APPROVED:

 MOTION BY:
 SECONDED BY:

 AYES:
 NAYS:
 ABSTENTIONS:
 ABSENT:

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

Certification of Receipt

By:

Rosaria Peplow, Town Clerk

### **MEETING MINUTES**

### TOWN OF LLOYD PLANNING BOARD

### Thursday April 25, 2019

#### CALL TO ORDER TIME: 7:00 pm

#### PLEDGE OF ALLEGIANCE

ATTENDANCE Present: Fred Pizzuto (Chair), Lawrence Hammond, Charly Long, Sal Cuciti, Carl DiLorenzo, Scott McCarthy (Vice-Chair), Franco Zani, Labros Violaris (Alternate), David Barton (Building Department Director), Laura Oddo-Kelly (Administrative Assistant to Planning and Zoning)

Absent: Claire Winslow (Town Board Liaison), Rob Stout (Land Use Attorney), Andrew Learn (Town Engineer).

#### 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

**EZ Bottle and Can Returns, Inc., 32 South Roberts Rd, SBL# 96.29-2-2 in DB Zone.** Applicant is seeking a special use permit and commercial site plan approval to open a bottle and can return center.

The Planning Board reviewed the EAF, issued a negative declaration on March 28, 2019 and set the public hearing for April 25, 2019.

A **Motion** was made by Scott McCarthy, seconded by Carl DiLorenzo to open the public hearing. All ayes.

Applicant, Ridepreet Singh, was present to provide an additional overview and process of the proposed project. He explained that he owns and operates seven other bottle and can redemption businesses. People come and drop their bottles and cans off inside on their table, everything is hand counted and five cents is given for each redemption. Once it is put in the bin, it is bagged, stacked and vendors come on a weekly basis to pick up.

Pizzuto asked if it is ever stacked outside.

Singh replied that it is stacked inside.

Cuciti asked if it is empty at the end of the week.

Singh replied that was correct. Vendors arrive at different times but by the end of the week it is empty.

Cuciti asked if anything stayed longer than a week.

Singh replied no. An exterminator would come in on a monthly basis. Singh stated that all of his landlords are happy with his business the way it is.

Zani inquired as to how many trucks per week would visit the site.

Singh said three weekly vendors will park on the side of the business. They would have to have DEC approval prior to starting.

McCarthy asked the applicant to demonstrate how the vendor trucks would be entering and turning around at the site.

Singh explained the collection process.

Barton asked how long the vendors are on site.

Singh said it depends but most probably approximately a half an hour to forty five minutes. Pizzuto asked what towns in Dutchess County Singh's other business are in.

Applicant replied in Fishkill at Brownell Motors, two in Wappingers Falls, Route 376 by the McDonalds, one on Poughkeepsie on Mansion Street and Pershing Avenue, and they have just signed a contract for one on Route 82 in Hopwell Junction on Royal Carting property. Pizzuto asked if there were any comments from the public.

Marianne Mattock, 50 Sterling Place, said she is very against the proposed project. She said she is very familiar with the type of business and feels it would attract vermon, create undesireable odors and does not want it in her back yard. Additionally she said the two way street the business is proposed to be located, is not condusive to large trucks or tractor trailers. Mattock feels the business should not be located in a residential area.

Dennie Monaco, 74 Sterling Place, said he against the proposed project for several reasons. He believes traffic and the smell will be a problem. He said there is a mess at the Hannaford redemption center and believes it should not be in a residential area.

Donna Lukacik, 76 Sterling Place, said traffic is a big concern especially where thet receive their mail in the Bridgeview complex. She believes there will be more accidents and it will encourage undesireable behavior in the area.

Rich Farlese, 68 Argent Drive, said he is on the HOA Board for Bridgview and his concerns reflect the previous comments. The increased traffic will be a problem and he is concerned that the trucks will use the Bridgeview roads as a shortcut. Farlese said it would not be a good situation.

Maria Barry, 73 Sterling Drive, said she has the same concerns as everyone else. She is concerned with the children in the area with the increased traffic.

Pizzuto said given the concerns of the residents, the Boards needs to consult with the Police, Highway Department, Town Attorney about the issues that were brought up and feels the public hearing should be extended until next month.

Long suggested the board visit some of the applicant's other redemption businesses.

DiLorenzo requested an expanded map of the proposed location.

There was a discussion amongst the board members about the traffic concerns.

Zani asked if the Planning Board could specifiy what time redemption pickups could be. Barton replied yes.

Violaris asked if the Planning Board could specify a certain volume or weight of the vehicles that are allowed to do pick ups.

Barton replied yes.

A **Motion** was made by Carl DiLorenzo, seconded by Scott McCarthy to extend the public hearing. All ayes.

### Jensen, Mark – 2 Lot Subdivision, 115 Carly Dr, SBL# 79.4-2-45.200 in R1 Zone.

Applicant with a 13.59 acre vacant parcel of land, SBL 79.4-2-45.2 proposes a two lot subdivision to create two single family dwellings. The existing parcel has 50 feet of frontage on Carly Drive. Adjoining neighbors, Timothy P. & Maureen A. Welch, have agreed to convey an additional 50 foot strip of land providing 50 feet of frontage for one lot, with the second lot having 50.53 feet of frontage. This lot line revision will convey a total area of 105 sq. feet. The Town of Lloyd ZBA granted an area variance on 01.10.19 permitting more than one flag lot for a subdivision of four or fewer lots.

Additionally, part of this application is to separate Tax lot 45.1 from Tax lot 45.2. both currently have separate deeds and assessments. Due to the combination of these lots, as shown by the UCCO Office filed Map No. 12485, they are considered one lot.

# The Planning Board reviewed the EAF, issued a negative declaration on March 28, 2019 and set the public hearing for April 25, 2019.

A **Motion** was made by Franco Zani, seconded by Scott McCarthy to open the public hearing. All ayes.

Barton gave an overview of the proposed project.

Steve Brooks, applicant's representative, was present to answer any questions or concerns. There are no changes.

DiLorenzo inquired about the fire truck turn around.

Barton said that was solved at the workshop meeting. It is at the extension of the second house in the back.

The Board reviewed the maps.

There were no public comments.

A **Motion** was made by Larry Hammond, seconded by Franco Zani to close the public hearing. All ayes.

Pizzuto read the resolution of approval.

A **Motion** to accept the resolution of approval was made by Scott McCarthy, seconded by Franco Zani. All ayes.

### Youngstrom, Jean Marie, 190 Hawleys Corners Rd, SBL# 79.4-1-26.100 in R1 Zone.

Applicant is seeking to legalize a studio apartment in an existing home.

# The Planning Board reviewed the EAF, issued a negative declaration on March 28, 2019 and set the public hearing for April 25, 2019.

Applicant was present and inquired whether the apartment would increase her taxes on the property because it's a problem for her.

Barton said she would have to address that question to the Assessor not the Planning Board.

# A **Motion** was made by Larry Hammond, seconded by Carl DiLorenzo to open the public hearing. All ayes.

Joe Melito, spoke on behalf of his father Fred Melito, 664 North Chodikee Lake Road (submitted a letter of agent), and inquired whether there would be adequete off street parking if the apartment was rented and exactly what the requirements were.

Barton said it is a special use permit for an accessory apartment and listed the requirements for it to be up to the code.

A **Motion** was made by Franco Zani, seconded by Scott McCarthy to close the public hearing. All ayes.

Pizzuto read the resolution of approval.

A **Motion** to accept the resolution of approval was made by Sal Cuciti, seconded by Franco Zani. All ayes.

## **New Business**

### Budnik, John and Debra, 289 Hurds Rd., SBL# 94.2-1-4.120 in A Zone.

Applicant is seeking a special use permit to allow an accessory apartment on the second floor of a detached 28 x 24 sq ft 2-story building on the parcel.

Applicant has already been granted an area variance relief of .97 acres from the ZBA on 03.14.2019 to then apply to the Planning Board for a special use permit intended for an accessory apartment.

The applicant was present to answer any questions or concerns.

Cuciti suggested a condition of the approval should be that the office not to be rented separately from the apartment and used exclusively by the homeowner. It should be considered a home office.

Barton said they know the septic is acceptable and good with the Health Department. The applicant is reducing the number of bedrooms in the home.

McCarthy asked if the building could be inspected periodically.

Barton said no. The space will be offically converted and will require a building permit. At that time, the building department would inspect to make sure everything is up to the code. Hammond felt the stairway should be included in the square footage because it is access. Barton believed they have never included stairs before but would check on it.

There was a discussion about the square footage.

The Planning Board reviewed the EAF, issued a negative declaration and set the public hearing for May 23, 2019.

A **Motion** was made by Scott McCarthy, seconded by Sal Cuciti to set the public hearing for May 23, 2019. All ayes.

### Royal Pools and Spas, Inc., 600 Route 299, SBL# 87.1-3-41.220 in DB Zone.

Applicant is seeking commercial site plan approval to construct a 30' x 50' outdoor pool park to display pools and sign approval for the side of the building.

Barton gave an overview of the proposed project.

Long asked if there would be anything in writing to relect filter cartridges in the pools to prevent any kind of backwash.

Barton said the applicant indicated that at the last meeting.

Zani questioned any chlorine backwashed.

Barton said there would be no backwash or chlorine because there would be a filter cartridge.

The Planning Board reviewed the EAF, issued a negative declaration and set the public hearing for May 23, 2019. A **Motion** was made by Carl DiLorenzo, seconded by Larry Hammond to set the public hearing for May 23, 2019. All ayes.

## **Minutes to Approve:**

A **Motion** was made by Scott McCarthy, seconded by Carl DiLorenzo to approve the Planning Board Workshop Meeting Minutes of March 21, 2019, Planning Board Meeting Minutes of March 28, 2019, and Planning Board Workshop Meeting Minutes of April 18, 2019, as amended. All ayes.

A Motion to adjourn was made by Larry Hammond, seconded by Sal Cuciti 7:57 PM. All ayes.