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By:

Rosaria Peplow, Town Clerk

MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, May 25, 2017

CALL TO ORDER TIME: 7:00 pm

PLEDGE OF ALLEGIANCE

ATTENDANCE **Present:** Lawrence Hammond, Fred Pizzuto, William Ogden,
Nicki Anzivina, Debra Dooley, Scott McCord, Peter Brooks, Carl DiLorenzo,
Andrew Learn; Town Engineer, David Barton; Building Department Director
Absent: Dave Plavchak, Jeff Paladino; Town Board Liaison

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

New Public Hearings

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.

New letters from Peak Engineering and Brooks and Brooks

Patti Brooks from Brooks and Brooks, PC, the applicant's surveyor and planner presented an overview of the proposed project.

Matt Smith, resident, Commercial Avenue commented that he supported this type of project for the Rail Trail for economic reasons and community renewal.

Everett Erichsen, resident, 3 Highland Avenue, commented that he is not in support of the project because he feels the square footage of the proposed apartments will not attract families and that the Town will incur unpleasant future consequences as a result of it. He is worried that the apartments will become low incoming housing and that it will harm the economic value of the Rail Trail. In addition to that he feels the Planning Board should review the serious safety concerns stated in a letter he foiled (Freedom of Information request) from the Highland Fire Department concerning the project.

Dennis Culligan, resident, 7 Highland Avenue, asked if the project already had DOT approval and if the bridge would be widened. He also feels that having apartments close to his property would lower the value of his home and especially if the apartments end up being low income housing. He stated that he is concerned about the amount of cars generated by the apartments, not sufficient enough parking space available so there will be an overflow to park in other

places. Culligan asked if the project is really sufficiently abiding by the Town of Lloyd code for "Adaptive Reuse".

Bill Ogden replied that the plan is to have only a right turn out onto Vineyard Avenue and that the bridge is wide enough for two cars already.

Eric Norberg, resident, who lives on the corner of Vineyard Avenue and Tillson Avenue said he was apprehensive about property values, the Rail Trail and what will happen in the neighborhood if the proposed apartments are built. He additionally stated that he does not believe the project fits into the category of adaptive reuse as it was intended and that the Planning Board should review the project more closely.

Ogden explained that "adaptive reuse" is zoning and that they are not the Zoning Board or the Town Board.

Norberg said he understood that but the Planning Board has the responsibility of applying sensibility and due diligence in reviewing the proposed project in regard to the code.

Gail Russell, resident, Tillson Avenue, wanted to know the concerns that the Highland Fire Department had concerning the project.

Ogden replied that it was a concern about the turning radius of a ladder truck which was addressed by moving the parking island.

Russell inquired about the security of the bridge.

Ogden said that issue is being worked on and that tonight is not an approval meeting. The bridge calculations are still an outstanding item for them to review.

Peter Miller, Fire Chief of the Highland Fire District, stated that the fire department has no enforcement capability in the Town Of Lloyd. They can make recommendations and comments. He stated that as building lots become scarcer and building material technology outpaces building codes, they are concerned with the safety of their fire fighters as well as the public's safety as new projects are brought forward in the district. Their primary concern of this project, if they meet all the other criteria, is the bridge over the Twaalfskill Creek. An engineering report was done on the bridge. A fire truck's weight exceeds the allowable weight capability of the bridge. Miller stated using Linwood Avenue is not a reasonable option and having two gates to enter the site is not acceptable and extremely problematic. Miller continued to say that he has a problem with the truss construction with areas that are not sprinkled. He said he would be glad discuss any of the issues with anyone at any time as well as submitting his comments in writing.

Patti Brooks addressed the adaptive reuse issue and gave an inventory of what they have submitted to the Planning Board which she feels demonstrates that the project is in compliance with the code. She continued that they did not receive the fire department's comments and concerns until recently and would address them as soon as possible but explained their information concerning the truck turning radius, bridge capability, and road access. They are trying to direct all traffic out onto Rte 44-55 via a right turn.

Peter Brooks stated that the DOT did not require a right turn only onto Rte 44-55, the Planning Board did.

Pizzuto said today was the first opportunity he had to read the letter from the fire chief. He said that they have just been made aware that the tanker will be on the bridge all at once and would like to forward the information to the Town's engineer.

Ogden said they need to review the bridge computations again.

Patti Brooks asked to know what outstanding issues the Planning Board has concerning the project so she may address them.

Barton replied that the items they would like to review more were traffic, the bridge, and the fire department comments.

Ogden said he would also like to revisit the storm water drainage. He believes that the project will enhance the drainage issue.

Patti Brooks concurred.

A **Motion** to extend the public hearing was made by Larry Hammond, seconded by Fred Pizzuto. All ayes.

Highland Assisted Living at Village View (former New Village View), 1 Grove St, 88.69-1-10, in R1/4 zone.

This project consists of a 18,310 s.f. expansion to an existing assisted living facility. The expansion will allow a total of 80 beds and not more than 13 employees per shift. There will be a total of 24 parking spaces. The proposed expansion will continue to utilize existing central water and sewer facilities.

Feb. 17, 2016

Planning Board granted Neg Dec on 4/27/2017

ZBA granted lot coverage and area coverage relief on 5/11/2017.

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

Stuart Mesinger, The Chazen Company, spoke on site plan and architecture of the building as well as addressing the standards and criteria for special use permit.

Anthony Trochiano, applicant's engineer, presented particulars of the site including screening, landscaping, storm water drainage, and buffer.

Barry Turk, applicant's architect, presented how he combined functional requirements with the practical requirements of the site plan.

Wendy Rosinski, 1 Meadow Street, expressed her concerns with the storm water drainage.

Ogden said the proposed project would not make it any worse and may in fact improve the storm water drainage.

Peter Brooks said it would be a temporary drainage pond so if there is any flow of water it would not all run into the catch basin instead would seep its way in.

Marcos Padilla, 11 Grove Street, expressed his concerns with the welfare of children in the neighborhood with a drainage pond that will not be completely fenced in. He also had safety concerns with delivery trucks coming into the area, where they would have to be parked and the extremely close proximity they are to his house. Padilla also said he didn't see where a fire truck would fit in the rear of the building if there was a fire in the back of the building. He also had additional concerns of the distance to his house from the proposed expansion if in fact there was a fire. Padilla additionally said there is no barrier between his house and trucks that would have to back up.

Mesinger said he would review it as he felt there was enough footage to create some kind of a barrier. He said if Padilla would like a fence there is enough room to do it.

Padilla said they have had issues with the owners of Highland Assisted Living maintaining the quality of the property and the buildings on it. He inquired whether the applicant is required to have a maintenance plan.

Ogden asked Barton if the issues that Padilla has brought are enforceable.

Barton replied that it could be put on the map that trucks can only utilize particular entrances and exits.

Ogden said once the conditions are applied to the site map then they are enforceable. The Board will discuss the issues and make plans to have them on the map.

Ogden said they will extend the public hearing because there are open issues.

A **Motion** to extend the public hearing was made by Larry Hammond, seconded by Fred Pizzuto.

All ayes.

Dakota Field Properties (Storyk), Martin Ave, Lot Line/Subdivision Martin Ave, SBL#79.2-2-10, in R1 zone.

The applicant has recently been approved by the Planning Board for a two lot subdivision of his 17.143 acre parcel of land.(This has not been filed yet) Lot 1 will consist of 6.257 acres for a proposed single family dwelling and Lot 2 will be the remaining land consisting of 10.886 acres. Board of Health approval has been granted for the proposed residence. He revised his maps to add a lot line revision.

The Board decided Neg Dec and set public hearing for May 25th, 2017.

A **Motion** to open the public hearing was made by Peter Brooks, seconded by Nicki Anzivina.

All ayes.

No one from the public had any comments.

A **Motion** to close the public hearing was made by Peter Brooks, seconded by Nicki Anzivina.

All ayes.

Barton said a \$2500.00 recreation fee is due before the signing of the map.

A **Motion** to accept the resolution of approval was made by Peter Brooks, seconded by Larry Hammond. All ayes.

New Business

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

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

Applicant was asked to supply SWPPP and watershed analysis. No new information received.

Old Business

Health Quest, 514-520 Route 299, 87.1-3-33.100, in R1\2 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.

Revised plans submitted.

Turning radius discussion with Fire Chief and applicant—new plans show radii.

New letter response to Morris Comments from Medenbach & Eggers dated May 16th, 2017 was received.

The location for additional trees was discussed as all parking spaces should be within forty feet of a shade tree.

A discussion took place concerning whether a left hand turn would be allowable from the site. DOT would have to render a decision.

A **Motion** to set the public hearing for June 15, 2017 was made by Larry Hammond, seconded by Peter Brooks. All ayes.

A **Motion** to accept the resolution of negative declaration was made by Larry Hammond, seconded by Nicki Anzivina. All ayes.

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.

Applicant also proposed a three story recycling building with residential units (2-2 bedroom) above.

New plans with elevations received 5/12/2017.

No new updates.

Cusa, Sal Jr., Chapel Hill Rd, 95.2-6-9, in R1 zone.

The applicant seeks Special Use Permit to construct a 2-Family house in a R-1 zone on a 1.565 acre lot. The minimum acreage for a two family in the R-1 zone is 2 acres. He is requesting an area variance for relief of 0.435 acres from the Zoning Board..

5/11/2017- ZBA tabled discussion on variance until June meeting.

Applicant withdrew application

Savino, JoyAnn, 131 South St, 87.3-5-32, in A zone.

The applicant would like to add a 442 square foot accessory apartment above her existing garage. Her residence is in the Agricultural Zone. The A zone requires a minimum of 2 acres. Ms.

Savino's lot is a pre-existing non-conforming use with .82 acres. She is requesting lot area relief of 1.18 acres from the Zoning Board of Appeals.

ZBA granted relief on 5/11/2017

A **Motion** to set the public hearing for June 22, 2017 was made by Larry Hammond, seconded by Nicki Anzivina. All ayes.

Administrative Business

O'Connell, 5 Willow Dock Rd, 88.17-3-10, in R2 zone.

Exterior renovations to a single family dwelling in the Waterfront Bluff Overlay

A **Motion** to set the public hearing for June 22, 2017 was made by Peter Brooks, seconded by Nicki Anzivina. All ayes.

Watson, David, 10 Bellevue Rd, WBOD SBL#88.17-2-36.120, in R2 zone.

The applicant would like to add a 24' x 24' 2 car garage / carriage house on his property which is in the Waterfront Bluff Overlay District.

Mr. Watson is requesting a front yard setback variance of 13'.7" from the Zoning Board.

ZBA tabled discussion of project until 6/8/2017

Applicant to withdraw.

A Motion to adjourn was made by Peter Brooks, seconded by Fred Pizzuto. All ayes. 8:27pm