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Date:	_____

MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, January 23, 2014

CALL TO ORDER TIME: 7:00PM

PLEDGE OF ALLEGIANCE

ATTENDANCE Present: Scott Saso; Chariman, Lawrence Hammond, Bill Ogden, Carl DiLorenzo,
Peter Brooks, Brad Scott, Fred Riley, Dave Plavchak, David Barton; Building Department
Director, Andrew Learn, Engineer; Morris Associates
Absent: Fred Pizzuto

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

New Public Hearings

Cusa SCC Holding Corp; Lot Line Revision, 90 New Paltz Rd, SBL#87.4-3-21.100, in R1/2 zone.
The applicant would like a lot line revision for the purpose of relinquishing the area from Lot 1 required to incorporate the recently constructed office and garage so that all the associated improvements with said office/garage are wholly contained within Lot 2, accordingly with the required zoning constraints. It is the applicants intent that the area necessary to accomplish that, 0.411 acre shall be deeded to Lot 2, Lands of SCC Holding Corp.

Jonathan Millen, the applicant’s representative, was present for the meeting.

Mr. Cusa was present for the meeting.

The Board reviewed this application at the previous meetings and had no additional questions or concerns.

TO THE EDITOR OF THE OFFICIAL NEWSPAPER:

New Paltz Times
Email: dale@ulsterpublishing.com

THE FOLLOWING LEGAL NOTICE IS TO BE PUBLISHED:
WEEK OF: January 16, 2014

FORWARD PROOF OF PUBLICATION AND ALL BILLS TO:

PLANNING BOARD MEETING MINUTES

TOWN CLERK, TOWN OF LLOYD
TOM SHAY SQUARE, 12 Church Street
Highland, New York 12528

LEGAL NOTICE
TOWN OF LLOYD PLANNING BOARD
NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Town of Lloyd Planning Board, Ulster County, State of New York, on the application of Salvatore Cusa for property at 90 New Paltz Rd. (SBL: 87.4-3-21.100), Highland NY, 12528, proposing a lot line revision.

The public hearing will take place at the Town of Lloyd Town Hall on Thursday, January 23, 2014, at 7:00PM, or as soon thereafter as may be heard.

Date: January 9, 2014

Any questions, call (845) 691-2735, Monday through Friday, 8:30am – 4:30pm, or email us at prober@townoflloyd.com

A **Motion** was made to open the public hearing by Dave Plavchak, seconded by Lawrence Hammond. All ayes.

Abutting owner Mr. Carl Krize, 39 S. Chodikee Lake Rd, inquired in the Building Department prior to the meeting.

The daughter of Mr. Joseph Crimi, 7 Francis Dr., another abutting owner, phoned the Building Department inquiring about the project.

Abutting property owners, Mr. and Mrs. Salzberg, of 82 New Paltz Rd. were present for the public hearing. Mrs. Salzberg: I am just not sure what it is that they are going to do and am just here to understand it better. Jonathan Millen introduced himself and informed the public that the applicant would like to incorporate a garage that had been on one parcel onto the applicant's adjoining lot. The public reviewed maps.

Mrs Salzberg: The only other comment I wanted to make was that when they did all this, my trees usually block all of that, but in the winter I see all of the wood and scraps, (garbage) that just doesn't look nice. Can I complain about this? In the summer I don't see any of this but in the winter it is a mess.

Scott: There is not much we can do with that but we can put it on record and the Building Department will take care of that.

Mrs. Salzberg: Are they planning to build more homes up there?

Scott: They will not be able to put any more buildings on this parcel at all. This building is an office not another residence. If they want to change that they would need to come back to us.

There were some minor corrections (typos) that will need to be corrected on the map before Scott can sign the maps.

The resolution will note new maps dated today are to be submitted.

There were no additional comments.

A **Motion** was made to close the public hearing by Dave Plavchak, seconded by William Ogden. All ayes. Scott read the resolution. (See attached)

Basciano, John; SUP, 98 Half Moon Road, SBL#95.2-9-16.300, in R1 zone.

A permit was issued for the construction of a 2 car detached garage with storage over it.

Proposed is to convert this storage area into an apartment, thus creating 2 families on a single lot.

Louis DuBois, the applicant's representative was present for the meeting.

The Board reviewed the plans.

Larry H: Where is the buildable land on this property?

Scott: This is a question that had come up at the workshop meeting.

Larry: There are no topos here, so we can not see it.

Lou DuBois: What I did was prepare an area of the buildable land, which comes to about 2.36 acres.

Scott: This is a one acre zone, so we are okay there.

The Board looked at a survey map on which Lou D. had sketched a building envelope of the buildable area.

Larry: If we approve this we are opening the door to the whole Town in the future. If someone has a piece of property and they can not get a flag lot, he will automatically come in and say I would like to put another structure on the same property. Dave is not going to be able to say no. There are restrictions on a flag lot you could not put a flag lot on this, but he still wants two different structures.

Scott: Our concern is setting a precedent which I thought Teresa advised me at one point that I don't know if that is something that we worry about. Is that true or am I making that up?

Larry: We have never approved two separate residential structures on a common lot.

Peter: If you recall what we said about it was based on what Teresa said and what Dave said, there does not seem to be anything in the code.

Larry: We can determine what we want.

Peter: Some of us had come to the conclusion maybe the right answer particularly given the lawsuit that led us to this place, was to approve this but to undertake a recommendation to the Board that the Code get rewritten so that it is clear that you can't do it.

Scott: That is something that I was going to talk towards the end of the meeting; that should be our first order of business for 2014.

Dave P: This is what was not clear in the code right?

Scott: That's right.

Larry: It could be a duplex which would be legal but these are two different structures.

Dave: I hear what Larry is saying and he is right unfortunately the code is not up to date.

Dave read the definition of two family dwelling he noted that it requires a special use permit in Ag and residential zones.

Dave: I do not know that it says anywhere in the code that you can not do this. The idea tends to lean toward it being in a single structure but could go either way. 100-49 is Multi-family and two-family dwellings.

Brad: What was Teresa's counsel on this?

Dave: It is unclear, so as Larry says it is going to be up to you guys to determine. As you requested, if approved, we have added into the resolution so that this approval is very specific to this case.

Peter: I think it is clear that you can have two-family in one building and the issue is can you have two-family in two buildings.

Scott: Getting back to Larry's bigger concern, setting a precedent, does the fact that our resolution being as specific as it is; for someone to hang a "you did it for this one" they would have to satisfy almost the same exact circumstances.

Dave: The reason we wrote this into the resolution was to make it specific to this case.

Brad: Larry, would you agree? They came to us out of a court resolution and it is written up that way, what are your thoughts?

Larry: As long as it does not set a precedent for the future.

Carl: It is a special use permit and it is at our discretion to decide; and the code should be changed.

The Board agreed.

No additional Board questions.

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LEGAL NOTICE
TOWN OF LLOYD PLANNING BOARD
NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Town of Lloyd Planning Board, Ulster County, State of New York, on the application of John Basciano for property at 98 Half Moon Rd. (SBL: 95.2-9-16.300), Highland NY, 12528, proposing a special use permit for a two family dwelling.

The public hearing will take place at the Town of Lloyd Town Hall on Thursday, January 23, 2014, at 7:00PM, or as soon thereafter as may be heard.

Date: January 9, 2014

Any questions, call (845) 691-2735, Monday through Friday, 8:30am – 4:30pm, or email us at prober@townoflloyd.com

A **Motion** was made to open the public hearing by William Ogden, seconded by Dave Plavchak. All ayes. There were no public comments.

A **Motion** was made to close the public hearing by Lawrence Hammond, seconded by William Ogden. All ayes.

Scott read the resolution of approval. (See attached)

Old Business

Dias, Joao, 565 Riverside Rd, Site Plan, SBL#88.1-1-4.200, in DB and R1 zone.

Mr. Dias would like site plan approval for his concrete business.

Mr. Dias did not show up for the meeting.

MML Homes, Crescent Avenue Realty LLC, Subdivision SBL# 95.1-1-18.1, in A zone.

The application was submitted in March of 2010.

This is an application for a 26 lot subdivision, twenty-one lots are in the Town of Plattekill and five of the lots are in the Town of Lloyd. The public hearing has been opened in the Town of Plattekill and now the Town of Lloyd Planning Board anticipates setting their public hearing for Feb. 27, 2014.

This application has been reviewed by the Planning Board. There are no updates.

The Board had no additional questions.

A **Motion** was made to adopt the Town of Plattekill Negative Declaration and set the public hearing for February 27, 2014, by Dave Plavchak, seconded by William Ogden. All Ayes. See attached.

With a public hearing set for February, and February being a winter getaway month, Scott verified attendance with Board members and it looks like a quorum should be met.

Administrative Business

Mountainside Woods

Mountainside Woods would like to extend their final approval. They are presently in the process of meeting their conditions and would like an additional 90 day extension, two times, to fulfill their obligations.

Scott read the resolution. See attached.

MINUTES TO APPROVE:

A **Motion** was made to accept the minutes from the November 21, 2013 Planning Board Workshop by Lawrence Hammond, seconded by Dave Plavchak. All ayes.

A **Motion** was made to accept the minutes from the December 5, 2014 Planning Board Meeting by Dave Plavchak, seconded by Lawrence Hammond. All ayes.

The Board discussed the process for changing the code. Dave B. will work on Two-family and Multi-family verbage as well as Accessory Apartments. Drafts will be emailed to Board members.

Scott Saso recused.

Brad Scott recused.

Dave Plavchak took the chair.

Brad Builders-Trail View Place, Subdivision, 6 Commercial Avenue Ext, Toc. Dr. SBL#88.17-11-2, in PRD zone.

The applicant would like a two lot subdivision of 2.87 acres of land to provide a 0.27 acre lot with an existing residence and 2.60 acre remaining parcel for further development of multi-family residences.

The Board reviewed this application at the workshop meeting and are satisfied with the subdivision.

Donna Deeprise: I am curious about the impact of the traffic on the Commercial Ave. Ext.

The Board informed her that the proposed resident traffic will not be using the Commercial Ave. Ext.
The Board went over the environmental form.

Dave P. read the resolution of negative declaration and set public hearing. .

A **Motion** was made declaring a negative declaration and to set the public hearing for February 27, 2014 by Lawrence Hammond, seconded by Carl DiLorenzo. All ayes. See attached.

Brad Builders - Trail View Place, Site Plan, 6 Commercial Avenue Ext, Toc Dr., SBL#88.17-11-2, in PRD zone.

The applicant proposes to construct a 36 unit residential multi-family complex on a 2.6 acre parcel of land located on the easterly side of Toc Drive. The subject parcel was re-zoned as a PRD by the Town of Lloyd Town Board on 8-21-13.

A total of six buildings with six residential units per building are being proposed. Access to the Rail TRail, on site mail receptacle, playground and bus shelter are all included in the design. The project will be served by municipal water and sewer services and will be a single phase construction project.

The applicant proposes to subdivide the existing 2.87 parcel into two lots. Lot 1 will have 2.60 acres and Lot 2 will be the remaining 0.27 acres. See subdivision discussion above.

The Planning Board reviewed this application at the workshop,

The applicant's Engineers Barry Medenbach P.E. and Nick Sadler P.E., of Medenbach & Eggers were present for the meeting.

They informed the Board that they did receive comments from Morris Associates and have made most of the revisions and are just about ready to resubmit. They said there is nothing in the comments that they have any issues with they are just providing additional detail.

The Board gave Andy L. permission to have direct contact with the Engineers.

The Board had no questions for the Engineers at this time.

The Board reviewed the environmental form for the PRD siteplan.

Dave P. read the resolution of negative declaration and to set a public hearing.

A **Motion** was made declaring a negative declaration and to set the public hearing for February 27, 2014 by Lawrence Hammond, seconded by Carl DiLorenzo. All ayes. See attached.

Scott Saso returned to the meeting.

Brad Scott returned to the meeting.

The Planning Board anticipates reviewing code changes.

A **Motion** was made to adjourn by Lawrence Hammond, seconded by William Ogden. All ayes.