

APPROVED:

MOTION BY:

AYES:

NAYS:

SECONDED BY:

ABSTENTIONS:

ABSENT:

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Certification of Receipt

By:

Rosaria Peplow, Town Clerk

WORKSHOP MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday June 15, 2017

CALL TO ORDER TIME: 5:30 pm

PLEDGE OF ALLEGIANCE

ATTENDANCE **Present:** Dave Plavchak, Lawrence Hammond, Fred Pizzuto, William Ogden, Nicki Anzivina, Scott McCord, Peter Brooks, Carl DiLorenzo, RayJurkowski; Town Engineer, David Barton; Building Department Director

Absent: Jeff Paladino; Town Board Liaison; Debra Dooley

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

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

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

Applicant desires to renovate a single family dwelling in the Waterfront Bluff Overlay Area.

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.

Ray Jurkowski, Morris Associates, said they recommend a clearance letter from the Office of Parks and Recreation be received on the project concerning the archeological study.

Bill Ogden said there had been a discussion on whether receipt of the letter would prevent the project from moving forward as it could take anywhere from a day to a year to receive it.

Jurkowski said it could be a conditional approval contingent upon the letter. He additionally added that no resolution should be made prior to hearing from the DOT. A maintenance and access agreement should also be put into place. Jurkowski further commented that they would meet with the applicant about the technical details of the storm water drainage.

Plavchak said the public hearing will be held on 06/22/2017.

Old Business

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.

Anne Waling, Zoning and Outreach Manager-Development, Cypress Creek Renewables presented the viewshed analysis that they have completed so far. She said they have also provided the SWPP (Storm Water Pollution Plan). Waling said they have started the process of visual renderings that the Planning Board requested. The goal is to leave as much vegetation and trees on the site as possible so there will be less visibility of the farm to the surrounding property owners.

Dave Plavchak inquired about a maintenance agreement.

Jurkowski stated that normally something is written as part of the resolution requiring maintenance. For example, in case some of the trees die off they would have to replace them with similar trees.

Waling said that they added a 25 foot wide strip of vegetative landscaping to the perimeter of the property that was requested by the board as a buffer to the neighboring residential properties.

The site specific decommissioning estimate is provided and it itemizes the disassembly and disposal of all the components.

Bill Ogden remarked that thought should be given to how things may change in the future.

Waling said she would have to look at the components of the lease. If they abandon it they would be happy for it to revert to the Town.

Barton said that he had a conversation with Andy Learn that the Town would be inclined to take an easement. If they go in and do it with the language of the approval they would have to assess the property owner for the removal; the difference between scrap and our cost for removal. That could put a huge cost on the property owner if those numbers don't coincide.

Paladino asked why the Town would want to get involved.

Barton replied if the property is abandoned.

Paladino remarked that in that case it would be the responsibility of the property owner.

Barton asked Waling what they usually do in that case.

Waling replied that it varies from town to town but the panels will hold their value on the private market. They have the data as the solar panels have been existence since the 1970's.

Plavchak said the fear is if new technology comes along it could make the panels obsolete than that would not be true anymore.

Waling said that energy production value does not depreciate.

Ogden commented that they were trying to avoid a 30-40 year bond.

Waling stated that they have found towns with fairly specific decommissioning plans.

Barton said the Town would not want a bond because they can't manage it for 20 years.

Jurkowski said a possibility could be, as he has seen in other towns, to have a renewal permit for every five years with a renewable bond every five years. The problem would be all about tracking at that point.

Waling remarked that a bond would not be a deal breaker. She would like to see an actual number before they contemplate doing it.

Barton said if they did do a bond it would be on a five year schedule and be recalculated every five years.

Jurkowski said if the Town takes the bond and the Town has to actually go in and remove it, they would have to pay prevailing wage. The removal cost then would be escalated dramatically.

Waling added that the removal isn't particularly serious. She continued to ask if there was anything else the Board needed to set the public hearing.

Barton said they have to circulate to the lead agency, it is a type 1 action, and send it to the Department of Environmental Conservation.

A **Motion** to declare lead agency was made by Larry Hammond, seconded by Bill Ogden. All ayes.

There was a limited discussion of whether a bond would be feasible. A lien would not be able to be issued if a bond was in place.

Waling said that she would provide additional viewshed analysis and image options for the next meeting.

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

The applicant would like site plan 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.

Khattar Elmassalemah, applicant's engineer, discussed landscaping options and alternative design options. The Planning Board requested that the dumpster be enclosed with a chain link fence and remain closed until use so there will be less of a visual impact from the road.

Elmassalemah said the dumpster would be in the back of the building and that they extended the sidewalk to North Roberts Road as requested. He said he did not have a detail rendering for the landscaping and that it was just designing with mulch.

Barton asked if the dumpster was enclosed with a gate type of opening.

Elmassalemah said it is just a gate.

Barton asked if the gate will remain closed.

Elmassalemah replied that it would be closed.

There was a discussion about the demensions and elevation of the signage for the propped business and how it would comply to what the Planning Board requested and fits within the parameters of the Gateway Zone. Elmassalemah reiterated that there is already existing water and sewer services on the site.

Jurkowski asked if the Planning Board could look at the existing deed and survey information because the town drainage for the roadway actually encroaches on the property. He wondered if there is an existing easement. If there is not an existing easement then they will have to obtain one.

Extended Public Hearings

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

1 Grove, 7 Grove, and 9 Grove Street were rezoned from CB to R 1/4.

July 2016 - New submittal with name change (formerly New Village View) Highland Assisted Living Center at Village View.

This application is for siteplan approval and lot line revision.

There was a discussion of the way in which vehicles and delivery trucks would enter and exit the facility. Anthony Trochiano, Pietrzak & Pfau and applicant's engineer, said what he envisioned was that deliveries would drive into the site directly and not have to back into the site.

Jurkowski commented that minimizing the back up movement of vehicles as much as possible would be very beneficial. The applicant indicated that the trucks could turn around on site instead of the public road.

Ogden said the concern was larger trucks.

Jurkowski inquired whether there was anything on the plans that indicated if tractor trailers could turn around on site. He said that perhaps that could be done as a condition.

Upon review of the site plan, sidewalks will be added to the facility.

Barton said getting the sidewalk to the corner of the property is the right answer.

Ogden said an ongoing issue has been about external structures on the property being properly maintained. He inquired to whether it was enforceable.

Peter Brooks said some language should be added for a property maintenance agreement.

Barton discussed the particulars that should be part of the maintenance agreement. He added that it should include the hours and days of operation.

Jurkowski said he needs to see site details of the sidewalks, stairs, details associated with water and sewer, the suppression system, as well as the proposed connection for the sewer line.

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.

Patti Brooks from Brooks and Brooks, PC, the applicant's surveyor and planner, presented information concerning the truck turning radius, bridge capability, and road access to the site. She said she has a revised letter from Peak Engineering concerning Chief Miller's comments from the previous meeting.

Jurkowski asked if all the components of the bridge have been calculated. He asked if there have been an evaluation as to what the hydraulic impact would be on the Twaalfskill Creek. He said an abutment repair would result in a ten inch protrusion in the waterway, therefore reducing the waterway by twenty inches. Jurkowski inquired whether that had been evaluated.

Patti Brooks said that she would look into it. She added that she had contacted the architect, Scott Dutton, about a sprinkler system layout to which he said that it was too early in the

building design to respond. Brooks said as far as easements for storm water drainage be granted and reserved between the landowner and the town. Site plan approval will be contingent upon obtaining the easements.

Barton said they would condition the final approval based upon the acceptance of the waterline extension by Morris Associates.

Ogden said they would like to close the public hearing next week and complete the resolution.

A **Motion** to adjourn was made by Larry Hammond, seconded by Nicki Anzivina. All ayes.
8:39pm.