

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

**Thursday, July 18, 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, Carl DiLorenzo, Franco Zani, Gerry Marion, Bill Meltzer, Lambros Violaris, Fred Pizzuto, Evan Pendleton (Alternate), Lenny Auchmoody (Town Board), Mike Guerriero (Town Board); Board Staff: Dave Barton, Paul Van Cott (via Zoom), Christian Moore, and Sarah Van Nostrand

**Absent:** Board Members: Charly Long

**Minutes to Approve at the July 25, 2024, meeting**  
June 20, 2024 & June 27, 2024

**Old Business:**

**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: Updated Plans circulated to the board.

Nick (Applicant-Carson Power) said that it was a light submission this month, just addressing some outstanding comments. There were three components to the submission, the response letter that goes through all the engineering comments from both towns, most of the comments that had written responses are in the letter. The next submission should answer all remaining engineering comments. The next was the level spreader maintenance letter. They partner with NexAmp who is an owner/developer/operator of many solar projects across the county, they are not one of the development shops that typically just create a paper project and then flip it, they are going to be operating it, so they got input from them, that speaks to the level spreaders, which is a stormwater maintenance feature that they have put into their plans. They have made a slight adjustment to the O & M plan and that is included in the packet. Plattekill referred the project to Ulster County and are waiting for comments back. Next week at the Plattekill meeting they are planning on setting a public hearing for the project for the August meeting and his request to the board would be to consider scheduling a public

hearing for August, to try to keep in line with Plattekill.

Dave said that he referred the project to the county as well. He agrees that the public hearing could be set for the August meeting.

Christian said that the applicant has done what they have asked them to.

Paul said that he would like to see the project have a public hearing set for August as well.

Lambros asked the applicant if he could clarify their relationship with NexAmp.

Nick said he is a part of Carson Power, they are not owned by NexAmp, but they did develop with them through a partnership, on this project specifically they are already lined up to own and operate it, so they will come in own, operate, construct the project and through their operating company.

Lambros asked is the power generated going to be fed to their clients or is going to remain separated.

Nick said this is a community solar project, so nothing would change in that regard the electricity goes back to Central Hudson's grid. NexAmp is just an asset owner of solar projects across the country. They have it developed by them, and they construct it at that point and then own and operate it for the lease term.

Scott asked how many homes will this supply.

Nick said it is a 5-megawatt project, but he is not sure the math.

Scott said it's about 150 homes per megawatt.

Owen (Carson Power) said it is an 8-megawatt project, so it is hundreds of homes. The power will inject to Central Hudson's grid and for the local community members that want to sign up and save on their electricity bill and don't already have solar on their homes, that would be through NexAmp who is the owner and operator, that is how a community solar project works.

Nick said that they will receive an opt into subscription in the mail, leading up to operation.

### **Public Hearings:**

**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: Public hearing scheduled for July 25, 2024.

**Short-Term Rentals:**

**Huq, Stephanie: 53 Oakes Rd**

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

SEQRA Status: Type II

\*No applicant\*

Dave said that there are members of the public at the meeting who wish to speak, and he feels that the board should take their comments.

Paul said that he thinks the board should open the public hearing because it has been noticed.

Scott asked for a motion to open the public hearing.

Motion made by Fred, 2<sup>nd</sup> by Bill.

All ayes, motion passed to open the public hearing.

Rich Schuster (51 Oakes) said that he is not opposed to the short-term rental but would prefer it to be owner occupied as he has heard stories about wild parties and other things that are beyond what they would expect for that location, in the last year or so.

Scott said this is the first time that they are appearing before the board, so hopefully any of the issues that the public have, now being permitted they would have to stay within the guidelines of the law and if they are not then there is recourse, they next time they try to apply or give the property a violation and the next they apply all those issues would be considered.

Shari and Fred Riley (47 Oakes) said that they have been using the property for a short-term rental. They are not really against them using it as a short-term rental a couple of things they have noticed, the main one is parking. They are parking on the cul-de-sac, they have a legal accessory apartment and they had to prove tenant parking and they use their tenant parking sometimes because it can get very busy down at that cul-de-sac. They are most concerned about that, they have seen on their application that they have parking noted, but it is next to the driveway and right-of-way. That right-of-way goes from the Schuster's to them and even past them. It is a landlocked piece of property, but there is a right-of-way. They are also concerned if they have two or three people there with two or three cars and they go away for the day and the cars are in the cul-de-sac if there is an emergency, it is not an easy turnaround for any fire vehicles or trucks. They noticed that there is a discrepancy between the two sets of house rules, the Airbnb rules say that they are allowed to make noise until 11pm, it is bad enough that they have

enough noise from the park across the way. The only other thing that was their concern was they know they had done work without permits in the past, she thinks that is all resolved at this point, they put a door in, upstairs on the second floor, she see they put a hot tub in their information and that they must have gotten a permit for the hot tub.

Sarah said everything is closed now.

Shari said there are just some concerns because if they are not following the rules for some things, maybe they just didn't know.

Fred R. said part of the concern about the parking of being in the right-of-way, there is a property past theirs, but there is also 230-acre forest that if the fire department ever had to get in there, that could save them an awful lot of up and down hills. If they leave the cars parked in the cul-de-sac, he doesn't know how that is okay.

Dave suggested that the board add no parking in the right-of-way as a condition of the permit and if they violate that, they will yank their permit.

Bill said on the plan where they show the parking is it on their land.

Scott said that it sounds like it is a right-of-way.

Shari said what it shows on the plan is not enough parking, it is nice that they wrote parking on the plan.

Franco said on their application they are only asking for three parking spots, is that enough.

Fred R. said there is zero parking right now.

Shari said she thinks that would be enough, she doesn't think more than three cars can be there.

Franco asked for clarification.

Fred R. said three would be enough if they had parking somewhere.

Franco said maximum of three and no more.

Bill said they are saying they don't have parking on their land, they are parking in a public right-of-way.

Dave said he thinks the applicant needs to show it on their plan.

Franco said it looks like there is parking.

Dave said it is a right-of-way and runs all the way across.

Scott said a lot of this the board cannot really not discuss as the applicant is not here.

Dave said they will pass along some of these comments.

Scott said what you are going to end up with is this is the starting point of any of the issues if they continue to and are valid concerns and you or the neighbors make a complaint, the town will have a leg to stand on.

Shari asked is this a yearly renewal or once they get the permit, they have it.

Dave said two years, with an annual fire safety inspection.

Scott said it is every two years it will be renewed provided that everything is good.

Dave said it doesn't have to go back to the Planning Board once it leaves here it is administrative though the building department, so in two years' time if this gets approved, they will review it and figure out if they are in compliance then it can be issued again or not.

Scott said the town's laws are going to be superseding any of their house rules. Their house rules don't matter as long as they are following the town rules.

Bill said the house rules here do say 8:00.

Shari said right the Airbnb one states 11pm.

Sarah said the Airbnb ones are the original ones, and the other ones are updated, but both were included.

Franco asked before you enter their driveway off of Oakes Rd, is that town parking down there, that big lot.

Shari said no that is their parking.

Franco said is that just a turnaround.

Shari said yes.

Dave said this right here (pointed on the map being shown) is their parking.

Shari said that is for their tenants.

Franco asked about further down.

Shari said she doesn't know what that is for.

Dave said that is the end of the road.

Franco said there is no parking down there.

Fred R. said there used to be a no parking signs up, but it fell over, he tried to lean it up against the railing and the town just threw it off to the side.

Scott asked if they spoke with the highway supervisor about putting the signs back up.

Shari said they haven't at this point, but there are people parking there all the time, but most people are sitting in their cars, so if there is an emergency they can move.

Scott said the board will condition what they can, and they will make them aware of what the concerns are.

Fred R. said right now it appears that the dumpster is going to be sitting right in the middle of the cul-de-sac.

Shari said the dumpster has been in the cul-de-sac.

Fred P. asked is the septic big enough.

Dave said they have information on septic.

Scott said it said it was a 1,000-gallon tank and he believes they had a review done by someone.

**Administrative Business:**  
**ADC Ulster (Falcon Ridge)**

Scott said that the board received a letter from the client's attorney because they did get a late submission on Scenic Hudson's concerns.

Dave said it wasn't late.

Scott said he doesn't want to say late, it came in a day after the suggested deadline.

Dave said it came in after the suggested date, there was no deadline.

Scott said it was one day after the suggested date for materials. With all of that being said he sees no reason why the board shouldn't entertain reading it and understanding what their concerns are. He asked the board what they think.

Board agrees.

Dave said staff is currently coordinating all the comments together with the consults comments to see which comment letters can enhance the others before responding to the applicant and they won't have that ready until the August workshop meeting.

Christian said what they would probably ask Scenic Hudson to take their letter and put in an outline form what was prepared in the scoping document, so they don't have to sit there and digest their entire list of concerns and reformat it.

Paul said he is going through the scoping document himself very closely at this point and looking at the suggestions that CPL had made. He thinks what they will do from here is to make sure that CPL and the other consultants look at Scenic Hudson's comments and think about them in terms of the edits that they have already made to the draft scoping document that they are preparing as he said in his memo, track changes version of that to present to the board. Their goal is to get that to the board by August 8<sup>th</sup>, so that it can be considered at the August 15<sup>th</sup> meeting and then potentially finalize by the Planning Board at the August 22<sup>nd</sup> meeting. They will look at what Scenic Hudson has now provided. They have reached out to the Department of State because the National Park Service had indicated that, that agency may be an interested agency in terms of the SEQRA review because they administered a scenic areas that are designated that include areas where this project will be undertaken. They have been asked if they would like to participate in the SEQRA review. They also reached out to DEC region 3 because they haven't heard anything from that agency and they have thought that particularly with respect to the wastewater discharge and the private treatment plant that is proposed that agency may have an interest, so they want to make sure that they don't leave them out of the process before they finalize the draft scope.

Franco asked if the board has to vote to accept Scenic Hudson's letter.

Scott said they don't need to.

Paul said you don't need to, as long as there is general consensus, he thinks that is fine.

**Motion to Adjourn.**