

TOWN OF LLOYD

TOWN BOARD MEETING

OCTOBER 21, 2020

Present: Supervisor Frederick Pizzuto
Councilmember Leonard Auchmoody
Councilmember Michael Guerriero
Councilmember Claire Winslow
Councilmember Joseph Mazzetti

Also present: Sean Murphy, Attorney
Wendy D. Rosinski, Town Clerk

7:00 PM – Supervisor opened meeting with pledge of Allegiance led by Councilmember Auchmoody.

PROCLAMATION

Cathryn “Kitty” Gruner Memorial Resolution

WHEREAS, Cathryn “Kitty” Gruner was a lifelong resident of Town of Lloyd, and was taken from our midst on October 4, 2020; and

WHEREAS, Cathryn “Kitty” Gruner married her High School sweetheart, Robert “Bob” Gruner on April 23, 1966 in Highland, NY; and

WHEREAS, Cathryn “Kitty” Gruner worked at Grand Union, then Foodtown as a Bookkeeper and later for the Town of Lloyd assisting the Bookkeeper, her daughter; and

WHEREAS, Cathryn “Kitty” Gruner made many friendships along the way that she treasured, and touched so many lives; and

WHEREAS, Cathryn “Kitty” Gruner was a member of the Highland Landing Park Association; and

WHEREAS, Cathryn “Kitty” Gruner cherished her children and grandchildren; and

WHEREAS, Cathryn “Kitty” Gruner will be deeply missed by her community, friends and family; and

NOW, THEREFORE, BE IT RESOLVED that this October 21, 2020 Meeting of the Town of Lloyd Town Board be opened in memory of; Cathryn “Kitty” Gruner and

BE IT FURTHER RESOLVED that a certified copy of this resolution be delivered to her daughters Karen McPeck and Suzanne Davis, with the deepest sympathy of this Town Board of the Town of Lloyd.

MOTION made by Winslow, seconded by Mazzetti to OPEN public hearing Local Law F-2020
A local law to override the tax levy limit established in General Municipal Law § 3-c

Five ayes carried

Local Law F of the year 2020 Town of Lloyd, County of Ulster

A local law to override the tax levy limit established in General Municipal Law § 3-c

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that maybe levied by the Town of Lloyd pursuant to General Municipal Law § 3-c, and to allow the Town of Lloyd to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Lloyd, County of Ulster is hereby authorized to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

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PUBLIC COMMENTS

None

MOTION made by Winslow, seconded by Mazzetti to CLOSE public hearing Local Law F-2020; A local law to override the tax levy limit established in General Municipal Law § 3-c
Roll Call: Pizzuto, aye; Winslow, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

RESOLUTION made by Winslow, seconded by Guerriero

WHEREAS, a proposed Local Law F – 2020, a local law to Override a Tax Levy Limit established in General Municipal Law, Section 3-c, was introduced at a meeting of the Town Board held on the 10th day of October, 2020 at 5:00 p.m.; and,

WHEREAS, the within local law is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA) and is exempt from further proceedings under such act; and,

WHEREAS, a public hearing has been held thereon on the 21st day of October, 2020 at 7:00 p.m., at which time all interested parties were given an opportunity to be heard thereon; and,

NOW, THEREFORE, BE IT RESOLVED that Local Law F -2020 be enacted as in the form attached hereto as Schedule “A” as fully as if set forth herein, being a local law to amend Override the Tax Levy Limit Established in General Municipal Law, Section 3-c. **Roll Call:** Winslow, aye; Mazzetti, nay; Guerriero, nay; Pizzuto aye; Auchmoody, nay

Motion Failed 2 ayes to 3 nays

Auchmoody thanked everyone who worked on the budget and is concerned there is a mistake in the budget and would like to hold off two weeks on voting on this. The budgets in the past were done by people who have done them over and over. He wants to hold off until we run everything again and make sure there is not an error.

Winslow said this is housekeeping, we do it every year.

Mazzetti said he wanted to thank the team that worked on the budget, it was almost a million dollars over and they worked hard and it’s now only \$40,000 over the cap. He doesn’t want to vote on going over the cap because of the economy. He doesn’t believe he can vote to go over the cap.

MOTION made by Winslow, seconded by Auchmoody to OPEN Public Hearing on Local Law B-2020 Zoning code Amendments

Five ayes carried

Town of Lloyd

Local Law B of the year 2020

A local law amending the Town of Lloyd Zoning Code as enacted by the Town of Lloyd Town Board on April 7, 2010 by Local Law 6-2010.

Be it enacted by the Town Board of the Town of Lloyd as follows:

SECTION I.

SHORT TITLE

This local law shall be cited as Local Law B of 2020 of the Town of Lloyd and is entitled the “2020 Zoning Code Amendments.”

SECTION II.

LEGISLATIVE FINDINGS

The Town Board seeks to regulate development throughout the Town to promote the public health, welfare and safety within the Town of Lloyd. The Town has evaluated its comprehensive plan and existing zoning to identify the need for any changes or improvements to the Town of Lloyd Zoning Code (“Zoning Code”). The goal of the comprehensive plan is to provide for the orderly development and redevelopment of properties located within the Town and to ensure that uses within the Town are appropriately located in relation to each other and consistent with the community character of the Town. The Town Board has further considered the cumulative impacts of

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increased development within the Town and its impact on surrounding uses. The Town Board finds that these amendments to the Zoning Code are consistent with the comprehensive plan and existing zoning and will promote the public health, welfare and safety within the Town of Lloyd.

SECTION III.

AUTHORITY

These amendments to the Zoning Code are enacted by the Town Board of the Town of Lloyd pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rule Law Section 10, and its authority to adopt amendments to its Zoning Code pursuant to Town Law Section 265 and Zoning Code Article X.

SECTION IV.

PROVISIONS REPEALED

The following provisions of the Zoning Code are hereby repealed:

- (A) The definition of “Continuing Care Retirement Community” in section 100-8 of the Zoning Code shall be repealed.
- (B) Subparagraph (b) of paragraph (1) of subdivision (H) of section 100-24 of the Zoning Code shall be repealed and the remaining subparagraphs shall be renumbered.
- (C) Section 100-45 of the Zoning Code, entitled “Continuing Care Retirement Community,” shall be repealed.
- (D) The listing of Continuing Care Retirement Community in Appendix 1, Use Table, of the Zoning Code shall be repealed along with the “SP” notations in the R-2, R-1, R-1/2 and R-1/4 district columns.
- (E) The Dimensional Table, Appendix 2 of the Zoning Code is amended to repeal footnotes “h” and “i” to the building setback for the side-yard in the Highway Business District.

SECTION V.

PROVISIONS AMENDED OR ADDED

The following provisions of the Zoning Code are hereby amended or added:

(A) The definition of “Assisted Living Facility” in section 100-8 of the Zoning Code is amended to read: A facility which provides or arranges for multi-room housing, on-site monitoring, and personal-care services and/or home-care services (either directly or indirectly), in a homelike setting, to five or more adult residents unrelated to the assisted living provider.

(B) The definition of “Enriched Housing or Adult Home” in section 100-8 of the Zoning Code is amended to read: A [unit in a] facility which [is licensed to] provides multi-room housing and congregate dining and [to] assures that assistance with activities of daily living is available when needed to adult persons unrelated to the proprietor. Such units shall offer, as a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance. “Enriched housing or adult home” is a level of care between nursing care and independent living and includes a coordinated array of supportive personal and health services available 24 hours per day to residents [who have been assessed to need these services].

(C) Section 100-8 of the Zoning Code is amended to add a term and definition to read:
Memory Care Facility - A facility which provides multi-room housing and specialized care for people living with Alzheimer's and other forms of dementia.

(D) The definition of “Nursing Home” in section 100-8 of the Zoning Code is amended to read: A facility, institution, or portion thereof, providing therein, by or under the supervision of a physician, multi-room housing, nursing care and other health, health-related and social services for 24 or more consecutive hours to three or more nursing home patients who are not related to the operator by marriage or by blood within the third degree of consanguinity, including, but not limited to, an infirmary section which is identifiable as a nursing home unit in a special area, wing or separate building of a public or voluntary home or of a general or special hospital.

(E) Section 100-8 of the Zoning Code is amended to add a term and definition to read:
Dwelling Unit - A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

(F) Section 100-8 of the Zoning Code is amended to add a term and definition to read:
Urgent Care Facility - A type of hospital providing medical care for illnesses or injuries which require prompt attention but are typically not of such seriousness as to require the services of a hospital emergency room.

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(G) The Use Table, Appendix 1 of the Zoning Code is amended to add a footnote for the permitted use “Upper Floor Apartments” in the Highway Business District to read: The square footage of the upper floor apartments shall not exceed 50% of the net square footage of the building.

(H) The Use Table, Appendix 1 of the Zoning Code is amended to add Memory Care Facility as a Special Permitted Use in R-1, R-1/2 and R-1/4 zoning districts.

(I) The Use Table, Appendix 1 of the Zoning Code is amended to add Urgent Care Facility as a type of “Hospital” use.

(J) The Dimensional Table, Appendix 2 of the Zoning Code is amended to repeal and replace the Side - Each, Side-Total and Rear setbacks in the Highway Business District with 35 feet, 70 feet and 35 feet, respectively, and to add a footnote m to the amended setbacks to read: The setback area for buildings adjoining residential districts shall include dense vegetative screening intended to minimize visual impacts on the residential district in accordance with Zoning Code § 100-15(B)(12).

(K) The Dimensional Table, Appendix 2 of the Zoning Code is amended to add a footnote l to the Maximum Building Height for the Highway Business District to read: Limited to 35 feet and two and one-half stories.

(L) The Dimensional Table, Appendix 2 of the Zoning Code is amended to repeal and replace the Maximum Lot Coverage in the Highway Business District with 40%.

(M) Section 100-15(B)(12) of the Zoning Code is amended to read as follows:

Business buffer. Along all lot boundaries where a business or industrial use adjoins a residential district, a dense vegetative buffer area shall be established and maintained on the business or industrial property as set forth in the Dimensional Table found in § 100-13[2] and in full compliance with the following standards:

- (a) It shall be planted with evergreen plantings of such type, height, spacing and arrangement as, in the judgment of the Planning Board, will screen the activities on the lot from the adjoining residential area.
- (b) The plan and specifications for such planting shall be filed with the approved plan for the use of the lot.
- (c) Required planting shall be properly maintained throughout the continuance of the use on the lot.
- (d) At the discretion of the Planning Board, a wall or fence of location, height and design approved by the Planning Board as providing equivalent screening may be substituted for the required planting.

(N) Article V of the Zoning Code is amended to add section 100-23.2 to read as follows:

§ 100-23.2

Planned residential retirement development.

A. General regulations.

(1) Purpose and general description. The Planned Residential Retirement District (“PRRD”) is intended to encourage flexibility and innovation in residential development and related services for persons 62 years of age and over in locations served by existing municipal water and sewer lines or where the applicant will pay the costs of any extensions of such lines. Access for a PRRD shall be direct to a county or state highway or by a new road designed to meet Town standards. PRRDs shall consist of a combination of principal uses that may include independent living units, enriched housing, adult homes, assisted living facilities, memory care facilities and/or nursing homes, and may include accessory uses as described in paragraph (D)(2) below. PRRDs shall comply with the affordable housing regulations provided in Zoning Code § 100-36. PRRDs should be designed with a traditional village neighborhood sensibility. Through careful planning, such districts will provide for the best use of the site consistent with the goals of protecting and embracing the natural environment. At the same time, it is intended that projects within any PRRD provide a compatible blending with surrounding development, minimizing such negative impacts as land use conflicts, traffic congestion, and excessive demands on existing or proposed public facilities.

(2) Establishment. A PRRD may be established by the Town Board either on its own motion or as a result of an application from the owner or owners of property complying with the standards and requirements set forth in this section for PRRDs. The Town Board may waive or modify any part of the requirements of this section.

(3) Eligibility requirements for residents. A PRRD shall, through its corporate association, association owners, or any other legal entity, consist of a parcel or parcels of land which shall be restricted in their use, occupancy, or ownership, or any combination thereof, by bylaws, rules, regulations, covenants or restrictions to permanent residents whose use, occupancy, or ownership shall be restricted as applicable to:

(a) Any person of the age of 62 years or over;

(b) A husband or wife, regardless of age, residing with his or her spouse, provided that the spouse of such person is of the age of 62 years or over; and

(c) Adults under 62 years where it can be shown that the presence of such person is essential to the physical care of a qualifying individual or individuals, by reason of their medical condition.

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(4) The applicant shall demonstrate in its application how residency in the PRRD will be restricted to persons conforming with the eligibility requirements provided in § 100-23.2(A)(3)(a)-(c) and how these restrictions will be enforced.

(5) The person(s) responsible for operation of the PRRD shall certify to the Town, on a quarterly basis each year, the names and ages of the persons owning, using or occupying the residential units in the PRRD.

(6) Considerations. The Town Board shall consider the following factors when considering the establishment of a new PRRD, an amendment to an existing PRRD, or whether exceptions to PRRD standards should be allowed, particularly as regards the intensity of land use, and the Planning Board shall consider the following factors when reviewing proposed site plans that may be required:

(a) The need for the proposed land use in the proposed location;

(b) The availability and adequacy of municipal water service;

(c) The availability and adequacy of municipal sewer service;

(d) The availability and adequacy of transportation systems, including the impact on the road network;

(e) The pedestrian circulation and open space in relation to structures;

(f) The character of the neighborhood in which the PRRD is being proposed, including the safeguards provided to harmonize the proposed use with adjacent properties and with the neighborhood in general;

(g) The height and bulk of buildings and their relation to other structures in the vicinity;

(h) Potential impacts on local government services;

(i) Potential impacts on environmental resources including, but not limited to, wetlands, surface water, flood plains, and plant and wildlife communities;

(j) The general ability of the land to support the proposed development as well as the stormwater management for the development, including such factors as slope, depth to bedrock, depth to water table and soil type;

(k) The potential for redevelopment of brownfield and other underutilized properties; and

(l) Other factors as may be deemed appropriate by the Town Board.

B. PRRD preapplication consultation process; Town Board action.

(1) Prior to filing an application for a PRRD with the Town Board, the applicant shall participate in a pre-application consultation process with a committee comprised of the Code Enforcement Officer and a representative from each of the Town Board, the Planning Board and the Zoning Board of Appeals (the "Pre-application Committee"). The applicant shall submit to the Code Enforcement Officer a conceptual plan, including any drawings and/or architectural renderings, together with a narrative description of a proposed PRRD that conforms to the requirements of this section. The narrative shall also set forth any proposed waivers or modifications from any of the requirements of this section, including but not limited to use, density or area requirements, that would be needed for the proposed PRRD with justification for the relief sought.

(2) The Pre-application Committee and the applicant shall consult regarding the proposed PRRD for a period of 30 days following receipt of the conceptual plan from the applicant unless the applicant and the Committee mutually agree in writing to extend that period, following which the Committee shall provide in writing its recommendations regarding the proposed PRRD to the applicant and the Town Board. The Committee's recommendations shall include proposed findings based on the factors to be considered by the Town Board for establishment of a PRRD set forth in Zoning Code § 100-23.2(A)(6) and any waivers that would be needed for the proposed PRRD.

(3) After completing the pre-application process, the applicant may submit an application to the Town Board which includes:

(a) A conceptual plan, including any drawings and/or architectural renderings, together with a narrative description for a proposed PRRD that conforms to the requirements of this section except for any waivers or modifications sought;

(b) A request for any waivers or modifications from the requirements of this section that would be needed for the proposal with justification for the relief sought; and

(c) An application fee based on the Town's Development Fee Schedule.

(4) Pursuant to Zoning Code § 100-57, the applicant may be required to deposit an initial sum of money into an escrow account to cover the reasonable and necessary costs of review of the proposed PRRD, including pre-application consultation, application review and any subsequent site plan review if the application for a PRRD is approved.

(5) Within 40 days of the date on which the Town Board accepts the application, the Town Board shall determine whether it will review the application and, if so, refer it to the Planning Board for any recommendations. If the Town Board determines not to review the application, no further action on the application will be taken and the application fee and any unused escrow funds will be refunded to the applicant.

(6) The Planning Board shall provide any recommendations on the application to the Town Board within 60 days of receipt of the referral from the Town Board. This time period may be extended with the consent of the applicant. The Town Board shall, within 45 days following receipt of any recommendations from the Planning Board (or expiration of the time for the Planning Board to comment), hold a public hearing on the proposal, with public notice

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as provided by law, as in the case of a zoning amendment. If, however, a positive declaration of environmental significance is issued, the hearing shall be held after the acceptance of the DEIS as complete, preferably at the same time as the hearing on the DEIS.

(7) The Town Board, after completion of the SEQRA process and any referrals required pursuant to General Municipal Law § 239-m, may then adopt a local law or local laws establishing the PRRD and amending the Town Zoning Map to define the PRRD subject to the conceptual plan and any conditions imposed by the Town Board. Any decision by the Town Board to approve, approve with conditions or disapprove a PRRD application shall be supported by written findings based on the factors set forth in Zoning Code § 100-23.2(A)(6), any waivers sought for the proposed PRRD and any other considerations that the Town Board deems relevant. Such action shall have the effect only of granting the applicant permission to apply to the Planning Board for site plan review of the PRRD consistent with the conceptual plan approved and any conditions imposed by the Town Board.

(8) Any proposed modification to the requirements an approved PRRD, including but not limited to proposed changes to approved use, density or area requirements, may be considered by the Town Board pursuant to this section.

C. Site plan review process; Planning Board action.

(1) If the PRRD is approved by the Town Board, the Planning Board, within 45 days after the approval, shall schedule a meeting with the applicant to commence site plan review. The site plan review will be conducted in accordance with Chapter 100, Article VIII, § 100.53 of the Town Code (Site plan review). If necessary due to technical or engineering considerations, the Planning Board may reduce, but cannot increase, the maximum number of dwelling units or rooms and total square footage of buildings and other impervious surfaces approved by the Town Board.

(2) PRRDs shall be considered as a single parcel for the purpose of applying the regulations.

(3) In conducting its site plan review for the PRRD, the Planning Board shall consider, among other things, the standards listed in subparagraphs A(6)(a) through (l) above, as well as any conditions imposed by the Town Board.

(4) Any site plan approval issued by the Planning Board for a PRRD shall expire in accordance with the provision of Zoning Code § 100-53(F)(6).

(5) The tract or tracts of land under application for consideration for a PRRD may be owned, leased or controlled either by a single person or corporation or by a group of individuals or corporations. An application must be filed by the owner or jointly by the deeded owners or their agent of all parcels included in the project. In the case of multiple ownership, the approved PRRD plan shall be binding upon all the owners, and such owners shall provide written certification to the Town demonstrating that the approved plan is binding upon all owners. Written notice of any transfer of the lands comprising a PRRD, including the names of the new owner or owners, shall be provided to the Town within 30 days of transfer.

D. Permitted uses and buildings.

(1) Principal uses/buildings. Principal uses in a PRRD shall be limited to independent living units, enriched housing, adult homes, assisted living facilities, memory care facilities and nursing homes for persons 62 years of age and older.

(2) Accessory uses/buildings in a PRRD shall include the following:

(a) Buildings and/or facilities designed or intended for the administration or maintenance of the PRRD;

(b) Off-street parking facilities and utilities;

(c) Buildings and/or facilities designed or intended for storage of residents' vehicles, personal belongings or equipment for an approved use;

(d) Facilities/buildings for the sole use of the residents of the PRRD and their guests, including, but not limited to, the following: clubhouse, restaurant and/or snack bar, swimming pool, tennis and/or pickle ball courts, shuffleboard courts, picnic grounds, community gardens, community center and hiking trails, or any other amenities desirable for the implementation and development of the community. All such facilities/buildings, however, shall be subordinate and incidental to the residential character of the community;

(e) Maintenance-related storage sheds; and

(f) Such other uses/buildings as may customarily be accessory to this type of community.

(3) Uses/buildings permitted on review. Upon review and approval of the Town Board, the following additional uses may be permitted: urgent care facilities, adult day care buildings and other uses in the sole discretion of the Town Board deemed supportive of the special needs of a particular PRRD.

E. Prohibited uses and buildings: any use or building not specifically permitted.

F. Maximum density.

(1) For purposes of determining available acreage for calculating density in a PRRD, the buildable acreage shall be based on gross acreage less the square footage of non-residential buildings.

(2) The maximum permitted density for dwelling units ("du") and rooms in a PRRD will be:

(a) For independent living units, 4 du/ac; and

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(b) For enriched housing, adult homes, assisted living facilities, memory care facilities and nursing homes, 12 rooms/ac.

(3) The acreage proposed for allocation to independent living units at 4 du/ac shall be added to the acreage proposed for allocation to facilities providing multi-room housing at 12 rooms/ac and the combined acreage thus allocated shall not exceed the total amount of buildable acreage in a PRRD.

(4) The ratio of independent living units to rooms in a PRRD shall not exceed 1.5 to 1.

(5) Independent living units shall be clustered in the PRRD to promote a more dense neighborhood design and to maximize open space.

G. Area and bulk regulations.

(1) A PRRD shall contain at least 25 contiguous acres of land.

(2) There shall be no minimum lot size applicable to dwelling units or other principal buildings in a PRRD, however, but the town board can impose minimum spacings and yard sizes in the approval process.

(3) Minimum building setbacks shall be:

(a) Front-yard building setback: 50 feet from lot line;

(b) Side-yard building setback: 50 feet from lot line;

(c) Rear-yard building setback: 50 feet from lot line; and

(d) Dense vegetative screening shall be required for side and rear setback areas to limit visual impacts on adjoining residential districts in accordance with Zoning Code § 100-15(B)(12).

(4) Maximum coverage: The maximum permitted coverage of gross site area on a PRRD site shall be 40% for buildings and other impervious surfaces.

(5) No parking areas shall be located within 50 feet of adjoining residential districts and the side or rear-yard setback area shall include dense vegetative screening in accordance with Zoning Code § 100-15(B)(12) to minimize visual impacts on the residential district.

(6) Height of buildings: The maximum building height for any building shall be 35 feet and two and ½ stories.

H. Spacing and design of buildings within a PRRD.

(1) The location of all buildings shall be as shown on the final PRRD site plan approved by the Planning Board, which must be consistent with the conceptual site plan approved by the Town Board.

(2) The proposed location of all buildings shall be in harmony with existing or prospective adjacent uses and to the existing or prospective development of the neighborhood.

(3) Buildings shall be clustered to reduce site disturbance, to promote an interconnected neighborhood character throughout the PRRD, and to encourage and protect open spaces, natural and environmentally sensitive areas.

(4) Building design shall avoid use of long, unbroken facades, and shall include use of balconies, offset walls, trellises and other design features.

(5) Building design, colors and materials shall generally correspond to the natural setting of the project site, and to any prevalent design styles that may occur in neighborhoods within the general project area.

I. Parking area requirements. Each required parking space in a parking area shall be 10 feet wide and 20 feet long with a minimum aisle width of 22 feet, in compliance with Americans with Disabilities Act access regulations. The slopes in parking areas shall be no more than 5%. The following minimum number of parking area spaces shall be provided:

(1) Unless accessory buildings or facilities in the PRRD provide an equal number of spaces for the storage of residents' vehicles:

(a) One space per independent living unit;

(b) One space per two enriched housing, adult home or assisted living facility rooms; and

(c) One space per six memory care facility or nursing home rooms.

(2) One space per two independent living units for visitor parking.

(3) One space per employee on maximum shift.

J. Vehicular and pedestrian circulation system and traffic access.

(1) The arrangement of public and common ways for pedestrian and vehicular circulation in relation to other existing or planned streets in the area, together with provisions for street improvements, shall generally comply with standards set forth in Chapter 89, Streets and Sidewalks, of the Town of Lloyd Code. However, the uniqueness of each PRRD proposal may require that specifications for the width and surfacing of streets, public ways, public utility rights-of-way, curbs and other standards be subject to modification upon application from the developer and good cause shown. The Planning Board may permit changes or alterations of such standards that are consistent with the spirit and intent of this section, subject to approval by the Town Highway Superintendent.

(2) Pedestrian circulation system. In each PRRD, a pedestrian circulation system shall be designed and installed, in addition to the vehicular circulation system, which is sufficient for the needs of its residents. Such a system might be

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composed of a combination of paved and unpaved walkways and bikeways of appropriate width, design, and location to serve their intended function. Walkway widths shall be five feet minimum. Walkway slopes shall be 5% maximum. There shall be no steps in the walkways.

K. Utilities.

(1) The provision of underground utilities (including electricity, telephone and cable television) in both public and private extensions thereof shall be mandatory in every PRRD.

(2) Provisions shall be made for acceptable design and construction of stormwater facilities including grading, gutters, piping, and treatment of turf to handle stormwater and prevent erosion.

(3) Refuse collection. All collection facilities and containers shall be permanently screened in a manner that is sufficient to completely remove facilities from sight. If individual dwelling receptacles, such as garbage cans, dumpsters, etc., are part of the plan, those receptacles shall be placed in their locations of collection no more than 18 hours before the collection and shall be removed no more than 18 hours after collection.

(4) Streetlights shall be provided where practicable or for safety reasons. Streetlights shall be shielded and of appropriate wattage. The Planning Board should use its discretion to allow types of lighting that will complement the PRRD neighborhood.

L. Maintenance responsibilities.

(1) The applicant shall prepare and submit to the Town Board a proposed written program for the maintenance of all buildings and lands within the PRRD, including open space and recreation areas, landscaping, walkways, driveways, parking areas and other common utilities and facilities.

(2) The responsibility for the maintenance program shall be fixed on a legal entity and the terms of the maintenance program shall demonstrate, to the satisfaction of the Town Board, how such responsibility will be enforceable by the Town against such entity or any successor in interest.

M. Open Space

(1) At least 1/3 of the gross acreage of any PRRD shall be placed in a conservation easement, with deed restrictions against future development and delineated on a map for review and approval by the Town Board, and shall also be approved by the Town Attorney and Planning Board and filed with Ulster County.

(2) All areas designated as permanent open space in a PRRD shall conform to the following requirements: (a) Such areas shall be recorded directly on the site plan, and notes shall be added thereon excluding such open space areas from any other undeveloped area of the PRRD; and (b) A written agreement between the owner or his agent and the developer shall be approved by and filed with the Town Board. This written agreement shall cover the deed, title, and dedication, if any, of all such open space areas, as well as the provision for any developmental or maintenance costs. The Town may require that security be posted covering such cost items. The Town Attorney and the Town Board shall approve the amount, duration, form, and manner of execution of said security.

SECTION VI.

SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or parts.

SECTION VII.

EFFECTIVE DATE

This Local Law shall take effect immediately, as provided by law, upon filing with the New York State Secretary of State.

PUBLIC COMMENTS

Mark Reynolds, Reporter, asked about F #4 1.5 Density. The density allows a developer to triple the number of independent houses. So that means the Assisted Living be allowed 150 beds?

Mazzetti asked if the town looked into the assisted living in New Paltz and how theirs is set up.

Dave Barton, Planning and Building Director, said he has been working with this code for almost a year and a half and the number you are saying is completely inaccurate. The cottages are a feeder to the assisted living, they are creating a medical facility. The reason it is different is that the facility they are talking about in general is a different type of facility than Woodland Pond. The language in this code is to provide more affordable housing for seniors.

Mazzetti said he is concerned the project will be a huge albatross of houses filling the mountainside which will cause major traffic problems.

Barton said tonight you are not looking at that project, you are looking at this law.

Paul Van Cott, Attorney, said in terms of your specific question about the ratio is that research indicates the ratios from this type of facility range from a high of 4:1, meaning 4 independent living units to one room, down to a range of 1.5 to 1. We can be the most stringent at the 1.5 to 1 and still allow for a viable business to occur.

TOWN OF LLOYD

TOWN BOARD MEETING

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MOTION made by Mazzetti, seconded by Winslow, to CLOSE public hearing on Local Law B-2020 Zoning Code Amendments

Five ayes carried

1. **REPORTS** – Town Board Liaisons

ECC (Environmental Conservation Committee) - Councilmember Guerriero

Guerriero reported the ECC is dedicating a park on the Rail Trail at the Black Creek to Michael Oremus, Eugene Williams and Doran Chan; residents of town who died during the War in Iraq.

The Boy Scouts are going to be painting and fixing the stairs going down to the creek, and will construct a new sign dedicating the park to these heroes.

EDC (Economic Development Committee) – Councilmember Auchmoody

Highland Fire District – Supervisor Pizzuto

Supervisor reported he attended the Fire Commissioner's meeting last week. They are in the process of finishing their budget.

Our contract with the Fire Department for the Police Station expires in April.

The delivery of the new fire truck will happen by the end of November.

Highland Central School District – Councilmember Mazzetti

Mazzetti reported students are back in school using a hybrid model - partly distance learning, and partly in person learning. This was accomplished alphabetically. They brought students back by grade levels (certain grade levels one week and then the others). All grade levels are now back to school at 50% capacity.

Parents need to make sure students are on the website doing their work. The 5-week reports are out.

Parents need to make sure electronic devices are charged and ready to go, and the child has a quiet place to work.

Auchmoody inquired about what happened to the American Legion Memorials that were removed when the parking lot was redone.

Mazzetti advises that all Veterans should send an email to Superintendent Bongiovi requesting to know where the monuments are and when he plans on replacing them.

Auchmoody will look into it.

Hudson 7 – Deputy Supervisor, Russ Gilmore

Gilmore explained that representative from 7 Communities along the river oversee the quality of the Hudson River drinking water.

There has been extensive discussion with Central Hudson on dredging.

DEC is overseeing the dredging and doing testing. Essentially, Central Hudson will eventually put a giant vacuum down in the River bed by the polluted area to suck up all material.

Material will then be cleansed and tested at a processing plant before the water is returned to the Hudson. Pipes are going out in the River and they are being monitored properly.

Lights – Councilmember Auchmoody

Auchmoody reported that he drives around at night and takes the lamppost numbers that are out and he calls them in. He hasn't gone back to confirm if they have been repaired.

Auchmoody stated there's a link on the Town website to report a street lamppost out, you just need to enter the pole # and the location. Central Hudson is in the process of changing the lights to LED's as the lights go out.

Mazzetti requested more lights be required in new developments to make it safer.

Planning Board – Councilmember Winslow

Winslow stated that she wasn't at the meeting last week as she was working.

There will be a Zoom meeting tomorrow at 7PM.

Public hearings for the Waterfront Bluff Overlay District were held over for Bellevue Road.

New Business: Subdivision on South Street. Selux is coming back. Guardian Self Storage is seeking a commercial site plan, they are constructing 2 additional storage buildings. Villages

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ALF is coming back (that's old business), and Goldenview II as well - both for site plans.

Police – Supervisor Pizzuto

Pizzuto stated a directive came down from the Governor to review and look over their policies and procedures in their community awareness and community planning that's now in place. In two weeks, Chief Janso will speak in more detail for will have had their 1st meeting. Pizzuto stated our Local Police Department is years ahead of most for they are highly involved in the village, they walk patrol, they train with the Citizens and they are highly pro-active with the community.

Water and Sewer – Councilmember Auchmoody

Auchmoody reported no meetings have been held for Water and Sewer. Boring under Railroad Road Tracks went out for bid and the contractor backed out. They have been in contact with the second bidder. They dug two test holes one on the east side of the tracks and one on the west side of the tracks. Second bidder stated that the soil is nothing to be upset about. Second bidder will contact Rich Klotz to go over a couple of things. Second bidder stated it needs to be done. Auchmoody is hoping the second bidder is a man of his word.

Zoning Board of Appeals – Councilmember Guerriero

Guerriero reported John Finelli at 26 Gabriety Road was approved for a Front Yard structure. He has to go to the planning board to get approval for what the structure will be used for.

REPORT – Peter Bellizzi, President, Hudson Valley Rail Trail

Bellizzi reported paving was done from Commercial Ave. to Tony Williams. Some dirt still needs to go along the black top.

The Eagle Scout Project will begin in the next couple of weeks.

There has been a lot of traffic on the Hudson Valley Rail Trail.

Jamie Anson, the event coordinator for WalktoberFest, reported the WalktoberFest event came together in 4-months. The Press was great. They received 5-Stars from the Board of Health for COVID compliance. They had 103 vendors. NYS parks count had over 15,000 people. They sold out of the pre-sale limited amount of tickets - 900 tickets sold in 5 days. They are anticipating over 3,000 tickets easily when COVID subsides.

Elizabeth Waldstein, Executive Director of Walkway Over the Hudson, wants to attend the next Town Board meeting to discuss the 2021 events coming up.

The Hudson Valley Rail Trail Board approved doing this event twice a year - 1st weekend in May, which is National Park weekend, and the first weekend in October.

Anson requests volunteers for future events and they are working to recruit more sponsors.

Anson claimed they received the okay for the Rail Ride (Motorcycle Ride) that would end at the Hudson Valley Rib Fest. It doesn't involve parks as it's on the Hudson Valley Rail Trail property and the New Paltz Rail Trail.

Anson mentioned Waldstein is hoping to hold another "Skyride" which is mandated by NY State Parks Commissioner and the Governor.

Mazzetti recommended writing to Congressmen and Assemblymen. Anson said doing future events as a team, with the Walkway and the Rail Trail, would help make it more successful.

REPORT – Leonard Auchmoody, Manager, Bob Shepard Highland Landing Park

Auchmoody reported the flag was down. The rope on the flag broke and stuck on a pulley on top. He's hoping the Fire Department will use a ladder truck to put in a new rope tomorrow.

Additional lights on the north end of the parking lot have the sonotubes and conduit in the ground. The concrete is being poured at 12:30 PM tomorrow. Hopefully by next week the lights will go up.

The back steps are in place and drilled. They will have to be taken apart to be stained and finished, and the stringers have to be sent out for either powder coating or galvanizing and then put back in by spring.

They need somebody to go down there to take some soil samples, to be told what they need to put in the soil to get the grass to grow again where there are bare spots. Maybe by next summer they can have grass growing all over.

They still have lights to be sponsored; reach out to him if somebody wants to do that or go to through the Town Hall.

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2. OLD BUSINESS

A. Open Development, Kisor Road

MOTION made by Winslow, seconded by Auchmoody, to refer Jean-Paul Perrault, property owner of 70 Kisor Road, who is requesting Open Development, to the Planning Board.

Four ayes carried

3. NEW BUSINESS

A. UCRRA Contract

Klotz inquired about the Ulster County Resource Contract. Sean Murphy, Town Attorney, spoke with Klotz and reviewed the copy of the contract. They saw no issues with the 5-year contract and both find it acceptable. Supervisor will sign the contract. Klotz said UCRRA is only taking 6 towns this year and Highland is one of them.

4. PRIVILEGE OF THE FLOOR

5. MOTIONS AND RESOLUTIONS

A. RESOLUTION made by Auchmoody, seconded by Guerriero, to authorize the payment of vouchers as audited by the Audit Committee.

GENERAL	G-868 - G-958	\$	76,523.29
HIGHWAY	H-373 - H-429	\$	28,098.34
MISC	M-185 - M-201	\$	120,539.19
PREPAYS	P-525 - P-620	\$	149,009.41
SEWER	S-228 - S-253	\$	33,205.93
WATER	W-365 - W-404	\$	39,233.10

Roll Call: Pizzuto, aye; Winslow, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

B. RESOLUTION made by Winslow, seconded by Auchmoody, to Adopt a Negative Declaration under the State Environmental Quality Review Act for Proposed Amendments to Town of Lloyd Zoning Code

WHEREAS, pursuant to Section 58 of the Town of Lloyd Zoning Code (the “Zoning Code”) the Town of Lloyd Town Board seeks to amend the Zoning Code with respect to continuing care retirement communities and uses in the Highway Business District as set forth **Local Law B of 2020** (“Proposed Amendments”); and

WHEREAS, the Proposed Amendments have been developed through a process including input from the Town’s Comprehensive Plan Committee, the Town of Lloyd’s Planning Board pursuant to Zoning Code § 58 and the Ulster County Planning Board pursuant to General Municipal Law § 239-m; and

WHEREAS, the Town Board has determined that the adoption of the Proposed Amendments is a Type 1 action under the State Environmental Quality Review Act and its implementing regulations in 6 NYCRR Part 617 (collectively, “SEQRA”), because they involve the proposed adoption of changes in the allowable uses within the Town’s zoning districts affecting 25 or more acres; and

WHEREAS, because there are no other agencies involved in the adoption of the Proposed Amendments, the Town Board is the lead agency for conducting the environmental review of the Proposed Amendments under SEQRA; and

WHEREAS, the Proposed Amendments are consistent with the Town of Lloyd Comprehensive Plan; and

WHEREAS, SEQRA requires that for a Type 1 action like the adoption of the Proposed Amendments, the lead agency making a determination of significance must: (1) consider the action as defined in SEQRA; (2) review the Full Environmental Assessment Form (“FEAF”) and the SEQRA criteria for determining significance and any other supporting information to identify the relevant areas of environmental concern; (3) thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and (4) set forth its determination of

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significance in a written form containing a reasoned elaboration and providing reference to any supporting documentation; and

WHEREAS, the Town Board has reviewed the Proposed Amendments and completed Parts 1, 2 and 3 of the FEAF for the Proposed Amendments which contain a thorough analysis of the relevant areas of environmental concern and a written elaboration of the Proposed Amendment's impact on the environment. The Board has further reviewed the SEQRA criteria for determining significance set forth under 6 NYCRR § 617.7(c)(1).

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Adoption of the Proposed Amendments to the Town of Lloyd Zoning Code will not result in any significant adverse environmental impacts based on the information contained in Parts 1, 2 and 3 of the FEAF (which are incorporated into this resolution) and, therefore, a Negative Declaration is issued for the Proposed Amendments; and
2. The Town Supervisor is authorized to sign Part 3 of the FEAF to that effect; and
3. The Town Clerk shall file, distribute and publish this resolution and FEAF in accordance with the SEQRA requirements set forth in 6 NYCRR § 617.12.

Roll Call: Pizzuto, aye; Winslow, aye; Auchmoody, aye; Guerriero, nay; Mazzetti, nay

Three ayes carried

C. RESOLUTION made by Winslow, seconded by Auchmoody, to Adopt Proposed Amendments to Town of Lloyd Zoning Code

WHEREAS, pursuant to Section 58 of the Town of Lloyd Zoning Code ("Zoning Code") the Town of Lloyd Town Board ("Town Board") seeks to amend the Zoning Code with respect to continuing care retirement communities and the Highway Business District as set forth in the attached copy of **Local Law B of 2020** ("Proposed Amendments"); and

WHEREAS, Town of Lloyd development approvals for continuing care retirement communities and uses in the Highway Business District are currently subject to a moratorium adopted by the Town Board on July 15, 2020; and

WHEREAS, the Proposed Amendments have been developed through a process including input from the Town's Comprehensive Plan Committee, the Town of Lloyd's Planning Board pursuant to Zoning Code § 58 and the Ulster County Planning Board pursuant to General Municipal Law § 239-m; and

WHEREAS, the Proposed Amendments are consistent with the Town of Lloyd Comprehensive Plan; and

WHEREAS, the Town Board has completed its review of the Proposed Amendments under the State Environmental Quality Review Act and its implementing regulations in 6 NYCRR Part 617 (collectively, "SEQRA") and has approved a resolution issuing a SEQRA Negative Declaration concluding that the adoption of the Proposed Amendments, a Type 1 SEQRA action, will not result in any significant adverse environmental impacts and, therefore, no further SEQRA review is required; and

WHEREAS, as required by Zoning Code § 58, notice of a public hearing was published in the official newspaper of the Town at least ten days prior to a public hearing on the Proposed Amendments; and

WHEREAS, on this date the Town Board held a public hearing on the Proposed Amendments and the Board considered all written and oral public comments, if any, related to the Proposed Amendments. The hearing was closed on this date.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Proposed Amendments to the Town of Lloyd Zoning Code are hereby adopted pursuant to Zoning Code § 58; and
2. Comments from the Ulster County Planning Board and public shall be referred to the Town's Comprehensive Plan Committee for consideration as part of a future round of possible amendments to the Zoning Code;
3. A copy, summary or abstract of the Proposed Amendments shall be published by the Town Clerk as required by NYS Town Law § 265; and
4. Pursuant to Municipal Home Rule Law § 27, the Proposed Amendments shall become effective upon their filing with the New York Secretary State; and
5. The moratorium on development approvals for continuing care retirement communities and uses in the Highway Business District shall expire upon the effective date of the Proposed Amendments.

Roll Call: Pizzuto, aye; Winslow, aye; Auchmoody, aye; Guerriero, nay; Mazzetti, nay

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Three ayes carried

D. RESOLUTION made by Winslow, seconded by Mazzetti,

WHEREAS, a proposed **Local Law E of 2020** was introduced on the 19th day of August, 2020; and

WHEREAS, this local law to revise Chapter 100 of the Town Code entitled “Zoning” to create a Waterfront Business District and to amend the Zoning District Map; and

WHEREAS, the Town Board has determined that this matter constitutes an Unlisted action under the State Environmental Quality Review Act (SEQRA), and the Town Board declared lead agency to do all necessary reviews in this matter; and

WHEREAS, a Short Environmental Assessment Form (EAF) has been prepared; and

WHEREAS, the Town Board has considered the information contained in Part I, and completed Part II of the Short Form EAF; and

WHEREAS, the Town Board has determined that the proposed action, to wit; to amend the Town’s Zoning Code to create a Waterfront Business District and to amend the Zoning District Map, will have no significant adverse environmental impacts.

NOW, THEREFORE, it is resolved that the Town Board, as lead agency under the New York State Environmental Quality Review Act, finds that the proposed action will not result in any adverse environmental impacts and hereby issues its declaration of non-significance.

Roll Call: Pizzuto, aye; Winslow, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

F. RESOLUTION made by Winslow, seconded by Mazzetti,

WHEREAS, proposed **Local Law E of 2020**, a local law to amend Chapter 100 of the Town Code entitled “Zoning” of the Code of the Town of Lloyd to create a Waterfront Business District, to amend the Zoning District Map, as part of a plan for the orderly efficient economic and environmentally sound development of the Town, particularly the Town’s waterfront with the Hudson River and to bring the Town’s Zoning Ordinance more in compliance with the Town’s comprehensive plan, was introduced at a meeting of the Town Board held on the 19th day of August, 2020 at 7:00 p.m.; and

WHEREAS, this local law amends the Town’s Zoning Code to create a Waterfront Business District and, amends the Zoning District Map to set forth the parcels contained in said Waterfront Business District; and

WHEREAS, this is an Unlisted action under SEQRA; and

WHEREAS, the Town Board, having examined Part I and completed Part II of a Short Environmental Assessment Form and considered the environmental effects of this matter, has found, as lead agency, that there is no environmental impact and has issued its declaration of non-significance; and

WHEREAS, a public hearing has been held thereon on the 21st day of October, 2020 at 7:00 p.m., at which time all interested persons were given the opportunity to be heard thereon.

NOW, THEREFORE, it is resolved that **Local Law E of 2020** be enacted as in the form attached hereto as Exhibit “A” as if fully set forth herein, being a law to amend the Zoning Code and Zoning Map of the Town of Lloyd.

Roll Call: Pizzuto, aye; Winslow, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five aye carried

G. RESOLUTION made by Winslow, seconded by Auchmoody, to approve 2021 Preliminary Budget.

Roll Call: Pizzuto, aye; Winslow, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five aye carried

H. RESOLUTION made by Winslow, seconded by Auchmoody, to set the Public Hearing on the 2021 Town of Lloyd Preliminary Budget for November 2, 2020 at 7:00 PM at the Town Hall.

Roll Call: Pizzuto, aye; Winslow, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

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MOTION made by Winslow, seconded by Auchmoody, to go into executive session at 8:10 PM to discuss litigation.

Five ayes carried

MOTION made by Mazzetti, seconded by Guerriero, to come out of executive session at 8:23 PM.

Five ayes carried

RESOLUTION made by Winslow, second by Auchmoody,

WHEREAS, there is presently pending against the Town of Lloyd and various additional Defendants/Respondents a proceeding commenced by Lawrence Roberto and Kellen Roberto, as Plaintiffs/Petitioners in the State of New York Supreme Court County of Ulster that alleges Defendant Town of Lloyd declared a private road owned by Plaintiffs, Dominick Drive/Prospero Road as a public Highway, thereby denying Plaintiffs rights and priority over the road; and

WHEREAS, the parties that have appeared in said action have agreed to a Stipulation of Settlement in the form attached hereto and made apart hereof as Exhibit "A"; and

WHEREAS, the Town Board of the Town of Lloyd wished to settle said proceeding pursuant to the terms said Stipulation of Settlement.

NOW, THEREFORE, BE IT RESOLVED, that the Stipulation of Settlement on the terms set forth in the attached Stipulation of Settlement is approved and Frederick Pizzuto as Supervisor for the Town of Lloyd, be and hereby is, authorized on behalf of the Town of Lloyd to execute the within Stipulation of Settlement, and that said Settlement be submitted to the Ulster County Supreme Court for final approval and entry with the Ulster County Clerk's Office.

Roll Call: Pizzuto, aye; Winslow, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

RESOLUTION made by Winslow, seconded by Auchmoody to pay Brooks and Brooks \$3,100.00 for preparation of survey of public roadway Dominick Drive/Prospero.

Roll Call: Pizzuto, aye; Winslow, aye; Auchmoody, aye; Guerriero, aye; Mazzetti, aye

Five ayes carried

MOTION made by Winslow, seconded Mazzetti to adjourn at 8:30 PM.

Five ayes carried

Respectfully submitted,

Wendy D. Rosinski
Town Clerk