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Rosaria Peplow, Town Clerk

**WORKSHOP MINUTES**  
**TOWN OF LLOYD PLANNING BOARD**

**Thursday May 17, 2018**

**CALL TO ORDER TIME:** 5:30 pm

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**    **Present:** Peter Brooks (Chair), Carl DiLorenzo, Lawrence Hammond, Fred Pizzuto (Vice-Chair), Scott McCarthy, Sal Cuciti, Charly Long, Andy Learn (Town Engineer), Claire Winslow (Town Board Liaison), David Barton (Building Department Director), Rob Stout (Town Land Use Attorney), Laura Oddo-Kelly (Secretary to Planning and Zoning).  
**Absent:** Scott McCord

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

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**New Business**

**ADC Ulster, LLC-Falcon Ridge Subdivision, 301 Upper North Rd., SBL# 80.3-1-18.110 & 80.3-1-31, in R1 and LI Zone.**

The applicant proposes to develop a 240-Lot Residential Conservation Subdivision of existing tax lots SBL's 80.3-1-18.11 and 80.3-1-31 with frontage along Upper North Road and North Chodikee Lake Road. The site is within the Town's water district and is proposed to be served with municipal water. The site is not within the existing Town sewer district and applicant proposes to extend sewer service to the project site.

Justin Dates, Maser Consulting and applicant's representative, and Dan Gueron, General Manager for ADC Ulster were present to give an overview of the proposed project. They explained that the site is approximately 520 acres which fall within two tax lots. The proposed residential lots would be on average 17,000 sq feet, the minimum being 15,000 sq feet.

The Board discussed that the project would need a secondary access.

The applicant would like to extend sewer service to the site.

Barton said the Town could not spend its own money to extend the service but could help with the rezoning so that they can get the sewer service extended. Having the sewer service extended to light industrial areas would be very advantageous to the Town.

Barton said the applicant would have to do a view shed analysis ensuring that none of the high points of the property can be seen in an impactful way from across the Hudson River to Vanderbilt Mansion, FDR Home, etc..

Learn said a traffic analysis and SWPPP would be required.

The Board discussed alternative traffic flows for the proposed project.

There was discussion of how the proposed project would fit into the Town's Comprehensive Plan. Barton said the Comprehensive plan encourages residential development. He further added that towns that do not grow in population and commercial growth die. Additionally, the student population in the Highland Central School District is down.

DiLorenzo added that the Comprehensive Plan encourages conservation subdivisions.

Barton noted that with the number of units proposed there has to be a second emergency outlet to even comply with the fire code.

Hammond responded that the outlet should be a full road to alleviate traffic congestion.

### **46-48 Front Street Owners / 7 Lot Subdivision, 96 North Road, SBL# 88.1-4-8.220 in GB Zone and R ½ Zone.**

The applicant is proposing to subdivide the existing one acre lot into two 1/2 acre lots and create two additional residential lots of 1.8 acres each. The residential lots will have access directly onto North Road with water and sewer availability. Applicant is also proposing to create three larger lots for sale: Lot 5 - 9.08 acres in R 1/2 zone with frontage on north Road, Lot 6 - 8.12 acres in GB zone with frontage on Rt 9W and Lot 7 - 15.22 in GB and R 1/2 zone with frontage on north Road and Rt 9W.

Applicant's representative, Barry Medenbach of Medenbach and Eggers, was present to give an overview of the proposed project.

The Board viewed maps of the proposed project.

Andy Learn said that they would need an easement for the sewer.

### **Old Business**

#### **MCBS DG Highland LLC, 3584-3594 Route 9W, SBL#88.17-6-25.110 & 88.17-6-16.110, in GMU zone.**

Dollar General / Multifamily

Development project of 21.7 acres of land along Route 9W. The applicant desires to take three lots (SBL: 88.17-6-15.11, 16.11 and 25.11) and subdivide and lot line revise those lots into seven (7) lots. Lot 1 will contain the existing Trustco Bank, Lot 2 will contain an existing Burger King, and Lot 3 will contain a proposed Dollar General retail store. Lot 4 will contain an existing retail and apartment buildings and the existing pond parcel will be Lot 5. Lot 6 will be a small vacant lot fronting on 9W with no currently proposed development and the remaining Lot 7 will contain a proposed 72-unit apartment complex with a community room.

The applicant anticipates a full environmental review under SEQRA.

**Revised subdivision plan with EAF and Preliminary Site Plan has been submitted.**

**Lead Agencies notices sent 01.24.18**

**Revised Pond Outlet Plan and revised draft of SWPPP (Storm Water Pollution Prevention Plan) with new water flows off the site submitted.**

**Analysis of the water flow to the existing 21" CMP pipe near Christopher Avenue submitted.**

**Abutting property owners were notified and attended an informational Planning Board meeting on February 22, 2018.**

**Revised HydroCAD calculations, revised drainage area maps, and revised Pre and Post-Development Runoff Rate Comparison have been submitted.**

**Two Environmental Phase I reports submitted.**

**Revised 03.19.2018 Site Plan and SWPPP (Storm Water Pollution Prevention Plan) with revised runoff reduction volume totals submitted.**

**New site plan maps, a revised EAF, and a current SWPPP submitted 03.22.18.**

**New site plan maps submitted 04.16.18.**

**UCPB Recommendations receive 04.19.18.**

Applicant's representative, Barry Medenbach of Medenbach and Eggers, was present and provided updates of the proposed project.

The Board discussed the 27 year old environmental report from the DEC as well as the environmental issues of that time.

Michael Moriello, attorney for the applicant, was present and said the DEC never recorded a spill on the property, instead the report surfaced from the landfill department. When the applicant contacted the DEC, they responded by saying that they did not have any record of any environmental issues with the property. It was only after a neighboring property owner submitted an old report to the Town very recently that they were made aware of it.

There was a discussion of the old DEC report and how all the recent testing of the property has shown no evidence or detection of contaminants at all. Numerous and deep soil samples were performed on the property. It was also stated that the old DEC report actually did not show any contamination either.

Barton suggested that they perform more testing while they develop the property which would be part of the approval.

The Board discussed the new waiver letter they received from the applicant. It was decided that the applicant needs to add an additional waiver for street trees that are required but will not be put in as a result of the lack of space to put them.

With a new waiver letter for the next Planning Board meeting the Board anticipates considering the Negative Declaration and setting the public hearing for the following month.

Moriello said that he was going to submit a memorandum to the Board on SEQR and what the expectations are.

**JVS Ventures, LLC, 4-8 Haviland Rd., SBL# 96.1-1-14.100, in the Gateway Mercantile District.**

Applicant proposes to subdivide a 1.25 acre parcel of land located at the intersection of Haviland Road and Mile Hill Road in the Town of Lloyd, designated as tax map Section 96.1 Block 1 lot 14.100. Property is located within the Gateway Mercantile District.

Proposed Lot 1 will be a 0.70 acre parcel containing an existing one story food service building.

Proposed Lot 2 will be a 0.55 acre parcel, currently vacant. See approved site plan "Rail Depot" prepared by Mauri Associates Architects, PC, last revised April 12, 2012.

**The public hearing is set for May 24, 2018 at 7pm.**

**TRC Auto, 197 Route 299, SBL# 87.11-1-26.100, in GB zone.**

Applicant is seeking a commercial site plan and special use permit to open a 4 bay, full service repair facility specializing in foreign automobile repairs on Route 299.

Barton said he heard from th Department of Health and they are satisfied with the spetic system that is already in place on the property.

The Board will be ready to complete the Negative Declaration and set the Public Hearing for June at the next meeting.

## **Administrative Business**

### **Discussion of Adaptive Reuse**

The Board discussed the properties on the adaptive reuse list and whether some, if not all, are appropriate to be on the list. Additionally, there was discussion on what the Board forsees the Town to look like in the future with the non-conforming buildings that exist.

### **Discussion of Accessory Apartments**

Hammond said he is not a proponent of separate structure accessory apartments within the town. He feels they are satisfactory within the main residence but not within a separate structure such as a garage.

Brooks said he does not see a problem with the accessory apartments within the main residence or within a separate structure on a property.

A **Motion** to adjourn was made by Fred Pizzuto, seconded by Larry Hammond at 7:22PM