

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

**Thursday, November 20, 2025**

**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, Fred Pizzuto, Bill Meltzer, Franco Zani, Lambros Violaris, Gerry Marion; Board staff: Dave Barton, Paul Van Cott, and Christian Moore

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

**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

**BeWell: 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

**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

**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

### **Short-term Rentals:**

#### **The North Polaris Revocable Living Trust: 110 Bellevue Rd**

Review Status: Application and supporting documents circulated to board.

Potential Action: Open public hearing.

Meltzer said that the CO for the house is for 3 bedrooms and the applicant is looking for 10 guests.

Zani said that on the EAF it should be private well and private septic not municipal.

Kadic (Applicant) said that he is looking to the rent property out as a short-term rental.

McCarthy asked if the property boundaries have an outline, so the people who do rent it don't wander on to other properties.

Kadic nodded yes.

McCarthy asked if there was a sign large enough outside with your number, so people know exactly which building it is.

Kadic nodded yes.

McCarthy said you are stating that you have municipal water and sewer on your property.

Kadic said no it is a well and septic.

McCarthy said that needs to be corrected. The number of people needs to be changed from the 10 that you are requesting down to 6 two for each of the bedrooms.

Kadic asked if there is room for an exemption, there were a few areas that he was going to repurpose and decorate as baby rooms and the living room is a large space.

McCarthy said every one that they have done they has been determined by the amount of bedrooms. It is a matter of safety.

Meltzer said that you only have a 1,000-gallon tank which was only meant for a 3-bedroom house.

Kadic asked if children or babies count as guests.

McCarthy said if you have adults and you've got a baby the baby can sleep in one of those rooms. Every situation is different; the board is trying to keep it the way they way have. They do two people per bedroom for purposes of the septic, for purposes of safety and so that you don't have 120 guests in the house. The board doesn't want people sleeping on cots in the living room as they want the neighborhood to stay a neighborhood.

Kadic asked what constitutes a bedroom.

Barton said it is where people are allowed to sleep as per the residential code.

Meltzer said that the Certificate of Occupancy states that it is a three-bedroom house.

Zani said a pull-out couch is not considered a bedroom.

Marion said it goes by whatever the town has record of.

Meltzer asked have you been renting this out as a short-term rental already.

Kadic said no.

Violaris said that it appears the house is in a trust are you from the trust or the grantor.

Kadic said yes.

Violaris said maybe the property owner should be the trust instead of the individual.

Barton said that the department prefers to have individual names if they have to serve them for some reason.

Violaris suggested that maybe have the trust name and then Kadic names as the trustee.

Barton said that would be fine. The issue is in the past the department has had issues in terms of serving for violations to trusts because it is sometimes difficult in New York State to find out who is a part of the trust. However if he has a person's name they are going to get served.

Van Cott said they will work it out in the resolution as he understands that they need the legal entity.

McCarthy asked if he had parking spaces for three people.

Kadic said yes.

McCarthy said do you understand that if you get a complaint against this property the special use permit could get revoked. He asked how is the garbage removed.

Kadic said that he has a garbage service pick up.

McCarthy asked for a motion to open the public hearing.

Motion made by Zani, 2<sup>nd</sup> by Violaris.

All ayes, motion passed to open the public hearing.

\*No public comment\*

## **Administrative Business:**

### **The Villages**

Meltzer asked if the structure could be confirmed as he is unclear who is selling the cottages and who is leasing them.

Van Cott said that is some of the additional research that he has to do.

Meltzer said he recalls that at a meeting it was stated that the sponsor of the project was not getting the revenue from the cottages or was it that he was not selling the cottages.

Van Cott said he would suggest that the board get that clarified.

McCarthy said when they get here you can ask that question.

Van Cott said what has changed is now you have this underwriter who has come into the picture. His organization is packaging up and have lenders who are interested and they believe that 6 months at the longest to come with \$100 million for the project to complete not only the cottages but also the ALF.

Marion asked why do they need the change.

Van Cott said it is the same question that the board was dealing with last year they want more flexibility they see this as one additional bit of flexibility that they can get. The question for the board is that they need to look at the risks. It sounds like there is a better chance that the money is going to be there, that is the evaluation that the board needs to make. One of things he will suggest if the board considers it is to put a short leash on the time that the modification would be effective because if they perform and come up with \$100 million and the board has enough confidence hearing about the financials that will lead to the completion of the project. Then maybe that is a good deal in the towns interest, but if the board is not comfortable with it then leave it as it is.

Barton said they don't have the money yet. His understanding is that that particular condition that 115 then stop until after the ALF makes it more difficult to package it and sell it to investors to get the money.

Marion said the whole things hinges on the assisted living facility, if there is no guarantee that the ALF is built. He said that the board last time they were here said that they didn't want to see them back again in three months with another stipulation and yet here we are.

First (applicant's Agent) said that they are seeking modifications on one of the approvals, just one condition and it is just a tweak. Right now the condition says that no building permits can be issued for those 82 units, what they are asking for is that no CO can be issued for those 82 units until the CO is issued for the ALF. The issue is that the applicant is working with a financial group, unfortunately the one who is putting together the financial package is not here tonight. If the board schedules a public hearing he would be more than willing to be here to discuss the financial package. He has been looking for investors and commitments from lenders and some of the concerns that he has is that the potential hold-up of building permits for the 82 cottages because the projects are going to feed into each other as project financing is for the entire project for the ALF and all of the cottages. They are looking for a little bit of relief pacify some of the concerns of the investors. It will go a long way to show the investors that the town is in support of the project. They are the cuff of getting this financial package done and they are really hoping to close on the package in February, but in order to attract the investors and to alleviate any potential concerns they are looking for a slight modification. He knows the concern is what if they go and build all the units and if the applicant is just going to walk away after a while. The applicant is not going to get any money until the entire project is built and has invested a lot of his own money in this project. The applicant has been trying to finance the project for years. Yes the project has had some modifications over the years, and yes they are seeking another one, but it is not for the lack of trying the applicant has been trying to get financing for the project and he is very close. There were some concerns that came up and that was condition number 5 about not being able to issue any building permits until the ALF has a CO. The applicant is putting together a package to submit to get a building permit for the ALF. The applicant wants to be ready to move once the financing comes though. The applicant is not going to get any money until the project is complete the money that is collected every time a cottage is sold will be held in trust. The trust is there to make sure that the entire project is built because that is what the investors have relied upon and they are going to get the best return if the entire project is built not if just cottages are built.

McCarthy asked who is selling the cottages.

First said the applicant is.

Meltzer asked is the borrower or a member of the borrower. He is trying to understand the structural flow of money. He thought the board was told that the applicant wasn't selling the cottage he was going to be the landlord.

First said the cottages are going to be built by Westchester Modular Homes, so you have to purchase the cottage and the applicant is going to provide a land lease.

Meltzer asked how is the proceed from the manufacturer going to the bank.

First said it will be through the land lease. There will be a membership that has to be paid into.

Meltzer asked you are not going to get it from the proceeds from the sale of the units.

First said the cottages are bought separately from Westchester Modular.

Meltzer said the write up that was submitted to the board said that the money would be placed in escrow.

First said there is additional money that has to be paid for like a membership fee to cover the cost of the infrastructure, all the amenities that are associated with the facility as well as getting the pad site ready.

McCarthy said so there is no markup on the cottages they are going straight to Westchester.

First said yes that is what he was told.

Meltzer asked if he could clarify what the \$100 Million that is coming from Ulster County and capital resource and then he says there are investors for that money.

First said that there is an initial bridge loan and then after that they are going to market it out to investors.

Meltzer asked if the investors are related to the ownership entity or are they third party.

First said that they are all third party.

Meltzer asked if they are getting a piece of the profits or are they getting mortgages for the properties.

First said that they must be getting something to protect their investments.

Violaris asked what type of investment entity are they.

First said that essentially they are underwriters and brokers, they are trying to package the deal together, they are also trying to make sure it makes sense.

Violaris asked are they soliciting the investors.

First said yes.

Violaris said they are going out to other private equity firms.

First said this is exactly how the money was raised for Woodland Pond and they kind of want to do the same thing there as it has been successful.

Violaris asked if the firm was putting together the bridge loan or is there another financial company structuring that.

First said that he wasn't sure, he thinks they are essentially going to find the bridge loan.

Violaris said so they don't have it yet.

First said no, its all going to get packaged at once.

Violaris asked where are they with the number of cottages sold.

First said he doesn't know where they are at with it, but he thinks one of the concerns was what if the cottages start selling fast and then they would have to put the breaks on it for the ALF. He doesn't know what the current interest is, but he knows that there has been interest. They have a model for how much they want to sell each month and they are confident that they are going to sell fast and that is why they have the concern.

Marion asked how many have they sold so far.

First said he cannot sell any at this point.

Marion said money down on a lot or anything.

McCarthy said he is asking if they could put a deposit down.

First said he doesn't think they have any deposits yet.

Violaris said you would think with people driving by that there would be some interest in it.

First said he knows they have the sales office that is open and there has been some people coming in and out. He is not involved in the sales, but he can get the board those answers.

McCarthy asked is the finance contingent on this change.

First said yes.

Meltzer said or they can go to a different lender.

Marion said he doesn't understand because the project has been approved, so why they don't want any strings attached now concerns him because they could build the whole place out and then say that they don't need the ALF.

First said there are strings attached.

Marion said if the board gives you the green light then there are no strings attached.

McCarthy said the board would put different conditions on.

First said from the town's perspective there would still be strings attached. One of the things that they offered in the letter was that they would post \$1 million in escrow to mitigate any potential impacts.

Marion said who would hold on to that.

First said the town.

Marion asked who would bear interest on it, how is it structured.

First said it would be similar to a cash bond.

Lambros said that in the letter it states that the applicant will submit a performance bond.

McCarthy said that the performance bond is not for them.

First said that there will be a performance bond between the investors and the owner. He knows that the town isn't going to accept a performance bond as they will not build the ALF. The reason for the escrow is for in case the construction lags or if the ALF construction lags behind the cottages.

Zani said with the downturn in the economy, what is going to get built, what are you going to guarantee the town that will get built.

First said the way the private financing is set up the ALF has to get built; everything will be bonded. It is between private parties and he knows that doesn't help the town.

McCarthy said the town wants zero risk. It was set up so they didn't have any risk. If it doesn't work out it will put the town in a spot.

First said that is why they are going to post some money with the town.

McCarthy said \$1 million is not going to do anything for the town. The town is at risk of changing what was negotiated and accepted once before. He cannot understand why there would be a lag if you have investors.

First said that there is a possibility of the cottages selling quicker than anticipated and they hit that 115 then they have to stop.

Meltzer said then build the ALF.

McCarthy said you could sell every one of them.

First said you cannot close on it until there is a CO.

McCarthy said you cannot turn it over to the customer until there is a CO, but you can sell them in advance.

First said that is one of the reasons why they want to shift it over no building permit to no CO, if the town can issue a permit the developer can at least enter into contract and get things started, but money cannot change hands until a CO.

McCarthy said so now you would have a CO that you are waiting for and for some reason the town won't give it to you and then it becomes a financial hardship at that point who created the financial hardship. Would you hold the town liable for not giving you the CO.

First said if it was the condition of the approval then that's the condition of approval no CO unless the ALF has a CO.

McCarthy said in that situation there might be someone who would want to recover their money and try to challenge that. The board has worked with this project and given them what they need to move forward with this project as long as it was within what the zoning code allowed.

First said if there are conditions attached to approvals and if the expense of the approvals is so astronomical that no one is going to want to invest in it, that then becomes a problem. Things change from when a project is first review and goes through years of review, and then the board attaches conditions that adds to the costs.

McCarthy said these conditions were structured to help the project move along in a way that you wouldn't overflow yourself. The board did it in a way to control the phases to make sure everything was completed before they moved on. If it is only the CO you want to get before you build those other 82 units, it is not the worst thing in the world at least they are getting the ALF being built and they know it is happening and not just issuing a building permit waiting for it to built.

Meltzer said if he has to wait to get the CO for the ALF then what.

McCarthy said that means that he cannot build the other 82 units.

Van Cott said right now the approval says that for phases E and F the 82 cottages, they cannot even get a building permit for those until there is a CO for the ALF in place. What they are proposing is to say there won't be any CO issued for those 82 units until a CO is issued for the ALF. It would allow them to build those cottages but it would still require them to have a ALF CO issued before those cottages could get a CO.

Meltzer asked how many units can be built without the ALF on this property.

Van Cott said it is 115.

Meltzer said what happens if the board agrees and you build out these other units and you never get the CO for the ALF, what happens to those buildings do they get torn down.

Pizzuto said they could be sitting there finished with no CO.

Van Cott said that is one of the risks because the condition the board approved last year was based on the idea that 115 cottages is just about within the density requirements for what a residential development would be. Another 82 to that, that is way beyond the allowed density. That is why in the memo he drafted up that if the board is even considering this, there are some side bars that he suggests the board put around it. At the end of the day Barton cannot issue a CO for the ALF or for those 82 cottages until he can say there is conformance with the zoning code and the PRRD. That needs to be built into the change. The board members who asked about what does this look like finically are on point with what is the risk to the town. If they go out and in 6 months they get their money together and start building, what would the residual risk that something could fall apart and not get built and end up with 82 extra dwelling units on the property. He thinks that the board needs more information.

McCarthy said so you are putting a \$1 million bond what are the reason that we would take that million from you.

Van Cott said it was his idea because they put it out there as a performance bond. Barton and him are looking at this like what are they guaranteeing this is on private property.

Marion said you build your 115 and hit a brick wall, then you build your ALF before you continue on.

Van Cott said the question about the \$1 million, the one thing that he can think about because there is nothing in the zoning code, the board has to make a SEQRA consistency determination this project has been delayed and the time to construct a project is an impact. The fact that the project has not been constructed in the time frame that was anticipated is an impact on the community. The idea that he put out there for the \$1 million his understanding is that it coming out of the applicant's pocket is that it would be tied to time frames for performance, if they don't meet the deadlines set in place, then the town would be able to draw in that money and use it for public projects that address some of the SEQRA impacts. Those may be related to tourism type projects; they can be projects to mitigate some of the impacts to the folks up on Mayer Dr. maybe a park up there or something like that. In any event it would be money coming back into the community to mitigate impacts and the applicant is going to make sure that he is not going to lose that money, so it would further incentivize that this project gets built. That is all that does, it is not at the heart of the bigger question, which is the financial risk and whether the town should take the risk to make that change to hopefully get this project rolling because as an undeveloped site it is in nobodies interest.

First said there are two or three model units as he believes that three were approved.

Marion said if you build 115 before you build the ALF there is no financial burden having these houses sit there until you get the CO. Build the 115, build the ALF and then move on. He doesn't understand why they are here trying to change it as they have the approval.

McCarthy said he doesn't understand why the lenders would think the board would give them it and think that the risk is because of that term that the board had.

Marion said unless they don't want to build it.

First said there's money in those last 82 units, and the board is kind of cutting off access to that money. Everything will be built at once that is a part of the financing package that was put together. They are not going to start building the independent cottages and then not build the ALF.

Marion said if you are building it that fast then why do you need to build it all at once.

Pizzuto asked what is the total buildout for this entire project, everything when it comes to the money, what is it worth?

McCarthy said what is the total dollar value to build it, no one knew.

Pizzuto said if you are going for financing you need to have some kind of number in their head.

First said he doesn't know that number off the top of his head. He has already spend millions of dollars with the traffic light, the sewer line, putting up the walls, the road.

McCarthy said after last years comments that the board had and given them a leash to get certain things done with the light, with the pump station, the rec fees, the sidewalks and whatever else when is that now all going to take place. If the board grants this can you guarantee that within a certain time frame you will have all of that done.

First said that he thinks the pump station needs to be and he thinks they are going to be filing a building permit for that. The pump station completion wasn't required until the issuance of a CO, so its not like they missed the deadline for that. They hit all the milestones that were laid out.

McCarthy said was the term on that CO that they could do the pump station.

Van Cott said that they cannot get a CO until the pump station is complete.

McCarthy said that is on you guys, the quicker you get it done the quicker you can get a CO.

Van Cott said they are essentially in the same place as they were a year ago. They have been looking for lenders, cannot find lenders, now they maybe have a more organized approach to get the funding for the project and they are asking for this additional tweak to the resolution.

First said they would be okay if it was just a temporary tweak like if they don't secure lending within 6 months then it will revert back to the old language.

McCarthy said at that point it wouldn't hurt them.

Zani said is the \$1 million guarantee going to be enough.

Board discussion about if the \$1 million was going to be enough took place.

First said if the board needs to schedule a public hearing if they could schedule it for December and they can get the board the information that they asked for.

Violaris said that he is okay with putting a time limit on it then it would revert back to the original language.

McCarthy said if he could have more guarantee that there was no risk to the town.

Marion said with the change they could build it out with no guarantee of the ALF being built.

Barton said if the board decides to entertain an amendment maybe baked into that amendment after a certain number of building permits the ALF must be under construction. It doesn't limit them it still offers them the opportunity to get the building permits for the cottages and the ALF; it would not limit them past the 82 if the board amends it pending their financial statement of here is a \$100 million as the project will get built. He said that the 115 was a hard stop because the PRRD needs to have two pieces to be compliant. The PRRD needs to have a nursing home or assisted living plus the independent living. There is no way to reduce all risk, if they start that building and the town knows that they have \$100 million they can build that building.

Marion said that it has already been approved so he doesn't understand why the lenders are having issues. Stick to the guidelines that have been set and there shouldn't be any problem with it, unless you are not going to do what you say you are going to do is why he thinks they want this change.

First said that the money is all tied together, so what ever money they get in for the cottages that gets put into a trust to make sure the entire project gets built. The board is restricting it, so in the investors mind they can only pull in money for 115 units they want to potentially pull in money for all 197 units.

Marion said if you build the ALF before you get to 115 units there will not be any restrictions at that point, so he doesn't understand the hardship. If the board gives them permission to build it out what is to stop them from not building the ALF.

First said he knows there is no guarantee for the town, but there are guarantees between the lenders, investors and trustees and performance bonds and can provide them to the extent necessary to the town.

Marion said that they are here to protect the interests of the Town of Lloyd.

First said that their interests are the same as the town's to make sure that the project gets built.

Marion said he wants to make sure that the town has the most successful guarantee that it will get done.

McCarthy said they have a performance bond and the town does not have that.

First said that they have to they will pull the performance bond to finish the project.

McCarthy said that they could just stop work and pull out.

Van Cott said that is why he suggested that no matter what their underwriters say, the questions that the board has raised, they need some counsel and that there will always be some kind of risk to the town that this project may not proceed.

Marion said that it is their job to make sure that the risk to the town is minimized.

Van Cott said that the question is how much does this requested modification increase the risk.

Marion said if they let build all 197 units and don't build the ALF, then there is an increased risk.

Zani said that they can only get CO for 115 units, the rest would just sit there and rot, unless someone comes in and builds the ALF.

Van Cott said that they will be building at their own risk beyond the 115 units.

Marion said that he is not comfortable doing this based on the previous track record.

Discussion about previous track record took place.

McCarthy said the goal post has moved many times and the board is looking at how many more times are they going to move the goal post.

First said that the applicant hasn't had any success with it so far, he has been trying.

McCarthy said he understands, but the goal post has moved in the past.

First said the last one was in 2024.

McCarthy said if they approve this when would it start, not building them selling them. The board granted them an extension to get the investors and the light in. You came to the board this year saying that they meet anything the board wanted, but as you can see we have kept moving in good faith but now we need a favor. He wants to know when is the actual construction going to start.

First said the applicant is filing for building permits for the ALF and the pump station. As soon as the financing comes through in February they will get going.

McCarthy asked if it will still take two years to build.

First said to build out the entire project yes.

McCarthy said they are lots going up there for the most part.

First said that he knows that the ALF was going to take 18 months to 2 years to build.

Violaris said that it would be helpful if their finance person was there to answer the board's questions.

First said that the finance person had a prior engagement but he will be here in person for the next meeting.

McCarthy said if he can get us the information before the next meeting and give the board some time to review.

Van Cott said that there might be a narrative somewhere that explains how the whole financial transactions can be put together and he thinks that is what the board is looking for.

McCarthy said he wants to know why the way it is written right now is not good for the investors. He doesn't see why this is such a make-or-break situation.

Marion said it is a good question what changed, this project has already been approved and if you are saying that they are selling like hot cakes that you want to build it out all at once.

Zani asked what is built into this to protect the town.

McCarthy said he liked the 6-month idea that if they have no investors in that time then it reverts back to the original.

Van Cott said another thing and this goes to the control issue that Barton is not legally able to issue COs to those additional 82 cottages until a CO for the ALF has been issued because he has to certified that they are zoning compliant and he cannot do it until both pieces are satisfied.

McCarthy said they build the 115 units, they are doing the ALF trying to get it up and something happens and they decide to break the two properties up, sell the ALF but keep the cottages. How would that hurt the board.

Van Cott said they wouldn't have enough land, right now they have 57-acres which gives the board the ability at ½-acre zoning to basically have 115 units but if they took away the land that the ALF is on that would blow the density.

McCarthy said that is a risk he thought of, but now it is gone.

Van Cott asked if they had approval from DOH to build the ALF.

First said yes DOH has given the okay to build the building.

McCarthy said that if they do it for 6 months then everything would have to be completed including rec fees, which he doesn't understand why that is not done or is it only collected on what is done.

Barton said that rec fees are based on impact per phase.

First said that the site plans for the phases have to be signed but cannot be signed by the chair until the rec fees are paid. They don't need to pay a rec fee for the ALF that is why they can submit a building permit for it. The last thing that they need to do for the cottages is pay the rec fees and build the pump station.

McCarthy asked if the board wanted to set a public hearing for December 4<sup>th</sup>.

Marion said shouldn't the board get more information before setting a public hearing.

McCarthy said the board asked him to get the information to the board before the meeting.

First said that the board can leave the public hearing open.

Marion said that he thinks they should have the information before setting the public hearing.

McCarthy asked the board what they thought and asked for a motion to set the public hearing. Motion made by Meltzer, 2<sup>nd</sup> by Zani.

6-eyes, 1-nay (Marion), motion passed to set the public hearing for December 4<sup>th</sup>.

**Motion to Adjourn.**