

APPROVED:

MOTION BY:

AYES:

NAYS:

SECONDED BY:

ABSTENTIONS:

ABSENT:

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Certification of Receipt

By:

Rosaria Peplow, Town Clerk

WORKSHOP MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday July 19, 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), David Barton (Building Department Director), Rob Stout (Town Land Use Attorney), Laura Oddo-Kelly (Secretary to Planning and Zoning).
Absent: Claire Winslow (Town Board Liaison), 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.

Extended Public Hearing

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.

A full environmental review under SEQRA was completed.

Revised subdivision plan with EAF and Preliminary Site Plan submitted.

Lead Agency notice 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 Hydro CAD 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 received 04.19.18.

Smit Environmental Services, LLC, Report Review, Environmental Assessment, Proposed Lloyd Sewer Easement submitted 05.17.18.

Moriello Memorandum addressing SEQRA issues received 05.22.18.

Medenbach & Eggers revised waiver letter received 05.23.18.

Medenbach & Eggers revised waiver letter received 06.21.18.

The Planning Board reviewed the EAF and issued a negative declaration on and set the public hearing on 05.24.18.

Medenbach & Eggers response to UCPB recommendations letter received 06.21.18.

The Public Hearing was opened June 28, 2018.

Stout said he received the letter from Michael Moriello Esq., applicant's attorney, on 07.19.18 addressing the public comments from the June 28, 2018 meeting. Applicant is presently seeking an area variance from the ZBA; a public hearing is scheduled for 08.09.18 ZBA meeting. Stout said the Planning Board will probably have a resolution of approval in front of them at the August 23rd, 2018 meeting.

Peter Brooks believes the Planning Board should keep the public hearing open in the event there are any problems with the area variance the applicant is seeking from the ZBA at the August 9th, 2018 meeting.

Old Business

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 proposes subdivision of parcel (88.1-4-8.220) into 7 lots. Lot 1 (0.50 acre) will contain an existing single-family dwelling. Lot 2 (0.50 acre) is vacant. Lot 3 (1.8 acres), Lot 4 (1.8 acres) and Lot 5 (9.08 acres) will be created in the R ½ part of the principal subdivided lot. Lot 6 (8.12 acres) will be created in the GB portion of the principal lot, and Lot 7 (15.22 acres) will be created and have both R ½ and GB zoning. No proposed uses are suggested at this time.

Response letter to Morris Associates 06.28.18 comments received 07.11.18.

New Subdivision Plan Maps received 07.11.18.

The Planning Board set the public hearing (contingent upon reviewing the EAF at the 07.26.18 meeting) on 06.28.18 for the July 26, 2018 meeting.

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 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. The applicant proposes a 211 lot subdivision if the sewer extension is granted and a 166 lot subdivision if the sewer extension is not granted.

Morris Associates Review Letter received 05.21.18.

Resource Analysis Map, Lot Yield Calculation Memo, and Revised Sketch Subdivision Plan submitted 06.14.18.

An informational meeting was held on 07.19.18.

Peter Brooks said the applicant is asking for a change in the zoning of the LI strip in front of the property to a residential R ¼ zone. The change in zoning would enable the applicant to have a 211 unit project instead of 166 units in return for paying for substantially all the cost of extending the sewer line. Brooks said the change in zoning and the extension of the sewer line is a Town Board issue. The applicant has requested to come to the next Town Board workshop meeting to present their information on the proposed project.

Stout said that Morris Associates may need to do a feasibility study for different sewer routes to inform the Town Board what the cost estimate would be.

Cusa, Sal - Pancake Hollow Rd - 3 Lot Subdivision, SBL# 95.1-1-4.150, in R1 Zone.

Applicant would like to subdivide parcel, SBL 95.1-1-4.150 into three lots, two will be building lots and the remaining lot for future development. The septic design for Lots 1 and 2 are pending Ulster County Department of Health approval.

The Board anticipates the revision of the two flag lots on the parcel.

No new information.

Cusa, Paul - 2 Lot Subdivision, 539 N Elting Corners Rd., SBL# 87.1-1-3.260, in R1 Zone.

Applicant's parcel is part (Lot 6) of an approved subdivision on North Eltings Corners Rd by the Planning Board on September 19, 2016. Applicant proposes to subdivide Lot 6 into two lots, Lot 6A (lot approved in 2016) and a new lot 6 B with a new house, septic, and well. The proposed additional lot (6B) has an approved septic by Ulster County Department of Health. The wetlands were delineated in the original 2016 submission and is still valid for the additional lot.

The Planning Board reviewed the EAF, issued a negative declaration and set the public hearing on 06.28.18 for the July 26, 2018 meeting.

Rizzo/Schmitt - Lot Line Revision, 181 Lily Lake Rd, SBL # 87.2-2-1.110, in R 1 Zone.

Applicants Stephen M. & Marcianne Schmitt, 243 Hawleys Corners Rd, tax map SBL: 79.4-1-32.210 proposes to convey and combine 10.71 acres to lands of Eugene J. & Rena C. Rizzo, 181 Lily Lake Rd, tax map SBL: 87.2-2-1.110. Properties are located within the R-1 zoning district. Resulting acreage: Lands of Schmitt, 22.85 acres and Lands of Rizzo, 21.80 acres.

The Planning Board reviewed the EAF, issued a negative declaration and set the public hearing on 06.28.18 for the July 26, 2018 meeting.

New Business

Bark Place of Ulster, Inc, 296 Route 299, SBL# 87.2-1-14 in DB Zone.

Applicant is seeking commercial site plan approval to construct a 3000 sq ft, one story building for a dog training, boarding and daycare facility for an established business since June 2008.

Ciro Interrante, applicant's representative, and Diana Koller, applicant, were present to provide an overview of the proposed project.

Interrante said that there is a demand for the proposed business and their services.

Barton said there is an issue because kennels are not allowed in the DB zone. They have to go to the ZBA for the expansion of a non-conforming use greater than 50%.

Stout said it would be a use variance that the applicant would be seeking from the ZBA.

Barton said he was hoping the ZBA request and Planning Board responsibilities could run concurrently.

Stout agreed and said the Planning Board part could be contingent upon the ZBA approval.

The applicant said the biggest part of the business would be for daycare and training which would need space.

Stout said he would get back to Barton if it would definitely be a use variance the applicant would be seeking from the ZBA.

Barton addressed the Board with some concerns he feels need to be discussed. The Board will want to see where the new fencing is for the new building. The other concern is how long does it take and what do they use to clean the dog defecation on the property outside the building.

Koller said her employees pick up the feces right away and it then it is treated with an approved enzyme cleaner.

Barton said he was concerned because there is a significant slope on the property.

Peter Brooks inquired whether the business would affect the residential parcels that surround it.

Koller said there is really only one neighbor and she keeps an eye on Koller's business when she is not there.

DiLorenzo inquired about an alarm system for the business.

Koller said they have an extensive camera and alarm system on premises.

Learn asked if there were bathrooms proposed in the new building.

Interrante said there is an existing well and septic.

Learn said they are going to need to verify whether the septic can handle the additional increase in size of the building.

Learn said the Board of Health will also have to be involved.

The Planning Board requested the applicant bring a specification sheet for the container and enzyme substance that dissolves the dog waste and what their procedure is for disposing of the waste.

The Board anticipates setting the public hearing at the next meeting for August 23rd, 2018.

Pavlovich and Company, LLC/Joyful Moments, 185 South Street, SBL# 87.3-5-29 in A Zone.

Applicant is requesting commercial site plan approval and special use permit to open a daycare center in an existing building on the parcel.

Eboni Cook, applicant and owner of Joyful Moments Daycare, and her business partner, Mark Cook/father, were present to provide an overview of the proposed project. Ms. Cook said they have an existing daycare, operating since 2012, and now have reached their capacity for required space. She is looking to buy an existing building on 185 South Street in Highland to expand the

business. They currently have 67 children in the daycare. The additional space of the new building will allow for 15-20 more children.

Mark Cook said that the existing building would have to be completely renovated but not expanded.

Barton said he has looked at the plans and discussed them with the applicant. The building will have a gentle change in use. It is an allowable use but requires a special use permit in an agricultural zone.

Peter Brooks inquired about the septic capacity.

Barton said it is already built in.

Cook said she wrote a letter to the Department of Health requesting more information on the septic tank.

Cuciti asked if there would be any changes to the parking lot or lighting.

Mark Cook said they will be putting more lights around the perimeter of the building.

Barton said down lighting would be better than flood lights.

The Board asked the applicant to provide more information concerning signage and lighting.

Learn asked if there is adequate parking.

Cook said there is because most of the parking is for short term drop off and pickup.

Barton said he would calculate how much parking is needed for the square footage.

The Board anticipates setting the public hearing at the next meeting for August 23rd, 2018.

Wild / Agor, 24 Carolyn Drive, SBL# 94.2-4-18.210 in TR1 Zone.

Applicant Tara Wild, SBL 94.2-4-18.210 proposes to convey and combine 0.075 acres to lands of Craig & Barbara Agor, SBL 94.2-4-18.220.

Barton said one of the neighbor's mistakenly put their shed on the other's property so both parties came to an agreement to swap the small piece of property.

The Board anticipates setting the public hearing at the next meeting for August 23rd, 2018.

Power Plants

Peter Brooks briefly discussed that most zoning codes have no real discussion in respect to utilities. Some of the small power plants are in somewhat of a gray area and would fall under zoning codes rather than under the Public Service Commission. It is an issue that the Planning Board should eventually address.

A **Motion** to adjourn was made by Scott McCarthy, seconded by Sal Cuciti 6:21 PM. All ayes.