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

**Thursday, November 20, 2014**

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

**PLEDGE OF ALLEGIANCE**

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

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**New Business**

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

This project proposes the creation of 1 new 20.98 lot on a +/- 27 acre parcel with frontage on both Cross Creek Run and US Highway 9W and to maintain the existing lot, with the existing house as a 6.21 acre lot. Access for the proposed lot is proposed from an existing stub right of way, off of Cross Creek Run, across from the lower Elbow Lane intersection. The estimated disturbance for the new lot is 0.88 acres, which does not require a formal stormwater pollution prevention plan.

Andrew Learn recused. He works with Tom Harvey.

Tom Harvey, the applicant's representative, was present for the meeting.

Tom H: In Aug. 2013, we received an approval for a seven lot subdivision on the same parcel. Since that time we have been trying to get the fees together and it has become apparent that it is not happening. The agreement I had with Silver Fox Corporation was that I would deliver the subdivision approval in exchange for the existing house lot. The approval was essentially delivered, I have held up my end of the agreement, and without the fees and in lieu of Silver Fox Corp. honoring their agreement with me, to complete the process, we are withdrawing our request of approval for the seven lots and proposing a two lot subdivision. This is essentially a split very much like the seven-lot subdivision to try to leave our options open in the future for the vacant land they are creating. The rear lot which is about 21 acres, would only have frontage on Cross Creek Run. There is a little stub road that was left off of Cross Creek Run, that is where the subdivision road was going to come in. That would be the only frontage for the 21 acres so in order to meet the zoning requirements I have made this strip about 100ft. wide out to the highway(9W) so that the vacant land would have frontage both on Cross Creek Run and on 9W, making more than 150ft. of frontage.

The Board reviewed the proposed two lot subdivision plan dated 11/3/14.

Peter: Is the road frontage 100ft. or 150ft.?

Tom: It is 150ft. I have 100ft. on 9W and 50ft. on Cross Creek Run, I did not see in the code anywhere that it needed to be contiguous.

The Board discussed minimum road frontage.

After discussion it was determined that only 25ft. road frontage was needed to get a building permit and Mr. Harvey would not need to give the extra 100ft. along 9W.

Scott: It does seem like you are setting it up for a road.

Tom: That is not my intent, I would prefer that extra 100ft. stay with lot 1. My understanding was that I needed 150ft. frontage.

Scott: So my question is, we can create this lot of about 20 acres and the only frontage is 25 ft. on Cross Creek Run and that makes it a legal lot?

Dave: 25ft. is all that is required.

Tom: I had been proposing to abandon the former approval because my understanding was with this lot line change that I am talking about, that changed the approvals that I had and I could not phase the project, which is really what I wanted.

Peter: There is something to keeping this frontage here on 9W, if ever in the future someone wants to develop something here.

Dave: You will never pull a road there because Cross Creek is right there.

Tom: My discussion with you (talking to Dave B.) was because I thought I had to change the lot lines like this to make this vacant land stand alone. That made it impossible to phase if I had to change this, if that is not the case I do not have to change this I could just split lot #1 off and leave six lots as vacant land until the time when we pull the trigger on phase II.

Dave: I apologize you are not talking about phasing you are talking about filing. The approval is for the full map, you can phase the building of the full map but there is no way to phase a filing.

Tom: Ok.

Dave: I think what you are looking for is the possible build of the back lot in the future, so carve your lot off in the front and leave the back as a vacant lot with conceptual house plan on it.

Tom: I thought I needed the lot frontage, not needing the frontage lot #1 will change to probably about 8 acres. I will submit new maps and updated Board of Health approval. I also have a letter of withdrawel for the seven lot subdivision.

A request for a note on map requesting that the driveway stub onto Cross Creek be constructed and paved to town road standards.

The Board anticipates setting the Public Hearing on Dec. 4<sup>th</sup> for the January 22, 2015 meeting.

Brad Scott arrived to the meeting 7:20pm.

## **New Public Hearings**

### **Pedro, Jon (and Matt Cunniff), 399 Elting Corners Rd., Subdivision, SBL#79.4-1-18, in R1 zone.**

The applicant would like a subdivision of 45.45 +/- acres of vacant land in the R-1 zone to create four new buildable lots with individual driveway access.

Patti Brooks with Brooks and Brooks Surveyors, the applicant's representative, was present for the meeting. The Board reviewed a memo from Morris Associates dated Nov. 6, 2014 (see attached). Patti Brooks submitted a new map which addressed this memo.

Patti: I was not at the workshop last week, what was discussed with Nadine Carney, the applicants engineer, has not been updated yet.

Andy: This map does not yet show the paving up to the split in the driveway (of lots 3&4) it only shows up to the right of way.

Patti: I am making a note tonight.

Scott: This will be a condition of the approval, this has to be put in before they can sell the lots, so that whoever buys one lot does not get cheated on the cost.

Patti: This works out just as well anyway because the DEC permits are only good for a certain period of time (this is the one they are getting to construct in the wetland buffer) so better to get that construction out of the way, so you do not have to worry about the DEC permit expiring if it does not sell right away.

Peter: Does that mean that they do require you to get a DEC permit.

Patti: They do.

Andy: All three of the driveways will be paved from the edge of the road to the 30ft line.

Scott: But we are not requiring all of the driveways be paved prior to selling the lots.

Andy: Correct. Driveway 1 and 2 can be done after selling the lots. The driveway to lot 3 & 4 needs to be done prior.

Andy: The only other thing I wanted to mention is that I know we have been talking about how critical it is to get the driveways built to how it is shown on the plan, in the code it talks about bonding and I don't think there is a real good mechanism to make that happen. I was thinking if maybe we just required an as-built, that is approved, before the issuance of a CO or something like that.

Patti: We do this routinely on commercial siteplans, we generally do not do it on residential, unless there is a specific concern.

Andy: This might be an option.

The Board discussed the code noting that in the code the road specifications are new but the driveway specs. are old and could/should be updated.

The public hearing is set for December 4, 2014.

**Rodrian, Lara & White, Christopher; 7 Homestead HI, (AKA: 19 Mile Hill Rd.) Special Use Permit SBL#88.17-5-19, in R1/4 zone.**

The applicant is adding a 16' x 44' addition to their home. The objective is to put in an accessory apartment, in the basement, for their mother as well as increase living space in the upstairs. The accessory apartment will be 610 ft. and will not be used for profit.

This application has been reviewed by the Board at previous meetings, they have no additional questions or concerns.

The public hearing is set for Dec. 4, 2014.

**Passante, Jeffrey & Dawn; 847 N. Chodikee Lake Rd., Subdivision SBL#79.2-2-2.120, in R1 zone.**The applicant would like a two lot sbdivision of his existing 7.67 acre lot. Lot 1 will be 4.853 acres and contain the existing house. Lot 2 will be 2.816 acres for future development. Lot 2 has been given Board of Health approval to construct a waste disposl system.

This application has been reviewed by the Board at previous meetings, they have no additional questions or concerns.

The public hearing is set for Dec. 4, 2014.

## **Administrative Business**

Brad Scott Recused.

The Board discussed a recent sign approval for Ultimate Auto on route 299. It is a new type of sign in the Town which changes text and pictures. The pixel on this particular sign is very large so the pictures look grainy. The Building Dept. will talk to the business owner with suggestions for his sign.

Brad returned to the meeting.

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