



**Adonai Lodge #781 and Torson St. Jude, Lot Line, Main St, SBL# 88.69-1-6 & 7.100, in CB zone.**

The applicants, Torson St. Jude and Adonai Lodge 781 propose a lot line revision to convey a 0.34 acre vacant parcel of land from an existing improved 1.35 acre lot to an existing improved 2.13 acre commercial lot with funeral home. The conveyance will provide additional space for parking and access for the Torson Funeral Home parcel.

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

The Board reviewed maps submitted by Brooks & Brooks dated March 15, 2015.

Lou: As part of a five year business plan the Funeral Home plans on expanding and as part of expanding they will need additional parking. The Funeral Home parcel does have additional area but it is not conducive to parking. The Adonai Lodge has an area right behind their building which the Lodge has allowed the funeral home to use as overflow parking but now they would like to make it formal. Once the funeral home has this land they will be developing a new parking schedule.

The Board did not have any additional questions. A public hearing will be set next week for May 28, 2015.

**Valentino, Joseph and Jean, Lot Line, 188 Perkinsville Rd, SBL#95.4-1-5.121 & 5.123, in A zone.**

The applicants are proposing a lot line revision to convey a 0.77 acre parcel of land with an agricultural building from an existing improved 2.15 acre residential lot to an existing improved 1.16 acre residential lot. This action will reverse a lot line revision that created this lot configuration in 2008. The resultant parcels will be 1.38 acres and 1.93 acres in size.

This application was not reviewed and will be reviewed next week at the Planning Board Meeting.

## **Closed Public Hearings**

**Tarpley, Robert, Special Use Permit, 343 Orchard Rd, SBL#95.2-7-10.100, in A zone.**

The applicant is looking to relocate to this location and bring along their four dogs. They currently are a small kennel operation where they breed and train german shepherds.

Scott Tarpley, the applicant, was present for the meeting.

Dave P: After the public hearing last month I think there are three major concerns; the dogs running free, the barking and the smell.

Carl: The other issue is the kennel being within 1000ft of any residence.

Peter: Our regulation appears to say that you need to be 1000ft away from the nearest resident.

Mr. Tarpley: The dogs stay in the house.

Peter: So then the question is "is that 1000ft away from the nearest residential neighbor?"

Mr. Tarpley: That was not the case with the kennel that came up a couple of years ago?

Peter: It is our leash law that says, amongst other things, the enclosure or house used for the purpose of a kennel will be 1000ft from any building or residence used for business or residence. This is classified as a kennel under our law so you need to demonstrate to us that where you are keeping the dog will be at least 1000ft away.

Mr. Tarpley: It is a seven acre parcel I can not imagine it being that close.

The Board drew up some proposed conditions should this application be approved.

1. A maximum of 8 resident adult dogs may be kept, with 6 months being the transition to adult status.

2. Solid waste is to be gathered at least twice each week and bagged. It is to be commercially removed. If odors are clearly evident on adjacent property, more frequent collection

will be done.

3. Outdoor dog activities involving shouting or loud commands clearly audible on adjacent properties is to be limited to two days per week, with “working hours” between 8am and 8pm, and with such activities excluded on weekends.

4. “Bark collars” are to be used to control excessive barking.

5. Dogs will not routinely be allowed to run free (without leashes) in any unfenced areas.

This does not preclude unleashed training in which the trainer is present and controlling the dog.

6. Dogs will be licensed as required by the town, and will routinely wear identification collars.

Town leash laws are to be observed.

7. Facility will be licensed as a kennel as required by the state.

8. Cage areas are to be shielded from the road to the extent practical, with regard to existing structures and the lay of the land.

9. Indoor kennel facilities that are not part of a residence must have smoke or fire detectors that are audible to the residential area. Any electrical service for such areas must be separately protected by GFIs or similar devices.

10. Any lighting in the kennel area must be arranged so as to avoid direct sight to other residences in the area.

Dave B. informed the Board that it is the police that will enforce excessive noise.

Mr. Tarpley had some photos of this property. He informed the Board that he does use bark collars sending off a little shock and the dog will come back, so loud commands would be fairly rare.

Peter: The only thing that is still a question is should there be a fenced area just because so many of the neighbors were concerned.

Mr. Tarpley: The cost would be extremely expensive. We do have portable fences, a bunch of panels that could be set up. Right now I could set up an area of up to 30’x30’. This would take me 10 or 15 minutes to set up.

Dave P: I think the enforcement here is the leash law.

Carl: You are aware that there is a law against dogs running down deer? To protect your investment you may want to consider that.

Mr. Tarpley: I am aware of that.

The Board will do some more research on the 1000ft. law. Mr. Tarpley will get some information on the distances of surrounding residences.

## **New Business**

### **Kelley, Steven and Debra, Site Plan for Special Use Permit; 227 South St, SBL#86.4-3-42 & 38, in A zone.**

The applicants, Steven and Debra Kelley, desire approval to host events upon the premises above. The applicants will reside upon the premises. The concept is to rent the grounds and make available a portion of the barn which is approximately 2,100 square feet for dancing, etc. with occupancy limited to 100 or fewer persons. Tents would be permitted about the grounds for purposes of cooking, seating, etc. Portable rest rooms will be utilized. The Kelley's house will not be used.

Stuart Weiss, the applicant’s representative, was present for the meeting.

Peter: There are problems with this type of application all over the county. The issue is the Ag. & Markets appear to be very accepting of anything you do to improve or increase agriculture. But local neighbors are

saying excuse me instead of growing corn there they are making noise and throwing parties there, and this has nothing to do with agriculture.

Dave B: This is not exactly a farm, it is in the Town's Ag. Zoning district and we are calling it a home occupation type II

Dave P read as follows:

Application Review re: Kelley Barn/Grounds SUP Home Occupation Type 2

S.B.L.86.4-2-9.1

Zone: A

Date: 04/16/2015

Dear Scott Saso, Planning Board Chair, et al. :

I have reviewed the application for 227 South Street and have the following comment:

This application proposes to create a home occupation via Special Use Permit for an event hosting operation utilizing the grounds and barn. The hand drawn application shows parking on what is still a separate parcel from the principal dwelling parcel. We have in the file a map which would have, had it been filed, conjoined the lots. Currently, the county still has the lots as separate, and some consideration should be given to joining the lots so that the parking and the principal use are on the same lot. If, in the future, the property housing the proposed parking were to be sold, and the use continued on the principal lot, the review occurring now would be rendered moot.

Also, it appears that the parking might encroach on a flood area (see map). The low areas on the South Street side of the properties is very wet, and consideration should be given to whether the parking is indeed in a flood area and if it can be moved out of that area.

Hours of operation should also be considered. Although there are no houses built on the PleasantView subdivision yet, some might be built there soon, and there are some houses along Station Road which might be impacted by noise and traffic.

A small sign is allowed for home occupations, though no detail given at this point.

I have no other comments at this time.

Yours Truly,

David E. Barton II

Town of Lloyd, Building Department Director, Code Enforcement Officer

Dave B: Yes, this is two separate lots now, I spoke to Stu about it and he will talk to his clients about conjoining the two lots. My fear is if they sell the lot that has the proposed parking, there will be no parking for this venue. You could always condition to always require that parking is on that parcel or that the owners combine the lots.

The Board discussed different types of venues that could potentially be held here with the biggest potential problem being noise.

Bill: How far away are you from the next resident?

Stu: About 400-500ft.

Larry: There is a new subdivision behind this lot.

The Board discussed the locations of neighboring lots.

Bill: Can we make a condition that noise can not be higher than such and such between certain hours?

Dave B: The police do not use a decible meter.

Peter: We do have a noise ordinance in Town. Our ordinance begins at 8pm.

The Board discussed potential conditions, bands indoor or outdoor, conjoining lots or particular hours for events for example.

Peter: It seems to me the biggest problem is that we have these not yet sold residential lots that are immediately adjacent.

The Board did not have a problem with the applicant putting tents up for occasions. Other discussion included; lighting should not be shining on any other residences, no fireworks after 8:00pm possibly.

Carl: What about alcohol?

Stu: The applicant's deal is that it is all on the back of whoever is having the event, they are not catering it, they are not responsible for food, bathrooms all of that kind of stuff. Who ever would have an event there would probably need to get an events license per day from the liquor board. Part of their contract would be that they are not doing any of that stuff.

Peter: Maybe we can add in a condition that they will need to comply with any applicable laws.

The Board reviewed a sketch of a sign and approved of the design. The Board would like more detail of where the sign will go and will there be any light for the sign.

The Board anticipates setting the public hearing next week for May.

## **New Public Hearing**

### **The Cake Artist Cafe, Site Plan, 199 Route 299, SBL#87.11-1-26.200, in GB zone.**

The applicant would like site plan approval to expand her current home-based business into a Cafe and Catering Company. Proposed is a ground level business that offers handicap accessibility from the front entrance. The Cafe will seat up to 19 patrons. There are 11 parking spaces in the front of the building where diners can park with 11 additional spaces in the rear of the building. Hours are from 7:00am until 3:00pm. It will also open by appointment.

The Cake Artist Cafe will have retail, wholesale, and service-based revenue.

Dave B: I have driven by here and they are changing the sign, it is looking really nice.

The Board had reviewed this application and had no additional questions or concerns.

The public hearing is set for next week.

### **Scenic Hudson - Garrity, Subdivision, 161 Vineyard Ave, SBL#87.4-5-8, in R1/2 and R1 zone.**

Peter Brooks recused himself from the discussion because his wife is on the Board of the Historical Society. This is an application to separate a 2 acre lot with existing house, barn and outbuildings from the remaining 240.3 acre vacant tract. This vacant land will be maintained as vacant land under a land conservancy with public access.

The Board had reviewed this application and had no additional questions or concerns.

The public hearing is set for next week.

### **Scenic Hudson - Olson, Lot Line Revision, Illinois Mt, SBL#87.4-5-23.100, in R1/2 zone.**

The proposed involves Scenic Hudson acquiring a portion of the lands of Olson (Approx. 52.44 acres) to be merged with the adjoining lands of Scenic Hudson. The proposed parcel to be acquired from Mr. Olson is detached from the parcel's existing road frontage on Pancake Hollow Rd. In order to facilitate a connection to road frontage the proposal involves merging several adjacent parcels of land owned by Scenic Hudson and ultimately providing access to Vineyard Avenue (Rt. 44/55) through SBL 87.4-5-8.

The Board had reviewed this application and had no additional questions or concerns.

The public hearing is set for next week.

### **Wettels, Heidi, Special Use Permit, 112 Station Rd, SBL#86.4-1-12.110, in A zone.**

The applicant would like to acquire a special use permit for a home occupation of a dental office. It would require a 2 car garage conversion into the dental office. The office would employ two people and see two patients at a time. Proposed parking would be for six cars, two of which are the owner's. Office hours would be Mon. thru Fri. closing at 9:00pm. The applicant would like a sign on Station Rd.

The Board had reviewed this application and had no additional questions or concerns.

The public hearing is set for next week.

### **Old Business**

#### **Darmochwal - VJA Realty, Site Plan 3725 Route 9W, SBL#95.2-2-12.100, in LB zone.**

The proposed new business will be a service oriented comfort footwear retail store. The retail area will occupy approximately 600sf and there are no proposed structural changes.

The Board anticipates revised maps.

The applicant has withdrawn their application.

### **Old Business**

#### **Rozzi, Stephen & Margaret, Special Use Permit, 90 Pancake Hollow Rd, SBL#95.1-1-20.110, in A zone.**

The applicant would like a special use permit to add a 656sf accessory apartment into his home.

The Board anticipates revised maps.

The Board is waiting on new plans.

### **Administrative 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 legalize an accessory apartment in his home. The apartment will be approximately 641sf.

The Board is working on getting additional police records regarding neighbor complaints. They are considering giving the applicant an option of having a clear record for a year and then he can re-apply for his special use permit.

The Board anticipates extending the public hearing until July 23, 2015.

#### **New Village View, 1 Grove St, SBL#88.69-1-10, in CB zone.**

This project consists of a 13,150 s.f. expansion to an existing assisted living facility. The expansion will allow a total of 80 beds and 5 employees per shift. There will be a total of 25 parking spaces. The proposed expansion will continue to utilize existing central water and sewer facilities.

Dave B. gave the Board a quick overview of this application.

This application is currently being reviewed by the Zoning Board of Appeals for an expansion variance and the applicant will be giving a presentation at the Tri-Board meeting.

#### **TRI BOARD MEETING – WEDNESDAY, MAY 6, 2015 at 6:00pm (Following the Town Board Workshop)**

Peter Brooks may not be able to make the Tri-Board meeting due to scheduling conflict with the Ulster County Planning Board Meeting.

A **Motion** to adjourn was made by Dave Plavchak, seconded by Carl DiLorenzo. All ayes. 6:55pm