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WORKSHOP MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, January 15, 2015

CALL TO ORDER TIME: 5:30pm

PLEDGE OF ALLEGIANCE

ATTENDANCE Present: Dave Plavchak, Scott Saso, Lawrence Hammond, Carl Di Lorenzo, Fred Pizzuto, Brad Scott, Peter Brooks, William Ogden, Fred Riley, David Barton; Building Department Director, Andrew Learn, Engineer, Michael 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.

New Business

Wang, James, 14 Roy Ln, Special Use Permit SBL#95.12-3-72, in R1/2 zone.

The applicant would like a special use permit to add an accessory apartment in his home. The apartment will be approximately 600sf.

Mr. Wang was present for the meeting. Darcey Smith, an interpreter for Mr. Wang, was present for the meeting (Mr. Wang is hearing impaired).

The Board reviewed some sketches done by Mr. Wang.

The Board had a little difficulty understanding Mr. Wang's plans.

Dave B. explained that there is a corridor down the center of the garage with a door that exits the building. There will be parking on both sides of the corridor and both sides of the garage will have access to the corridor.

Peter: So he is taking what would be a family room and making an apartment.

Dave: That is correct. There is a kitchen already down there that we did about three years ago.

Brad: That access/egress will all go through that corridor.

Dave B: Yes. You will also see stairs that lead to the upper level, this will be closed off.

Darcey Smith for Mr. Wang: Can Mr. Wang have a copy of the plans so he can see what you are discussing?

Scott: He can come up to the table, also the minutes will reflect the conversation.

Scott: Is it sufficient light and ventilation for a corridor that long?

Dave B: Yes, the door will be sufficient for that. We will need to figure out the kitchen and the living room light and ventilation, but that will be done with the building permit.

Mr. Wang: (via interpreter) The second page of the plans shows the lighting.

The Board reviewed the sketches that Mr. Wang had done and requested a drawing to scale showing the dimensions and the actual measured square footage.

Dave B questioned how Mr. Wang would enter his residence from the garage. Mr. Wang informed the Board that he would not enter from the garage but will go around to the front of his house and use the front door.

Brad: I do support Mr. Wang and I want to do what is right, we have spent a lot of time on accessory apartments and I am a proponent of accessory apartments. In as much as I could support this from a design prospective you are going through garages, you have an owner that has to go through your space to get to a utility room; it is when you look at the quality of who is going to live in something like that into our community. I am hoping that we can see better designs than that just as it relates to the quality of living space. I support this but it does not excite me to do this because I do not like the design.

Scott: Is this for a family member or is it for income?

Mr. Wang: It is for a tenant.

Scott: So that is the way we have to think of the apartment.

Mr. Wang: I am assuming that if I was to sell the house at some point, they would not necessarily want the apartment set up.

Fred P: Once it is there it is there. They do not have to use it as one.

Scott: Two things are needed; plans drawn to scale and code & plan for mechanical utilities.

New Public Hearings

Silver Fox, 3130 Route 9W, Subdivision, SBL# 80.3-2-3, in R2 zone.

This application has been revised with new maps dated 12/3/14, done by Morris Associates. The new plan will absorb the strip of land that was shown along the north side of lot #1 into lot #1. A note has also been added about the portion of the driveway for lot #2 in the Town right of way to be constructed to Town road standards at the time of construction of the drive. Lot #1 will now be 8.07 acres and Lot #2 will hold the remaining 19.12 acres.

Tom Harvey was present for the meeting.

The Board had no additional comments, the public hearing is set for next week.

New Business

DeGroodt, Patricia, 11 Ose Rd, Two Family SBL#87.2-7-13, in R1/2 zone.

The applicant would be requesting a special use permit to convert her father's former place of business (DeGroodt Electric and HVAC) into two 1 bedroom apartments. The applicant will reside in one apartment and rent the other one.

Patricia DeGroodt, the applicant, was present for the meeting with her representative Louis DuBois.

Ms. DeGroodt: This house was my dad's place of business for a long, long time. He passed away in 1994 and the house has been sitting empty since then. My plan is to renovate it, turn it into a multi family; live in one half and rent the other half for additional income. Eventually, down the road I would like to have my mom in there when she is not able to live on her own.

Peter: These two lots are already separated? And were there any restrictions on the subdivision?

Ms. Degroodt: Yes they are separated and I own both. No there were no restrictions. Currently I live next door with my mother.

Scott: You have existing septic that is acceptable size for the number of bedrooms. The existing well is ok and the distances are all fine?

Lou D: Yes, her mother had found a the original bill.

Peter: When the two lots were subdivided, what was determined about the driveway? This driveway runs across both lots. Is the driveway considered to be satisfactory if somebody else owned it.

Lou: Yes.

The Board reviewed and discussed plans.

Brad: What is the size of the lot.

Ms. DeGroodt: It is exactly one acre.

Scott: This is already a paved lot, parking does not look like an issue for anybody. Separate entries for each apartment.

Bill: Would it be to your advantage to have an accessory apt. vs a two family down the road, tax wise?

Lou: No.

Peter: Has it been checked that this lot conforms as a two family?

Dave B: Yes, it does.

Dave P: All that is really changing here is the use?

Lou: We are changing it from a commercial use to a residential use, but it has always been in a residential zone.

Brad: It seems like it would be good for the Town to change that from commercial to residential.

Carl: There is a duplex nearby and multi-families nearby, this is not changing the character of the neighborhood.

There were no additional Board question.

At next week's meeting the Board will do the negative declaration and set the public hearing.

Sorbello, Sal, 612 N Chodikee Lake Rd, SBL# 79.4-2-11, in R1 zone.

The applicant would like a special use permit to legalize his accessory apartment.

Sal Sorbello was present for the meeting.

Sal informed the Board that when he bought the house over 7 yrs. ago the apartment was there. He had assumed that it was okay.

The Board reviewed some sketches of the layout, which will be about 552 s.f., done by Mr. Sorbello received by the Building Dept. on 12-3-14.

Mr. Sorbello: The basement is ground level so when you open the door you are right outside.

After review of the sketch the Board requested better plans drawn to scale. Mr. Sorbello will come back with plans showing accurate measurements and labeling of rooms.

Colgan, Christina & Thomas, 8 Sara Ln. SUP SBL#95.2-3-15.131 in R1 zone.

The applicant is requesting a special use permit to add an accessory apartment over their existing garage for their parents use. The total area of the apartment will be 420 sf. Board of Health approval is required.

Mrs. Colgan was present for the meeting.

Mrs. Colgan: We bought our house in 2010 and built our detached garage at the same time. We left enough space in the upper level of the garage with the intent of eventually putting an apartment up there. It is an existing building; there will be no additional buildings. There is parking right outside of it. There are stairs going up the back of the garage with a door. The garage will look like a cape style with the roof slope.

Scott: The proposed square footage for your apartment is 420 s.f.

The Board reviewed and discussed the plans done by Mrs. Colgan (she is an engineer).

Brad: This is a good example. My perspective is that this is going to be a more quality space to live rather than in the back of a basement, this is a good example.

Peter: Water and Sewer?

Mrs. Colgan: We have septic and a well. We have been in contact with the Health Dept. and they have come to visit and looked at our current septic. We have no failures or anything. When we put the garage in we did put another tank in while we were digging around. So we are going to connect the two tanks. I have already talked to Chris Kressor, he has been by our house, and he has actually made the suggestion of what we should do. We do not have enough elevation for gravity flow so we are going to put a small pump to pump from one septic to the other septic to the leach field.

Carl: How much property do you have?

Mrs. Colgan: This is three acres.

Carl: And how many bedrooms do you have?

Mrs. Colgan: We have three.

Scott: The fact that you set the other tank in was well planned.

Carl: This really falls into the code as a studio if I remember correctly.

Scott: I do not think that we have that anymore, do we?

Carl: Dave, is this still in the code?

Dave B: It was in the old code book.

Bill: Do you have knee walls up?

Mrs. Colgan: The apartment is going to have all full walls, the inside walls will not slope.

There were no additional Board question.

At next week's meeting the Board will do the negative declaration and set the public hearing.

Sign Approval

Sign - Troys Auto Body, 3430 Route 9W, SBL#88.1-6-13, in GB zone.

The applicant would like to replace sign panels and pole cover to the existing free standing sign structure. He would also like to add a two sided 2' x 6' full LED message board.

Frank Marzullo with Signtronix, the applicant's representative, was present for the meeting.

Mr. Marzullo: Currently Troy has a 5' x 10' lighted sign there, we want to replace the panels in that existing structure. He also has a pole cover which is approximately 2 feet by 10 feet high and he has marquis letters on that existing pole cover. That pole cover would be removed and replaced with a pole cover without marquis letters adding a 2' x 6' LED message sign. Right now the 2' x 6' area uses the marquis letters and this will be replaced by the LED sign.

Bill: LEDs should be light sensitive, they should dim themselves when they should be dimmer.

Mr. Marzullo: I have helped a lot of different communities write zoning laws for the LED's because there is so much going on. With ours we can control the brightness, we can control the speed of the message, we can also control the motion of the message. LED signs do not flash, anything over 1.2 seconds does not constitute a flash. All of them out there are UL, not all of them are ETL but we are ETL approved.

Bill: You can control the brightness but will the brightness be automatically controlled at night?

Mr. Marzullo: Ours have an automatic dimmer on them.

Bill: And it works?

Mr. Marzullo: It absolutely works.

Dave P: How often will this flash or change?

Mr. Marzullo: It will change based off of the ordinance.

The Board discussed LED signs, flashing times, sight distance of LED signs, and other signs at this location. The Board had many concerns about this new type of sign such as:

All of the messaging coming at drivers in a short period of time having an impact on drivers.

Dimming of lights during certain times.

Height of LED signs, too high, too low.

Mr. Marzullo: Troy's is not an impulse business, he is trying to create top of the line awareness so that his customers think of him first.

Mr. Marzullo had a colored rendering of the proposed sign.

Dave B: What is the pixel pitch?

Mr. Marzullo: 20 mm., this number does not really matter and you see this number all over the internet and that is why people get burned and buy cheap signs. Really what matters is pixel density and that is the number of diodes per sq. ft. The closer the diodes are the better the resolution.

Scott: And what do you have?

Mr. Marzullo: It is a 20 mm, I believe the pixel density is 34-60.

Scott: Good? Better? Best?

Mr. Marzullo: Average.

Peter: You said you do everything according to the ordinance, we have a confession to make which is we have an ordinance in process and we would like you to comply with the new process.

Mr. Marzullo: I do not know what that is. We do not want to do anything to upset the Board but we applied prior to that ordinance and there has been a precedent set with some of the other signs in Town.

Scott: We have a new ordinance in front of the Town Board now, Dave do you have any information?

Dave B: They have tabled it for now.

Scott: I do not know that we have a whole lot to go by if the new sign ordinance has been tabled.

Peter: We sure do. We can ask them to comply with the proposed ordinance, what is wrong with that?

Dave: If the ordinance were to change before they apply for a building permit, they would have to comply to the new ordinance. I do not anticipate this application lasting as long as it will take to get through the Town Board. I do agree that 20mm is sort of the middle of the road, some of them get really tight with high resolution, that is not going to work in a 2'x 6' sign. It is the sign on top that is going to make the difference.

Mr. Marzullo: If you are not selling off premise advertising there is no need to have a larger than 20mm. If you went with a 4' x 8' sign that is 20mm that would be about \$20,000.00. Sometimes a sign does not look good because of the programming where the person does not know how to use the sign, not because it is a bad sign. We teach our customers how to use the signs. You can put things on a sign but if it is not formatted properly to take it from inches to pixels it will be distorted and it would not matter if it was a 10 mm or an 8 mm.

Dave: I did want to mention that motion is not allowed in the Town, you can not have flashing signs it has to have static messaging.

Peter: Could we request the exact specifications for this sign?

Mr. Marzullo: I could provide them but I do not think that should constitute whether the sign could be installed or not. I don't want to delay the installation of the sign.

Scott: This would not preclude us from making a determination about your sign it is just information that we can use as we move forward as a guide to us with these new LED signs.

Bill: I think whatever we come up with we will be requiring it to be brightness controlled automatically, the trouble is we do not have spec for how bright.

Mr. Marzullo: Other townships have bought a light gun that are quite expensive, but the zoning office can go and shoot that sign to see how many lumens it is.

Peter: Our code does not say anything about running LED's?

Mr. Marzullo: I have to run it at 20 seconds, it must say something somewhere.

Dave: We had to send an interpretation to the Zoning Board of Appeals for the firehouse. The firehouse put a sign in and we had no language for it so the ZBA determined 20 seconds is the law.

Mr. Marzullo: The message would come up, it does not slide it does not turn, it just automatically comes up. It is called an instant message or referred to as a snap and erase message.

Scott: With this particular applicant we can not penalize them for us not being up to our code.

Peter: I think we should encourage the applicant to comply with the ordinance that Mr. Barton has put in front of the Town Board.

Scott: What Peter is saying is if we gave you what we have proposed in front of the Town Board, would you be willing to look at it (cut off)

Mr. Marzullo: I would be willing to look at it but that has not been discussed with my client and I do not want it hindering the application. I was basing our agreement off of what you currently have.

Scott: I understand.

Mr. Marzullo: Not to be difficult but it is not my problem to comply with an ordinance that is not in effect.

The Board discussed the current sign code and proposed sign code. The applicant agreed to look over the proposed code.

A Motion was made by Dave Plavchak, and seconded by Fred Pizzuto to approve this sign with the conditions of the applicant reviewing the proposed sign code in front of the Town Board and submitting sign specs. All ayes.

Sign - Choice Auto Repair, 84 New Paltz Rd, SBL#87.4-3-22, in R ½ zone.

The applicant, Choice Auto Repair, would like to replace the existing sign with his own 6'H X 4'5"W sign.

The Board reviewed a sketch of the proposed sign the applicant would like. The sign would be the same size as the previous sign. The Board has additional questions for the applicant who was not in attendance. This sign is put on hold until further review.

Administrative Business

The Board spoke with Michael Horodyski, Town Board Liaison, about the new LED signs being requested in the Town and a need for an updated ordinance to include this type of sign. Mike H. will pass the information to the Town Board. Discussion on having a moratorium, this may be an option.

Dave B. has information on LED signs that will be circulated to the Board.

Peter: The problem may not be the type of sign being put up as much as how many signs we have been letting people put on any one property.

Highland Public Library, Elting Place SBL# 88.69-1-3.2

January 15, 2015

Highland Public Library

Elting Place

This notice is issued pursuant to 6 NYCRR Part 617 of the implementing regulations pertaining to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act- SEQRA) to designate a Lead Agency for the project.

The Highland Library would like to construct a new +/- 11,250 square foot library building with appurtenances on a 2.16 acre vacant parcel. After completion, the library will move from its existing location, and the old library will be sold.

Board members discussed the proposed Library project and had no opposition to the Library being the Lead Agency for this project.

A **Motion** was made by Scott Saso, seconded by Fred Pizzuto that the Planning Board is not interested in being the Lead Agency and consents to the Public Library being the Lead Agency. All ayes.

Review Referrals

1. Affordable Housing and
2. Rezoning

Materials were distributed to the Board regarding two referrals, Affordable Housing and Rezoning for a HBD (Highway Business District)

Dave B: a) on Rezoning - This is the official referral if you have any comments or issues I will take them and submit them back to the Town Board. I took the language that you guys did and referenced the pages; I put those references in order. We changed the use table to add the district (HBD) and a map.

b) on Affordable housing – The goal is to encourage affordable housing but it will be up to the developer.

Carl: From what I read in the Ulster County Planning Board's comments from May 2014, I know they do not want sprawl but they are not really suggesting what they want there.

Mike H: I spoke to Dennis Doyle about that and he said they would like us to develop the lots and properties that are more closely associated with the Hamlet.

Carl: My thinking along the 9W corridor is that I could see someone coming in and buying up multiple parcels to do some type of development. By doing that you could be looking at something like the Galleria in Poughkeepsie, which to me is not sprawl.

Peter: What was discussed at a meeting, when I was there, is yes Dennis likes the idea of clustering in the Hamlet but they are also suggesting that we think about the parcels individually.

The Board continued discussion on form based business zoning and the 9W corridor.

Dave: The key is people will see opportunity if we offer them opportunity and that is what zoning does.

A **Motion** to adjourn was made by Dave Plavchak, seconded by Fred Pizzuto. All ayes.