

REGULAR MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, December 7, 2023

CALL TO ORDER TIME: 7:00pm

PLEDGE OF ALLEGIANCE

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

OFFICIALLY OPEN THE MEETING

Attendance: Board Members: Scott McCarthy, Charly Long, Carl DiLorenzo, Franco Zani, Gerry Marion, Bill Meltzer, Lambros Violaris, Lenny Auchmoody (Town Board); Board Staff: Dave Barton, Paul Van Cott, Andy Learn, and Sarah Van Nostrand

Absent: Board Members: Sal Cuciti

Minutes to Approve at December 7, 2023 meeting

October 19, 2023, October 26, 2023 & November 16, 2023

Scott asked for a motion to approve the minutes.

Motion made by Bill, 2nd by Gerry.

All ayes, motion passed to approve the minutes.

Administrative Business

Silver Gardens-Subdivision Extension Request

Mr. Gerentine (Applicant) they are towards the end and getting a little close on time because the board doesn't have a meeting in the later part of the month. They are going to need another 90-day extension regarding the subdivision, they thought it was going to be October time frame, but it was September time frame, so just to give them a little cushion, they are asking the board to grant them a 90-day extension for their subdivision. They probably will have it done prior to that period of time, but just in case it is not, they are just here to make sure that they are within the time frame. They have all the information from the Town Board all the agreements are signed. He hopes to start construction by March 1st.

Paul said he can report that all of the conditions that were required prior to the signing of the subdivision plans have been fulfilled, they have a developer's agreement, they have an offer of concession of that little parcel of land by the end of Argent Drive and they have all the easements, and the Town Board has done it's work on them. He has prepared a revised resolution

to extend for the 90-day period, so that the site plans can be signed, and they can move forward with the filing of the plat and get all of that done and the site plan resolution remains in effect, and they will be looking to move forward with construction.

Paul read the resolution.

Scott asked for a motion to approve the resolution.

Motion made by Franco, 2nd by Carl.

6-eyes, 1-nay (Gerry), motion passed to approve the resolution.

Old Business

Falcon Ridge- SEQRA

Andy G. (applicant's attorney) said that as the board will recall at the last meeting which the project was discussed, the board is at the point in the project review that the board is considering a SEQRA determination. They were kindly provided with a draft of the Part II of the EAF that the board will be reviewing tonight, and they understand what direction the board is taking in terms of the SEQRA determination. They did submit a letter with some comments on the draft part II, just for the board's consideration and it was submitted with that intent. They are prepared to have the part II and part III reviewed by the board and hopefully a SEQRA determination tonight. In terms of determination of significance and if a positive declaration is adopted, then they understand that they will be going through the EIS process.

Scott said that the board just received the letter tonight and they haven't really had a chance to review it. He asked if the staff had anything to add.

Paul said he is in the same boat as just having received it and has not had a chance to review it.

Scott suggested that the staff review it first if that is possible.

Paul replied sure.

Scott said that he hasn't the time and hasn't read any of this, they can take the time to review it now, but he feels it's better if staff takes the time to review it first.

Gerry asked when was this submitted.

Scott said it was submitted sometime today.

Gerry said he agrees.

Bill said he thought it was the board's policy to not take submissions on the day of the meeting.

Scott said normally they don't, that is their policy.

Andy G. said that is fine and that he wasn't aware of that policy. If they had known this would hold up any action tonight and if that's the direction this is going, then they apologize for that and if they could have been notified of that prior to tonight's meeting that would have been helpful. They emailed it in at midday today with a copy directly to staff as well.

Paul said if the board likes we can spend time in reviewing this, providing any updates to the EAF Part II, any updates to the draft resolution and be prepared to have that looked at and considered and possibly acted on at the board's work session in January if they wanted.

Scott said that sounds fine to him.

Board agrees.

Andy G. said just to clarify how many days before the meeting should the applicant submission to be considered.

Dave said it's usually the Tuesday before the meeting. If it is something short then they might make an exception for, and it would be the Monday or Tuesday of the meeting week, so they can at least get it to the board for review.

Public Hearings

Sieverding, Joannes: Lot Line Revision: 20 Cross Creek Run: SBL #80.3-2-27.113 & 80.3-2-27.112

Applicant is seeking a lot line revision to combine two lots.

Review Status: Public hearing scheduled for December 7, 2023.

Potential Action: Open Public hearing, close public hearing, approval resolution.

Joannes (Applicant) said that they have been living at 20 Cross Creek Run for the last 16 years, they built a house there. If you go back further than that the vacant lot next to them was part of the original home that was there. Their intent is to simply restore it back to what they originally purchased there. That lot was subdivided and made into a building lot, and it stood like that for more than 20-25 years. It is their desire to combine them and restore it back to what it originally was.

Scott asked for a motion to open the public hearing.

Motion made by Bill, 2nd by Franco.

All ayes, motion passed to open the public hearing.

No public comment

Scott asked for a motion to close the public hearing.

Motion made by Gerry, 2nd by Bill.

All ayes, motion passed to close the public hearing.

Scott asked if there was a draft resolution.

Paul said there is, but before that this project is an unlisted action, as the applicant mentioned it is basically merging two tax parcels together, but because there was prior subdivision plat that makes this a subdivision, which then it turns makes this an unlisted SEQRA action. The applicant submitted a short environmental assessment form part I and the board needs to go through part II. If the board approves a negative declaration, then he has a resolution to approve the subdivision.

Dave went through SEQRA Part II with the board.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

Board agrees no impact.

2. Will the proposed action result in a change in the use or intensity of use of land?

Board agrees no impact.

3. Will the proposed action impair the character or quality of the existing community?

Board agrees no impact.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?

None in the Town of Lloyd.

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?

Board agrees no impact.

6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?

Board agrees no impact.

7. Will the proposed action impact existing: a. public/private water supplies? b. public/private wastewater treatment utilities?

Board agrees no impact.

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?

Board agrees no impact.

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?

Board agrees no impact.

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

Board agrees no impact.

11. Will the proposed action create a hazard to environmental resources or human health?

Board agrees no impact.

Dave said based on the board's answers, they will check the box that says that you have determined based on the information and analysis that the proposed action will not result in any significant adverse environmental impacts.

Scott asked for a motion to accept the negative declaration.
Motion made by Bill, 2nd by Charly.
All ayes, motion passed to accept the negative declaration.

Paul read the resolution.

Scott asked for a motion to approve the resolution.
Motion made by Gerry, 2nd by Bill.
All ayes, motion passed to approve the resolution.

SCC Holding Corp: Site Plan: 104 North Rd.: SBL #88.1-4-24

Applicant is seeking site plan approval to build a duplex (two-family dwelling).

Review Status: Updated plans circulated to the board; public hearing scheduled for December 7, 2023.

Potential Action: Open Public hearing

Andy said that they have some comments the bulk table needs to be updated to show the proposed conditions as opposed to just required conditions. The driveway is shown to be over 12%, they would like to see some grading to see if they can get that down to 10%. The sewer and water are simple connections, but there are some bends in the sewer line, if they could be straightened out it would be better.

Sal (applicant) said the sewer is in and has been inspected already.

Andy asked if there was a dumpster enclosure or is there just going to be a roll off container.

Sal said yes.

Bill said there was something submitted by the public and he just wants to confirm that 102 North Rd is not part of this application.

Sal said no it is not.

Scott asked for a motion to open the public hearing.
Motion made by Bill, 2nd by Gerry.
All ayes, motion passed to open the public hearing.

No public comment

Andy said that he is willing to work with the applicant if the board is ready to approve.

Scott asked if there was draft resolution.

Paul said there is a draft resolution and one of the conditions is compliance with comments that Andy provided.

Scott said they will wait and keep the public hearing open.

Franco asked if the board did this tonight, would they be setting a precedent.

Sal said he hasn't seen the comments, and that 12% is Town Code for driveways.

Andy said it's actually 10%.

Sal said if he has to make 10% he can do it.

Gerry asked if the board would approve it with the stipulations of the comments.

Paul said it does, the condition does say that it has to comply with the comments.

Scott said he thinks the board should wait; it was him pushing it as he didn't think they were anything major. The board had questions on the septic line which is in already.

Franco said he has a problem with 12% too, he went by there today and they were blacktopping the road and coming off that hill, so coming down 12%, you might slide into the road.

Sal said he will make it 10% and he already spoke with the Highway Department because the gas main is only 18-inches below the road there.

Franco said that's all it has to be.

Sal said he will get it to 10%, they are going to come off negative and then they are going to go up, so if it has to be 10%, then it has to be 10%.

Paul said typically the board if the comments are technical in nature, then the board would go a head and basically approve it with the condition that they comply with the comments.

Romeo, Randy: Amended Site Plan: 25-27 Church St: SBL #88.69-9-14

Applicant is seeking an amended site plan to convert garage into storage space and to add a second floor with 2 apartments.

Review Status: Public hearing scheduled for December 7, 2023.

Potential Action: Open Public hearing

Patti (Applicant's Agent) said that the application before the board is to put a 2nd story addition on an existing garage for 2 apartments. They have submitted the elevations;

she thinks the only outstanding item was with regard to the last plan that was submitted showed some light spillage over the boundary line. They have not changed the light fixture, there are multiple different lumens that they can use and also the heights that the lights are installed, so the architect will make sure that the light fixture that is used on this will not go over the property line.

Scott said wasn't there something with the size of the water line.

Franco said that he had asked about the size of the water line, is the water line being fed from the building in the front.

Patti said there is water line that goes into the main building, and it goes from the main building into the second building and the same with the sewer. He does not know what size it is, she asked.

Franco said it would normally be $\frac{5}{8}$ th correct.

Andy asked how many units.

Patti said it would be 5 units when they get done.

Charly said probably $\frac{3}{4}$ then.

Andy said that would probably be enough.

Franco said to feed both buildings at peak.

Andy said there are no sprinklers correct.

Patti said that's correct.

Andy said that should be enough.

Dave said there will be 5 bedrooms.

Andy said $\frac{3}{4}$ is enough for 5 bedrooms.

Paul said that he will add is that it has been identified that this property oddly is within 500-feet of US Route 44, on the back side of it. It has been referred now to the County.

Dave said yes.

Paul said it had to go to the county. They can follow up with the county after the January meeting.

Dave said Rob (Ulster County Planning Board) has confirmed that it will be on for the

January meeting.

Scott asked for a motion to open the public hearing.

Motion made by Bill, 2nd by Franco.

All ayes, motion passed to open the public hearing.

No public comment

Scott said that they will hold the public hearing open.

Continued Short-term Rentals (Public Hearings)

Agarwal, Impa: 114 Hawley's Corners Rd.

Review Status: Public hearing opened August 17, 2023

Potential Action: Close public hearing, approval resolution.

Scott asked for a motion to close the public hearing.

Motion made by Bill, 2nd by Charly.

All ayes, motion passed to close the public hearing.

Paul read the resolution.

Scott asked for a motion to approve the resolution.

Motion made by Charly, 2nd by Bill.

All ayes, motion passed to approve the resolution.

Motion to Adjourn.