

REGULAR MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, August 28, 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.

Attendance: Board Members: Scott McCarthy, Charly Long, Fred Pizzuto, Franco Zani, Gerry Marion, Bill Meltzer, Lambros Violaris, John Dispensa (came in at 7:17pm), Lenny Auchmoody (Town Board); Board Staff: Dave Barton, Paul Van Cott, Andy Learn, and Sarah Van Nostrand

OFFICIALLY OPEN THE MEETING

**Minutes to Approve at the August 28, 2025, meeting
July 17, 2025 & July 24, 2025**

McCarthy asked for a motion to approve the minutes.

Motion made by Meltzer, 2nd by Pizzuto.

All ayes, motion passed to approve the minutes.

New Public Hearings:

Buddhist Culture Center: Site Plan: 86 New Paltz Rd: SBL #87.4-3-21.211

Applicant is seeking site approval to convert existing duplex into a place of worship.

Review Status: Public hearing set for August 28, 2025

Potential Action: Open public hearing

Millen (Surveyor) said that the applicant wishes to change the duplex apartment into a cultural center and a teacher residence. He mentioned that churches are ADA exempt and he has documentation that shows it.

Learn said he wasn't sure.

McCarthy said the board would still be concerned about those people being able to get in and out of the building properly.

Millen said if you at the code there is a portion of that exempts churches.

Meltzer asked does that only cover the portion that is the church, since only half of it is going to be the church.

Millen said that he is concerned about the water services apparently at the street there is one valve and apparently one line is running up to two separate residences. There is a valve for the residence to the north, there is no valve for the residence on top. If you needed to shut the water off for the residence on top you would have to shut it off at the street and shut off the water for the neighbor. He understands that they have separate water meters, but this is something that he assumes would need to be worked out to separate that service somehow.

Learn said it's not so much about the water valves that is one issue. Technically water lines cannot be shared between parcels, so they have to be physically separated or set up a transportation corporation.

Millen said the only way he can see it being done is to dig it up and put a new line in.

Learn said that the lines can be placed in the same trench.

Millen said that there is a small issue with the septic, they are probably going to have the tank replaced and have been unable to determine whether it is a 1,000-gallon, or a 2,000-gallon tank. Their position is to have a 2,000-gallon tank installed.

Zani asked if each side has its own septic tank.

Millen said that they are not exactly sure of that. They haven't be able to find a second tank.

Zani said shouldn't that be in the file this is a fairly new house.

Barton said that they asked about septic because they were not sure how many people would show up for events and then they mentioned porta potties for events. He will pull the plans and find out because you would think that there would be two.

Millen said he thinks they looked through the plans and couldn't find anything that would indicate a second tank.

McCarthy asked what is your proposal.

Millen said his proposal is to replace the existing tank with a 2,000-gallon tank.

Zani asked right now how many bedrooms are on each side.

Millen said he believes that there are 3 bedrooms on each side.

Barton asked if they were looking into doing a commercial design on the septic.

Millen said no.

Learn said with a change of use like this it really needs to go to the health department.

McCarthy said wasn't this part of the discussion the last time that the health department had to weigh in on this.

Millen said that he believes they reached out to the health department and were unable to determine if there two leach fields or not.

Learn said there needs to be an application to the health department on what you are proposing to do and they will tell you what they need to see in terms of capacity of the existing system.

Millen said another concern is the driveway and having a turn out on the driveway. The plan that they submitted shows a turn out on the southernly side, which is really the only place that one could be put if you stay within the 100-foot of the wetland.

Barton asked if a jurisdictional determination has been made yet from the DEC.

Millen said no.

McCarthy said that was also requested at one of the meetings.

Learn said one of the turnoffs appears to be within the 100-foot buffer.

Millen asked how many pull offs are required. The one at the top is so near the end of the driveway.

Learn said he is talking about the first one.

Millen said the first isn't in the buffer at all, the 100-foot is the red line on the plans and it is outside the buffer.

Barton said you can say that is the buffer, but without a JD there is no wetland buffer, so the board needs a JD and their mapping.

Millen asked so you want to have the wetlands delineated.

Barton said what is needed is a jurisdictional determination, you are going to apply to the DEC at the state level and they will determine whether they think there are wetlands on the site or not. Then they will send someone from region 3 out to the site to inspect it and they will determine where the wetlands are and where the buffers will be applied.

Millen said the tent is going to be temporary, one day only, expected to be once a year, maybe twice a year, it will be an open-air tent and will be for entertainment only.

McCarthy said wasn't there an issue with the electric too.

Learn said that it appears to be shared as well that may not be as big of an issue as the water line.

McCarthy said does it cross over the property line as well.

Learn asked if there was going to be any cooking in the church side.

Millen said he doesn't think that the church will be serving food.

Learn said that would be something else the health department would be looking for as well because if there is going to be cooking they would likely require a grease trap.

Millen said he will confirm that with the owner.

Learn said there is an existing dumpster enclosure that is being relocated, you are going to want to make sure your garbage hauler is able to get to that as there are some turns there that might be challenging to them. Grading for the parking appears to be 10%, which is too steep it needs to be less than 5% for parking areas. He asked if there are any plans for buses to access this site.

Millen said no.

Barton said he does recall that people that would be bused to the site that were staying in hotels, but maybe they are small buses.

Millen said he doesn't think they are talking about it being major buses, he thinks they are talking about it being small maybe 10 person buses.

McCarthy said when the event is happening and people are coming from all over. He would like to know how big the tent is.

Barton said 40x20.

McCarthy asked how many people are we talking about at these events.

Millen said that the tent is not for the events the events would be inside.

McCarthy said for the once-a-year event he would think that there would be enough people that you would need a 40x20 sized tent, but he doesn't know how many people that would be. There are going to be buses for the people in hotels, but other people will need parking so they don't block the driveway.

Millen said he will get clarification.

Barton said that the building code would allow for 53 and 1/3 people under that tent.

Millen said he will get clarification from the owners on the number of people and how they plan on transporting them to the site.

Learn said typically they would require them to show turning radius' for the largest vehicle they expect to have in the site.

Barton asked if the board wanted fire apparats as well.

McCarthy said that the board usually does.

Barton said if a fire truck goes into the site and tries to back up to make the turn back onto the driveway it might be a little tight.

McCarthy said show the board what fire truck would be able to go in there.

Zani asked if there is a problem with weight on the bridge that they cross.

Barton said no.

Millen asked is there a required number of turn outs and how many they would need.

Barton said he is not sure why there are even turn outs.

Learn said he assumes its because of the length of the driveway.

Barton said he thought the one at the top was because their was a rock in the way that the neighbor placed.

Millen said the rocks are being removed.

McCarthy said didn't also have something to do with if you have two people coming opposite directions.

Barton said yes.

Learn said that from their calculations the driveway appears to be 520 feet to the end, he would have to double check the code requirements for when a turn out requirement kicks in.

Zani asked if there is a problem with sight distance while travelling on the driveway.

Barton said the light of sight is good.

Van Cott asked if Barton was on track for the October event.

Barton said he is. It would be allowed via a building permit for a singular use, everything else is going to track through site plan.

Van Cott said what he is hearing is that there is a lot of long lead type items. When you talk about needing to get a transportation corporation there is a lot that goes into that. The board doesn't need to hold up site plan review over a DEC jurisdictional determination, but making sure the water line is properly separated or a transportation corporation that is a big deal. One of the things that the board mentioned going into the public hearing this month is that the board may not open the public hearing. If the board was to open it tonight for public comment that would be fine but the board would probably want to continue it pretty much indefinitely until they get together the information that they need to have a full application.

Meltzer said that the board has one more meeting before their grand opening event.

Barton said he has talked to Van Cott, it is his decision that they are going to split off the event because he can do a temporary tent permit through his office. They will check for things like porta potties, fire safety, etc. and then everything else including the annual tent will still remain under the board's review.

Meltzer asked how does this impact the change of use to a church use.

Barton said it doesn't, if you have a tent for 50 or more people you are required by law to get a permit.

McCarthy asked would they be allowed to use the home now.

Barton said they are using it now, they own and occupy the home. This just elevates the intensity of the use even though the intensity doesn't seem very high.

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.

Indelicato (71 S. Chodikee Lake Rd) said that she is representing Doherty-Conti (90 New Paltz Rd). Some of the questions that they were discussing was in regards to the parking and if you have a bigger parking area where is the runoff going to go, is it going to run into her property. Another question is how many people are expected to be at the events. They did some research on some of the other Buddhist cultural centers and they tend to have events 7-days a week and it appeared to be from 8am to 4pm, not just services but multiple events. What would the noise be, what would the people be going in. Someone brought up parking, if there are going to be 50 people is there going to be 50 parking spots. She is concerned about site distance when pulling out onto the road as there is a pole on the corner that blocks the view. Some of the centers in New York State had people in and out of them for 12-14 hours a day. She is concerned about the types of events that are going to be held at the facility. How many people are allowed at the facility at any given point. They are more concerned about the noise generated and the parking.

Johnson (88 New Paltz Rd) is concerned with parking, driveway, noise all the same concerns that were brought up. How much traffic is going to go in and out every day. It is really far off the

road; you cannot see her house from the let alone that house. The area is residential and she feels that this is not a good location for any commercial building.

Barton said if the board is comfortable keeping the public hearing open to some point in the future, his office can re-notice the public when they come back with more information.

DeMartino (175 Upper Grand St.) said this duplex building now wants to become a commercial building and are they looking to get off the tax rolls.

McCarthy said it is not before the board.

Zani said you can check with the assessor on that.

DeMartino said if it is the town would be losing \$14,000 in taxes.

McCarthy said it is not what this board does.

DeMartino said as for the septic this survey says it only has one field and one tank. He is worried that traffic will back up.

Public hearing left open until board gets more information.

Old Business:

Highland 3555 LLC: Site Plan: 3555 Route 9W: SBL #88.17-9-55.111

Applicant is seeking site plan approval for 4 mixed use buildings.

Review Status: Public hearing closed 8-21-25

SEQRA Status: Neg. Dec. 8-21-25

Potential Action: Approval resolution

Brooks (A part of the applicant's team) said last week they had their negative declaration granted on their application. They are here this evening to review the proposed project of approximately 10,000 square feet of commercial space, 140 multi-family rental units across 4 mixed use buildings. They received their negative declaration last week the public hearing was closed. They have substantially addressed a majority of the questions, they do have some cleanup work with DEC, DOT moving forward, but they hope the board is willing to entertain a resolution of approval this evening.

Learn asked what the status was for DEC application for the pump station.

Koehler (A part of the applicant's team) said that they needed the capacity before they could submit to the DEC.

Learn said that the bond estimate, his office will prepare to save the applicant from having to do that. The rest of it is engineering details.

McCarthy asked if it was anything that would hold the board up.

Learn said no.

Violaris asked where they were with the DOT.

Brooks (A part of the applicant's team) said that have received comments from the DOT which have been address. The town board is going to ask DOT to if they would considering reducing the speed. DOT raised the speed sometime between 1991-1996 and with the zoning changes to make that area be more walkable, the Town Board felt it would be a good idea to reduce the speed limit from Milton Ave to Tilson Ave. DOT has conceptually approved the full access in and out of the site. When they raised the neighbor's concerns about the number of turns, DOT felt it was consistent with the other properties in the area and that if the town had concerns they should open up Roberto Ave as a full access. The applicant is not interested in doing that based on comments from the neighbors asking them to leave that as emergency access only. They did leave things open so if in the future the community or the neighbors felt that it was more appropriate to reconsider that, at that point they are more than happy to come back to the board, but at this point they are leaving it emergency access only.

Violaris asked for the speed limit reduction are you looking at reverting back to the 40 or lower.

Brooks said she thinks that is up to the Town Board and DOT to determine. The Town Board can ask for whatever they want to, but DOT has their own methodology.

McCarthy said it is a non-applicant issue.

Brooks said that the they asked the DOT and they said to them that the Town Board has to request it.

McCarthy said when you first applied for the apartments how many were there going to be.

Galorenzo said it was 126.

McCarthy said so it started at 126 now it is 140.

Galorenzo said that it was the four buildings and then the townhouses.

McCarthy said how many townhouses were there going to be.

Galorenzo said that there was going to be 10.

McCarthy said that there was a reason that it grew, you got rid of the townhouses and needed more apartment to make it balance.

Barton said he mentioned last time that there was a revamp to the landscaping plan, they moved the grill area away from Roberto. Where the large trees were to remain on their property, he thinks the landscape architect did a great job filling in behind the grill area.

McCarthy said the lighting in the back in the parking lot make sure that it shaded from the neighbors across Roberto, so they don't have anybody complain about lighting.

Barton said he had someone ask about that the other day, if you look at the photometrics nothing leaves the site anywhere.

Brooks mentioned that they found a few typos in the resolution documents.

Meltzer asked how the affordable housing is going to be monitored and are they going to be affordable forever.

Barton said the Town Board has a new procedure on how this will be enforced going forward. Houses don't work in the old methodology, so the new incarnation it is only going to be apartments. What will happen is before June 1, of every year the applicant will report back to the town with a set of forms confirming that the apartments are rented, size of bedroom and that they are rented for the rental that the town board has determined it to be for size of bedroom. The property manager and owner are responsible and are going to get a form to certify the rental at x amount of money and once a year they are going to certify that they are remaining in that affordable range, unless the town board changes the amount which can happen annually and if that happens then they will send a letter out saying that they charge x amount.

Meltzer asks if someone goes over income in some of these units what happens, do they have a right to substitute a different unit, do they have to evict someone if they go over income.

McCarthy said if it is going to be 10% or 14 units in this case. They are doing 10% of each of the items that are there.

Meltzer asked if they are going to be identified by unit number as you rent them or just any.

Brooks said all of the units are constructed to the same standard. Sometimes when people have affordable units they don't construct them to the same standard. The developer for this project construct them all the same, so they are all going to be top end units. It makes it easier for them to move people into the apartments because there won't be specified apartments that are for low income only.

Barton said the leases run two years initially, then depending on if the renter achieves out of that income range, they get a one-year extension on their lease to find some other place to live. After that there is a mechanism in the code to allow the landlord to get them to move on.

McCarthy said is this a projected code.

Barton said it is in the code right now, the only piece that is not in the code right now is the process piece. The process piece is what was missing for years to get the reporting done, he thinks they have a handle on that now and thinks that it will work out well.

McCarthy said what if they don't meet the affordable housing.

Barton said if they don't comply with the code it turns into two violations of the zoning code. For each violation of the zoning code its \$500 for the first week, so that is \$1,000 and its \$1,000 per violation per week thereafter. The first week it will be \$1,000 in fines, the second week it would be \$3,000 in fines which would be determined by a judge, but this would be an easy thing to bring to court because they would have given the town certification that they were going to rent so many units at a set price.

Franco asked once they are designated as affordable they stay affordable.

Barton said no the number of units will stay affordable forever; however, it could be any unit. If one family moves and another family moves in that doesn't need affordable they will have to replace that unit somewhere else.

McCarthy asked is the affordable housing only for new developments.

Barton said yes.

Dispensa asked if that gets sold will this have to continue.

Barton said yes.

Van Cott said dealing with affordable housing in other townships he has noticed that in some the Planning Board plays a role in setting the number of units, but when it comes down to it, it is really the Town Board and the Building Department for administration. There is a separation there and it is good that the board is informed, but he also thinks it is nice that once the Planning Board approves the project it ends. The board has to approve the workforce housing plan that is what they have and then it is up to enforcement.

Van Cott read the resolution.

McCarthy asked for a motion to approve the resolution.

Motion made by Meltzer, 2nd by Violaris.

6-eyes, 1-nay (Marion), motion passed to approve the resolution.

McCarthy asked how long is construction going to take on the project.

Galorenzo said 18-24 months.

McCarthy asked when are you looking to start.

Brooks said it depends on how quickly they can get the rest of the permitting from DEC, but as soon as possible.

Franco said during construction all traffic is to enter and exit on 9W nothing on Roberto.

McCarthy thanked the applicant for listening to the neighbors' concerns and needs.

Short-term Rentals

Santoro, Sandra: 62 Mackey Rd

Review Status: Public hearing opened 8-21-25

Potential Action: Approval resolution

Gray (Property Manager) said that nothing has changed, but he did put up a bigger sign in the front so that it is more specified for people pulling into the property.

McCarthy said you answered the board's concerns.

No public comments

McCarthy asked for a motion to close the public hearing.

Motion made by Long, 2nd by Violaris.

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 Marion, 2nd by Violaris.

All ayes, motion passed to approve the resolution.

Administrative Business:

Villages-site plan extension request

First (Applicant's Agent) said that the board approved the project a couple of years ago and then last August the board approved an amended resolution for the project. According to the code the site plan approvals expire after a year, however the code does allow for extensions of those approvals as long as there has been good cause shown, as long as the applicant can show they have been making progress. They have made a lot of progress; they are almost finished with 90% of the conditions. One outstanding condition is the payment of the recreation fees, but the biggest condition is the traffic light. Part of the amended approval last was the traffic light it was supposed to be installed an operational within a year. They have it constructed and installed, just to give the board an update on where they are with the traffic light, they are waiting on Central Hudson to put in a transfer switch once that is installed the light will have power and once the light has power the contractor can go back out there and finish up the work in 2-4 weeks and after that he will be done. Then he needs to coordinate with the Department of Transportation to get that light

online. He understands that there is a whole process involved with that, where the light needs to blink for a week or two. They are looking at another 6 weeks or so, but at this point they are waiting on Central Hudson.

McCarthy said you knew you had to get this installed and operational within a year, what were the reasons for the year long wait. You mentioned that you were looking for financing, and he mentioned to get the financing done in the spring this way you were ready when DOT was going allow you to work in the right-of-way. Knowing that you had that year what was your delay in getting the light in.

First said he thinks the delay was just a matter of coordinating, there is a general contractor and then there is the contractor that installs the light and then he thinks there are only certain periods of when you can work in the right-of-way and financing.

McCarthy said they saw homes going in on top of the hill.

First said that was one model home that was built.

McCarthy asked if it was gifted or purchased.

First said it was purchased.

McCarthy said again you knew it was going to take so many weeks to get the light operational after it was installed, why wasn't it done in a time that it could have been done before you needed an extension. The site is a disaster the site hasn't been mowed, no light installed, you come in a week before and ask for an extension when you could have come in earlier and asked for one. He mentioned that they did not hold up to the agreement.

First said it's not like they did nothing; the light is installed and constructed. If nothing was built then he could understand the anger and rage, but a substantial amount of work has been done. Yes it hasn't met the deadline they are maybe 6 weeks to 2 months behind that deadline. Things get delayed because they are dealing with Central Hudson, New York State DOT other side agencies and entities that they have no control over.

McCarthy said that the board doesn't want the site to look like an overgrown development that appears that someone just abandoned.

First said if you can offer some guidance on what the board wants it to be cleaned up.

McCarthy said lets clean up the site and make it look nice. Can you guarantee that the light will get done.

First said he spoke with the contractor and he told him the time frame and what needs to be done, he has no doubt that it will get done in the next few months.

Dispensa said if there were financial issues prior and they at a point where they are straightened out where the board doesn't need to be concerned about the rest of the project.

First said the client is trying to refinance the project.

Dispensa asked if he had any confidence that the client will be able to complete the project.

First said that the client has invested a lot of time and money into the project and like any developer you try not to use your own money.

Dispensa asked if he felt comfortable that the developer will finish the project.

First said yes, he put in a model home, he's finishing the light and he cannot sell any of the pad sites until the light is up.

Long said that he mentioned a few minutes ago that the developer has done substantial benefits to the town, but what are they.

First said he thinks one of the sewer lines was upgraded.

Dispensa said wasn't that something that needed to be done to build this site.

First said some of it went beyond what was needed. There is a developers agreement that the town approved that outlines many of the benefits that will be given to the town, some of which they have already completed or in the process of completing and some of them they still have to do.

Zani asked if in the next 10 days if they could at least get the front of the property cleaned up, up to the top wall.

First said okay.

Van Cott read the resolution.

McCarthy asked for a motion to approve the resolution.

Motion made by Pizzuto, 2nd by Meltzer.

6-ayes, 1-nay (Marion), motion passed to approve the resolution.

Van Cott said one positive thing that the public should be aware of is that the applicant indicted that New York State DOH approved construction of the assisted living facility.

Local Law D of 2025

Barton said this is the law where the Town Board is going to act to ban crematories in the Town of Lloyd. The way this will happen is that there will be two definitions inserted into the definitions and no use will be added to the use table. Therefore this will be a defined use in the

town with no location, so it won't be allowed anywhere. The issue arose because it was not a defined use and created a gray area. This is going to remedy this and then not allowing it anywhere. This is a referral to the board from the Town Board, they will act in September, if the board has any comments or corrections you would like to see please let him know.

Van Cott said if it is the communities inclination to ban crematories in the community this is the way to do it.

Motion to Adjourn.