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WORKSHOP MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, April 17, 2014

CALL TO ORDER TIME: 5:30pm

PLEDGE OF ALLEGIANCE

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

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

Dave Plavchak took chair.

Old Business

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

The applicant would like site plan approval on his existing concrete business. Mr. Dias and Paul Gargiulo were present for the meeting. The Board reviewed newly submitted maps. The new map reflected the fence detail, buffering and the fence shown on the DB portion of the site, as requested. The Board anticipates setting the public hearing next week for the May meeting.

New Business

Pedro, Jon, 399 Elting Corners Rd, Subdivision; SBL#79.4-1-18, in R1 zone.

The applicant would like a subdivision of approx. 45.45 acres of vacant land in the R-1 zone to create four new buildable lots with individual driveway access.

Patti Brooks, the applicant’s representative, was present for the meeting. Patti Brooks informed the Board that this property spans the east side and the west side of N. Eltings Corners Road. Because it is separated by the highway, for the purposes of zoning, the property located on the west end side of the road is considered a separate parcel, and he is selling that with the existing house on it. The property on the easterly side of the road, the applicant, is looking to take the 45.45 acres and subdivide into four lots.

The Board reviewed the map.

The Board discussed flaglots. There are two flaglots in this subdivision and only one flaglot is permitted. (Two flaglots are permitted in a five lot or greater subdivision.) One lot frontage is 105’ wide, Patti B. will

move it up 20 ft. and one lot will be a minimum 125 ft. required lot width for a regular lot, than there will be only one flaglot. Test pits were dug for the septic system, and Patti received the grading plans for the driveways. (which will be submitted separately) The Board discussed runoff from an abutting area, there is not a lot of runoff due to the fact that the property crests below the rock cliff.

Andy L: Have you deducted the steep slopes and all of that?

Patti: Yes. I have been working with an engineer. I just wanted the Board to conceptually review this, I am working with the Board of Health. Once I get the plans in final enough form they can be referred to the fire department. I would like permission to work with the Building Department to get this to the Fire Dept.

Andy: Do you have any idea of how much land disturbance you are looking at?

Patti: The engineer is still working on that.

The Board was okay with the conceptual plan.

DiCapua, Alyssa and Peter, Special Use Permit; 168 South St, SBL#87.3-5-12, in A zone.

The applicant would like to start a home occupation business consisting of a high end, one bedroom bed and breakfast suite in their primary residence. Parking will be located on site. There will be no additional external lighting, other than what is already present. A small discreet engraved sign will be placed above the front door.

Alyssa DiCapua was present for the meeting.

The Board reviewed this application and looked at a floor plan.

Mrs. DiCapua: We sectioned the house and added a bathroom. We allowed the front private entrance of the house to be designated for that area, there will be a doorway between this area and our kitchen. There are no additions to the house all work is internal. We did get Board of Health approval for the additional bedroom. The Board is satisfied with this application and anticipates setting the public hearing next week for next month.

Highland Estates L.L.C., Subdivision; Route 9W, SBL#96.9-1-35.200, in LB and R1 zone.

The applicant would like a four lot subdivision of a vacant 19.85 acre parcel of land to create three new residential building lots with access to Sherwood Lane, a Town Road. The remaining 11.23 acres to be developed commercially at a later date with existing access to Route 9W and Mack's Lane. This parcel is right behind the Rite Aid on Route 9W.

Patti Brooks of Brooks & Brooks PE, the applicant's representative, was present for the meeting.

Patti: This applicant has been before the Board and rezoned the front of the lot and left the residential property.

The Board reviewed the plans.

Patti informed the Board that they had originally had an ultimate development plan, if you recall, when we did the site plan for Rite-Aid, access was put on the remaining land in both locations because it was part of an ultimate development plan of how this parcel would ultimately be developed. Rite-Aid wanted to own where they put their store so the 11.23 acres which includes some of the infrastructure for the Rite-Aid building, but not the Rite-Aid parcel itself, will be the remaining land. Lots numbered 2, 3 and 4 would be the residentially improved lots. We are creating a 3.81 acre lot, a 2.24 acre lot, and a 2.57 acre lot and they will not be further subdivided.

Lot #1 has four acres of wetlands that are army corp. regulated, therefore, no buffer is necessary around the wetlands.

There are no site plan applications for this lot at this time.

Andy: The SWPPP that was done for this did it include all of the area?

Dave B: It included only the commercial space. There were four conceptual pads proposed and one got built for Rite-Aid.

Patti: I just wanted you to see this conceptually. Patti will be back with more information.

Administrative Business

The owner of Xpert Auto repair 3440-3442 Rt. 9W came to the meeting hoping to get sign approval. The owner said he believes he needs a variance, at the time he did not have any applications with the Building Department, so was directed to call the Building Department for additional direction.

Sawco 3515 Route 9W. SBL#88.13-7-12

Sign Approval – The Board reviewed an amendment to the sign for the Sawyer Savings Bank site plan. Mr. Beichert of Timely Signs was present and informed the Board that there was a minor discrepancy to what the Planning Board approved on the wall sign, this new proposal does meet code. The one that was originally presented with the light over the top, we had done some photos simulations and found out that on this particular siding it would not do good. The Bank decided to put a background on it so it is smooth so that when you downlight it, you can see it better. This makes it 6 sq. ft. larger. The monument sign was also slightly off on the square footage. The Board was satisfied with all the changes. The Board will officially approve this at the meeting next week.

HVWV Discussion

Andy Maxon, applicant; Steve Tinkelman, Architect; Bob Turner, Associate; Jim Horan, Counsel; Greg Meriam with Chazen Engineering; and Teresa Bakner, Town Attorney, were present for the meeting.

Teresa Bakner: The purpose of us meeting tonight is so that the Planning Board has an opportunity to have a presentation of this project and get all comments together so that the Planning Board has comment on the draft generic environmental impact statement (DGEIS). This is not a zoning referral, we are still in the SEQRA process.

Last month the Town Board determined that the DGEIS was complete. There was a public hearing, some people have made comments and there is a written public comment period that is going to close tomorrow. I had promised I would take your comment from tonight, type them up and get them into the record before the record closes. From a technical standpoint Morris Associates are preparing comments as well, on behalf of both the Town Board and Planning Board. All comments are looking for information to be put into the final generic environmental impact statement. The last step in the SEQRA process is the SEQRA finding statement, which the Town Board will adopt as Lead Agency. This will then come to the Planning Board for zoning recommendation and then it will come to you for siteplan and all ancillary stuff.

Jim H: Just one comment with respect to the process. I spoke with the client, and because of the importance of the FGEIS, which is used for the finding statement, one of the things we would like to do is after your comments are in and prior to our preparation of the FGEIS, I think it would be helpful if we had the opportunity to meet with the Planning Board again to review the FGEIS, to see if we have addressed their comments.

Andy Maxon: Since the last time we saw you, we acquired two parcels of land and what that did was gave us the opportunity to square off the project and in the future better move the light industrial component to however it fits best and whatever the needs are. We have created a concept of a three legged stool. The three legged stool is the perfect example of what this development is, create tax ratable which creates the jobs, you create the jobs you are going to ultimately create the demand for housing. The initial use for the demand of

housing will be on existing stock because we are not going to be in the position to build this until later on. So the goal and hope is that the local community; the housing stock that is available will be absorbed first. The initial concept is to create an entrance at the southern side of the property, by doing that we very conscientiously would build a road (and Steve T. created a round-about) which would be in compliance with the needs of the community for health and safety, fire and police. This was done for the specific reason that a waste water treatment facility was to be right there so we would build the road and eventually be able to access that facility and as that grew we would put further road in. What has happened is that we have had interest in the hotel and conference center so this may need to be adjusted. We are working hand in hand with Ulster County, as well as start up New York.

Steve T. spoke about the site and the time that has been taken studying the land and getting to know it better. There is a natural line of the Water Bluff and they are staying 100ft. from that. They are looking to design the hotel so that all of the rooms have a view of the water. There are visuals in the DGEIS in the addendum.

Steve suggested that the Board walk the site.

Bill Ogden had to leave the meeting but before he did he asked the following:

Bill: Where in this conceptual plan might there be sidewalks?

Steve T: Part of making this user/residential friendly the beginning is designed as a boulevard with trees in the center with a planned pathway system along what we are calling the loop road. Considered in the design was that all of the different developments have a walkway systems so you can get anyplace.

Bill: There is a mention of trails, is this public trails?

Steve: Yes, that is the idea.

Bill: Whose liability are those?

Terresa: If you make your property open to the public, with a trail, there is a provision of NYS law, I believe it is in the general municipal law, that protects you from certain types of liability and of course they will have insurance.

Andy: Our real concern is the bluff line and maintaining the bluff line during construction. One question we were asked last week was "when do we turn it over?" The answer was when the Town says that they want it.

Bill: So basically the trails are protected in one way or another. In the retail area, were you thinking of something like Stewarts or something higher end or lower end than that?

Steve: It is so early to tell.

Andy M: Who knows what the retail environment is going to look like when we are ready to go.

Steve: What is interesting is along highways the old patterns of the term sprawl does not happen anymore. The concentration of businesses want to be near other businesses. The idea is you want to create something so you can get the smaller businesses as well as the bigger businesses in there.

Andy: Some of the stuff we have been thinking of is in the Tuscan Village, the area around the hotel. We are trying to commit ourselves to do something to talk about the history of the project. Maybe putting in a small wine producing area, maybe take the existing warehouse and create a local farmers market or a local market for artisans, where they could sell their products. We may do some sort of museum, maybe there is a regional need of a school or college or something.

Bill: In the DGEIS there was comment about the traffic signage some distance away for example something at Vineyard Ave. and Chapel Hill Rd.

Steve: I think in the process of trying to frame the work by the traffic engineer there were distant intersections that had to be looked at. It is not only the phasing of what you put in (turning lanes, traffic lights) but seeing what is happening at intersections both North and South.

Andy M: In the DGEIS you look under traffic and a traffic study was done in conjunction with the Dept. of Transportation.

A letter from the Dept. of Transportation is on file in the building Department.

Dave P: What I was mostly focused on was the congestion on 9W, specifically from the extra signal lights.

Terresa: If you do not add roundabouts you get congestion.

Andy M: A lot of it gets mitigated with the extra turn lanes going in and out of the project.

Terresa: Extra turn lanes and then signal timing changes can make a big difference.

Steve: Another point is that since this has so much time involved as the project moves along and takes shape, as each phase goes we will have a chance to work with you in terms of what improvements are needed, the state will mandate certain improvements.

Bill: I expect a whole lot of fill will come out of there, have you figured out where you are going to put it?

Andy: A lot will be reused in the grading Scenic Hudson has raised the same question.

6:30pm Bill Ogden left the meeting.

Steve: The idea of mixed use comes back to two things scale and conversation of the marketplace. After speaking with many different people you see that the only way in this economy to make the chance to get something working is to diversify. As you get to know the site you begin to realize this is a more appropriate area for the larger scale structures, it also keeps us so we are zoned so that the housing is in one area and the industrial part is in another.

Andy: This map was done as sort of a place holder. There will be more siteplans.

Steve: We are really developing pods. Whether it is us or another developer that wants a section, they come in and say this is what we want and show you a siteplan.

Dave P: Will the roads be Town roads?

Steve: The planning is that the loop road will be a town road and the rest of the roads will be private roads. That has been the concept.

Terresa: The way the law works is they offer it to the Town Board for dedication and it is up to the Town Board whether they take it. There may be a point at which they don't want to take it yet because there is going to be continual development and day to day damage to the road. Or they may require the posting of a bond as part of a development agreement. It will be all of the concepts you are used to in terms of a siteplan and making sure that the Town Highway specifications are met. There are many different ways to look at it and the good news, if there would be good news, the ownership issues are Town Board stuff, your role as the Planning Board is to make sure that it is built to the right specifications; that's all.

Terresa: One concern I have heard the Board members articulate is that the goal here seems to be loosely put, to really have the resort area take off and have the industrial area take off before the residential area takes off. I have seen zoning codes that have, for example, you can build 30% of this amount as long as you build 30% of this amount; something that shows that it is moving along in a coordinated fashion.

Andy M: That is a great concept if you are in a stable economy. We could lease up all of that.

Terresa: No problem with that. If you were to sell off a pod containing the residential, than it could end up with the residential without the tax benefits and other benefits of the industrial and the resort.

Andy M: I assure you without the revenue coming in and the impetuous in the light industrial, that is the whole key.

Terresa: Just think about if there is somewhere where we can reflect that.

The Board and applicant discussed water on the site. Andy M. informed the Board that there is enough water on site to start.

Terresa: Would it be possible to do the resort with wells.

Andy M: Yes.

The Board and applicant discussed developments and the economy.

Terresa: Once through the process of rezoning, the applicant will come in with light industrial building to the Planning Board for site plan approval. We will compare what they are proposing to the conceptual plan and the evaluation of all the environmental impacts that were done, because you guys become lead agency for

purposes of that review. If it is a 70,000sf building which is exactly what we expected and they have enough water and enough sewer capacity, than you would not need to do anything other than confirm your previous SEQRA finding statement. That is the benefit of doing the GEIS, frankly in this economy we found that where people who have done the GEIS stick around for a long time because those high growth rates that were experienced in the 90's simply have not panned out. So for instance the traffic analysis that they did, I am confident, will be way conservative in the favor of creating traffic. So what you may find after awhile once you look at the new numbers, you may go back and say we are actually experiencing a lot less traffic than we anticipated, so your numbers can be revised downward or upward. As a Board always ask yourself the question; was there a change from when the GEIS was reviewed that causes a significant adverse environmental effect. If there is not you are done.

Jim H: What would be the first finding statement that the Planning Board would issue?

Terresa: The first time you come in for site plan approval, I would advise the Planning Board to do, is to adopt the same SEQRA finding statement that the Town Board did and indicate in that SEQRA finding statement that the proposal that you have, either meets or does not meet the threshold in that requirement.

Jim: Could you explain the thresholds to the Board?

Terresa: The way the thresholds work with a GEIS: Your consultants have reviewed what they have put together and they are going to put together what they believe are the appropriate thresholds for further environmental review. For instance, it is hard to guess but we will pick storm water, if there was a change in the way they proposed to handle storm water or if there was a change in the DEC laws with respect to storm water that gave rise to a concern, than you would say you have exceeded the threshold and then you want to consider whether or not you want to have a supplemental environmental impact statement. I would not expect to have even a serious consideration of a supplement unless the user that comes in is a user that has some characteristic that you would be concerned about.

The Board discussed bringing water down south toward Marlborough.

The Planning Board comments on the DGEIS were being noted so that a letter could be put together for the Town Board. (This letter is on file at the Building Department)

Carl: No further questions at this time.

Fred P: I have a good grasp of where they are coming from and where we are going.

Dave P: I think we understand the process better now.

Jim: We would like to come back to the Planning Board before we finalize the FGEIS, we want to see that the information is in there.

Dave P: This is a good meeting; do you have anything further?

Larry: No I heard a lot of it on the Water Committee.

Fred P: No.

Fred R: No.

Carl: You forgot to put as an interested agency the Fire Department; it is not listed in the chart.

Terresa: We do have correspondence from the FD. Your agencies that needed to comment for you did comment.

The Board discussed the importance of the site and a comment from Morris was, how will the applicant protect the site once construction gets started? How will you keep people out of there?

Andy: This is one and a half miles along the water front and we cannot stop people from coming through Franny Reese Park, we need to talk to people.

Andy Learn, with Morris Associates, reviewed some of his comments on the project. There is a copy on file at the Building Department.

Terresa will type up Planning Board comments and forward them to the Building Department in the morning.

Terresa Bakner left the meeting.

Town of Plattekill subdivision. Town of Lloyd SBL#94.2-3-11.

Usher, Douglas 25 Tuckers Path Town of Lloyd and Town of Plattekill, would like to subdivide his property on the Plattekill side having no impact on the Town of lloyd. The Town of Plattekill would like to act as lead agency under SEQRA for this project.

The Planning Board agreed to Town of Plattekill being the Lead Agency. A letter of agreement was signed, copied and placed in file.

Accessory Apartments

The Board discussed, again, do they care if the additional unit is in a detached structure?

Dave B. will poll the Board at the meeting next week.

Hudson Valley Wine Village

The Board discussed the housing numbers being proposed at the HVWV. They agreed they would like to see lower housing numbers be proposed.

They also discussed the running of water south on 9W.

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

The Board will review a waiver request. The applicant elects to waive the 62 day time period for default approval. The Board agreed to their waiver request.

A **Motion** to adjourn was made by Fred Pizzuto, seconded by Carl DiLorenzo. All ayes. 7:50pm.