

APPROVED:

MOTION BY:

AYES:

NAYS:

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

SECONDED BY:

ABSTENTIONS:

ABSENT:

Certification of Receipt

By:

Rosaria Peplow, Town Clerk

MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday January 25, 2018

CALL TO ORDER TIME: 5:30 pm

PLEDGE OF ALLEGIANCE

ATTENDANCE **Present:** Peter Brooks (Chair), Lawrence Hammond, Carl Di Lorenzo, Fred Pizzuto, Scott McCarthy, Scott McCord, Andrew Learn (Town Engineer), Claire Winslow (Town Board Liaison)

Absent: David Barton (Building Department Director),

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

Administrative Business

Solar Law Amendment -

Peter Brooks stated that the Town Board has asked the Planning Board for their comments concerning the proposed draft amendment to the Solar Law-Local Law C-2018. The amendment would no longer make it possible for a solar farm to be located in a residential area; instead it would agricultural, industrial and commercial zoned districts. Brooks said he spoke with Dave Barton, and felt it is not a drastic issue but industrial and commercial doesn't exactly capture what the zoning categories really are. He said it would be better in his view to call out the actual zoning districts that solar farms would be allowed in. Brooks said he would like to make that slight change which is not shown in the draft of the law presently. In discussions amongst the Planning Board members and with Teresa Bakner, Land Use Attorney, the other issue with the current proposal is to change the language which concerns the visibility of a solar farm. Part of the proposed law amendment which states "The fencing and the entire System shall be situated and screened so as to be invisible (not to be seen) from streets, public ways, and all neighboring properties." needs to include "to the greatest extent practicable" the ending of that section of the law.

Planning Board Comments to Local Law C-2018

LOCAL LAW C - 2018

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LLOYD CHAPTER 100 TITLED “ZONING”, ARTICLE VI, TITLED “SUPPLEMENTAL REGULATIONS”, SECTION 100-39.1 TITLED “SOLAR ENERGY FACILITIES”

Section 1

The Code of the Town of Lloyd, Chapter 100, titled "Zoning", Article VI, titled “Supplemental Regulations”, Section 100-39.1, titled “Solar Energy Facilities”, be and the same hereby is amended by canceling existing Subsections E. (1), and E.(3)(d) and enacting new Subsections as follows:

E. Approval standards for large-scale solar energy systems as a special use.

(1) Large-scale solar energy systems are permitted through the issuance of a special use permit within A (Agricultural), DB (Designed Business), GB (General Business), HI (Heavy Industrial) and LI (Light Industrial) zoning districts, subject to the requirements set forth in this Section, including site plan approval. Applications for the installation of a large-scale solar energy system shall be reviewed by the Code Enforcement Officer and referred, with comments, to the Planning Board for its review and action, which can include approval, approval on conditions, and denial.

E. Approval standards for large-scale solar energy systems as a special use

(3) Special use permit standards.

(d) The electrical and control equipment of all large-scale solar energy systems shall be enclosed by six-foot-high fencing to prevent unauthorized access. Warning signs with the owner’s contact information shall be placed on the entrance and perimeter of the fencing. The type of fencing shall be determined by the Planning Board. The fencing and the entire System shall be situated and screened so as to not be visible from streets, public ways, and all neighboring properties, to the greatest extent practicable.

Section 2

This local law will take effect when filed with the Secretary of State in accordance with the Municipal Home Rule Law.

A **Motion** was made by Larry Hammond, seconded by Scott McCarthy to approve the recommendations for the Solar Law Amendment to the Town Board. All ayes.

Minutes to Approve

A **Motion** was made by Larry Hammond, seconded by Fred Pizzuto to approve the following minutes:

Planning Board Meeting August 24, 2017
Planning Board Workshop Meeting September 21, 2017,
Planning Board Meeting September 28, 2017 and
Planning Board Workshop Meeting October 19, 2017.
All ayes.

New Public Hearings

Fuller, Robert, 172 Bellevue Road, 88.1-2-6.210, in R 2 zone.

Applicant would like to build a single-family residence at 172 Bellevue Road in the Waterfront Bluff Overlay District.

The public hearing has been set for the January 25, 2018 meeting.

Fuller was present. No new information submitted.

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

No public comments were made.

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

A **Motion** was made to accept the resolution of approval by Fred Pizzuto, seconded by Carl DiLorenzo. All ayes.

New Business

Franklin Subdivision and Lot Line Adjustment, 12 Thorns Lane, 88.17-2-54.100, in R ¼ zone.

The applicant would like to subdivide parcel 88.17-2-54.100 (1.926 ac.) into two parcels consisting of the existing single-family residence (Parcel 1 - 0.978 ac) and Parcel 2 (0.915 ac.) consisting of a new single-family residence. A lot line adjustment is proposed on the western portion of Parcel 2 providing additional acreage (0.033 ac.) to the adjacent parcel 88.17-2-55. The lot line adjustment will provide driveway access to parcel 88.17-2-55. The new parcel will be comprised of 0.915 acres consisting of a new residential home, driveway, and individual water supply well and sewage disposal system. Approval for an individual sewage disposal system was granted by the Ulster County Dept. of Health for the proposed parcel (Lot 2).

No new information submitted.

The Planning Board reviewed the Short Environmental Assessment Form (EAF) and determined that there would be no significant environmental impact and therefore issued a negative declaration.

A **Motion** to set the public hearing for February 22, 2018 at 7PM was made by Larry Hammond, seconded by Fred Pizzuto. All ayes.

Hurt, Steven and Susan T., 83-85 S Chodikee Lake Rd, 87.2-6-7.100, in R ½ zone.

The applicants are proposing a lot line revision between two parcels of land, both currently owned by the applicants, located on South Chodikee Lake Road designated as SBL: 87.2-6-7.1

& 7.2. It is proposed TM lot 7.2 will convey and combine a 0.11 acre parcel to TM lot 7.1. This revised lot line will allow for an adequate side yard setback to a proposed garage on TM lot 7.1. The site is located in the zoning district R-1/2.

The area of proposed lots are as follows:

- 1) TM Lot 7.1, 1.00 acre parcel, plus Parcel A, 0.11 acre parcel: totaling 1.11 acres.
- 2) TM Lot 7.2, 1.56 acre parcel, minus Parcel A.

Patti Brooks, Brooks and Brooks Land Surveyors and applicant's representative was present. No new information submitted.

The Planning Board reviewed the Short Environmental Assessment Form (EAF) and determined that there would be no significant environmental impact and therefore issued a negative declaration.

A **Motion** to set the public hearing for February 22, 2018 at 7PM was made by Larry Hammond, seconded by Fred Pizzuto. All ayes.

Extended Public Hearings

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.

The public hearing was opened August 24, 2017.

No representatives were present and no new information submitted.

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

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. The applicant desires to take three lots (SBL: 88.17-6-15.11, 16.11 and 25.11) and subdivide and lot line revise those lots into seven (7) lots. Lot 1 will contain a bank, Lot 2 will contain a Burger King, and Lot 3 will contain a proposed Dollar General retail store. Lot 4 will contain an existing retail and apartments and the existing pond parcel will be Lot 5. Lot 6 will be a vacant lot with no currently proposed development and the remaining Lot 7 will contain a proposed 72-unit apartment complex with a community room.

The applicant anticipates a full environmental review under SEQRA.

Revised subdivision plan with EAF and Preliminary Site Plan will be submitted.

Morris Associates comment letter received.

Andy Learn said the applicant submitted a final EAF to which he approved after reviewing it and it was circulated on 01/24/2018 along with the request that the Town of Lloyd Planning Board be the lead agency for review of this project. He said just technical details need to be addressed but

basically nothing new from the workshop meeting. With a project that requires numerous approval agencies, the Planning Board will typically become lead agency where the Board can make environmental decisions regarding the impact of the project for all the agencies rather than have each one go through the individual process on its own. Learn said they wait for responses from all the agencies confirming that the Planning Board can be lead agency or wait thirty days to do so. Once thirty days is up the Planning Board will automatically become lead agency. The complexity of the project makes it a Type 1 Action which requires a Full EAF.

A **Motion** to adjourn was made by Larry Hammond, seconded by Fred Pizzuto at 7:40PM. All ayes.

