project will disturb more than 1-acre, so they will do a SWPPP, they are confident that this project will have no major impact on flooding. They will oversee the project from approval to final buildout and they will hire property manager from the local area. The buildings are set close to 9W because they believe what the town wants to see is accessible walkable space. All of their properties have energy star appliances and they try to install solar if they are able to. In every project they try to add back some public good, which is why on the plan there are two pocket parks, one on each side. Those will be for the public, they will be a donation from them, whether the town wants that land deeded or they keep it for the maintenance and insurance reasons, that is something they will figure out as they go. There will also be communal green space between the buildings that would be open to the public. 85% building coverage is allowed in the zone, this is only 37% building coverage. The lot coverage is 63% whereas 85% is permitted. The area requires 10% minimum landscaping, their plan has 37%. The frontage occupancy requires 75%, they have 70%.

Carl said you are showing a right turn in and a right turn out.

Lauran said yes.

Carl said that is a very bad stretch of 9W with very bad accidents, so he can see people coming out of there wanting to go north and cutting across the highway, it could be a problem. There was a similar situation with another project and they are putting in a traffic light to mitigate that. They need to think about how they are going to handle that traffic.

Franco said you do have the middle turning lane there, but its so close to the traffic light that it would back up.

Brandon said that they do have a traffic expert, they just signed him up and he should be complete with his study by the time they are ready to submit.

Lauarn said that his recommendations will tell them where they need to move it to.

Franco asked if remediation has to be done on the site.

Lauran said there are currently monitoring wells on the site to be decommissioned, oil tanks will have to be removed. The building has tested positive for a quite a bit of asbestos, so they will have to do a contained demo on the building, which will take some time, but they are working through what it is going to detail.

Bill asked is there any relief you are going to need for the four-story buildings.

Lauran said she doesn't believe so based on the code.

Franco asked what is the height of the buildings on the east side.

Lauran said they believe 36.

Scott said its 35 feet.

Dave said in the Walkway Gateway it is 5-stories from grade to the rear.

Bill asked is there any thought of adding affordable units to this.

Lauran said it is her understanding that the town requires 10%, so there will be 10% at 65% AMI. They are working on what percentage of work force housing would also work on top of that. Work Force housing is 80-120% AMI, until they have a more complete plan, they really won't be able to run those the numbers and they will work with financing and investment and all of those things. The hope is to have 20-25% but those units on top of the 10% would fall between the 80-120%.

Franco said there will be six commercial on the first floor all facing 9W and each building will have 2.

Lauran said yes.

Franco asked how do you plan on feeding the water and sewer, he would like to see hydrants in on the property.

Mike (Architect) said there thoughts are to feed from the existing that they have there.

Franco said the other he has is fire access between the buildings, is there enough room between the buildings in the green space for a truck to get there.

Mike said between the buildings there is space.

Franco asked what is the distance between the two buildings to the south.

Mike said they are about 20-25 feet.

Scott said there would be designated parking per apartment, how many parking spaces do you have per apartment.

Lauran said it is 1.2, but their traffic consultant will confirm if they have enough or not. They do have extra spaces for commercial, and they have seen in their other projects that residents that work 9-5, will not want to do their reserved spot and prefer to use those commercial spots that free up at those hours. They should have some ability for overflow.

Scott said there have been parking issues in the past with other projects, because if you have a 3-bedroom you might have 3 drivers and space for only one and half. They just want to make sure there is space for them and visitors for other apartments.

Lauran said that is feedback that like to get early on because many projects get stuck for months over parking discussions. If they are not providing enough at this point, they will go back to the drawing board and figure out how to add more spots.

Gerry said it is a lot for that piece of road that piece of highway was an issue 40 years ago.

Franco said DOT will weigh in.

Dave said there are few cuts on the site now, this will be limiting those cuts to one, DOT will have to issue a work permit to consolidate and then have that one. DOT will take a hard look at this project.

Lauran said she doesn't think DOT has ever taken a soft look.

Scott said the people coming in going to the garage are going to the back of the parking lot.

Lauran said that would be correct, they could go either way, but that would be the path of least resistance.

Scott said the board would be looking at the increased traffic on that road as well.

Franco said to get to the back you would have to go downtown and then up.

Dave said that is one of the reasons why when my office sends the notices out that it would go to downtown.

Carl said he remembers when the code was created it was designed to be more walkable, he doesn't know if this achieves that concept. Traffic is going to be an issue and right turn in and right turn out sounds good idea, but there are going to be a lot of people test that when going north because they are going to want to go south, to go north again and impacting Roberto Rd and the connecting roads there.

Dave said right where the entrance is to the site is not a divided highway, it doesn't start until you see the double, double yellow and the marked lines further north does it become a divided highway and is illegal to cross. On this site it could be as shown and the DOT will weigh in on this, it could be a full access entrance and exit. However, DOT when they do the review, they may ask the developer to make that a divided section of road with the stripping.

Lauran asked is the issue with this segment is it speeding or congestion.

Dave said both.

Lauran said something in her experience she has seen is when it is speeding typically adding development kind of squashes that because its harder to speed when you know there are more cars, it just doesn't happen. If it is both depending on time, that's a different issue that she will defer to people who have more knowledge than herself to fix.

Bill asked is this right before the speed limit goes from 45 to 55.

Dave said it is 45 all the way to the bridge.

Franco said it is 45 at the top of the hill.

Bill said it turns to 55 just after this going north and people tend to start speeding up.

Discussion regarding code for zone took place.

Lauran said not that she can make a promise at this point, but they have never been a one and done developer.

Discussion regarding design standards for zone took place.

**Motion to Adjourn.**