

**APPROVED:**

**MOTION BY:**

**AYES:**

**NAYS:**

**DISTRIBUTION: OFFICIAL MINUTES BOOK – TOWN CLERK – BLDG DEPT.**

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**ABSTENTIONS:**

**ABSENT:**

Certification of Receipt

By:

Wendy Rosinski, Town Clerk

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

**Thursday October 24, 2019**

**CALL TO ORDER TIME: 7:00 pm**

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**    **Present:** Fred Pizzuto (Chair), Scott McCarthy (Vice-Chair), Lawrence Hammond, Carl DiLorenzo, Charly Long, Franco Zani, Lambros Violaris (Alternate), Sal Cuciti, David Barton (Building Department Director), Andrew Learn (Town Engineer), Claire Winslow (Town Board Liaison) Laura Oddo-Kelly (Administrative Assistant to Planning and Zoning), Rob Stout (Land Use Attorney).

**ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS; ROOM CAPACITY IS 49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES.**

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**New Public Hearings**

**Costantino, Paul and Joanne, 30 Bellevue Rd, SBL # 88.17-2-13.100.**

Applicants are proposing a lot line revision to add a vacant 0.83 acre parcel of land to their single family residential lot. The acreage is topographically separated from the residence on adjoining lands of Diana & Paul Costantino and Kathleen Kouri and has been used and maintained by the applicants. The lot line revision will allow for the continued maintenance of the Hudson River viewshed on the applicant's parcel.

**As a Type II Action, no review of the Short EAF was required.**

**The Planning Board set the public hearing on 08.22.19 for the 09.26.19 meeting.**

**On 09.18.2019, the Board was presented with information on a discrepancy with boundary lines depicted on the maps from neighboring property owner Joseph Anzelone.**

**Brooks and Brooks, applicant's representative, have advised the Board that the boundary lines will be consistent with a 2014 Supreme Court decision in the final maps submitted in October.**

Patti Brooks, applicant's representative, said she viewed the revised map with Mr. Anzelone prior to the meeting and she believes they have satisfied any concerns he may have had.

A **Motion** was made by Franco Zani, seconded by Scott McCarthy to open the public hearing. All ayes.

Mr. Anzelone said the only question he had was if the applicant was intending to put a house on the property.

Pizzuto said the Planning Board has no way of knowing what the applicant's future intentions would be. The only decision the Planning Board is making right now is the application for a lot line revision.

Brooks said the Town right now will only permit one single residence per lot but he could at some point come back to the Planning Board to subdivide the property if he chose to.

A **Motion** was made by Sal Cuciti, seconded by Carl DiLorenzo to close the public hearing. All ayes.

Pizzuto read the resolution of approval.

A **Motion** was made by Scott McCarthy, seconded by Franco Zani to to accept the resolution of approval. All ayes.

## **Old Business**

**Auto Zone Retail Auto Parts Store, No# 6881, 3668 Route 9W, SBL# 96.1-4-18.241 in GB Zone. \*\*Adjourned until 11.21.2019 per request of applicant.**

Applicant is seeking commercial site plan approval for a land development project that will consist of a 6,816 sq ft single story structure for the retail sale of auto parts.

**The Board requested more detaile site plan that would include more aesthetically pleasing landscaping.**

**Received final review from CPL 09.23.2019.**

**Resubmittal received 10.01.19**

**The Board is waiting for the traffic study.**

**Cusa, Sal, North Road, SBL# 88.1-4-8.225, in R 1/2 Zone. \*\*Adjourned until 11.21.2019 per Water and Sewer Committee meeting discussion.**

Applicant is seeking subdivision approval proposing to divide lot SBL# 88.1-4-8.225 into 5 lots for single family residences.

**The Board requested a topography map and recommended the property be discussed at the next Water and Sewer Committee meeting.**

**GlidePath Power Solutions, Route 9W, 88.1-3-3.200 in LI Zone.**

Applicant is seeking commercial site plan approval for a lithium battery energy storage system facility at the intersection of 9W and Route 299 that will provide capacity and ancillary services to the regional electric grid.

**Applicant presented preliminary site plan and SWPPP on 09.19.2019.**

**Received final review from CPL 09.23.19.**

**Site plan revised 09.26.19 to reflect individual cells plan per NYSERDA requirements.**

**Revised EAF and siteplan received 10.15.2019.**

**Circulated for Lead Agency 10.15.2019.**

Dave Young and Erin Hazen, applicant's representatives, were present.

Barton asked if there was anything new the Board has not seen yet.

Young said there are changes that the Board asked for from the last meeting such as the fire hydrant and the tree survey is complete.

Barton said to submit everything electronically so Learn can review it for the next meeting.

Zani said the Board had also asked for a noise study.

Young said it is complete and they did it to the nearest property line. He will submit it electronically as well.

Hazen submitted letters of support.

The Board has to wait 30 days for Lead Agency information to be received before issuing the negative declaration but decided to set the public hearing.

A **Motion** was made by Scott McCarthy, seconded by Sal Cuciti to set the public hearing for December 5, 2019. All ayes.

Barton said he would email the plans to the Fire Chief.

**Joyful Moments Childcare, LLC, 620 New Paltz Rd, SBL # 87.10-6-6, in R ½ Zone.**

Applicant is seeking a special use permit to relocate a childcare business to a new location.

**Applicant submitted a more extensive site plan 10.17.19.**

**The Board anticipates setting a public hearing on October 24, 2019 for the December 5, 2019 meeting.**

The Board read and discussed the negative declaration.

A **Motion** was made by Franco Zani, seconded by Scott McCarthy to accept the negative declaration. All ayes.

A **Motion** was made by Larry Hammond, seconded by Franco Zani, to set the public hearing for December 5, 2019. All ayes.

**Law, Ryan, 65 Hawleys Corners Road, SBL# 79.4-1-12.200, in R1 Zone. \*\*Adjourned until a revised plan is completed with the ZBA.**

Applicant is seeking a special use permit to allow an accessory apartment in part of a detached garage to be constructed in the front yard of his parcel. Applicant is seeking an area variance simultaneously from the ZBA to construct the building in the lower front yard.

**P WE Holdings, LLC, Route 9W, SBL # 88.1-4-8.222 in GB Zone. \*\*Adjourned until 11.21.2019 per request of applicant.**

Applicant is seeking commercial site plan approval to construct a 6,300 square foot catering hall/banquet facility on a 9.34 acre parcel of land located on Route 9W, southerly of North Road and northerly of Grand Street.

**The Board requested a grading plan.**

**RTH Realty Holdings, LLC, Upper North Road, SBL# 80.3-1-16 in LI Zone.**

Applicant is seeking commercial site plan approval to construct a 12,000 sq ft warehouse and office space building with associated parking and loading area. The proposed multi-use passive building is intended to be constructed on a 3.4 acre vacant parcel.

**The Board requested a 3D model of the building.**

**The Board anticipates setting a public hearing on October 24, 2019 for the December 5, 2019 meeting.**

The Board read and discussed the negative declaration.

A **Motion** was made by Franco Zani, seconded by Scott McCarthy to accept the negative declaration. All ayes.

A **Motion** was made by Framco Zani, seconded by Sal Cuciti, to set the public hearing for December 5, 2019. All ayes.

**Stewart's Shops Corp, 3733 Route 9W, SBL# 96.9-1-33.100, in HBD Zone. \*\*Adjourned until feasibility and traffic studies are completed.**

Applicant is seeking commercial site plan approval proposing a new typical Stewart's Shops convenience store (3,850 s f) with self-service gasoline.

**Received final review from CPL 09.23.2019.**

**The Board is waiting for the feasibility and traffic study.**

**The Views at Highland, 3715-3725 Route 9W, SBL# 95.2-2-12.100 & 95.2-2-12.200 in HBD Zone. \*\*Adjourned until 11.21.2019.**

Applicant is seeking commercial site plan approval to redevelop property at 3715-3725 Route 9W (SBL 95.2-2-12.100 & 12.200) for a mixed-use commercial and residential development with related parking and landscaping. The applicant proposes to construct two mixed-use buildings comprised of retail and office space on the first floor of each building and twenty-two apartment units located on the upper two floors in each respective buildings. In accordance with the Town of Lloyd Zoning Code Section 100-36D, ten percent of the proposed residential units will be designated as below market rates.

Pizzuto said they are in receipt of a letter from "The Views in Highland" late this afternoon and will defer to counsel for advisement.

Stout said the letter is essentially a request to have the public hearing on December 5, 2019 citing the progress that has been made. Applicant will be submitting additional information on November 12<sup>th</sup>. Stout said he sees it fitting not to schedule the public hearing at this time in order to have counsel and the Town engineer to review said information. Additionally, he believes there are substantial pieces of information concerning the project that still need to be submitted, reviewed and addressed.

Pzzuto said he had a conversation with Stout prior to the meeting in where he felt that that the Planning Board and ZBA have been pushed immensely with information at the last minute. He advised Odde-Kelly to send the submittal schedule to all applicants to strictly adhere to as there needs to be time for counsel, Planning Board, and the Town engineer have time to review.

**The Village in the Hudson Valley, 3679 Route 9W, SBL#'s 95.12-1-5 & 15.1, 95.2-2-3.21, 9 & 10 in R1/2 Zone. \*\*Adjourned until 11.21.2019 per request of applicant.**

Applicant is seeking commercial site plan approval for a proposed Continuing Care Retirement Community and a lot line revision to consolidate and reconfigure five parcels into two parcels.

**Informational Meeting was held on 08.22.19 at the Highland Fire House.**

**New map sets and preliminary review comments to CPL received 10.21.19.**

A **Motion** was made by Scott McCarthy, seconded by Franco Zani to adjourn. All ayes. 7:23 PM.