

APPROVED:

MOTION BY:

AYES:

NAYS:

DISTRIBUTION: OFFICIAL MINUTES BOOK – TOWN CLERK – BLDG DEPT.

SECONDED BY:

ABSTENTIONS:

ABSENT:

Certification of Receipt

By:

Rosaria Peplow, Town Clerk

WORKSHOP MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday October 18, 2018

CALL TO ORDER TIME: 5:30 pm

PLEDGE OF ALLEGIANCE

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

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

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 and 25.11) and subdivide and lot line revise those lots into six (6) lots. Lot 1 will contain the existing Trustco Bank, Lot 2 will contain an existing retail and apartment buildings. Lot 5 will be the existing pond parcel (which will be encompassed with a conservation easement) in addition to a proposed 72-unit apartment complex with a community room. Lot 6 will be a small vacant lot fronting on 9W with no currently proposed development.

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 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 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.
Applicant is concurrently seeking an area variance for side yard parking in the GM Zone from the ZBA submitted 07.11.18. The public hearing for the ZBA application will be on 08.09.18.
Michael Moriello letter addressing public hearing comments from the 06.28.18 meeting received 07.19.18.
Baisch and Casabura public comment letter received 07.26.18.
The public hearing was closed on 07.26.18.
Michael Moriello, applicant's attorney, agreed that the applicant would waive compliance with the 62 day limit on final conclusions after the public hearing was closed.
Area Variance for side yard parking was granted by the ZBA 09.13.18.
Highland Fire District comment letter received 10.16.18.
Medenbach Response Letter to Andy Learn's Memo of 04.24 & 04.25.18 received 10.18.18

Barry Medenbach, applicant's representative, was present to explain changes made on a new set of site plan maps (revised 10.10.18) of the proposed project. He explained that the two buildings closest to Mile Hill Road were originally placed parallel and closer to the Rail Trail. Central Hudson has notified the applicant that there is a conflict with those buildings and their power lines. The applicant and the Central Hudson have come to an agreement to redesign the site plan to locate the buildings 50 feet away from their power line.

Stout believes that the change is not substantial enough to require a new public hearing. The lot lines have not been changed and the impacts are not significant.

Barton said they had originally asked for a study of the visual impact of the buildings to the rail trail. Now the buildings are further away from the rail trail so the line of sight of the buildings has dropped and less impact on the rail trail. Barton feels that the plan has a slightly better layout.

McCarthy asked if the water line was affected.

Medenbach replied that it will not. He also added that they put a heavy duty break-away gate instead of a chain as requested by the Department of Transportation.

Learn said he reviewed Medenbach's response letter to his memo of 04.24 & 04.25.18 and will circulate his response after tonight's meeting.

Stout will be creating a resolution of approval that will include any conditions for the next meeting.

Brooks asked if they needed a super majority to override the UCPB recommendations. Stout said it would be better if they did.

Learn said in the SWPPP the applicant would like the option to exceed the five acres of area that will be disturbed which the Town would have to authorize. He suggests the authorization should be written into the resolution of approval so its clear that the Planning Board is aware of it.

Mike Moriello, applicant's attorney, asked if they could work on any five acres at one time.

Medenbach said they could, but working on more than five acres at one time would just increase the number of inspections per week according to state regulations criteria.

There was a discussion of the Highland Fire District letter and the fire truck size. Barton commented that the Fire District is generally in favor of the project and that he would look into the size of the firetruck.

Brooks said next week the Board may be voting on the Resolution of Approval.

New Business

Black Creek Bed and Breakfast, 430 N Riverside Road, SBL# 87.2-4-15.110 in R1 Zone.

Applicant is seeking a special use permit to open a bed and breakfast in a five bedroom house.

The applicant, Dan Lyon, was present to give an overview of the proposed project. He has already been in contact with the Department of Health to make sure the septic system could handle the business.

There was a discussion of having the special use permit for a 7 bedroom bed and breakfast because the applicant intends to convert two existing rooms into additional bedrooms at some point in the future.

The Board asked for a survey/site plan for the next meeting for parking, exterior lighting, etc..

Barton explained to the applicant that a special use permit could be revoked if the applicant violates any of the conditions of an approval. It has to be maintained in compliance with the conditions the Board approves for it.

There was a discussion on the dimensions of a sign and what the protocol is if a larger sign is desired.

The Board anticipates setting the public hearing at the next meeting for December 6, 2018.

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

Applicant would like a lot line revision so they can to combine a portion of the adjacent property owned by Selux (SBL 88.1-3-10) to the existing manufacturing property owned by Selux (SBL 88.1-6-6.1).

Barton spoke on behalf of the applicant to give an overview of the proposed project. He said the applicant is currently applying to the Town Board for a zone change for light industrial use and the zone change cannot be entertained until the lot line is determined.

The Planning Board viewed the maps of the proposed project and there was a discussion to where the lot line would be. The Town Board would be the lead on SEQRA.

At the next meeting the Planning Board would receive the referral from the Town Board concerning the application of the zone change.

The Board anticipates setting the public hearing at the next meeting for December 6, 2018.

Smith, Matthew K., 10 Commercial Ave., SBL# 88.17-9-5.1 in GB Zone.

Applicant is seeking approval for a revised site plan of a commercial park located on the westerly side of Commercial Avenue on tax parcel 88.17-9-5.1. Applicant proposes to expand the fitness center from 2,550 sq ft to 4,700 sq ft., eliminate the automotive uses, propose a new daycare center use of 8,000 sq ft including the construction of a second story addition above the north end of the existing building. The dance studio will remain as currently utilized.

Barton spoke on behalf of the applicant to give an overview of the proposed project. The site plan shows two parcels although only one is under consideration at this time. He said the automotive uses will be eliminated, the dance studio will maintain the second story, and Cross-Fit will maintain half of the front of the building where it is now. The daycare will take over the north end of the building on both the first and second floors. The site plan shows channelization. There is sufficient room to stack 11 buses on the site from the doorway of the building to the parking lot entrance. The Board viewed the site plan map and there was a discussion of various types of channelization for the site, different types of parking designs, lighting, and a possible curb and/or sidewalk.

Barton said Patti Brooks, applicant's representative, will be at the next meeting to give a more intensive presentation of the proposed project.

The Board anticipates setting the public hearing at the next meeting for December 6, 2018.

Tortarella, Troy E. & Alicia L.; Troys Auto Body, 78 Macks Lane, SBL# 96.9-1-24.110 in R1 Zone.

Applicant is owner of a personal residence at 48 Macks Lane and also owner of 78 Macks Lane. The application is for a lot line revision affecting said parcels. Both parcels are existing residential lots with single family dwellings. Lot 1 (SBL# 96.9-1-24.110) will be revised from 1.59 acres to 1.21 acres and will remedy an existing substandard side yard setback. Lot 2 (SBL# 96.9-1-24.12) will be revised from 1.72 acres to 2.10 acres to accommodate an existing fenced yard to be contained totally on said Lot 2. No new improvements are proposed on either lot at this time.

Barton spoke on behalf of the applicant to give an overview of the proposed project. He added that the applicant's goal is to sell the house on 78 Macks Lane.

The Board anticipates setting the public hearing at the next meeting for December 6, 2018.

Extended Public Hearing

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.

The Planning Board reviewed the EAF and issued a negative declaration on and set the public hearing on 07.26.18 for August 23, 2018.

The Planning Board is requesting a more complete site plan.

A survey will be prepared for the proposed project.

No new information.

Sign Approval

Hair by Shelley, 9 Main Street, SBL# 88.69-2-25 in CB Zone.

The applicant would like to install a 2'h x 3'w panel sign on a scroll bracket to reflect the established business.

The Planning Board was supplied with pictures of the proposed new business sign. The Board reviewed the plans for the sign with the applicant and determined it was in compliance.

A **Motion** was made by Scott McCarthy, seconded by Charly Long to approve the sign. All ayes.

A **Motion** to adjourn was made by Sal Cuciti, seconded by Scott McCarthy 6:38 PM. All ayes.