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MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, December 3, 2015

CALL TO ORDER TIME: 7:00pm

PLEDGE OF ALLEGIANCE

ATTENDANCE **Present:** Chairman; Scott Saso, Brad Scott, Carl DiLorenzo, Lawrence Hammond, Dave Plavchak, William Odgen, Fred Pizzuto, Peter Brooks, David Barton; Building Department Director
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.

New Public Hearing

Hudson Valley Wine Village, 191-200 Blue Point Rd, Special Use Permit, SBL# 96.3-2-8, in R1 zone.
The applicant would like a special use permit to harvest 196 mature trees from approximately 400 acres. Tree tops to be removed also.
Ben Coleman, the applicant's Logger, was present for the meeting.
The Board discussed this application at past meetings and had no additional questions.
Scott read the public hearing notice
A **Motion** to open the public hearing was made by Dave Plavchak, seconded by William Odgen. All ayes.
Maria Rundle of 3884 Rt. 9W: How many trucks would be going in and out of Blue Point Rd. in a day? Blue Point Rd. is not a safe road to get in and out of.
Mr. Coleman advised that it would be 2 or three truck loads a day.
Mrs. Rundle: How many trees fit in a truck?
Mr. Coleman: About 15 trees.
Eric Lovgren of 20 Blue Point Rd.: I would like an approximate time of how long this project will take.
Mr. Coleman: We are not in a rush to do this, it is more like a landscaping job. It will take about 3 or 4 months.
Scott: This will have hours of operation and it will take place during the week, no weekends.
A map of where the logging and loading was presented for the public to see.
Question from Audience: Is there potential for the trucks to stop on the sides of the roads?
Mr. Coleman: You will not see them. The trucks will be loaded and they will be gone.
Mark Garina of 14 Blue Point Rd: A while back there was a road that was supposed to be put in so that we would not be impacted, I am wondering what happened with that road?

Dave P: Was that for the whole project or just for the logging?

Mr. Garina: I guess for the whole project.

Scott: This public hearing is strictly for the selective logging permit. This has nothing to do with any site approval.

Mr. Garina: I know that the trucks are pretty heavy and this road is in disrepair. I commend the Highway Dept. for their efforts in trying to repair but as it is I do not think it will survive the winter. Will these trucks have a big impact on the road?

Brad: What kind of equipment will be going in to the site?

Mr. Coleman: Rubber tire tractors. These trucks will not be over loaded at all. The fines are heavy and it is not worth it, for anybody, to over load the truck.

Scott: There is a whole process that loggers need to follow.

Jan Anthony of 26 Blue Point Rd.: I am not against this project, I am here as a resident. My neighbors have talked about the state of the road, as part of this permit process will the Board review the road after the project to see if there has been a problem? What is the game plan of the Town to either fix or maintain this road?

Ben Coleman: I think this is pretty much standard and we are going to bond this road.

Dave B: When the Building Dept. issues a permit we will go out and inspect the site and road. At the end of the project we will be holding a check, if the road is damaged in any way that check will go to the highway dept. and they will go out and do what is necessary.

Jan Anthony: So there is a plan in place for the road to stay in, at least, the quality it is right now; hopefully better.

A **Motion** to close the public hearing was made by Lawrence Hammond, seconded by Fred Pizzuto. All ayes. Scott read the resolution of approval. (See attached)

A **Motion** to accept this resolution was made by William Ogden, seconded by Fred Pizzuto. All ayes.

Scott Saso recused.

Brad Scott took the Chair.

Serini, Michael, Bell Dr, Special Use Permit SBL#88.17-4-34.100, in R1/4 zone.

The applicant would like a special use permit for a two family.

Michael Serini, the applicant, was present for the meeting.

Lou DuBois, the applicant's representative, was present for the meeting.

The Board had reviewed the plans at past meetings and had no additional comments.

Brad read the public hearing notice.

A **Motion** to open the public hearing was made by Dave Plavchak, seconded by Fred Pizzuto. All ayes.

Gloria Kozlowski of 46 Bell Dr.: I am here to see the process. I guess you will get the special use, unless there is a real reason not to.

Lou DuBois reviewed the plans with Ms. Kozlowski.

There were no additional comments.

A **Motion** to close the public hearing was made by Fred Pizzuto, seconded by William Ogden. All ayes.

Brad read the resolution of approval with payment of recreation fee as a condition. (See attached)

A **Motion** to accept this approval was made by Carl DiLorenzo, seconded by Lawrence Hammond. All ayes.

Scott Saso recused.

Brad Scott recused.

Dave Plavchak took the Chair.

Brad Builders (Rt 299), 514-520 Route 299, Lot Line Revision SBL# 87.1-3-33, in DB zone.

The proposal is to add tax lot 25.12 and an additional 0.82 acres from tax lot 33, to tax parcel 11 to make the pre-existing non-conforming lot conforming with regard to road frontage. The resultant revised lots 11 and 33 will share an existing highway access currently serving the auto body shop, and provide a commercial access opportunity to both parcels, which are located in the DB zone. The right of way access over Whitley Lane will remain as an emergency access, but any commercial development of the parcel will be accessed from Route 299.

Patti Brooks of Brooks & Brooks Land Surveyors, the applicant's representative, was present for the meeting. This application has been reviewed at past meetings. The Board had no additional comments.

Dave read the public notice.

A **Motion** to open the public hearing was made by Fred Pizzuto, seconded by William Ogden. All ayes.

There were no public comment.

A **Motion** to close the public hearing was made by Lawrence Hammond, seconded by Fred Pizzuto. All ayes. The resolution of approval was read. (See attached)

A **Motion** to accept the resolution of approval was made by Peter Brooks, seconded by Fred Pizzuto. All ayes.

Scott Saso took the Chair.

Brad Scott returned to the meeting.

Fisher, Armen, 200 Lily Lake Rd, Special Use Permit SBL#79.4-1-48.113, in R1 zone.

The applicant has hired a Forester to cut and remove 821 trees from his 73.5 acre parcel. Fifty acres is being considered for timber harvesting, averaging 16 trees per acre.

Armen Fisher was present for the meeting.

Patti Brooks of Brooks & Brooks Land Surveyors, the applicant's representative, was present for the meeting. The Board reviewed this at past meetings and had no additional concerns.

Scott read the public hearing notice.

A **Motion** to open the public hearing was made by William Ogden, seconded by Fred Pizzuto. All ayes.

There were no comments.

A **Motion** to close the public hearing was made by Dave Plavchak, seconded by Fred Pizzuto. All ayes. The resolution of approval was read. (See attached)

A **Motion** to approve the resolution of approval was made by Fred Pizzuto, seconded by Lawrence Hammond. All ayes.

Set Public Hearing

Fisher, Armen, 200 Lily Lake Rd, Subdivision SBL#79.4-1-48.113, in R1 zone.

The applicants own 79.93 acres located on the west and east sides of Lily Lake Rd. They are proposing a two lot subdivision to create a 38.81 acre lot to be offered for sale as a residential parcel located on the westerly side of Lily Lake Road. The remaining lands, located on the easterly and westerly sides of Lily Lake Road with the existing barn and pool will be 41.12 acres in size.

Prior to the sale of the 38.81 acre parcel, the entire site will be logged in accordance with the application submitted for a Special Use Permit.

Armen Fisher was present for the meeting.

Patti Brooks of Brooks & Brooks Land Surveyors, the applicant's representative, was present for the meeting.

The Board reviewed the proposed maps for this subdivision.

Bill: Since the remaining 41.12 acre lot will be on both sides of the road, would it make any sense to have this application become a 3 lot subdivision?

Patti: The intent is that we would like to separate that piece on the easterly side of the road but we do not have Board of Health approval on that piece yet. If the Board would accept at this point in time, us doing the topography showing a proposed house, well and septic and the soils in the area without having the Board of Health approvals we would be able to move forward with the three lot subdivision.

The Board did think it would be a good idea to do a three lot subdivision with a note on the map advising that lot 3 shall not be issued a building permit until such time that Board of Health approval is obtained on the lot. The applicant will submit new maps in January to continue with a 3 lot subdivision.

The Board anticipates setting the public hearing in January of 2016.

Anzivina, Nicola, 16 Thorns Ln, Lot Line Revision SBL# 88.17-2-53, in R ¼ zone.

The applicant would like a lot line revision between her residence at 16 Thorns Ln. and her rental property at 12 Thorns Ln. The applicant's parcel with her residence will go from 1.858 acres to 1.526 acres. Her parcel with the rental will go from 1.615 acres to 1.947 acres.

Nicola Anzivina was present for the meeting.

The Board looked at this application at the workshop. The proposed lot line does not encroach wells, septic or leach fields. The Board had no addition concerns.

The Board reviewed the short environmental form and issued a negative declaration.

A **Motion** of negative declaration and setting the public hearing was made by William Ogden, seconded by Fred Pizzuto. All ayes. (See resolution)

The public hearing is set for January 28, 2016.

Alfano, James P., 99 Haviland Rd, Siteplan SBL#96.1-2-23.100, in WBOD zone.

Corrective action in slope of the Water Bluff Overlay DIstrict (WBOD) to stabilize it.

Lou DuBois, the applicant's representative, was present for the meeting.

The Board discussed this application at the workshop meeting and had no additional concerns.

The Board reviewed the short environmental form and issued a negative declaration.

A **Motion** of negative declaration and setting the public hearing was made by Lawrence Hammond, seconded by Fred Pizzuto. All ayes. (See resolution)

The public hearing is set for January 28, 2016.

Sign Approval

Brad Scott Recused.

Sign - 3509 Rt 9W (Community Car Wash), SBL#88.13-2-9 in GB zone.

Installation of one 64sq. ft. internally illuminated pylon sign with electronic message center.

The applicant would like to install a new freestanding sign on the existing foundation and pole of the current sign. This application will go before the Zoning Board of Appeals for sign size and sign height variance.

Nancy Forrest with Gloede Signs, the applicant's representative, was present for the meeting.

The Board reviewed photos of the proposed sign.

Larry: At one time the sign was on state property has it been moved?

Nancy: It is right on the border. I spoke with Department of Transportation and they said where the sign base is now is the property line, pretty much. We are hoping to leave it there. The sign is 12ft. in height now, we would like to keep 14ft. below the sign so that any trucks could pass under it.

Dave P: We do not have any other signs of that height.

Nancy: I am here on behalf of the applicant for that reason. This is an average height of signs in other Towns along 9G or 9W.

Scott: The Bottom of this sign will be digital?

Nancy: Yes, but non-moving.

The Board questioned why the proposed should be any higher than allowed in the ordinance and suggested that maybe a proposal of a sign that is similar height and size to the pre-existing sign would be considered.

Bill: Is the whole area internally luminated or just the letters?

Nancy: Just the lettering, the background is stainless and opaque at night.

Bill: Is there any luminance control on those? Does it tone down when it gets dark?

Nancy: They did put LED's on the base but that could come down if you do not like that. They surround the upper sign but only the letters light up.

Bill: Is there any nighttime control on the brightness?

Nancy: On the electronic there is, it is automatic.

The Board commented that there are houses around the area and the height of the sign would not be welcome by residents.

Nancy: If you do have a problem with the height I would like to keep it where it is?

Peter: That seems reasonable since there is a sign already there but then why increase the size?

Nancy: Given the location of it and the height that it is already up on the hill, we usually do it from distance from highway and height and speed of traffic. So (cut off)

Peter: We have an ordinance that says how big signs can be. Why not keep it in line with our ordinance?

Nancy: Sometimes they feel that not all ordinances make sense as far as letter height and stuff. The increase in size is because they did want the visual board. This is a clean and concise way of being able to advertise your services even if it is one at a time with out putting signs all around and sticking them in the ground.

Discussion continued.

Scott: I think we can make a concensus that we do not like the height and we do not like the size.

Dave P: I think the question still is 'What is driving the need for a larger sign?'

Nancy: We are simply adding the appropriate size message center for the distance from the building and height.

The Board will send their recommendation to the Zoning Board.

Sign - Pomo doro, 4-8 Haviland Rd, SBL#96.1-1-14.100, in GC zone.

The applicant who is seeking a use variance (for roof placement) and an area variance of 24 sq. ft. (for the size of the sign) from the Zoning Board of Appeals, would like to install a 48 sq. ft. internally illuminated building roof sign. They are before the Planning Board for asthetic approval.

Nancy Forrest with Gloede Signs, the applicant's representative, was present for the meeting.

Nancy: This is likely to be a long term tenant, this is the same family that owns all of the Giacomo's Restaurants.

This is also going in front of the ZBA for an area variance for the size of the sign and a use variance for it to be on the roof.

Nancy: This is an odd shaped building and their entrance is on the end. They would like to have the chance of people knowing that they are there. This is an internally illuminated sign but only the lettering. The applicant is going for the size variance because of the location of the building and that still appears very small from the corner.

Bill: This is large but you are not using a lot of the sign space.

The Board discussed the sign and placement.

The Board agreed to the sign but would add a condition that no other signs for this business would be permitted on the building and that the sign stayed within the gable. The only reason the Board considered this roof sign was because there was a gable behind it.

The Board will send a positive recommendation with conditions to the Zoning Board of Appeals.

Administrative Business

Mountainside Woods –

Discuss Mountainside Woods Sidewalks.

Dave B: When they put the water in and then put the taps in, the stems for the water cutoffs are right in the grassy area between the curbing and the sidewalk. The sidewalks are not in yet but the hiccup is that there is 12 ft. between the curbing and the property line, Central Hudson will not run utilities and no cable or phone would be run in that section where the stems are. This is not a site plan amendment it is just for your information; Richie has agreed that the sidewalks will slide closer to the road to leave a larger grass area between the side walk and the property line where Central Hudson can run their utilities; gas, electric; cable and phone will come in. The lights, Central Hudson does not want them on top of their utilities, so the lights and trees will be across the road and staggered down the road. The road width will remain the same at 26 ft. and the sidewalks will remain the same size just closer to the road. This change is just at the beginning of this phase. Because the sidewalks are mountable and now the sidewalks will be closer to the road the Board discussed marking this section as No Parking for example or curb stop covers.

Minutes to Approve -

A **Motion** to approve the minutes, as amended, from the Planning Board Workshop, October 15, 2015 was made by Dave Plavchak, seconded by Scott Saso. All ayes.

A **Motion** to approve the minutes, as amended, from the Planning Board Meeting, October 23, 2015 was made by Scott Saso, seconded by Dave Plavchak. All ayes with Brad Scott abstained.

A **Motion** to adjourn was made by Fred Pizzuto, seconded by Lawrence Hammond. All ayes. 8:24 pm