

WORKSHOP MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, March 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

Minutes to Approve at the March 27, 2025, meeting
February 20, 2025 & February 27, 2025

Attendance: Board Members: Scott McCarthy, Charly Long, Fred Pizzuto, Franco Zani, Gerry Marion, Lambros Violaris, John Dispensa, Bill Meltzer (via Zoom); Board Staff: Dave Barton, Paul Van Cott (Via Zoom), Christian Moore, and Sarah Van Nostrand

New Business:

Friedberg, Lawrence: Special Use Permit: 129 Costa Rd: SBL #87.3-5-28.300

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

Review Status: Application and plans circulated to board.

Larry (applicant) said that they are seeking to build an accessory apartment. The motivation for this project was because they want to get solar, have storage for lawn equipment, have a small apartment for family and friends and if they need income in the future possibly rent it out.

Dorcas (applicant) said currently their house only has two bedrooms and they have grandchildren who sleep on sofas.

Fred asked how big is the septic.

Larry said that the septic was built for 3 bedrooms, the house is two and they would be adding one.

Franco said so you have a 1,000-gallon tank.

Larry said yes, they put in a supplementary 500-gallon tank in over by the apartment.

Charly said that is proposed.

Larry said put it in and tie it into the leach field.

Scott said the square footage is 629 feet.

Larry said correct. This property is under acres, the new zoning is 2-acres to build the accessory apartment and they have 1.07 acres. They are surrounded on two sides by Apple Greens Golf Course and to the east the Andola's have a subdivision.

Scott asked are they in front of the Zoning Board yet.

Sarah said yes.

Franco asked if they were going to have to increase the size of their leach field.

Larry said no it was built for three bedrooms.

Franco said this board needs the ruling from the Zoning Board.

Dave said he doesn't think there is much to this, it ties in architecturally to the space. He thinks this a good use for this, it is under the square footage allowed, however the building is larger than 629 square feet.

Franco said he also wants storage in there.

Larry said there is a floor plan and about 25% of the building is for storage.

Bill said he is wondering that because the accessory building being so far away from the driveway is an issue for the fire department.

Dave said it won't be an issue.

Bill said since they are putting solar on the building will they need a separate approval for that.

Dave said no.

Larry said the solar installer will take care of any permits needed.

Dorcas said that they would have added onto the shed, but when they originally added the addition and shed to the house back then the variance was 3 feet.

Larry said the setbacks changed. They filed the addition and shed, 10 years ago and they

only had 25-foot setbacks on each side.

Scott asked if the board could set a public hearing for next month.

Dave said with the ZBA it's hard to tell, so would suggest waiting.

Christian said regarding the septic system he would some kind of documentation from the county health department on the approval, to make sure it has the capacity to handle this extra bedroom.

Dave said this one is probably okay.

Franco said it is a single bedroom.

Dorcas said it isn't going to be used constantly either.

Chistain said the health department doesn't take that into account. He wants to know how they are going to be getting access to that building is it just walking over the grass to get there, there is no walkway or anything like that. There is no issue with the fire department with access.

Dorcas said they have an opening in the field that they can drive through.

Franco said you have to go between the house and the garage it looks like.

Dorcas said no and showed the board where the opening is.

Franco said that is someone else property.

Dave said it's the fire department they can go anywhere they want and it is so far away from the station that it would be gone before the fire department could show up.

Scott said he understands their needs, but the needs could change in the future. If you were to sell the property it would still need to meet the code regardless. They understand that it is currently family property, but if you sell it someone else might not have the right-of-way that you say you have.

Franco suggested that she get an easement.

Paul said this is a type II action so no SEQRA review is required. There is also no need for county referral.

**Vineyard Ave Associates LLC: Site Plan:88-94 Vineyard Ave: SBL
#88.69-8-1**

Applicant is seeking site plan approval for mixed-use.

Review Status: Application and plans circulated to board.

Sean (applicant's agent) said that 88-94 is the Chinese restaurant and Jacob's Music the building that they are discussing is the empty shell behind it. He refers to this as 3 Milton Ave, which he believes will be the mailing address. It is for a mixed-use, consisting of one commercial unit and 7 residential units, it is in the central business district so there are no parking requirements. It is an existing structure they are not moving beyond the footprint of the structure. With a possible exemption of the rear entrance where if they need to use this in order to make this code clearance from the 5 feet from the bottom, they added a little vestibule. The owner currently wants to redesign the staircase into the central courtyard, so hopefully that can be abandoned. This is currently in front of the ZBA because the commercial unit doesn't cover the entire first floor, there are going to be three residential units on the first floor, it's area variance and has been applied for. The main advantage of this is that it allows ADA units into town which there are few if any. This would be an opportunity to get some while continuing to have the store front along the road.

Franco asked if there was a fire escape.

Sean said no.

Franco asked if it would be required.

Dave said no and it wouldn't be required as the building would be sprinkled.

Christian said number 14 on the EAF needs to be answered. This plan needs to be overlaid on the actual survey as there are spots where the property lines don't line up.

Sean said that the property lines do line up with the survey, it is overlaid on his computer.

Christian said in the northwest corner there is a dimension line that doesn't go to the property line and that needs to be nailed down.

Sean said the wall shifted.

Christian said that needs to be rectified as that vestibule you have might be on the neighboring property.

Dave said it does encroach and has for a long time.

Christian said all the existing site features need to be shown on the plan. He walked down there and it appears that there are two water valves feeding this site. There is one serving the building that you are going to renovate and one off of Vineyard.

Sean said he didn't survey the sidewalk in front.

Christian said they might not even be in use, but he saw the disk in the pavement.

Dave asked if they were going to come in off of Milton Ave with the water.

Sean said at this point he thinks that they will have to add new water, but he isn't sure.

Christian said they have to figure out what they need and what they have. It appears to have been an old garage.

Dave said it was an electrical storage place.

Franco asked what is the plan for the commercial space.

Sean said he was looking at it for his office, but he found some other place, but its available for rent as commercial space.

Franco said you don't plan on making it into a restaurant because if you were you would need a grease trap.

Sean said no, it would be too small for that.

Franco asked if he could verify the size of the sewer line coming from the building.

Sean said he would verify that.

Franco said they would need to know the size of the water line.

Dave said his thinking is that it would come off of Milton Ave even though it is a state road because the sewer line now is in the other occupied building. To connect to that line would be an onerous task. If the two buildings are connected mechanically the entire space needs to have a sprinkler system. He guesses that is not what the applicant wants.

Sean said no.

Dave said he wants to sprinkle only the renovated space. There is separation now correct.

Sean said yes.

Dave said coming out to Milton Ave is probably the best route.

Sean said the sewer currently leaves out of the northeast corner and is in pretty bad

shape, but until they start digging they won't know how bad. He thinks that they are going to end up replacing it, so a new line out onto Milton is probably going to be a lot easier.

Scott said it is only the smaller building; you are not doing anything to the other one.

Sean said correct, they are not doing anything to the existing units in the front, between the two buildings they have at least 10 hours of fire separation.

Christian asked if there was any lighting proposed with this project.

Sean said no, nothing that isn't existing.

Christian said he just came from there and that alleyway that states the parking is only for the Chinese restaurant.

Sean said that parking sign would also be for this commercial space, but it is only 15-minute parking as there is only one spot. There are apartments back there and it is lit and they wouldn't be changing it.

Christian asked if there are any ADA issues with this one.

Dave said as he mention they were going to put in on-grade apartments and ADA units for the first time in the hamlet.

Christian said that he noticed what looked to be heat pumps or mechanicals along the south side of the building, is there enough space to get those in, it looks like it is tight.

Sean said despite the mislaid measurement on the plan, it has been overlayed on the survey and there is enough space and if it becomes a problem the owner owns the property next door to it, and they could do a lot line readjustment.

Christian said the property can change hands.

Sean said if it becomes an issue they can adjust the lot lines or create an easement.

Christian asked if there were any building elevations.

Sean said they are done and should have been included, but if they are not he has them on his desk.

Scott said that elevation drawings so the board can see what it is going to look like would be good.

Paul said this is a SEQRA type II action and county referral would be required and the board may want to do that at the same time the public hearing is set.

Old Business:

Smyko Design: Site Plan: 71-79 Vineyard Ave: SBL #88.69-9-3

Applicant is seeking site plan to change the use from a bank to a restaurant.

Review Status: Updated plans circulated to the board.

Sean (applicant's agent) said this is the corner of Main St and Vineyard Ave. the proposed restaurant. The issues that came up was the water feed for the sprinkler system and working out the details for the ADA ramp. The owner reduced the restaurant square footage and enlarged the kitchen, so a sprinkler system is no longer required because the occupancy is below 100. For the ADA he met with the company doing the sidewalks, they were not able to provide much information at this point. They will have to do their best to have reasonable accommodations once they know where the sidewalks are. He cannot provide an answer at this point, but he hopes to be able to move forward with the approval for the use, so the owner can continue the work.

Dave said that reasonable accommodations are all that is required for ADA for an existing building. If this was a brand-new building it would be different. If the ramp is a little steeper than what would be allowed as long as they are making a reasonable accommodation they would be within the zone of compliance. He alerted the fire chief of the change in plans.

Bill asked where were they planning on put the ADA access.

Dave said right in front of the building.

Sean said as it stands now with a lot of work they can get the ramp within an inch of compliance. If they were to replace the sidewalks, given the elevation of the street, he thinks that inch would be made up and then some. As of right now the sidewalk is not going to be repaired.

Christian said their main issue was with the water service size, but if a sprinkler is not required now then it's good. Their other comment was regarding the dumpster enclosure.

Sean said they don't have a dumpster enclosure onsite, they are going to put a corral for small bins, Control Point Associates (Neighboring business) is going to provide dumpster storage behind their building.

Christian suggested that a formal agreement should be worked out.

Sean said at the moment it is not needed, but when they do that is where it will be.

Franco asked if they were going to install an internal grease trap.

Sean said yes.

Scott asked if the board could set a public hearing.

Dave said they can and that he would have to refer it to the county because of the extensive change of use.

Public Hearings:

Ryan/Marshalek: Lot Line Revision: 546 N Elting Corners Rd: SBL #79.3-2-10 & 79.3-2-9

Applicants are seeking a lot line revision to grant road frontage to SBL #79.3-2-9.

Review Status: Public hearing scheduled for March 27, 2025

SEQRA Status: Unlisted Action

Heavenly Heart Pet Cremation: Site Plan: 3525-3523 Route 9W: SBL #88.13-7-14

Applicant is seeking site plan approval to build a new building to house a pet cremation business.

Review Status: Public hearing scheduled for March 27, 2025

SEQRA Status: Unlisted Action

Justin (Applicant) said that he received the will serve letter from Central Hudson. He had the seller revise the letter of agent. He knows that the board briefly mentioned the registration for DEC, it was not part of this process, he did start conversations with them and had the region 3 office send a follow-up email just stating that they have no issues with that piece of equipment.

Franco asked if that piece of equipment is licensed through the DEC and do they have to do an annual inspection or anything like that.

Justin said initially they have to make sure that it meets NYS standards and then there is annual maintenance inspections associated with it and licensing that has to be kept with it.

Franco asked does the board have to wait for licensing approval before going ahead with

this.

Dave said it could be conditioned in.

Justin said he submitted the DEC determination paperwork.

Sean (Architect) said that the existing structure as discussed last time is pinned to the rockface doesn't have a full basement it has an area that is cantilevered. They are going to remove that building in its entirety and they are not trying to backfill it in as they are not planning on using that space. He got more accurate topography and has adjusted the building slightly and is sitting at an appropriate grade now.

Dave asked if there were any changes to the curb cut.

Sean said no they are not changing the curb cut. It is 32 feet wide; it will probably end up getting repaved.

Scott said no sign. The sign will be on the building somewhere.

Sean said on the plan it is showing a sign, this is not a business that needs to attract passerby's, so they don't need to use the highway street sign.

Bill asked if this was one of the projects that the fire chief wrote a letter on.

Scott said yes and asked the applicant if they received a copy of the letter.

Sean said he got a bunch of them today.

Scott said he had some comments.

Dave said about parking and a Knox Box. The town requires a Knox Box for all new commercial properties.

Sean said the Knox Box for sure and it is a small lot.

Christian said what is the source of the new topography, he sees that it is different than the map provided.

Sean said the survey provided by the surveyor.

Christian said that is different than the original survey that was submitted.

Sean said he believes that it is the same one.

Christian said the contour maps are different from one another.

Sean said they have the original one from like 20 years ago and then one was done just recently for this project.

Christian said some of the grading around there looks kind of steep you might want to review that.

Sean said a point of clarification the way his software works, he puts in the map and it creates a topography, so they are not going to match up perfectly, it is just an issue with 3d modelling.

Christian said the contour lines really need to line regardless of what kind of software being used. Near the corner of the building in the northeast corner the grades in the paved area a little bit too steep, you need to take a look and flatten some of those out.

Sean said it is a steep site, the driveway from the road up to the house is an ADA grade slope.

Christian said it is a 1 on 2 slope that you are going to put a car on, the car is going to lurch onto it, so that has to be taken a look at. The building footprint has moved 10 feet farther towards the road.

Sean said they shifted it off that bank.

Christian asked if he was going to put up some kind of protective fencing along that hammerhead area to keep cars from driving over.

Dave said there are boulders there.

Christian said that he saw one boulder, and a big gap there for someone to drive over.

Sean said if someone were to drive over that they are going to go through anything you put there. He put some boulders and some trees, if the board wants a commercial grade guardrail put in he will.

Christian said if it something that will prevent a car from going down maybe show a boulder right in the middle gap area.

Sean said he put it in the parking area, but if they want some there then he will put it in.

Christian said you got your will-serve letter from Central Hudson. Do you happen to know the size of the line you are going to be running in.

Justin said he doesn't know yet.

Dave said it would probably be 2-inch.

Franco asked about snow storage and if they are going to lose any parking due to it.

Sean said there is plenty of space to plow it off of the parking area.

**Terrapin > He's Gone LLC: Special Use Permit: 134 Vineyard Ave:
SBL #88.17-8-1.110**

Applicant is seeking a special use permit for mixed use commercial and residential in existing buildings.

Review Status: Public hearing scheduled for March 27, 2025

SEQRA Status: Type II

Sean (Applicant's agent) said that they discussed last time and got permission to limit the project to just building number 1 in the back and as of right now that is just three offices on the second floor and they are asking for permission for a commercial space on the first floor as of yet is undefined, but in order to address this entire building as a whole, there is about 3,000 square feet of open floor space down there. If it was retail it would require 12 parking spaces for that and 5 for the upstairs.

Fred asked if that would be shown.

Sean said it is on the site, which he didn't submit an updated one as there were no changes. The board also asked for elevations and a floor plan.

Fred said as you know, at one point in time Linwood was an out road for the lumber yard. When you get down to where you are it's like 25 feet wide. He doesn't know where the snow storage would be or where the turn around would be and would like to know if that is going to be shown to the board.

Sean said it is all on the site plan. The current access to the site is across the bridge and they are shutting down, until it can be evaluated by an engineer. Ultimately they would like to reopen it, but that would be further down the road. For building 1, has an occupancy of 3 units and retail, so they are asking for access off of Linwood Ave. He received the comment letter from the fire chief and couldn't understand them as it seemed they wouldn't drive a fire truck onto the site.

Fred said there is a problem with the road.

Sean said that they are existing roads and an existing site with buildings that the fire department is saying that they won't serve.

Christian said that there should be an access easement for the neighbor. He would like to see details on the sewer connection.

Paul asked if this was presented to the Town Board and there were any comments back.

Dave said that he brought it up to the Town Board, but there haven't been any formal comments so far.

Paul said if the Town Board is still apt to submit comments then the board may want to leave the public hearing open.

David said it is his opinion that there will be no comment. On the letter from the fire chief he doesn't see that they will not serve. They are asking about the stairs and he knows that it is being addressed. They are asking for a Knox Box, which is what the town requires. He does not think a fire alarm system will be required for this building.

Sean said they do have an easement to access this site from the apartment complex and that the fire department would use that access in an emergency.

Merando, Peter: Special Use Permit: 45 Gabriety Rd: SBL #95.4-2-2.125

Applicant is seeking a special use permit for a ground mounted solar array.

Review status: Public hearing scheduled for March 27, 2025
SEQRA Status: Unlisted Action

Continued Public Hearings:

Vineyard Portfolio LLC: Special Use Permit: 19-25 Vineyard Ave: SBL #88.69-3-5

Applicant is seeking a special use permit to convert former commercial space to two apartments.

Review Status: Public hearing opened February 27, 2025

3509 Corp: Amended Site Plan: 3509 Route 9W: SBL #88.13-2-9

Applicant is seeking an amended site plan to add a food truck on current site.

Review Status: Public hearing opened February 27, 2025

Dave said that the owner has put mufflers on the vacuums and is going to plant evergreen trees in the spring. He mentioned the timer for the vacuums, his sense was that there wasn't a lot of late night occurring there.

Scott said what about the ledge.

Dave said that it is fully wooded.

Lambros asked if the property owner was going to adjust the hours of operation for the vacuums.

Dave said right now he will not. The owner feels that the measures he has put in, the mufflers, he has increased the cleaning time for the vacuums, and then the addition of trees is enough.

Bill said that it has nothing to do with the food truck.

Dave said that is correct, the owner believes that these pieces he is doing is him doing them as a good neighbor. The food truck will have limited noise impacts on anyone.

Franco said that the generators are better today.

Dave said no generator they are dropping a line.

Scott said that they are going to drop a line, but the board should know the location of it.

Dave said it will be underground and go to a panel.

Scott said the service is going to be on pole and come over somewhere.

Dave said it was going to be on a mount and come from the building.

Short-Term Rentals

Nee, Kevin: 400 N Elting Corners Rd

Review Status: Application and supporting documents circulated to board.

SEQRA Status: Type II

Potential Action: Open public hearing.

Kevin (applicant) said that he recently built the house, it is a 3-bedroom, 3-bathroom home and wants to rent it out.

Scott said that it is 3 bedrooms, but you are asking for 8 occupants. The board only allows 2 per bedroom, so it would be limited to 6.

Kevin said that's okay.

Scott said that the emergency contact lives in Gardiner and that is within the range. He asked if the property outline was posted.

Kevin said yes.

Scott asked if there was an address posted.

Kevin said yes.

Scott read the complaint that was put on the property.

Kevin said that he has the lockable cover.

Scott asked was the pool permitted.

Dave said yes, but they have not yet seen the lockable cover.

Scott said that the board will need that before they can do anything else.

Scott asked for a motion to open the public hearing.

Motion made by Fred, 2nd by Lambros.

7-ayes, 0-nays, motion passed to open the public hearing.

Franco asked if this is currently being used as a short-term rental.

Kevin said no.

Franco said that in the house rules it needs to include the no-burning dates.

Kevin said no problem.

Dave said you could add in the house rules to call the building department to see if burning is allowed.

Kevin asked if there was anything he needs to do before next week.

Dave said the lockable cover and that someone has to go out and see it.

Board discussed updates on other projects and short-term rentals.

Motion to Adjourn.