

WORKSHOP MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, June 20, 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, Gerry Marion, Bill Meltzer, Lambros Violaris, Fred Pizzuto, Lenny Auchmoody (Town Board); Board Staff: Dave Barton, Paul Van Cott (via Zoom), Christian Moore, and Sarah Van Nostrand

Absent: Board Members: Carl DiLorenzo

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

New Business:

Jamal, Violet: Lot Line Revision: 10 & 12 Cassel Rd: SBL #96.3-3-6.200 & 96.3-3-5

Applicant is seeking a lot line revision.

Review Status: Application and plans circulated to the board.

Scott Parker (applicant's agent) said that it is a lot line revision between two properties that they currently own 10 and 12 Cassel, and it is to accommodate some changes they want to do to the landscaping and fencing on one of the properties. It doesn't create any variances or any issues with either lot.

Bill said he saw something on the application being done for septic reasons.

Scott P. said no, not as a part of this. It is only one lot line between the two lots being pushed over about 37-feet on the west side down to the existing point on the east side.

Scott M. asked what is the concrete pad for.

Scott P. said it is for the pool, during Hurricane Sandy there was a landslide on this property that took out the whole pump station and everything for the pool, so it was

relocated to this location, which is currently on the adjacent property, which they own also. That is another reason they want to move this over. That pad is for the pool pump, filter, and that kind of stuff.

Board set a public hearing for July 25.

Bill said that on the application it states that they are seeking the lot line revision to accommodate a septic system.

Dave said it is a lot line revision and they are actually making it more conforming.

Old Business:

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

Review Status: Updated Plans circulated to the board.

Nick (applicant's agent-Carson Power) said that they have submitted an updated SWPPP. An update to the US Fish and Wildlife survey that is being done on the Northern Cricket Frog they are week 3 out of 5 to make sure there are no Cricket Frogs on the site, otherwise there is a slightly modified site plan. Then there was also a response to the comments. They have a meeting tomorrow to discuss with the engineers the updates to the SWPPP. He thinks they are in a good spot with the SWPPP review with both towns. There are no major changes or major updates with the project.

Christian said that they still have comments regarding the SWPPP, but they do have a meeting scheduled with the applicant to go through them. The construction phasing plan doesn't seem to be doable. They have phases cutting across the arrays, he doesn't know how they are going to construct them and one of the phases exceeds 5 acres, it is almost 13 acres, so that needs to be chopped up into smaller phases to stay under the 5-acre threshold. Regarding the SWPPP they still have the same concerns regarding level spreaders. They are going to need more information on the existing pond because their proposed detention is going to be tying into the existing pond, so they need to know how that is going to work. They need to know if that ponds start filling with water is that going to affect the operation of the proposed detention basins. Tomorrow, he thinks they will go through and hash out the comments they had. He asked if the engineer from Plattekill is going to be at the meeting tomorrow.

Nick said he requested that they be there, but they did submit their comments to them today and he thinks that they have been sent over. They may or may not be on the call tomorrow.

Owen (Carson Power) said that he will go over the comment letter, they have not sent Andy (CPL) over the comment letter but will as soon as they are done here, so they will have those before the meeting tomorrow.

Christian said he doesn't want to get into the SWPPP comments, and they still have a long ways to go. They have to agree on how things are going to be maintained, how flow characteristics are going to be maintained long term on this, the anticipated life of this is on the order of 15 years- 20 years they are just concerned about long term viability of the level spreaders seeing as they are 100s of feet long, in many cases.

Dave said that they had a very productive meeting with the Plattekill team, Plattekill heard their concerns, and they had the same concerns. Stormwater is really the key, everything else is locked down. The big issue is still going to be stormwater and Plattekill heard them loud and clear.

Paul said that the coordination of review with Plattekill is there and that they need to keep it up. When Plattekill makes its SEQRA determination that the board is comfortable with that determination, so that they can move forward with their hearing and decision process.

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

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.

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

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.

Dave said that he spoke with the agent for the project and was told that they have a contractor for the new lines to the house and the disconnect for the line that runs across the property to the church. Next week is the public hearing and his sense is that they would give conditional approval. The manse is ready to be sold to a long time Highland resident.

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.

Short-Term Rentals:

Kofoed, Mara: 50 Bellevue Rd

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

SEQRA Status: Type II

Potential Action: Open public hearing.

Mara (Applicant) said that she wants to rent her house on Airbnb. She has an office and three bedrooms, three bathrooms. She has passed a fire safety inspection.

Scott asked if the property lines were marked out in some way, so renters can know the difference.

Mara said it is marked out, she has a rock wall along one side, trees along one side, it is pretty clear.

Bill asked if the address was clearly marked from the street.

Mara said yes and she made a few improvements to that also.

Scott said it has a septic tank also.

Bill said they have a septic letter, and it was just pumped out.

Dave asked who the contact person was.

Mara said Anne Scheisel, she's in Highland at 35 Bellevue Rd.

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

No public comment

Scott 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.

Dovgan, Ivan: 1317 Route 44-55

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

Ivan (Applicant) said that they have a 3-bedroom home on Route 44/55 that they would like to list on Airbnb.

Scott said he sees that you have 3 bedrooms.

Ivan said yes, it is a 3 bedroom.

Scott said you have a maximum of 8 people, the board is doing two people per bedroom.

Ivan said they have one bedroom that has bunks and a double bed that users can sleep in.

Franco said the board's rule is two people per bedroom.

Bill said that would be six.

Ivan said he thought he saw somewhere on the regulations that it said two per bedroom and an extra two that are allowed in the house in general.

Scott said they have not done that. It has always been two per bedroom because they have had issues with septic systems and that is what they are really concerned with.

Ivan said another thing with the project is that they are choosing to change it to a long-term rental in September so they can drop the occupancy down to six, but they are going back to long term.

Scott said they should make the change to six on the application.

Dave asked if they were turning the whole building into a long-term rental.

Ivan said yes.

Scott asked if his property was marked out as well.

Ivan said yes, they have posted the property lines as part of the fire inspection. It is also well surrounded on the sides, there is also a few signs that they have posted on one area on the southern side of the photo that is shown, there is a small area between the two properties, so they put a few signs up that say private property and no trespassing. The other side has a berm and forest that would be weird for you to walk through.

Fred asked if they were before Chapel Hill Rd or after.

Dave said they are past Minard's.

Lambros asked how far of a drive for the manager from Hopewell Junction.

Ivan said that is them, it is about a 35-minute drive.

Bill said he looked at the regulations and it is not a 30-minute rule, it is a 30-mile rule.

Ivan said they are within 30-miles.

Scott said it is a requirement that if something goes wrong the person can get there quick enough. The driveway is enough for so many cars.

Dave said yes, they have a parking area as well.

Scott asked is the number large enough to see from the street.

Ivan said there are big numbers on the mailbox.

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.

No public comment

Scott asked for a motion to close the public hearing.

Motion made by Franco, 2nd by Lambros.

All ayes, motion passed to close the public hearing.

Paul said with these short-term rental hearings you should leave them open until the next meeting.

Scott said they could only because the board needs resolutions. The board will leave the public hearing open.

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

Administrative Business:
ADC Ulster (Falcon Ridge)

Paul said the board has received a copy of the draft scope that was provided by the applicant. That is the document whereby they are suggesting that those are the issues they are going to look at, potential impacts and the different studies and reports that they are going to do to provide the board with information for a draft environmental impact statement. Staff has circulated that draft scope to all of the other involved and interested agencies who have potential permits that they need to issue or who have other review jurisdiction. Staff has also provided a copy of the draft scope to Scenic Hudson which has indicated that there is a substantial interest in the project and wants to have opportunity to participate in the review of both the scope and of the environmental impact statement. Finally, as required by the DEC SEQRA regulations staff has published notice of the availability of the draft scope for public comment and they have indicated that at the Planning Board's June 27th meeting an opportunity would be provided for the public to provide comments on the draft scope. In the meantime, they have also sent the draft scope off to the Planning Board's consultants who are helping with the review of this project, those include CPL as well as a visual consultant, a consultant on archaeological and historic resources and a consultant on biological resources, so all of those folks are reviewing the draft scope and will be providing comments to the Planning Board for consideration. At this point the board is in a receiving mode in terms of comments and once they get all the comments in, staff will take the lead in trying to put that together in terms of recommendations for the board on the draft scope and what the environmental impact statement should include. The board may also get comments from the applicant along the way as they make comments on whatever the public or other agencies or the board's consultants propose. It is an important task, and it is the first step to the environmental impact statement process because it basically it will define the information and also the methodologies that the applicant will use to develop the information that the board has requested be included in an environmental impact statement. He thinks all Dave wanted to do tonight was report out on that and also tee-up for that potential public comments that the board may receive at next week's meeting.

Bill said his recollection is the project that Scenic Hudson was very interested in, and he wasn't certain that what was submitted addressed their concerns directly, he doesn't know if anyone has reviewed that yet to see if it did.

Dave said that is part of what they are doing now, is they are trying to better define all of the areas that might have adverse environmental impacts. Scenic Hudson's primary concern was viewshed and they submitted something to the town about what could be seen from four different historic sites across the river. They did a nice job color coding it, he gave that to the person helping the board with the viewshed impacts. What he will

do and what the board will do together is sort of broadening out as much as they can, while still being specific to what they need to look at and what they need to review in their environmental impact statement. Right now, they are just scoping, which is just the list of questions that they have to answer and part of that is that the board can tell them what methodology the board wants them to use to answer those questions.

Bill asked if the applicant has received the same stuff that the board has received from Scenic Hudson.

Dave said yes.

Paul said that there will be further discussion when the applicant is present because there are a lot of thoughts and some issues on the visual side that he wants to share with the board because he thinks it is really important to get the methodology down. He is working with the Town's visual consultant on another project and there are some real challenges to making sure that you accurately portray what the actual potential visual impacts may be.

Scott asked if Scenic Hudson was representing the FDR site also.

Dave said they don't represent them; they are a separate agency. The parks does have a letter into the town. New York State SHIPPO is going to weigh in, he is sure. The applicant has a lot of things in front of them that they are going to have to figure out to the board's satisfaction.

Motion to Adjourn.