

APPROVED:

MOTION BY:

AYES:

NAYS:

SECONDED BY:

ABSTENTIONS:

ABSENT:

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By:

Rosaria Peplow, Town Clerk

MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, July 27, 2017

CALL TO ORDER TIME: 7:00 pm

PLEDGE OF ALLEGIANCE

ATTENDANCE **Present:** Dave Plavchak, Lawrence Hammond, Fred Pizzuto, William Ogden, Nicki Anzivina, Debra Dooley, Scott McCord, Peter Brooks, Carl DiLorenzo, David Barton; Building Department Director, Jeff Paladino; Town Board Liaison; Ray Jurkowski, Morris Associates.

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

Public Hearing

Beer Universe, 1-3 Haviland Rd, 96.1-1-29.100, in GC zone.

The applicant would like siteplan approval to construct a retail store for his Beer Universe business. The retail/service will be 5,750 sq. ft. and the warehouse-wholesale sales/storage portion will 1,000 sq. ft. The applicant is proposing 24 parking spaces, creating new sidewalks and site landscaping.

Ulster County Planning Board comments received. Recommendations were of landscaping. UCPB stated “ While the overall landscaping for this site is significantly upgraded overall, its application does not appear to be consistent over the entirety of the site plan. Required modifications were: “Where practicable, additional landscaping, in form of street trees where possible, should be provided along the North Roberts Road frontage and low-lying landscaping should be provided in conjunction with the proposed monument-style sign.”

Plavchak asked, after reading Andy Learn’s letter dated July 26, 2017, if the Planning Board had ever received the maintenance agreement concerning the sidewalks.

Khattar Elmassalemah, Praetorius and Conrad, P.C. and applicant’s engineer, said they do not have that as of yet but the applicant’s attorney is working on it.

Plavchak said that would be a condition of approval as well as the grant easement. He inquired whether they had the turning radius yet.

Elmassalemah responded he has not been able to contact the fire chief but that he has prepared one of his own.

Patti Brooks, Brooks and Brooks Land Surveyors, said she could supply Elmassalemah with a template for the turning radius.

Barton said the issue with that is one of the fire trucks has an articulated swing over the front axle.

A discussion ensued on the particulars of the turning radius.

Plavchak said he received a letter of waiver from the applicant regarding the stipulations required to be in the Gateway Corridor.

Ogden said that the Planning Board is looking for more detail for the side walk lighting.

Ray Jurkowski, Morris Associates, said it is just a waiver of the lighting level.

Plavchak said that that was acceptable to him. The last issue was the perimeter landscaping on the west side by Roberts Road. The applicant said he could not do it but there is actually a lot of room in the overall parking lot. Plavchak asked if there was any way to remove the back parking lot.

Elmassalemah said budget wise there are no plans to remove that parking area.

Barton said it may require modification.

There was a discussion on Andy Learn comments about removing four feet out of that area of the parking lot.

Peter Brooks and Dave Plavchak both commented that if the four feet were removed then there would be room to put the landscaping.

Jurkowski remarked if it were done then there would be a greater buffer to North Roberts Road.

Elmassalemah said that may be agreeable to them.

Plavchak said that would resolve the comment made by the Ulster County Planning Board.

Plavchak said based on the design plans standards the Board would like to see something like a cupola included.

Barton said he thinks the Board wants multiple articulations of the façade. He said he felt the building is too small to articulate and felt that more dormers would be better than a large single dormer.

Plavchak agreed.

There was a discussion on whether they were going to include lower landscaping as well on the site.

Elmassalemah asked what the Planning Board needed in order to move forward with the project and additionally asked for it was possible to have a conditional approval.

Pizzuto said he did not want to be rushed into an approval just yet as there are several matters that still need to be addressed.

Barton added that they could open the public hearing tonight if they would like.

A **Motion** was made by Carl DiLorenzo, seconded by Larry Hammond to open the public hearing. All ayes.

No one from the Public spoke.

The board will review the design of the aesthetics and the change in site plan of the landscaping at the next workshop meeting.

Old Business

MCBS DG Highland LLC, 3584-3594 Route 9W, SBL#88.17-6-25.110 & 88.17-6-16.110, in GMU zone.

Dollar General / Multifamily

Development project of 21.7 acres of land along Route 9W. Three tax parcels: 88.17-6-15.11, 16.11 and 25.11.

It is the intent of the applicant to create a subdivision and to proceed for final site plan approval. Two of the parcels with frontage on Route 9W will be created to allow the existing Burger King and Trustco Bank to exist on separate lots. Although these two parcels are on a separate tax map parcel, they are still within the title of other lands and have long term leases. The other three proposed lots with frontage on Route 9W are for new construction and renovation of an existing building; lot 6 for a Dollar General store, and lot 4. Lot 4 currently has two commercial buildings that will be renovated. The remaining lands, lot 5 (18.1 acres), will be for a multi-family housing for 72 units.

The applicant anticipates a full environmental review under SEQRA will be conducted for a complete build out of all 6 lots with subdivision approval.

No representatives were present; no new information submitted.

Windgate Solar LLC Solar Farm, 3809-3813 Route 9W, 95.4-1-31.100, in R1 zone.

Construct 2MW solar farm on 20 acres off Perkinsville Road.

Response letter and new maps have been received.

The Board anticipates setting public hearing for August.

Ray Jurkowski, Morris Associates, said he wanted to make sure all the berm landscaping appeared on their drawings. He additionally inquired whether there were any comments received from the fire department.

Barton said according to Ann Waling, representative from Cypress Creek Renewables, they do an extensive training on site with the fire company prior to construction so that they are trained before an actual event happens.

Peter Brooks said one of the biggest issues will be the glare that is produced from the panels.

Jurkowski lead a discussion on where the placement of poles would be for the proposed solar farm.

A **Motion** was made by Larry Hammond, seconded by Carl DiLorenzo to set the public hearing for August 24, 2017. All ayes.

New Business

Highland Estates, LLC, 3746 Rt. 9-W, 96.9-1-35.5 & 96.9-1-30.1, in HBD and R-1 zone.

The applicant is proposing a two lot subdivision of a 19.85 acre parcel of land located on Route 9W, Mack's Lane and Sherwood Lane. The application includes a consolidation of a 0.40 acre parcel of land with the commercially zoned portion of TM lot 35.2. The property has approximately 450 feet of road frontage on NYS Rt. 9W, 715 feet of road frontage on Macks Lane and 390 feet on Sherwood Lane.

The site is located in the zoning district HBD and R-1. It is proposed to use the zone line as the division line between Lot 1 and Lot 2 of this subdivision, with residential access solely from Sherwood Lane.

The area of the proposed lots are as follows:

- 1) Lot 1 to be 7.44 acres plus 0.40 acres, totaling 7.84 acres in the HBD zoning district.
- 2) Lot 2 to be 12.41 acres in the R-1 zoning district.

A **Motion** to open the public hearing August 24, 2017 was made by Lawrence Hammond, seconded by Fred Pizzuto. All ayes.

Extended Public Hearings

Health Quest, 514-520 Route 299, 87.1-3-33.100 & 11.100, in DB zone.

The applicant is proposing to remove the existing building and driveway and construct a 15,000 square foot medical office building with parking, drainage, on site septic and water supply. The site consists of two parcels that will be combined to a 5.6 acre lot.

Ulster County Planning Board comments have been received.

New York State Department of Transportation has conceptually approved the applicant's traffic study and proposed highway design for the left turn into site from a center lane.

Barry Medenbach, Medenbach and Eggers and applicant's representative, spoke about the design pertaining to the left hand turn lane. He said he will have detailed construction drawings of the improvement to present to the Planning Board soon. Medenbach additionally said that the attorneys are working on the Storm Water Agreement.

The Board asked to have the lettering of their sign illuminated only.

A **Motion** was made by Bill Ogden, seconded by Peter Brooks to close the public hearing. All ayes.

The Resolution of Approval with conditions was read. No CO will be issued until a successful application from DOT is received and completion of the work.

A **Motion** to accept the Resolution of Approval was made by William Ogden, seconded by Peter Brooks. All ayes.

Tremont Hall Corp., Vineyard Ave, 88.17-9-48, in R1/4 zone.

The applicant would like to convert an existing vacant 9600 square foot lumber storage building into a multi-family residential structure with 20 apartments, with associated parking and amenities.

Ray Jurkowski, Morris Associates, said they are looking to see what the structural integrity of the timbers of the bridge are.

Patti Brooks, Brooks and Brooks Surveying and Planning and applicant's representative, presented an overview of the progress on what the composition of the bridge is.

There was a discussion on the type of wood that could have been used for the bridge and how it would affect the load the bridge could carry. The bridge will either be satisfactory to the town engineer the way it was originally built or the applicant would have to replace the bridge.

Plavchak asked if there were any comments from the public.

Kathy Pearson, resident of Reservoir Road, said she does not want to see cluster housing on the Rail Trail.

There was a discussion on how the public is notified of applications before the Planning Board and the definition of adaptive reuse as it is referred to in the Town of Lloyd code book.

Plavchak explained that the role of the Planning Board is to make sure the applicant meets the zoning codes that are established by the Town Board. What appears in the code book is what the Planning Board has to adhere to.

Peter Brooks explained that the Comprehensive Plan encourages greater density in the hamlet that is served by public water and sewer.

Dennis Culligan, resident of Highland, expressed his concern for having more apartments within the Town of Lloyd.

Eric Norberg, 144 Vineyard Avenue, said the existing conditions are troubling as well as how the Planning Board and Town are considering the proposed project by their interpretation of the adaptive reuse code. He represents a group of residents that have retained counsel in reference to the Tremont Hall proposed project. On advice of counsel they are asking for a 30-day extension so that the public hearing could be extended appropriately and counsel will be present at the next meeting.

Plavchak said that they would like to have a discussion with the Town's land use attorneys. As a Planning Board their duty is to follow the zoning codes that have been established in the Town.

A **Motion** was made by Carl DiLorenzo, seconded by Larry Hammond to extend the public hearing for 30 days. All ayes.

Administrative Business

Mountainside Woods, Hilltop Ln. & Vista Dr.; Zoning and Subdivision

Applicant desires to amend the phasing plan.

Information will be submitted at the next meeting.

A **Motion** to accept the minutes from the April 20, 2017 Planning Board Workshop was made by Lawrence Hammond, seconded by Nicki Anzivina. All ayes.

A **Motion** to accept the minutes from the April 27, 2017 Planning Board Meeting, was made by Lawrence Hammond, seconded by Nicki Anzivina. All ayes.