

**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

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

**Thursday November 15, 2018**

**CALL TO ORDER TIME: 5:30 pm**

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**    **Present:** Peter Brooks (Chair), Fred Pizzuto (Vice-Chair), Lawrence Hammond, Carl DiLorenzo, Scott McCarthy, Charly Long, David Barton (Building Department Director), Laura Oddo-Kelly; Administrative Assistant to Planning and Zoning), Andy Learn (Town Engineer)  
**Absent:** Sal Cuciti, Claire Winslow (Town Board Liaison), Rob Stout (Town Land Use Attorney),

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

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**New Public Hearings**

**Selux Corporation Lot Line Revision, 5 Lumen Ln, SBL# 88.1-6-6.100 in GB Zone.**

Applicant would like to combine a portion of the adjacent property owned by Selux (SBL 88.1-3-10) with the existing manufacturing property owned by Selux (SBL 88.1-6-6.100). The purpose of the requested lot line revision is to support a request for a change of the zone of the parcel added to the existing manufacturing property. It is currently zoned R2 and the applicant would like it to be changed to GB so that they can expand their existing plant.

**The Town Board, as Lead Agency, set a public hearing on October 17, 2018 for the November 21, 2018 meeting and has issued a Negative Declaration on November 21, 2018 for the zoning change.**

**On October 25, 2018 The Planning Board set the public hearing for the lot line revision for December 6, 2018.**

Barton said there is no new information but he needs the Planning Board comments about their request for re-zoning to the Town Board.

Peter Brooks stated he thought the UCPB did not realize the Town Board was Lead Agency on the proposed project.

**Smith, Matthew K., 10 Commercial Ave., SBL# 88.17-9-5.1 in GB Zone.**

Applicant is seeking approval for a revised site plan of a commercial park located on the westerly side of Commercial Avenue on tax parcel 88.17-9-5.1. Applicant proposes to expand the existing Cross Fit fitness center from 2,550 sq ft to 4,700 sq ft., eliminate the automotive

uses, and add a new daycare center of 8,000 sq ft including the construction of a second story addition above the north end of the existing building. The dance studio will remain as currently utilized on the south side of the second floor.

**On 10.25.18 The Planning Board reviewed the EAF, issued a negative declaration and set the public hearing for December 6, 2018.**

Patti Brooks, applicant's representative, said she met with Richard Klotz, Highway Superintendent, and Andrew Learn, Town Engineer, to discuss the exterior layout of the proposed project. The discussion included the plans for landscaping, a sidewalk, and parking. All the changes were made that the Board had concerns with.

**Tortarella, Troy E. & Alicia L.; Troys Auto Body, 78 Macks Lane, SBL# 96.9-1-24.110 in R1 Zone.**

Applicant is owner of a personal residence at 48 Macks Lane and also the owner of 78 Macks Lane. The application is for a lot line revision affecting said parcels. Both parcels are existing residential lots with single family dwellings. Lot 1 (SBL# 96.9-1-24.110) will be revised from 1.59 acres to 1.21 acres and will remedy an existing substandard side yard setback. Lot 2 (SBL# 96.9-1-24.12) will be revised from 1.72 acres to 2.10 acres to accommodate an existing fenced yard to be contained totally on said Lot 2. No new improvements are proposed on either lot at this time.

**On 10.25.18 The Planning Board reviewed the EAF, issued a negative declaration and set the public hearing for December 06, 2018.**

Patti Brooks, applicant's representative, said there is no additional information requested or needed before the public hearing on December 6, 2018.

### **Extended Public Hearing**

**Pavlovich and Company, LLC/Joyful Moments, 185 South Street, SBL# 87.3-5-29 in A Zone.**

Applicant is requesting commercial site plan approval and special use permit to open a daycare center in an existing building on the parcel.

**On 07.26.18 The Planning Board reviewed the EAF and issued a negative declaration on and the public hearing was held on August 23, 2018.**

**The Planning Board is requesting a more complete site plan.**

**A survey will be prepared for the proposed project.**

**Louis Du Bois report of existing septic system received 10.30.18.**

Barton said there has been no new information other than Louis DuBois' approval of the present septic system on the property.

### **Old Business**

**Black Creek Bed and Breakfast, 430 N Riverside Road, SBL# 87.2-4-15.110 in R1 Zone.**

Applicant is seeking a special use permit to open a bed and breakfast in a five bedroom house.

**The Board requested the applicant meet with the Building Department resolve the particulars of the project and present a more sufficient and accurate site plan.**

Barton said the applicant reviewed the project with him in the Building Department and indicated where each of seven bedrooms are or will be situated in the existing house. The Board reviewed photos and floor plan sketches of the house. The Board anticipates setting the public hearing for the January 24, 2019 meeting at the next meeting.

**Cusa, Sal - Pancake Hollow Rd - 3 Lot Subdivision, SBL# 95.1-1-4.150, in R1 Zone.**

Applicant would like to subdivide parcel, SBL 95.1-1-4.150 into three lots, two will be building lots and the remaining lot will be held for future development. The septic design for Lots 1 and 2 are pending Ulster County Department of Health approval.

**The Board anticipates the revision of the two flag lots on the parcel.  
New maps received November 7, 2018.**

Barton said new maps have recently been submitted and everything seems to be in order. There was a discussion of the lot measurements. The Board anticipates setting the public hearing for the January 24, 2019 meeting at the next meeting.

**New Business**

**Long, Steven & Myriam, 15 Lockhart Ln, SBL# 88.13-8-7 in R ¼ Zone.**

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

Barton gave an overview of the proposed project and provided renderings for the Board to view. The Board anticipates setting the public hearing for the January 24, 2019 meeting at the next meeting.

**Administrative Business**

Discussion of Accessory Apartments

A **Motion** was made by Fred Pizzuto, seconded by Carl DiLorenzo to recommend an amendment change to the Town Board concerning **100-42 Accessory Apartments** (see following).

**Roll Call:** Hammond, nay; DiLorenzo, aye; Pizzuto, aye; Brooks, aye; McCarthy, aye; Long, aye. Five ayes; One nay.

Hammond asked that the Board have another discussion of accessory apartments in two years.

**100-42 Accessory Apartments:**

One accessory apartment per single-family dwelling shall be allowed by special use permit within a principal building as provided in the Use Table, provided that:

A. The principal dwelling on the premises is owner-occupied. For purposes of this section, the

principal dwelling is defined as a detached single-family dwelling.

- B. The lot containing the accessory apartment contains the minimum acreage for the zoning district as set forth in the Dimensional Table.
- C. The accessory apartment shall not be counted as a residential unit for the purposes of determining density.
- D. The accessory apartment is self-contained, with separate cooking, sleeping, and sanitary facilities for use by the occupant(s).
- E. The accessory apartment shall have only one bedroom or be a studio apartment, and no other space shall, in the opinion of the Planning Board, be so configured that it could be used as a second bedroom (i.e., a den, a sewing room, etc.).
- F. The accessory apartment is subordinate to the principal residence and contains no greater than 650 square feet of gross floor area and no less than 400 square feet of gross floor area.
  - (1) Area shall be measured from the outside of exterior walls and from the center line of interior walls. It shall include all spaces accessible to the unit, including hallways, bathrooms, closets, etc.
  - (2) The six-hundred-fifty-square foot limitation may be adjusted, with permission of the Planning Board, to reasonably accommodate the existing shape of the area being converted to the accessory apartment.
- G. Off-street parking shall be provided in accordance with § **100-29**.
- H. Approval has been granted by the Ulster County Health Department for any required on-site sanitary or water supply system, including, as may be applicable, a determination that the water supply and sewage disposal facilities are adequate to accommodate the additional demands of the accessory apartment.
- I. Any additional exterior entrances that may be created for the principal structure shall be located at the side or rear of the structure.
- J. If a secondary structure (garage, carriage house, etc.) is used to house the accessory apartment, the following conditions must be met:
  - (1) The lot whereon the secondary structure accessory unit is proposed must have a minimum of two (2) acres, regardless of the zone it is in where such uses are allowed.
  - (2) The secondary structure must have its use related to the principal dwelling (i.e., the garage must be primarily used for parking cars, storage, etc., of the principal dwelling).
  - (3) The accessory apartment must be a secondary use of the secondary structure.
  - (4) The accessory apartment must comply with the limitations and requirements listed

above for accessory apartments.

- (5) The secondary structure must, in the opinion of the Planning Board, architecturally mirror and enhance the appearance of the principal structure (i.e., siding should match, windows and doors should be similar in appearance and trimmed appropriately, etc.).
  - (6) The secondary structure must conform with the side yard setbacks of a principal dwelling, regardless of the secondary structure's preexistence to setback requirements.
  - (7) If an accessory apartment is created through the conversion of an accessory structure more than 50 years old, the conversion shall be accomplished in a manner that preserves the historic architectural features of the structure.
- K. Site plan review shall be required for an accessory apartment.
- L. The applicant acknowledges, in writing, to the Town of Lloyd the understanding that, should the parcel be sold, the Town Code Enforcement Officer is authorized to conduct a site visit to verify that the accessory apartment is in compliance with the conditions of the special use permit issued for the property.

A **Motion** to adjourn was made by Scott McCarthy, seconded by Fred Pizzuto 5:54 PM. All ayes.