

REGULAR MEETING AGENDA
TOWN OF LLOYD PLANNING BOARD

Thursday, December 4, 2025

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, Franco Zani, Gerry Marion, Bill Meltzer, Lenny Auchmoody (Town Board); Board Staff: Dave Barton, Paul Van Cott, Andy Learn, and Sarah Van Nostrand.

Absent: Board Members: John Dispensa, Lambros Violaris, Fred Pizzuto

Minutes to Approve at the December 4, 2025, meeting
October 16, 2025

McCarthy asked for a motion to approve the minutes.
Motion made by Long, 2nd by Meltzer.
All ayes, motion passed to approve the minutes.

Administrative Business:

The Villages

Review Status: Public hearing for modification request set for 12-4-25
Potential Action: Open public hearing, close public hearing, resolution.

McCarthy said so everyone knows the applicant did come to the board seeking an amendment on a resolution that was approved in August of 2024. There were some restrictions in there and some safety nets for both the town and developer to make sure what they were building was going to be built properly and in a time frame with phase control and expecting that the ALF was also a part of that construction before it was finally built. The applicant came to the board asking if they could have a modification on the resolution asking if the board could give them 2 phases before the ALF was started or built. The board looked at this last month and went back and forth over what they were able to do over this. Most of the board's concerns were definitely the density issue. The density issue would be out of line for that acreage of property and would put the Planning Board in a situation where they were not compliant with the zoning code if they were to allow that.

Van Cott said that the applicant came to the Planning Board and they are a lot further along this year than they were last year they got the permit from New York State DOH for construction of the ALF. That was a big step and it was something that the Planning Board was looking for from them for a long time. They are in a position they say to get all the building permits, start building the assisted living facility and also to start building the cottages. What they are asking for is in the 2024 resolution the board limited them to a certain number of cottages and that was 115 which is roughly the equivalent of the number of residential units that would be allowed on the property. The Planning Board didn't want to go any further than that because they were concerned that the assisted living facility was not a sure thing until it started to be built. You really need the assisted living facility together with the cottages to be the planned residential retirement development that the town board originally approved. The applicant to their credit they have made some progress they got the traffic light in; they finally got the Apple Ln remediation completed and they have a more organized financial package that they believe will put them in a position to secure lenders in the next several months to get the money that they need to fund construction for the project. They asked for a little additional flexibility from the Planning Board, but his understanding from the Planning Board is that it is a bridge too far at this time. If they had the assisted living facility mostly built and the board could count on it as being a more sure thing that might be different because at the end of the day the building department has to say what has been constructed out there meet the zoning code. He was directed to prepare a resolution to say all of that and would be denial of their request at this time. Maybe in a year from now when they are much further along they could come back and talk to the board.

McCarthy said based on the last meeting it seemed to be a general consensus that density was an issue. The board believes that it is a great project for the community once it is built. With too much risk out weighing the reward for this short of time that has gone by since they were last here it seems that they are not too compliant with building quick enough. That is where the board is at, show the board what you can do in a year and then come back. He went over the public hearing guidelines.

Sanderson (Applicant) said that the ALF needs to be built at the same time as the roads for the independent living. He is not building the cottages; he creates the roads and then his sales force convinces people to buy a cottage from a manufacturer. They own the house, they put in the foundation with their builder, they pull a permit for the house and he charges them a land lease. At the same time his responsibility is to complete the ALF. He understands as time goes by and the ALF is being built that the board could ease up on the conditions, he would like to suggest to the board something like a milestone. It is easier to convince investors to put up the money knowing that they can build the ALF and all the roads, what he is suggesting is as they build the ALF and get 25% done to give them 25% of the 82 lots and it goes hand in hand with the ALF and the maximum amount of time would be a year and a half. They will build the ALF within a year and a half. If the resolution could be modified slightly to make the investors happier because they are going to put up a lot of money than they can start the construction in January or the beginning of February. It was just a thought of his that the board could tie it to the ALF. He already submitted the permit for the ALF and the pump station; the pump station is only going to take about 3 months once they start building it. As they are doing the ALF and also doing the

roads for the independent living, this is only a suggestion once the board sees 25% of the ALF is done the board could let loose some of the 82 lots.

Pastine (Celadon Financial Group) said that he would like the board to consider an amendment to condition number 5. Celadon has been selected as the underwriter and placement agent for this project. The project was approved as a planned residential retirement development with a bonus density tied to the ALF. Currently condition number 5 prevents building permits and certificates of occupancy for phases E and F a total of 82 cottages until the ALF has its certificate of occupancy and sidewalks are installed as required by the state DOT. We believe that the town wants to support the project but needs strong assurances that the ALF will be completed. They propose removing the certificate of occupancy requirement for phases E and F as it directly serves the town's interest and objectives to remove it. There are reasons why the board should consider this: the membership fee proceeds from the cottages will be trapped in escrow and will be pledged to the construction of the ALF. This combined with the sales from the earlier phases that will already be trapped in escrow.

McCarthy said can you explain one thing Mr. Sanderson said that he was not selling the cottages but what money is to be made off of the cottages that could be trapped and substantial enough to back up the rest of the needs.

Pastine said that model being used is a hybrid of a land lease and a membership fee. Mr. Sanderson will be the land owner and the owner of the development and they will pay a monthly service charge to the community that he owns and a \$250,000 fee for the membership of the community and that is a one-time charge. He is giving the owners a lease hold so they own the house. The \$250,000 will go towards the building out the development. The lenders are going to require all of that money trapped in a trust that is pledged towards the fulfillment of the ALF. He went out to visit the site and it was clear that this was only going to get financing if the project was combined under one big greater project. An investor who wants to invest in this are going to want both the independent living and the assisted living facility just like the town wants. The developer will not receive any profit or distributions from the sales until the ALF has its certificate of occupancy and the entire project is refinanced; he will be stuck in the project. They are structuring the debt in a way that he cannot sell the project until it is stabilized and refinanced. His position is that to release him from phases E and F doesn't hurt the town it would help the town. They are not trying to the sell the board on another modification but to buy into the idea that this is in the town's interest. They are trying to capture more capital into the project to benefit the community. They are going to be building both simultaneously so when they break ground they are breaking ground on everything. They think that they can still finance this project without this modification but it is in his strong belief that it is in the town's best interest to as it will make sure that this transaction will take place and that the ALF will get built. Mr. Sanderson has been looking at other ways to make the town feel safer like maybe another escrow account or maybe even something for beatification. They are not going to lend \$100 million if they are not going to get the ALF built.

McCarthy said that he liked what was said about you are not going to lend \$100 million if they are not going to build the ALF. You are looking at the risk for the investors and you would like to see that mitigated as much as possible and him as the chairman for the Planning Board would

like to see their risk minimized as much as possible. If the changes that the applicant seeks could be applied to the code they would give him those changes. Unfortunately with this one in his opinion to give any more space would put the board and the town at risk and wouldn't be in compliance with the code.

Van Cott said that the board should consider that the applicant did state that not getting this condition will not prevent them from getting the financing. Which is good news as the town wants the project. One thing to think about is at this point in time there are going to be sales of the cottages, there are 115 cottages that can be sold and when you closer and the ALF is half way up it might be easier to seek this modification.

McCarthy asked how many cottages have been sold.

Pastine said you cannot sell any until you have the finished infrastructure.

McCarthy said since 2024 you had the authorization to go on with so many of those buildings right away. They haven't seen much progress and that is the board's concern. His concern is having so many of the 115 built and then a sea of concrete pads because you couldn't sell anymore. He asked if the pads and houses were going to be built at the same time, if so it could take years.

Pastine said yes they are going to be built at the same time and that it could take many years.

McCarthy said that they still don't see any guarantee that the ALF will be completed or that the 82 will be completed at the same time.

Van Cott said that he thinks they can get to a point because you are looking at a PRRD which is the ALF and the cottages. You have approval to go ahead and build 115 cottages at this point. It is all in place to get the permits and to start doing the work. If you get to a point where your sales are going crazy and the ALF is going up that would be the time to come in.

McCarthy said he would be inclined to it then because at least he would be seeing progress.

Zani said they have no guarantee right now.

Board agrees.

Pastine said that there would be a construction guarantee on the building because the lenders are going to require that.

McCarthy said that is not us, that is between you and the lenders. There was also a \$1 million bond that was laid out, but he doesn't know what that would do.

Pastine said that there is a provision in the financing that will have a construction monitor that will be interfaced with the town on periodically no less than monthly review for construction milestones.

Van Cott said which will happen anyways.

Pastine said that it would be ideal to fund the whole project without an investor coming to the table and seeing a condition. They do have approval to build 197 units if the ALF is completed. What they want to be able to do is to keep the dialog open to be able to come back here in a couple of months after progress has been made, to keep that option open to revisit the idea.

Van Cott said that the 2024 resolution was a big step for the Planning Board as they said that you have overall site plan approval, but then you have to come back for individual approval for the phases. They went from that to that they can live with the project getting all the phased signed off on, but you just cannot do the construction until conditions are fulfilled. That was done to provide more certainty to lenders.

Pastine said on phase E and F usually the provision was you cannot get a building permit until you have the ALF certificate of occupancy.

Van Cott said that they can get the site plan signed.

Pastine said what they would prefer is to have the ability to make the sales, take the money and put it into the trust. If they sold those homes knowing they couldn't get a CO there would be a problem. They wanted that removed, they are still going to pursue it with milestones, so they can feel comfortable that it is more than just words. They are seeking a bond from Ulster County.

McCarthy asked for a motion to open the public hearing.

Motion made by Zani, 2nd by Meltzer.

All ayes, motion passed to open the public hearing.

Epperson (314 Bellevue Rd) said that the use of a certificate of occupancy as opposed to a building permit to enforce a planning condition is problematic and in this situation wouldn't work without modification. In its present form it will result in one of two scenarios either non-regulation that is the development of a residential component proceeding without regard to the progress of the ALF or second litigation on the town and the developer. With holding COs was not for things like roads and sewers that affected the habitability of the structure. With holding the COs was relatively non-controversial the chief building official would issue a temporary CO to each home as it was ready, whether they were obligated to issue a temporary CO to a building code compliant structure was debated. Here they are dealing with ground rented units a temporary CO is good for 6 months and renewable. The rental makes it as good as a CO in the long term. Can a building official acting under the State of New York and its statewide building code deny a temporary CO to a structure that is safe, accessible and ready to be occupied. He doesn't think there is a precedent for it.

Barton said that the building would have to be zoning compliant to receive a CO.

Epperson said he would recommend at a minimum to add the words or temporary certificate to the proposed amendment language. He doubts that the developer would agree with this as he feels that this is not what they want.

Vett (7 Roberto Ave) looked like the applicant was trying to move the control from the town to the lenders and he is opposed to it.

McCarthy asked for a motion to close the public hearing.
Motion made by Zani, 2nd by Meltzer.
All ayes, motion passed to close the public hearing.

Van Cott read the denial resolution.

McCarthy asked for a motion to accept the resolution as read.
Motion made by Meltzer, 2nd by Zani.
All ayes, motion passed to accept the resolution.

New Public Hearings:

Leduc, Alicia: Special Use Permit: 9 Lisa Dr.: SBL #95.2-7-27

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

Review Status: Public hearing set for 12/4/2025
Potential Action: Open public hearing, close public hearing, approval resolution.

McCarthy asked for a motion to open the public hearing.
Motion made by Meltzer, 2nd by Zani.
All ayes motion passed to open the public hearing.

Garbarino (8 Lisa Dr) said that she wants to know more about this project as it is a peaceful neighborhood. She is concerned because they are single-family residences and a very peaceful neighborhood and is concerned about the current residents but what if they move and what sort of folks are going to be renting this place out.

Barton explained the plans. It is a bedroom, small kitchen, living room and will have access to the laundry room.

Garbarino said so if there are 4 bedrooms how many people would be allowed to live there.

Barton said theoretically 8.

Garbarino said if these people move then there could be 10 people living in the house.

McCarthy said the house isn't under review, the apartment is what is under review.

Garbarino said it could be two additional bodies living in that home, two additional vehicles parked there. Are there going to be amendments for the additional parking spaces.

Zani said that the property has a pretty big driveway.

Scott said it is a big driveway and they have a nice parking area there.

Garbarino said the parking will be in the driveway and not on the street.

Zani said the theory behind an accessory is that as your parents or grandparents get older they can move in with you, so you can care for them.

Garbarino said that she did research and found that for every 0.5 increase in ADUs there is a 3% decrease in property values within 400 feet of the ADU.

McCarthy asked for motion to close the public hearing.

Motion made by Zani, 2nd by Meltzer.

All ayes, motion passed to close the public hearing.

Van Cott read the resolution.

McCarthy asked for a motion to approve the resolution.

Motion made by Long, 2nd by Meltzer.

All ayes, motion passed to approve the resolution.

BWell: Special Use Permit: 3565 Route 9W: SBL #88.17-9-25.100

Applicant is seeking a special use permit to allow a cannabis dispensary.

Review Status: Public hearing set for 12/4/2025

Potential Action: Open public hearing, close public hearing, approval resolution.

D'Agostino (Applicant's agent) they are here on behalf of the applicant who is seeking a special use permit to operate an adult use cannabis dispensary at 3565 Route 9W. The applicant proposes a 1,980 square foot cannabis dispensary in an existing standalone building. The project includes an interior fit out and some minor exterior modifications. The site is in the general business district where cannabis is allowed with a special use permit. This project is compliant with all town and state codes. This store is estimated to generate \$120,000 in local tax revenue annually and \$40,000 annual tax revenue for Ulster County. There is a 9% sales tax on sales in the store, 40% goes to education, 40% to community grants, and 20% to drug treatment. Additionally, the applicant has received a provisional license to operate the store. The site has 8 on-site parking spaces including 1 ADA van accessible space.

Barton said that the zoning is not GB any more it is now Gateway-mixed use.

Van Cott said that the project as applied for complies with the zoning code including the newly established marijuana establishments that was adopted by the town board.

Meltzer said he has a question regarding the proposed tax revenue and by his quick calculations it appears to be \$4 million a year.

D'Agostino said that it is based on a \$4 million gross revenue.

Meltzer asked how did they come up with that number.

D'Agostino said that they looked at markets and when the markets settle the stores average about \$4 million across the state. They think that is where the long-term gross revenue will settle.

Meltzer asked if the new stores opening up in neighboring towns would effect that number.

D'Agostino said that there are a number of factors that play into that. When the market is new and supply is low the prices are higher and the stores generate more revenue. Then competition comes in in neighboring towns and supply goes up which drives prices down. When you drive prices down in a cannabis market you actually bring more customers into the stores because you have a lot of people still operating in the black market and where they purchase their cannabis. If you can get a vape from the store from \$40, but your buddy can get it for you for \$25, you are going to go to that black market. As the price compression occurs in the market place and the price goes down to \$25 he would bring those customers in.

Meltzer asked what is their estimated time of opening.

D'Agostino said they are thinking somewhere between 6-8 months.

Zani said so by spring or summer of next year.

D'Agostino said yes.

Zani asked you are only involved in commercial sales correct.

D'Agostino said yes, there is no on-site consumption allowed at the facility.

Zani said there is no manufacturing on site.

D'Agostino said correct.

Barton asked what are the hours of operation.

D'Agostino said what is proposed is Monday-Thursday 8am-11pm, Friday & Saturday 8am-12am, and Sunday 9am-10pm. They amend their times based on need, they start with being open as much as possible, but in theory the hours will probably end up being a lot shorter.

Zani said his only concern about them being open to midnight is that there are residential houses behind the property and if they can control the customers coming in and out of the store at that hour.

D'Agostino said there is some flexibility there and that it is very unlikely that those would be the hours.

Van Cott said that the Planning Board is required to specify the hours of operation.

Barton said that he has spoken to other municipalities that have dispensaries in them and in their experience it is very orderly. People go into the store purchase something and then leave.

D'Agostino said they are willing to put signs up outside to remind people that there is no consumption on site.

McCarthy said regarding the hours of operation he feels that if they are willing to make the adjustments as needed there is no need for the board to change them.

Meltzer asked if there are any houses behind the property.

Zani said yes Roberto Ave.

McCarthy asked for a motion to open the public hearing.

Motion made by Zani, 2nd by Meltzer.

All ayes, motion passed to open the public hearing.

Carol (on behalf of the owners of the Gateway Diner) said that there is a drainage issue with this property.

Discussion about the drainage issue took place.

Van Cott said if the board approves the project maybe it could be looked at during the building permit process.

Learn said if Barton would like him to, he will go look at the site.

Barton said that could be done as meeting for the building permit.

Discussion about the prior approval and movement of the drainage pipe took place.

Vett (7 Roberto Ave) said that he is for this project. He is concerned that the hours are a little late and would like the board to consider putting a condition on the approval for the hours of operation for like 10pm or 11pm as midnight seems a little late. He asked if there was a lighting, he is sure they are probably all dark sky compliant, but he just wants to make sure.

McCarthy asked for a motion to close the public hearing.

Motion made by Zani, 2nd by Meltzer.
All ayes, motion passed to close the public hearing.

Van Cott read the resolution.

McCarthy asked for a motion to approve the resolution.
Motion made by Meltzer, 2nd by Zani.
4-ayes, 1-abstain (Marion), motion passed to approve the resolution.

Zaza Green Cannabis Inc.: Special Use Permit: 600 Route 299: SBL #87.1-3-41.220

Applicant is seeking a special use permit to allow a cannabis dispensary.

Review Status: Public hearing set for 12/4/2025
Potential Action: Open public hearing, close public hearing, approval resolution.

Bodendorf (Applicant's agent) said this is a proposed cannabis dispensary located at 600 Route 299 in an existing retail unit. The retail unit is 1,350 sq. ft. and is located in one of the existing buildings in this plaza. The zoning for the property is design business and cannabis dispensaries are allowed with a special use permit. There are only going to be interior renovations there are no exterior improvements proposed. The proposed use will not increase water or sewer use or demands. Town code requires 30 parking spaces for the property and there are 37 existing parking spaces. It has two curb cuts on Route 299 that will remain.

Meltzer asked which of the buildings they would be going into.

McCarthy said the left building.

Bodendorf said it is the right unit of the left building.

Meltzer asked if just north of that was Lowes.

Bodendorf said yes.

Van Cott said that this application is zoning compliant. He said the only thing that is different with this one is that the New York State license hasn't been received yet as he didn't see it in the file.

Applicant said that they have received it.

Van Cott said that there is a condition in the resolution that will require them to provide it.

Zani said that there is no manufacturing on the site just commercial sales.

Applicant said that is correct just retail sales.

Zani asked what are the hours of operation.

Applicant said that they are 9am-11pm 7 days a week.

McCarthy asked about signs and if they were just going to use what was existing.

Applicant said they are using the existing structure and there is a monument sign.

Barton said this was one of the last buildings in the town to have roof signs.

McCarthy said security cameras are going to be installed. Are there any exterior lights proposed.

Barton said they may want to add more pedestrian friendly lighting.

Meltzer asked what is behind the building.

Zani said a pond.

Meltzer said there are no homes back there.

Zani said no just a pond.

Meltzer said this one had Ulster County comments and have the applicants seen them or has the developer seen them.

Van Cott said they have not, those comments came from staff not the board.

Meltzer asked if they should at least let them know what the comments were.

McCarthy said it wasn't a recommendation it was just a comment. The property is already existing one of their concerns was to add shrubbery or landscaping. If it is already existing how can the board make the rental put in landscaping.

Barton said most of the grass in front of the property is in the DOT right-of-way.

Zani asked if there was going to be a sign stating no consumption on site.

Applicant said that they cannot have any consumption on site as it requires a different license.

McCarthy said the board knows that, but they would like signs outside around that area stating that.

Applicant said that there is usually a sign inside the store and then on the outside.

McCarthy asked for a motion to open the public hearing.

Motion made by Zani, 2nd by Meltzer.
All ayes, motion passed to open the public hearing.

No public comment

McCarthy asked for a motion close the public hearing.
Motion made by Meltzer, 2nd by Zani.
All ayes, motion passed to close the public hearing.

Van Cott read the resolution.

McCarthy asked for a motion to approve the resolution.
Motion made by Zani, 2nd Meltzer.
4-ayes, 1-abstain (Marion), motion passed to approve the resolution.

Meltzer asked what time frame are they expecting to open.

Applicant said 3 months.

McCarthy asked if there is a limit of how many are allowed in the town.

Barton said there is not, but there has been discussion on this currently there is a 1,000-foot separation between facilities.

Zani asked what if there was a manufacturing facility.

Barton said that New York State Office of Cannabis Management gives licenses out for that and that can occur in any Ag Zone. There is one on South St, but he is not sure that it is operating yet, he put construction trailers in for the processing. The town doesn't really have a say in it because agricultural is regulated by the state and as of right in those zones. No site plan, no special use permit required and it is not regulated in the zoning code. The only thing the town regulates is dispensaries and lounges.

Fjord Vineyards LLC: Site Plan: Route 9W: SBL # 96.3-2-19.100

Applicant is seeking site plan approval for a wine tasting room.

Review Status: Public hearing set for 12/4/2025
SEQRA Status: Neg Dec granted
Potential Action: Open public hearing.

Bodendorf (Applicant's agent) said that the applicant is for a proposed wine tasting facility on a 32.7-acre parcel. The parcel is actively farmed currently with vineyards and vegetables. The proposed building will consist of 2,900 sq ft tasting room with 3,300 sq ft covered patio for outdoor seating. There is going to be a total of 182 seats proposed mostly outside. At peak times the operation will require 8-10 employees. The proposed drive will utilize an existing farm road

on 9W which is at the north end of the parcel. The existing drive grades are compliant with town code and there will be no extensive grading, it will just be topping off and smoothing out curves where necessary. The town code requires 69 parking spaces for 182 seats and the revised plans submitted to the town provide 41 gravel parking spaces and two pods of 10 grass spaces. A private well will be drilled to provide potable drinking water for the use. A sewage disposal system is being designed to handle wastewater. The disturbance will be over 1-acre so it will be subject to a full stormwater pollution prevention plan. There are two stormwater management areas that are adjacent to the parking area.

Zani asked if they have received comments back from the DOH.

Barton said yes.

Bodendorf said that they don't have approval yet.

Learn said that with a pump station they are going to want to take a closer look at it.

Bodendorf said it is a public water system, so there will be a water treatment system design, it is a pretty sizable septic system.

Barton said they will also need a grease separator.

Bodendorf said there are three tanks there a septic tank, pump tank and a grease tank.

Barton said that will be subject to permit.

Bodendorf said the hours of operation will be Monday-Thursday 11-5, Friday and Saturday 11-6 and Sunday 12-5.

Zani asked how many bathrooms are you going to have. You are only showing a 4-inch line and he is wondering if that is big enough.

Bodendorf said they can upsize it to 6.

Zani said what you want to do is put back-to-back cleanouts by the building, so everything is done from the outside.

Bodendorf said yes.

McCarthy asked if they were willing to change it to 6-inches.

Bodendorf said yes, but it is the prevue of the health department.

Meltzer said there is no evening usage of this space.

Spaccarelli (Applicant) said that is correct.

Barton said that the applicant was adamant that there was going to be no large event gatherings like weddings.

Spaccarelli said that it is a very wine-focused farm to table type venue, if there is music it will be subtle, no concerts or gatherings of that nature.

McCarthy said that the electric is shown on the plans now.

Learn said that they reviewed the SWPPP and they have some comments, most of them are technical. He is wondering about the status with the DOT and if they have had any conversations with them.

Bodendorf said not lately as they are hard to get in touch with.

Learn said they will need something from them before the plans are signed, even if it is conceptual.

Spaccarelli said that they kind of green lighted the turn from both directions.

Learn said you mentioned health department and they will need to see that before the plans get signed. He asked if they got any feedback from the fire department.

Spaccarelli said that he believes the owner has been in touch with the fire department and he thinks that they said as long as the plan shows a turn around that they are okay with it.

Learn said that the grades of the driveway seem to be okay, turn around and access are the biggest issues.

Spaccarelli said that they do have a fire department template on the plans.

Long asked if there was a dry hydrant.

Zani said yes.

Long asked if they were going to have a gravel road down to it.

Bodendorf said that there is a gravel road close to the pond. He believes that the dry hydrant is on the east side of the pond, what they could do is move it to the south side to make it more accessible to the other side.

McCarthy asked if they were going to have a generator.

Zani said for the pump station.

Bodendorf said that it is not on the plan yet.

Learn said the only other comment that they have is that there is a swale along the driveway that discharges along the edge of the road. They just want to make sure that the water is properly directed into the drainage as it cannot be rushing out into the road.

Bodendorf said that there is a 15-inch culvert underneath the roadway and the discharge point the drainage is deeper than 2 feet, but the topo does not show that well.

McCarthy asked for a motion to open the public hearing.

Motion made by Zani, 2nd by Meltzer.

All ayes, motion passed to open the public hearing.

Haywood (adjacent to property) said that he is concerned about traffic and the use. There are three actual entrances to this property, the one that they are currently using is very difficult to get in and out of. There is another entrance to this site off of Van Orden Rd and that was used originally for farm traffic. If the traffic goes in and out of the site like it is being shown that is fine, if it is diverted down past the pond then it is not good. His other concern was use, but that was cleared up that it is just a wine tasting facility and nothing else.

Spaccarelli said that the southern entrance is bad to get out of. They are looking forward to being able to enter the site from the proposed driveway and they will never route people out that way.

Zani asked if they were going to abandon the existing driveway.

Spaccarelli said yes as just pulling out into traffic in the area is dangerous.

Van Cott said if the Planning Board approves this site plan that is the entrance and that will be the only one allowed and if they wanted to change it, they would have to come back to the board.

Haywood said that he would think that the farm traffic would use that entrance.

Spaccarelli said that they plan on using the proposed entrance for both as it will be much easier for them to come in and out.

Kaiden (Resident) said that the entrance from Milton Rd access and would like to be noticed if they change it. He also asked if there would continue to be agricultural use on the rest of the property.

Barton said that there would be continued agricultural use of the vineyard, the goal is to sell what they make.

Kaiden said is there a vineyard there currently.

Spaccarelli said yes and the plan is the entire acreage beside the building and parking to be planted and under grapes.

Kaiden asked is there any data from the state regarding accidents and consumption of alcohol facilities.

Barton said that the state does not track uses against drug related accidents. They track the location and whether there was a fatality or not.

Marion said that the data could be collected from the towns or county.

Barton said it is possible that that data could be collected but the state does not track against use.

McCarthy asked for a motion to close the public hearing.

Motion made by Zani, 2nd by Meltzer.

All ayes, motion passed to close the public hearing.

Van Cott read the resolution.

McCarthy asked for motion to approve the resolution.

Motion made by Meltzer, 2nd by Zani.

All ayes, motion passed to approve the resolution.

Short-term Rentals:

The North Polaris Revocable Living Trust: 110 Bellevue Rd

Review Status: Public hearing opened 11-23-25

Potential Action: Close public hearing, approval resolution.

Van Cott said that the board needs more information regarding ownership and that the applicant can act on behalf of the trust.

Barton said that he needs a name and some kind of proof that this person can act on behalf of the trust.

McCarthy asked if they can proceed with this or should the board leave it open and wait until they have documentation.

Van Cott said that it is better to leave it open that would be his recommendation.

Meltzer said that these documents should exist and the applicant should be able to send them to the board.

Van Cott said that there appears to have been a recent property transaction because when he looked it up on the real property site for Ulster County they had a different owner. He even looked up the trust and there is no recorded trust for North Polaris. They do have a closing statement and what he thinks the planning department did was in good faith, but he thinks they need to dig a little deeper.

Barton said to be clear it was the applicant who provided the closing statement.

Van Cott said what he thinks we need from the applicant is a deed if it has been recorded, and then some kind of instrument that allows Kadic to act on behalf of the trust which is something that the town should have for their files as well.

Kadic (Applicant) said that he didn't know that those documents were needed but he can easily get them. The property is in the trust name and then he has a trust document where he is name as the trustee.

Van Cott said that he tried to email the applicant what was needed.

Kadic said that he did not see the email, but he will send the documents over.

McCarthy said can the board move forward with it or not.

Van Cott said that the board can approve it at the workshop in January.

McCarthy asked if he can have the information to the board before their next meeting.

Kadic said he will send it tomorrow.

Kelly (5 Greatview Ln) said that there are at least 6 houses in the water bluff overlay district that are now short-term rentals. She feels that it is time for the town to limit the number of rentals in that area. She is concerned about fires along the bank because people do not know how to properly dispose ashes from fire pits. She feels that there shouldn't be any burn permits along the river and the owner should put that into his house rules. She is also concerned about the parking.

McCarthy said it is all off-street parking.

Motion to Adjourn.