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By:

Wendy Rosinski, Town Clerk

WORKSHOP MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday June 20, 2019

CALL TO ORDER TIME: 5:300 pm

PLEDGE OF ALLEGIANCE

ATTENDANCE **Present:** Fred Pizzuto (Chair), Lawrence Hammond, Charly Long, Sal Cuciti, Carl DiLorenzo, Scott McCarthy (Vice-Chair), Franco Zani, Lambros Violaris (Alternate), David Barton (Building Department Director), Laura Oddo-Kelly (Administrative Assistant To Planning and Zoning), Rob Stout (Land Use Attorney), Andrew Learn (Town Engineer).

Absent: Claire Winslow (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.

New Public Hearings

Pleasant View Subdivision, LLC, Station Road, SBL# 86.4-3-9 in A Zone.

Applicant is proposing a lot consolidation to reduce the number of individual lots from 10 to 4. The proposal is to combine several lots and unbuilt roads as follows: Lots (SBL#"s) 86.4-3-3 and 86.4-3-5 with road "A"; lots 86.4-3-6, 86.4-3-7, 86.4-3-8, and 86.4-3-9 with a portion of road "C"; lots 86.4-3-11 and 86.4-3-12; and lots 86-4-3-28 and 86-4-3-29 with a portion of road "C".

The Planning Board reviewed the EAF, issued a negative declaration on May 23, 2019 and set the public hearing for June 27, 2019.

Nadine Carney from Peak Engineering was in attendance to present an overview of the proposed project. A new subdivision map was submitted adding topography, turnarounds, the previous subdivision, previous soil remediation and removing of some of the drainage easements that were discussed at the previous meeting. Carney explained the consolidation of several parcels with the existing road and proposed driveways.

Extended Public Hearing

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.

There were no public comments.

Stout said he reviewed all the information for the application including the petition and public comments. Stout inquired whether there would be three 48 foot trucks per week.

Barton said he believes that is correct.

Stout said one of the conditions should be to know the number of deliveries in order to cap and control the traffic. He felt the Board needs to see the circulation plan to see how access is achieved from the highway to minimize the impact on local roads and see how the trucks are traveling, as well, and make it a condition. Hours of operation and hours of pickups should be in the conditions because of possible noise disturbance. Stout said the Board should think about 7am pick ups because of the noise associated with it. An additional condition could be that the applicant store and sort all materials inside and maintain the overall condition to minimize the impact on the surrounding community. The applicant should be required to maintain a pest control contract which could be a condition as well. The Board should know more about the pick up process and what is associated with it to see how the applicant will manage it.

Barton said one of the concerns of the Board is with at the end of the road where the Bridgeview community has a turnaround and their mailboxes are located. The area has become a place where children ride their bikes, etc.. He asked if is there a way to limit the trucks using it even though it is a Town road.

Stout asked if there was a way for the trucks to access the site without using the turnaround.

Barton said he did not know. At one time there was a discussion about backing into the site which he thought would be very difficult.

Long said he recalled the driver saying the way he would come in and back in, he wouldn't need to access the turnaround.

Stout said they could control how many times a week pickups would be allowed in order to lessen the impact of disturbance on the community.

There was a discussion of possible traffic routes and turnarounds for trucks that would be picking up from the site. Some suggestions were made to possibly have smaller trucks or to back in and out of the site.

McCarthy said the contingency would be to not go into the cul de sac at all as the applicant said he would not do.

Learn inquired about the turning radius.

Barton said they will request the applicant to supply an engineering report about the turning radius.

The Board agreed that there should be provisions in the approval such as hours of operation, no trucks through the plaza or the neighboring community.

Cuciti said he would like to see hours of operation cut back and the business closed on Sundays. He felt the closure on Sundays would help the neighborhood.

A discussion took place on hours of operation, traffic, and pick ups.

Barton said they will request the applicant to supply an engineering report about the turning radius.

The Board requested a turning radius engineering report from the applicant.

New Business

D and D Auto Supply, 3537 Route 9W, SBL# 88.69-3-12.100 in GB Zone.

Applicant is seeking commercial site plan approval to construct a 3600 square foot free standing storage building on their property located at the intersection of Woodside Place and Route 9W (SBL# 88.69-3-12.1). Applicant was granted two area variances to permit maximum lot coverage of 67% and a rear yard setback on May 9, 2019 by the ZBA. Variances were granted with the recommendation that the building face along Woodside Place should have features consistent with the residential character of the neighborhood.

Patti Brooks, applicant's representative, was present to give an overview of the proposed project with a description of the variances that were previously granted by the ZBA. She explained that the ZBA recommended that the building along with landscaping should conform to the look of the surrounding residential community.

Long asked if there would be any utilities in the building.

Brooks replied no, pure dry storage. The dumpsters will be fenced. One container is proposed to be kept on the site, possibly to store batteries, which will be totally fenced. The applicant is in the process of choosing a builder. Renderings of the building will be provided to the Board once the builder is in place.

Learn inquired about the direction the drainage swale is flowing and whether the proposed building will interfere with it.

Brooks demonstrated the flow and said the building would not interfere.

The Board discussed the elevations of the storage unit in relation to the surrounding area and Town property in which trees could be planted with Brooks.

Selux Corporation, 5 Lumen Lane, SBL# 88.1-6-6.100 in GB Zone.

Applicant is seeking commercial site plan and special use permit approval to construct and maintain a 750 KW solar array in an unused portion of the parcel.

Sam Wilkinson from Solar Generation was present to give an overview of the proposed project. Applicant would like to install a 750KW solar array in the woods behind the Selux building on Lumen Lane. Wilkinson stated that it is not a community solar project.

Barton asked if there is any proposed storage on the site.

Wilkinson said not at the moment.

The Board discussed the exact location with Wilkinson using the maps submitted.

Wilkinson said he believes the acreage needed to be cleared is 3.46, the square footage footprint of the panel themselves is 1.05 acres.

Violaris asked about light possibly reflecting off the panels to motorists.

Wilkinson said if the panels are working, no light would be reflected and the panels would also be surrounded by woods.

Barton asked if Wilkinson could supply documentation stating that the panels would not reflect light.

Zani asked if the panels were fixed panels.

Wilkinson replied yes.

Learn said there is an analysis, a pathfinder report, that could be done about glare and asked to have Wilkinson provide the Board with that. Learn said a SWPP also needs to be provided to the Board. He also asked Wilkinson if there would be an access road to get to the panels.

Wilkinson said yes but they wanted to wait to see what the Board required. Ideally, there would be a strip from the parking to the transformer box. The road would be generally 12-14 feet wide and span about half of 294 feet.

The Board reviewed the maps provided by the applicant.

Long asked if the panels were in wired baskets.

Wilkinson said yes and explained how the panels are anchored and supported by a balancing system.

Long inquired about the required size of the panels.

Wilkinson said they have engineering reports that state the panels and their anchors will withstand any wind or snow load in the area.

Barton inquired about the height of the panels.

Wilkinson said undulating terrain 12-14 feet high with the basket. It will be determined if Selux mows the area.

Learn said they have to come up with a plan or documentation how the soil will remain stable.

McCarthy asked for any stipulation on what happens if the array has to be removed at any point in time.

Wilkinson said there is decommissioning written into the Town Code in which case the applicant would provide a bond paying a premium yearly based on inflation so after years it would equal the cost to remove it. However, it is much more detailed than that.

McCarthy asked if there is room storage if need be.

Wilkinson said Selux would have to erect another out building that is fire department accessible. There are a number of steps involved in safe containment of batteries which would be the thing that would be stored. They don't have plans on doing that yet nor has the applicant expressed any interest in either.

Barton said the applicant needs to come back in front of the Board with the items that were requested.

The Board requested a Pathfinder report, SWPPP, landscaping plan, operations and maintenance plan, location map and decommissioning information.

Old Business

The Views at Highland, 3715-3725 Route 9W, SBL# 95.2-2-12.100 & 95.2-2-12.200 in HBD Zone.

Applicant is seeking commercial site plan approval to redevelop property at 3715-3725 Route 9W (SBL 95.2-2-12.100 & 12.200) for a mixed-use commercial and residential development with related parking and landscaping. The applicant proposes to construct two mixed-use buildings comprised of retail and office space on the first floor of each building and twenty-two apartment units located on the upper two floors in each respective buildings. In accordance with the Town of Lloyd Zoning Code Section 100-36D, ten percent of the proposed residential units will be designated as below market rates.

Applicant's representatives, Alec Gladd, Cuddy & Feder; Andrew Villari, Stonefield Engineering and Design; and Carlo Mazzarelli, Mazzarelli Architecture; were present to give an overview of the proposed project.

Pizzuto told the applicants that there are several projects presently in front the Planning Board that would utilize a nearby part of 9W which should be tied in to any traffic study. All the projects need to be looked at in unity and the effect it will have on the neighboring communities. Villari said he is the traffic consultant for the proposed project, regarding the other proposed projects, they were only aware of one of the three projects proposed. Now that they are aware, they will incorporate them into their traffic study.

Gladd said they brought updated renderings with them.

Cuciti said he wanted to discuss the level of service at the light at Chapel Hill Road. He talked about the delay going up to four times what it is presently. He added that the proposed Winery project numbers are inflating the delay at that light and cannot tell by "The Views" project what level they're bringing it to.

Villari said that intersection is an issue but the impact from The Views is far less than the Wine Village.

There was a discussion of the traffic at the intersection at various times of the day with the volume anticipated by The Wine Village as opposed to The Views.

Cuciti asked what the build delay of the light would be without the Wine Village and didn't understand why The Wine Village would even impact considering its location.

Villari explained the way the light works and what intervals.

Barton said The Wine Village is a 25 year project and there isn't even water to the property yet. There's zoning but no site plan approval as of yet. He stated that he agrees with Cuciti in looking at the more localized projects in front of the Planning Board as opposed to The Wine Village. The applicant and the Board discussed the traffic flow generated by the businesses at the intersection.

Villari said they would like the retail space at The Views to be businesses whose uses will support the tenants in some way. Their analysis of the retail space covers many different types of businesses but restaurant space is not currently considered.

Barton said if a restaurant ever is considered, then the parking would have to be modified.

McCarthy discussed the possibility of how when the size of a family increases the parking could increase.

Discussion of specifics and options of parking ensued. The board reviewed the specifications of the square footage of the proposed residential units.

There was a discussion of possible routes to enter and exit the property.

Villari said there are two options. One would be making a turn onto South Gate Road and enter to the back of the property and the other would be to go to the next intersection to the north, make a u-turn going through the existing Dunkin Donuts property.

Pizzuto said that is not an option.

Barton said there was recently a fatality there.

Villari said his third point of how north bound traffic accesses the property would be that it doesn't. He believes that there would not be an enormous amount of traffic added to the residential streets of Mayer Drive and South Gate Road but it is possible that it could happen. Villari said it is possible that it may not happen either.

Pizzuto said the Board has to look at in the perspective that it will. The Board represents the Town and the best interest of the Town.

Villari said it would only be traffic that is coming north bound. He said they have a little bit more work to do as far as the traffic.

Barton said making a left hand turn onto Chapel Hill Road, at any point on Chapel Hill, especially toward the light, can be difficult at the very least because no one will allow a car in. With that being said, trying to make a left, and you can't get in because other vehicles will not let you in, and now other cars want to make a right, and the intersection becomes stacked. The state's intention is to coordinate the lights.

Hammond commented as to what will happen when the state makes Chapel Hill Road part of Route 44-55 which they have talked about for years. The traffic could triple.

Barton said the whole section that now congests at the bridge is due to the lights not being coordinated at any of those intersections. The state intends for the The Village in the Hudson Valley pay for it. Barton said continuing to look at the traffic is very important. CPL's comment letter suggests there were counts missed in the traffic study review.

Villari felt the most important part of the traffic review study is going to be the impact on South Gate Road.

Mazzarelli presented the Board with revised renderings to which they reviewed.

Barton commented that the new elevations were an improvement and they have made some significant improvements, however, traffic is a major issue.

Learn suggested, which is in his comment letter, is for commercial traffic, to put restrictions from the exit from the site to Mayer Drive and no commercial traffic entering Mayer Drive.

Barton said the traffic is an issue.

Villari said it is zoned commercial and the site would never get left turns in and out. Access on Rt 9W would only be right in and right out. DOT has shut down any idea of north bound left hand turns into the site.

Barton said any commercial use of the project is going to run into the same issue.

McCarthy stated these are issues that the owners have to deal with on their own. It is not up to the Planning Board to come up with a solution, it is the applicant's responsibility. The owner knew the issues when the property was purchased and decided to propose a commercial use for it. The applicant needs to fix the traffic issue and come up with an acceptable and suitable solution. The DOT has determined that there would be no left in or left out turns.

Villari said they met with the DOT in February and the DOT would not accept any of their ideas for access.

Long said the Fire Chief also brought up the issue of the fire trucks coming into the site and there is an extensive issue with the overhang of the buckets. The turning radius is very different from a regular vehicle.

Chief said the two maps of the site are contradictory. The incline and the angle of departure are not acceptable.

Morgante said he would review and email revised plans. He also wanted the Board to review the grading plan and thought it was adequate and practical. They may need to submit a formal waiver for some issues.

Learn said he would review it. He also said some of the proposed sidewalks would be dangerous and should probably be better suited on Mayer Drive.

Morgante said he also does not think sidewalks are a good idea.

A **Motion** to Adjourn was made by Scott McCarthy, seconded by Larry Hammond, 7:05 PM. All ayes.