

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

**Thursday, February 15, 2024**

**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, Lambros Violaris, Gerry Marion, Fred Pizzuto, Bill Meltzer (via Zoom), Mike Guerriero (Town Board); Board Staff: Dave Barton, Paul Van Cott (via Zoom), Andy Learn (via Zoom) and Sarah Van Nostrand

**Absent:** Board members: Franco Zani and Carl DiLorenzo

**Minutes to Approve at the February 22, 2024, meeting**  
January 18, 2024 & January 25, 2024

**ZBA Referrals**

**DePuy, Trevor**

Dave said that this is a lot off of Falcon Drive in the Pleasant View Subdivision. An email went around today about previous maps possibly restricting subdivisions that does not exist. Originally the applicant went to the Zoning Board with the map shown. The lot is 10 acres, and the owner of the primary lot wants to subdivide a parcel off for his brother. There was some neighbor opposition, the Zoning Board reviewed it and denied the variance. They have since amended their application and are back before the Zoning Board, the primary change is that the homeowner in the front was worried about buffering. Was concerned about where the original house was located and how close the septic field was. On the new map much more distance a 50-foot setback, its already has trees, the house has been moved back and further away. It takes the whole discussion about visual impact out of the equation he thinks. This is something that he recommended to the board at the last Zoning Board when they denied the project. It will be a shared driveway coming out with a T-turnaround. He thinks this is a good solution for the owner to carve out a piece for his brother.

Patti (applicant's agent) said with regards to the shared driveway, right now it is a shared driveway with the adjoining landowner, the reason you are seeing a new red line on the map because Travis Klemm (neighbor) will be conveying that property to Trevor DePuy (applicant) the two 25-foot strips will be owned by the DePuy brothers, instead of one of the 25-foot strips being owned by Klemm and he will be putting in a separate driveway in on Falcon Drive.

Dave said that the driveway is in.

Patti said it is in and is currently being used by the landowners.

Dave said that Klemm's new driveway is in.

Patti said it was recently installed after she did this survey map, which is why it is still shown as being proposed on there. Previously there were two dwelling units sharing that driveway and there still will be only two dwelling units using that driveway.

Dave said that the Zoning Board will be looking for Planning Board specific comments to be referred back to them. He has nothing negative to say about this, he thinks this is a good solution, it's a 10-acre lot and one brother can help another brother, he is all for that.

Patti said the concern of the front neighbor is that it is a very mature wooded with deciduous trees. Obviously during the wintertime, it is more bare, the applicant is willing to take out some of those large trees and replace them with evergreen trees, to create a better if that is what the Planning Board and Zoning Board determine best suits the property. She always hates taking mature trees down, but right now if they try to plant evergreen trees in between those existing deciduous trees, everyone knows that won't work.

Scott said that was one of the comments on the denial was the buffer.

Dave said the buffer was the issue because the trees would have been cut back so close to the line. The neighbor in the front has cleared almost all the way to the line. In this case he feels the applicant is offering more and it seems there is no middle ground for the neighbor in the front. This applicant, in order to help this application along is giving that additional buffer. He wouldn't recommend cutting any of those trees, except the dead and diseased ones, otherwise they are old trees.

Patti said the applicant is also willing to put up some fencing to help and then they necessarily won't have to cut trees down.

Fred asked is there only one property owner in front of this property.

Patti said there are two. The landowner Sisilli (Neighbor) hasn't expressed any concerns or issues with it. She submitted a map to the Zoning Board that shows distances on an ortho map basically the house that is being proposed will be approximately 300-feet away from Roosa (neighbor), the other three houses in close proximity to the Roosa house, the one to the north is 250-feet, the one to the south is 190-feet, and the ones across the street are about 340-feet.

Fred said this is going to be new to the Zoning Board.

Patti said that the Zoning Board has seen all of this and had the public hearing last week, but they wanted feedback from this board first before proceeding.

Scott said it seems much better off than it did before. He would recommend more trees as the buffer is something that the board should consider for the other houses in the area.

Gerry said they had the public hearing last week at the ZBA.

Patti said yes they did.

Gerry asked if there were any comments on the project.

Patti said that Roosa was saying that his preference would be to have no subdivision and no additional houses.

Scott said that feels the buffer should be enhanced to make it a little more private, even though the neighbor cleared to the property line, he doesn't feel it should fall to the applicant.

Patti said that the Zoning Board would make a recommendation that as part of the subdivision process that the Planning Board determine what an appropriate buffer is.

Gerry asked has anyone seen it.

Scott said he hasn't gone out there yet.

Gerry asked are there any wetlands on the property.

Dave said no.

Charly said if you start cutting down the trees and planting evergreens, it will be awhile before you get a buffer.

Dave said he wouldn't call this acidic soil, so they will have to see how well evergreens will make it.

Patti said that is why naturally the hardwoods are growing.

Lambros asked if the elevations were about the same on both sides of the property line.

Patti said the elevation of Roosa's house is about 460, and the elevation of the proposed house is at 456, so the proposed house will be 4 feet lower.

Lambros asked what type of fencing is the applicant proposing.

Trevor said whatever type of fencing you would prefer. He prefers the natural buffer which is why he is going with the trees.

Patti said the other thing that the neighbor asked them to look into was whether or the septic system would be able to be placed in a different area. What she is not sure about is that there is a 100-foot-wide buffer in the back, and she is not sure what the restrictions are of what can be done in the buffer zone, she assumes that it is not to be cleared, so they are limited in where they can place it. They can potentially place depending on soil testing, the septic system in the back of the house depending on the soil, but then the house would have to be moved slightly and put it in closer proximity to Roosa's house which they are trying to avoid.

Scott asked what is the distance between the septic system and the property line.

Patti said 50-feet.

Gerry asked if there are any wells on the other properties.

Patti said to the south is just farmland 100-feet away, and there is just one house in the back.

Andy said most of the comments he had have been addressed with the driveway. He does want to ask has any soil sampling been done in regards to the septic system.

Patti said no, she has the septic system shown on here, where it was located in the original subdivision. This was a lot in the original subdivision before the lot consolidation was done.

Andy said he is familiar with the subdivision and he knows that the soils were not ideal and moving them around too much might be a problem, but if you are using the original location that's a good thing.

Scott asked when was the original.

Patti said 2007, she believes.

Charly said at that time there was Board of Health approval.

Scott asked would it have to be reinstated or not.

Patti said absolutely because that was done in 2007 and in 2019, they did the lot consolidation, so this requires Board of Health approval.

Scott said soil testing is something that you will be checking into, in order for this to be approved.

Patti said yes, once they get through the ZBA and they feel comfortable that it will be going through, but to go through the expense of septic testing at this point without knowing.

Paul said that he would just report that in terms of the application he doesn't think that there are any feasible alternatives to the flag lot. That is one relevant consideration for the ZBA in terms of if they grant the variance. It does seem like it will come down to the impact on the neighbors.

What the ZBA is looking for from the Planning Board is your comfort level to their granting the variance for the flag lot recognizing that the project will be coming to the Planning Board for review and additional environmental safeguards.

Gerry asked the only thing in question was the buffer zone.

Scott asked if he had received a copy of the ZBA resolution.

Gerry said the only thing they are looking at is the subdivision of a flag lot and the buffer zone.

## **New Business**

### **First Presbyterian Church of Highland: Subdivision: 26-28 Church St: SBL #88.69-1-9**

The applicant proposes to separate the manse from the church. No new construction is proposed and there will be no changes in use. Off-street parking will be retained for residential use as currently in place. Individual water and sewer connections will be ensured for each lot so there will be no shared utilities.

Review Status: Application and plans circulated to the board.

Patti (applicant's agent) said that this is a proposed two lot subdivision to separate the manse from the church. The church is serviced by natural gas and the line is shown on the plans. The house has a furnace with fuel oil. Right now, there is a water line shared, so they are going to have to put a new separate water line in. She believes it goes from the church to the house, so they are going to put in a separate water line. The applicant believes that the septic lines are separate. She has been in contact with the water and sewer department, to isolate that, so that if they are together, they can be separated. They cannot go to far with the Planning Board at this time because they do not have the rear yard setback required for lot number 1. A 25-foot setback is required, and they have 16.9-feet, so they are looking for a referral to the ZBA for that. That is the only variance that they require. There is no side yard setback, but they did maintain at the closest point the back of the church is 13.2 and the front along Church St is 8.6.

Charly said 8.6 is allowed.

Patti said yes, it's 0, in this zone the side yard setback is 0, but the rear yard setback is 25.

Charly said that's why the 16.9 is a problem.

Patti said yes.

Andy said that Patti answered his first question about the water and sewer services, he would like to see that on the map. He has questions about the access to the driveway at the rear of the house

on lot 1. He sees that there is a prescriptive easement, with the property to the north, he was wondering if there is any additional information on it.

Patti said the applicants on both sides of the property line have hired title searchers and she did her own deed research. There are no deeded recorded easements although everyone recognizes the fact that they have been utilizing it that way in excess of 70 years, which is why it is a prescriptive easement. The property owners are in conversations now, the neighbor doesn't have a problem with it being used, they are trying to resolution of filing some type of document so that the old library property is held harmless, so that there are restrictions on it because of the overhang there you cannot have large trucks going in the back. One of the other options is to potentially putting one parking space in the front, there is a big, beautiful evergreen tree there that is probably at least 60 feet tall.

Paul said that the board can refer this to the ZBA. He suggests that the board wait to see if the property owners could come up with something for the easement instead of taking a really nice tree down.

Patti said she is having some issues determining where the water and sewer lines are, but she didn't want to delay moving it forward.

### **Prizzia, Anthony: Special Use Permit: 14 Lily Lake Rd: SBL #87.2-1-9.224 & 87.2-1-9.110**

Applicant is seeking a special use permit for a timber harvest.

Review Status: Application and plans circulated to the board.

Anthony (applicant) said that the Donaldson's (neighbor) asked him to represent them as well. His forester said that they are about 5 years overdue for a harvest and that it is the best thing to do for the canopy. When they are done, they want to connect the logging trails together to make a boy scout hiking trail.

Andy said that he has some questions related to the EAF for clarification. He would like to know more about the wetland crossings.

Anthony said that they are not harvesting in or in the wetland buffer zone. All the trees are clearly marked. The crossing will only be allowed on the driveway which was a part of the DEC approved crossing.

Andy asked if the existing crossing is able to support the equipment.

Anthony said that the driveway is approximately 25-foot wide, so 2 cars can pass. They did that in case they were going to build it and put a town road in they made sure they did it to town specs, so the base right now is town spec for a road surface.

Andy said that the main concern when doing a timber harvest is when the log trucks leave the site and would like to know how the logger plans on keeping the roads clear. Typically, if it was a construction entrance, they would have the entrance stabilized.

Anthony asked if he means them parking on the town road.

Andy said how they are going to load the trucks and leave the site.

Anthony said loading and temporary storage areas are all going to be on the property close to the current driveway. As they are coming in their loaders will load on their driveway and will have holding areas adjacent to it. There should be no impact closest to the road.

Andy said the tires are the issue, he would like a sketch to show that.

Anthony said that the equipment going into the woods has to be trucked in, which will be going in on their driveway, which is large enough and all stone. If as they are pulling out any trucks that are leaving their property will be travelling on stone not mud or grass. He said he can make sure that there is no mud or debris that leaves the property. He believes that it will be minimal because all of that will be done on a stone driveway that is not a muddy issue.

Charly said the log loaders will be stationed on the driveway.

Anthony said yes, from what he was told by the foresters, they take them and skid them to the driveway. The trucks that will be taking the logs from the site will not be touching any dirt or mud.

Charly said that they usually require a tracking pad, but you don't even need one.

Anthony said that he has no problem making that a provision. If they do they will have to come back and clean it up because he wants to make sure the neighborhood looks good too.

Scott said that is what the board requests during this type of project.

Paul said that it appears the property is in a spilt zoning district it is in the DB and R-1 residential districts. He would like clarification on where the timber harvesting is to be done because one of those districts' timber harvesting is not allowed and it may need a use variance. In terms of the application, a forest management plan is required to be submitted. Some of the information missing is relevant to SEQRA as this is an unlisted action, so the board will need to make a SEQRA determination. There are potential impacts to wetlands, the impact of the crossings. The wetlands are not DEC, so he is wondering if this is something that the Army Corp needs to know about, is it permitted.

Anthony said that there is no commercial property being harvested, it is solely residential, and it is shown clearly in the application and the sketch. The property itself has been harvested three times in his lifetime with help from the DEC. The DEC helped them and improved their crossing and that is the only crossing that will be allowed by the loggers. To the point of protected

animals and plants, the forester on site said there are no endangered animals, there are no frogs and there were no kinds of trees or shrubs that would hinder a timber harvest.

Paul said those are all good, they were just gaps that were found during review, and it might be information that the board would need from agencies involved.

Anthony said if any of the board members want to come out walk the site with him, they are welcome to. The only reason they are doing this is because the DEC and his forester said that they are 5 years overdue to what's right for the canopy.

## **Laughing Fork Farms: Special Use Permit: 690 New Paltz Rd: SBL #87.1-2-1**

Applicant is seeking a special use permit to host events at their farm.

Review Status: Application and plans circulated to the board.

Jared (Applicant) said that they are seeking a special use permit to host specific events at the farm. They have a nice 19th-century barn on the property that isn't really being utilized right now. When they bought the property, they thought it would be a good use for the barn.

Andy said that the County Health Department needs to be contacted regarding the use of temporary bathrooms, he is not sure that will work for the event facility. The site plan needs to be done by a licensed professional. He wants to know what is going to be built as it appears to just be a parking area, but he needs to see the limit of disturbance. Traffic impacts need to be looked at as 200 people will increase the traffic in the area. ADA accessibility needs to be addressed in terms of access to the building, parking, loading zones. There are off-street parking requirements that need to be addressed in regards to screening, location of the parking area, landscaping, lighting. He is looking for vehicle access turnaround specifically for the barn in the back. Refuse location and enclosure need to be shown. The topo needs to be identified in 3-foot intervals. He needs to see any proposed grading.

Paul said that staff will have to look into the zoning side of the project and will report back to the board next week.

Fred asked where on New Paltz Rd is this property.

Scott said it was the old Castle property. He asked if it was the big barn or the little barn next to it that.

Haley (Applicant) said the big barn.

Scott asked if they were using the little barn also.

Jared said yes, that is where the farm store is and he has had it for a couple of years.

Scott said the downstairs part of it where all the stables were, you are not doing anything with that.

Jared said no.

Haley asked you mean the little barn next to the big barn.

Scott said there are two barns there are you going to use the second barn.

Haley said no.

Scott said that at one point it was dressed up as a wedding or something like that.

Haley said they have the store at the little barn in the front.

Scott said there is nothing downstairs, he knows it was white painted, he doesn't know if it was lead paint, it looked like it was all peeling apart.

Charly said there are a lot of structural issues with it because it is a pretty old structure.

Scott said he is sure the building department would take a look at that before they do anything. He mentioned that they are concerned about the noise due to the close proximity to the neighboring properties.

Fred said it looks like there is a lot of buffering going to the west.

Scott said then there is all that space to the east side of it.

Charly said that large barn in the back there is no septic service to it correct.

Jared said no, but there is a well, so it has water.

Scott asked what would you be doing with the barn on the other side, as he is concerned with the safety of that barn as well.

Jared said they don't have plans for that right now.

### **Conte, John: Special Use Permit: 225 Martin Ave: SBL #79.2-2-10.110**

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

Review Status: Application and plans circulated to the board.

### **Public Hearings**

### **Murphy, Joshua: Special Use Permit: 6 Christopher Ave: SBL #88.69-6-7**

Applicant is seeking a special use permit to convert the garage into an accessory apartment.

Review Status: Public hearing set for February 22, 2024.

**Sabuda, Robert: Special Use Permit: 67 Black Creek Rd: SBL #79.2-1-24.200**

Applicant is seeking a special use permit to create a 2-family home above artist studios.

Review Status: Public hearing set for February 22, 2024.

**Continued Public Hearings**

**Highland 9W Self-storage: Special Use Permit: 3659 Route 9W: SBL #95.2-2-34.110**

Applicant is seeking a special use permit to install a roof-mounted solar array.

Review Status: Public hearing opened on January 25, 2024.

Potential Action: Close public hearing, approval resolution.

\*No public comment\*

Scott asked for a motion to close the public hearing.

Motion made by Fred, 2<sup>nd</sup> by Lambros.

5-ayes, 0-nays, motion passed to close the public hearing.

Paul read the resolution.

Scott asked for a motion to approve the resolution.

Motion made by Lambros, 2<sup>nd</sup> by Gerry.

5-ayes, 0-nays, motion passed to approve the resolution.

**SCC Holding Corp: Site Plan: 104 North Rd.: SBL #88.1-4-24**

Applicant is seeking site plan approval to build a duplex (two-family dwelling).

Review Status: Updated plans circulated to the board; public hearing opened December 7, 2023.

Sal (Applicant) said that he made changes to the site plan based on comments from the last time. Pete Miller (Fire Chief) made a recommendation, to add a turnaround for the fire trucks. There were questions about the double cleanouts and are shown on the plans. The stone lined ditches are shown on the plans and the limit of disturbance is on there as well.

Scott said you did work and the project was not approved yet.

Sal said they made changes from the comments.

Scott said you had the septic line already in the last time you were at a meeting.

Sal said yes, the town installed it with him and it was approved by Adam (Water & Sewer Administrator).

Scott said the board did not approve it though. He shouldn't do anything until the board says yes to your project.

Gerry said in his defense the town was there was him.

Scott said that the board is setting policy and wants to make sure that it is done correctly, so it doesn't come back and hurt the board. He said that the driveway has changed again.

Sal said the driveway is at 10%.

Scott asked if it met all of Pete's requirements.

Sal said yes, he sent a letter and he sent it to the engineer and they designed the turnaround and everything for the ladder truck.

Andy said that the driveway profile when it transitions from North Rd to the driveway it goes from 2% to 10%. The fire chief provided a diagram of the truck, they need to make sure that the ladder truck isn't going to scrape when it makes that transition. He asks that the engineer checks that to make sure that the transition is gradual enough, that the fire trucks can make it. They are seeing grading that crosses the property line, he understands that the applicant owns that property next door, but they still need to see an easement or something that allows it to happen. The culvert shown at the end of the driveway along North Rd he is not sure how that will work based on the grade that they show now, so he needs a little more clarification. The double cleanout needs to be reversed, the y's need to be facing each other.

Scott asked if they were in already.

Sal said no.

Charly asked if he understood how the cleanouts needed to be installed.

Sal said yes. As for the other comment the three lots were approved, it was approved with a grading easement for 104 and 102.

Charly said that whole line isn't in.

Sal said no it's off the road, into the property. If he was just going to build a single-family home, he couldn't bring his water & sewer across to make it more valuable to his property.

Scott said he's not saying you couldn't do it, you would need approval.

Dave said not from the board because it would be a single-family dwelling.

Scott asked who does that.

Dave said it's a building permit.

Scott said his concern was that they didn't get too far ahead of it.

Paul said that procedurally it's a type II action, it would require a county referral, then once board has enough information a public hearing could be scheduled.

Andy said at the very least he needs to see that the fire truck can make it up the driveway, once he receives that he is okay with moving forward.

## **Old Business**

### **The Villages**

Review Status: Updated plans and response letter circulated to the board.

John (applicant) gave an overview of the process and plans. He mentioned that nothing has really changed since the board reviewed the overall site plan. The only change according to Ken (a part of the applicant's team) is that there were some stormwater changes that CPL had requested. He thinks it had to do with adjusting some spreaders, clarifying a chamber, and making sure the notes were consistent and to clarify the separation of the phases. In the set that was provided back in January included a larger scale version focusing on phases B, C1 and C2, specifically in regards to the landscaping and lighting plans. He feels that is what the board is going to focus on in respect to phases B, C1 and C2. They did make a supplemental submission for phases B, C1 and C2 in regards to CPL's comments, they have responded to the comments. They hope for a conditional approval, so they work on those conditions to move forward.

Dave said they are stepping through the conditions for the overall site plan he thinks they are very close. They submitted a check list of stuff they have submitted to the town. What the applicant will do is their piece to get through the overall site plan and phase A. What the board will drill down into the lighting and landscaping for B, C1 and C2. What he will ask of the applicant is that in the overall plan they have each section of the phasing blown up in the plan, for landscaping they can drill right down, he thinks that maybe the board can use just a single sheet. The lighting appears to be compliant as he did a quick review of the photometrics. He mentioned that on the landscaping plan there

should be a key for what symbol is what kind of tree.

Fred asked if the baby blue color on the map was phase A.

Dave said yes that is phase A and he currently has building permit applications for the model houses.

Scott said can the phasing key be added as well, so everyone knows what phase they are looking at.

Dave said that the plans that the board reviewed for the types of buildings, is not what came in for the building permits. The ones the board reviewed have tiny porches, and the ones for the permit have porches running the length of the building.

John said this is for the models.

Dave said yes, if this is the case with the rest of the buildings. Anthony (Building Inspector) was reviewing the plans and noticed that the porches were bigger than anticipated and asked the question.

Charly asked are the porches covered.

Dave said yes, they are covered. On one side the porch runs all the way across, no setback. On the other side it's enclosed, so there is no porch.

Scott said he doesn't care, it doesn't make much of a difference does it.

Dave said he liked the porches because they always envisioned that people would sit out there and chat with each other.

Gerry asked how far apart are the houses, they should be pretty close up there.

Dave said not too close, the closest one he believes is 11-feet.

Scott said that there were maybe 6 on the entire site that were under 10-feet, they were 7 feet and change.

Fred asked how many houses were in each phase.

John said it is in the resolution of approval that was done back in August. There are 21 in phase A, 17 in phase B, C1 has 23 units, C2 has 19 units. That is not changing.

Dave said do you care about the type of buildings with the enclosed side and wider porches.

Scott said it was sold to the board that they could sit out there and talk with each other,

but he doesn't care.

Lambos said no difference to him.

Charly said the porches now that they are enclosed is the roof line all still the same.

Dave said it will basically look the same, the one side the porch extends out and that's where the door is and it sits outside of the building a bit on the other side it is a regular gable end. It will look nice, they just didn't want to act without the board being aware.

Bill said there is no significant difference.

Dave said they are exactly the same houses, it's just that they are different than what the board saw.

Scott asked is that going to be for every duplex.

Dave said he hopes that as the project advances that they will change and that they won't get the same exact 3 or 4 models all the way around. They will all be one-story, but maybe they will get some changes to break it up.

Board is okay with the changes.

Gerry asked wasn't there some linkage between the buildout and traffic signal and sidewalks.

Dave said that is correct. They cannot get a Certificate of Occupancy in phase A until the traffic signal is in. At this point the board's concerns should be about phase B, C1 and C2. The board has the opportunity to go deeper into the plans and can add conditions and make changes if needed.

Paul said that the board has phases B and C in front of them and they should look it over and see what changes have been made since the project was approved and to look more closely at the landscaping plans. The idea is potentially next week if the board is comfortable to schedule a public hearing on this for March. They can get what they need back from the applicant and talk about any conditions the board may want to include in an approval resolution. One of the things that has happened here is that the phases have become a little more compressed as time has passed and they have been working on getting the conditions complied with for the overall site plan and phase A. As Dave suggested they are pretty close to that, the overall site plan is ready for the chairman's signature. For phase A the only condition left is CPL's signoff, so they are ready to move forward into B and C. When they get beyond B and C to make sure that the assisted living facility is permitted and ultimately built, so that they have a complete project.

Fred asked that is past C is the permitting.

Dave said they have applied to the state for the permit for the ALF. They can build it anytime they want. It is a hard stop at the end of C.

Paul said just as at the end of A there is a hard stop until they get the traffic light installed.

Scott said if they do a public hearing, they can condition what the public hearing is about because they don't need people speaking to the yea or nay of the project, its more about the lighting and landscaping, so they keep it focused to just that.

John said he doesn't see the requirement for a public hearing, obviously it is up to the board to decide. What they are proposing is exactly what was approved back in August of 2023. If the board does decide to do a public hearing then it should be focused or they will just hear the same stuff they have the last 4 years.

Scott said every time you come before the board again, can you give an overview of what has been done up until the point of you coming in and asking for a new approval. This will help the board stay focused on what has been done and what the board is focused on approving.

John said that is why the focus is phase B and C and why he gave the board an update on where they are at. As far as the construction component Kelly (a part of the applicant's team) can update that next week. He does know that they have stopped as they have done everything they could.

Fred asked if the roads were roughed in and if there was a way to get up there.

John said yes, but he is not sure how far up.

Dave said he drove up there, but he got his truck pretty dirty.

John said Kelly can update the board next week.

Paul said that the idea of the public hearing is to make sure that the public is aware that they are not doing anything behind the scenes, but also narrowing the public hearing in the notice because this is an approved project, and they are just focused on looking at B and C is entirely appropriate. The board's role is to look at the details for each phase and make sure that they are comfortable with and maybe require some additional plantings, that sort of thing specific to the individual phases, so that as the project comes together it will fit the overall vision that the Planning Board had of it.

Andy said they have had a chance to look over the B and C submissions and most of their comments have been addressed. They still have questions about the emergency turnarounds for phase B. He said that Ken did make some revisions for him regarding stormwater, but he is still looking for calculations to support those changes. There was

also a question about a bus stop, but he guesses that UCAT won't go onto private property, which is understandable.

Dave said they wanted the bus to pull into the site in front of the ALF.

Scott said he thought they discussed that.

Dave said they are not going to.

Scott said they won't stop anywhere off of 9W.

Dave said no, it needs to be a place that is safe.

Charly said UCAT stops by Speedway and there is one on 9W up by the Mobil station, he has seen people get on and off.

Dave said they will stop anywhere if you flag them down.

Charly said he thought there was a post.

Dave said he will take a look.

**Reynolds, Mark: Special Use Permit: 235 Hawley's Corners Rd: SBL #79.4-1-30**

Applicant is seeking a special use permit to legalize an accessory apartment in the basement.

Review Status: Updated plans circulated to the board.

Dave said he asked to remove himself, the last email conversation he had stated that he will be getting engineered stamped plans.

Scott said the board asked for them back in August.

Dave said that is correct. There was a submittal in January that was sort of an updated version of what was submitted in August, but they were not engineered stamped plans.

Scott said this is the same property that is in question for the accessory apartment that is illegal at this point.

Dave said that is correct.

Scott said and for the special use permit for the STR.

Dave said if you recall at the August meeting, there was a conversation about applying for a two-family because the board was uncomfortable with the square footage because they didn't know exactly as they were not engineered plans. He send him an email that said once he has engineered plans and the board knows the exact square footage the Planning Board could refer it to the Zoning Board for that area relief if he decides to go for an accessory apartment. If he didn't want to go for an accessory apartment, he could apply for a two family and have the board review it now without the accessory piece.

Scott said so he is in violation twice. The reason he is making this point is that other people have STRs that didn't come in and do what they are supposed to, to comply with the law. This is a delay that has been going on since August and he is still renting the apartment out.

Dave said as far as he knows.

Scott said that he has seen it on the websites and have seen the replies and recommendations from other people. He is in violation, he shouldn't be doing that what so ever. The board has told him that he is violation because he has an accessory apartment and a STR as neither have been approved. He does not know what the building department can do about it. The board has asked him for stuff clearly and have not received what they need.

Dave said the enforcement action pauses when they apply, this was an ongoing thing with another applicant. The enforcement action was paused, hoping that this would be resolved though the board's review. That is not an open ended gift to take as long as you want, he is aware and told him that he will put on the agenda in March.

### **Short-Term Rentals (Public Hearings)**

#### **Law, Ryan: 65 Hawley's Corners Rd.**

Review Status: Application and supporting documents circulated to the board.

Ryan (applicant) said that he is seeking a short-term rental special use permit for his property. The area is in the basement of his house and has a separate entrance. He believes he has satisfied everything that the board requires.

Scott asked is it just one room.

Ryan said it is just one room. The basement when he built the house, the basement is split in half. One half is an unfinished garage, and the other half is a finished room with a full bathroom. It is kind of like a studio setup where it is all one room which is separate from the house.

Scott said it is pretty much a studio.

Ryan said yes.

Bill asked if there are windows in that space.

Ryan said it has its own entrance, when you pull up to the house, you can basically park next to your front door that is at driveway level. You go in and then you have an egress window to the left of the door when you walk in.

Dave said the window wouldn't be required as there is a door.

Scott said one or two guests.

Ryan said it is limited to 2 yes.

Scott asked for a motion to open the public hearing.

Motion made by Gerry, 2<sup>nd</sup> by Lambros.

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

\*No public comment\*

### **Coakley, Sean & Mary: 241 Chapel Hill Rd.**

Review Status: Application and supporting documents circulated to the board.

Sean (applicant) said that they live in Yonkers and have had this property for over 20 years, come up here on the weekends, but it is tough to get up to the area often. Instead of the house being empty they decided to try something else.

Scott said is there 4 bedrooms.

Sean said yes.

Scott said up to 8 guests then.

Mary (Applicant) said 6-7 guests max.

Scott said he wants to make sure it is correct on the application, but he guesses that they will be good up to 8 guests. He asked if they have someone who maintains the property.

Sean said yes he has landscapers, Foxx Pools takes care of the pool, they have a person who comes in and does a meet and greet and are also there if something happens.

Scott asked how far away do they live.

Sean said Poughkeepsie.

Mary said she checks their ID to make sure they are who rented the house.

Gerry asked if they had to be stamped plans.

Scott said not on these. The board typically hasn't had stamped plans for these because it is a property that has been there and they are not asking for anything else besides having someone else using the property.

Gerry asked is the board asking for stamped plans or not.

Scott said not in this case.

Dave said the board hasn't asked for them for short-term rentals, accessory apartments, multi-family that kind of thing the board has. These are all buildings that already have a CO, an accessory apartment would not.

Scott said that he would suggest that they mark the boundary of their property, so people know where the property lines are. Is there are sign that states where the property is and what it is. You have ample parking in the driveway.

Mary said yes.

Dave said their house rules comply with everything including the water watcher. It is a nice driveway and a nice house.

Scott asked for a motion to open the public hearing.

Motion made by Charly, 2<sup>nd</sup> by Lambros.

All ayes, motion passed to open the public hearing.

\*No public comment\*

**Motion to Adjourn.**