

The Board discussed the possibility of the applicant going to the Zoning Board of Appeals for relief from the 1000 ft.

Mr. Tarpley: I had forwarded an email to the Board, the way I read it (referring to Chapter 49) was as if it were two separate things; a kennel permit so that you can have more than two dogs and this kennel/vet hospital makes it sound like a separate building or a separate thing and because the two share the name kennel they get stuck together. If it were called a multi-dog permit we would not be here but because it shares a name here we are.

Dave B: I do think that this is a terrible law, the kennel law, with the 1000 ft. which is 5 acres in any direction required, just for raising 3 dogs.

Mr. Tarpley: So even if we did not breed them or house them in a separate building we would still fall under the kennel.

Dave B: The kennel is the Use, it is not a structure.

Peter B: So there are two issues; 1. If someone does not like this they should go to the Town and ask them to change the law, or 2. Go to the ZBA.

Mr. Tarpley: We thought this was going to be a simple process, we did not think that this was going to go on for 90 plus days.

Peter: As I understand this, if they go to the ZBA and get the variance, they would come back to us and be at the same point where we are now, just short of approving it with a series of conditions.

Mr. Tarpley: If I go to the ZBA and come back are you, the Planning Board, willing to approve this?

Scott: We cannot speak for anyone else but I think we were pretty close to a conditional approval.

Dave B: The ZBA is at least a two month process.

Bill: Maybe in parallel something can be done about the law.

Scott read the resolution to deny without prejudice. (See attached)

A **Motion** was made to accept this resolution to deny without prejudice by Lawrence Hammond, seconded by William Ogden. All ayes.

New Public Hearings

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

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.

Peter Brooks recused himself, his wife is on the Board of the Historical Society.

Mr. Eggers of Medenbach & Egger, PC, the applicant's representative, was present for the meeting.

The Board had previously reviewed this application and had no additional concerns.

Scott read the public hearing notice as follows:

TO THE EDITOR OF THE OFFICIAL NEWSPAPER:

New Paltz Times

Email: dale@ulsterpublishing.com

THE FOLLOWING LEGAL NOTICE IS TO BE PUBLISHED:

WEEK OF: April 16, 2015

FORWARD PROOF OF PUBLICATION AND ALL BILLS TO:

TOWN CLERK, TOWN OF LLOYD

TOM SHAY SQUARE, 12 Church Street

Highland, New York 12528

LEGAL NOTICE
TOWN OF LLOYD PLANNING BOARD
NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Town of Lloyd Planning Board, Ulster County, State of New York, on the application of The Scenic Hudson Land Trust, Inc. for property at 161 Vineyard Ave.(SBL:87.4-5-8), Highland NY, 12528, proposing a two lot subdivision.

The public hearing will take place at the Town of Lloyd Town Hall on Thursday, April 23, 2015, at 7:00PM, or as soon thereafter as may be heard.

Date: April 10, 2015

Any questions, call (845) 691-273

A **Motion** was made to open the public hearing by Fred Pizzuto, seconded by William Ogden. All ayes. Jack Maguire of 17 S. Chodikee Lake Rd.: I am Chairman of the Environmental Conservation Council; I am in support of this application and think it is a very good addition of open space in the area.

No additional comments.

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

A **Motion** to accept this resolution with the condition of recreation fee was made by Lawrence Hammond, seconded by William Ogden. All ayes.

A letter has been submitted to the Town Board for waiver of the recreation fee.

Peter Brooks returned to the meeting.

Scenic Hudson - Olson, Lot Line Revision, Illinois Mt, SBL#87.4-5-23.100, 87.4-1-13.111, 87.4-5-4.111, 87.4-5-4.120, 87.4-5-5, 87.4-5-6, 87.4-5-7, and 87.4-5-8 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.

David Dippel PLS, the applicant's representative, was present for the meeting.

Revised maps, to conform to the correct acreage, were reviewed by the Board.

The Board had no additional questions or concerns.

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Notice is hereby given that a public hearing will be held by the Town of Lloyd Planning Board, Ulster County, State of New York, on the application of The Scenic Hudson Land Trust, Inc. and Louis Olson for property on Illinois Mt. (Vineyard Ave. on the east side and Pancake Hollow Rd. on the west side) (SBL: 87.4-5-4.111, 87.4-5-4.120, 87.4-5-5, 87.4-5-6, 87.4-5-7, 87.4-5-8, 87.4-5-23.100 and 87.4-1-13.111), Highland NY, 12528, proposing a Lot Line revision. The public hearing will take place at the Town of Lloyd Town Hall on Thursday, April 23, 2015, at 7:00PM, or as soon thereafter as may be heard.

Date: April 10, 2015

Any questions, call (845) 691-2735, Monday through Friday, 8:30am – 4:30pm, or email us at prober@townoflloyd.com

A **Motion** was made to open the public hearing by Fred Pizzuto, seconded by William Ogden. All ayes. No public comment.

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

A **Motion** to approve this resolution was made by Lawrence Hammond, seconded by William Ogden. All ayes.

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.

The applicant, Gina Vaccarino, was present for the meeting.

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

Scott read the public hearing notice as follows:

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Notice is hereby given that a public hearing will be held by the Town of Lloyd Planning Board, Ulster County, State of New York, on the application of The Cake Artist Cafe for property at 199 Route 299 (SBL:87.11-1-26.200), Highland NY, 12528, proposing a site plan for a café and catering company.

The public hearing will take place at the Town of Lloyd Town Hall on Thursday, April 23, 2015, at 7:00PM, or as soon thereafter as may be heard.

Date: April 10, 2015

Any questions, call (845) 691-2735, Monday through Friday, 8:30am – 4:30pm, or email us at prober@townoflloyd.com

A **Motion** to open the public hearing was made by Fred Pizzuto, seconded by William Ogden. All ayes. Colleen Perry of 77 New Paltz Rd.: I support the business coming into the area we definitely need it.

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

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

Peter B: Last time here you said you were not going to do a building sign.

Ms. Vaccarino: This one will be on the gable.

Peter: We have a law about how many signs you can have on a building and how big they can be.

Dave B: twenty percent of the sq. footage of the building. The one foot for every three linear foot of the building is accurate, they are okay. The gables are so small about the size of a shingle.

Scott: Regardless this meets all criteria? Ok.

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 eight 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.

Dr. Wettels was present for the meeting.

The Board had reviewed this application at previous meetings and had no additional questions.

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LEGAL NOTICE
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NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Town of Lloyd Planning Board, Ulster County, State of New York, on the application of Heidi Wettels for property at 112 Station Rd. (SBL:86.4-1-12.110), Highland NY, 12528, proposing a special use permit for a home occupation of a dental office.

The public hearing will take place at the Town of Lloyd Town Hall on Thursday, April 23, 2015, at 7:00PM, or as soon thereafter as may be heard.

Date: April 10, 2015

Any questions, call (845) 691-2735, Monday through Friday, 8:30am – 4:30pm, or email us at prober@townofloyd.com

A **Motion** was made to open the public hearing by Lawrence Hammond, seconded by Fred Pizzuto. All ayes. There was no public comment.

A **Motion** was made to close the public hearing by Dave Plavchak, seconded by William Ogden. All ayes. Scott read the resolution. (See attached)

A **Motion** was made to accept the resolution of approval by Lawrence Hammond, seconded by Dave Plavchak. All ayes.

Set Public Hearing

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.

Patti Brooks with Brooks & Brooks Land Surveyor, the applicant's representative, was present for the meeting. The Board reviewed this application last week and had no additional concerns.

Scott read the short environment assessment form.

NYS SEQR determination of non-significance pursuant to NYS SEQR Regulations under 6NYCRR Part 617 pursuant to review of short EAF on this action which is determined to be complete for the application.

Scott read the resolution. (See attached)

A **Motion** to issue a negative declaration and set the public hearing was made by Lawrence Hammond, seconded by Peter Brooks. All ayes, except Fred Pizzuto who abstained from vote.

Valentino, Joseph and Jean, Lot Line, 188 Perkinsville Rd, SBL#95.4-1-5.121 & 5.123, in R1 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.

Patti Brooks with Brooks & Brooks Land Surveyor, the applicant's representative, was present for the meeting. The applicant was using the building as his workshop and renting out the cold storage to a farm. Now looking to put the front lot on the market this lot line revision will add more value to the front lot. The Board reviewed the maps and had no further questions.

Scott read the short environment assessment form.

NYS SEQR determination of non-significance pursuant to NYS SEQR Regulations under 6NYCRR Part 617 pursuant to review of short EAF on this action which is determined to be complete for the application.

Scott read the resolution. (See attached)

A **Motion** to issue a negative declaration and set the public hearing was made by Lawrence Hammond, seconded by Dave Plavchak. All ayes.

Carl: Where is the septic for the cold storage? I do not see it.

Patti: I do not know that the cold storage has a septic, I will check.

Cusa SCC Holding Corp, Subdivision; 86-88 New Paltz Rd, SBL#87.4-3-21.200 & 21.100, in R1/2 zone.

The applicant has revised his maps for the purpose of subdividing portions of said lots to form a 3rd lot resulting in three residential parcels.

Jonathan Millen with Automated Construction Enhanced Solutions, Inc., the applicant's representative, was present for the meeting.

The Board reviewed the maps.

This does not need to go to the highway department for approval because the curb cut will remain the same.

The applicant will need to submit a maintenance agreement for the shared driveway.

There were no additional concerns or comments.

Scott read the short environment assessment form.

NYS SEQR determination of non-significance pursuant to NYS SEQR Regulations under 6NYCRR Part 617 pursuant to review of short EAF on this action which is determined to be complete for the application.

Scott read the resolution. (See attached)

A **Motion** to issue a negative declaration and set the public hearing was made by Lawrence Hammond, seconded by Dave Plavchak. All ayes.

Old 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.

Debra Kelly was present for the meeting.

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

A photo of the proposed sign was submitted, sizes are still needed.

Peter: This is zoned Agriculturally but not in the Ag District. You have to be operating as a farm to be in the Ag. District.

The Board reviewed the submitted proposal.

Peter: The issue that has my attention is that there is a 29 lot residential subdivision immediately adjacent to this proposal. Sometime in the not so distant future there will be as many as 29 houses. My view is that you cannot just look at the property the way it is now, but what are we doing, if we approve this, to the people who will someday reside there?

Mr. Weiss: There are swails and wetness on the parcel so I think you have more than enough buffer with the size of this property alone plus the topography that we will not be disturbing the neighbors. The Kelleys live here so the intention is not to have parties until 4 o'clock in the morning.

The applicant's plan shows the parking on and abutting property that they own. A condition to this approval will be the loss of the use should the applicant sell one of the parcels.

Discussion on the maximum number of people permitted to one event to ensure proper parking arrangements.

The applicant intends on leaving the parking area as a cut field.

The Board requested a site plan to show where the parking will be, showing topography (for slopes) would help with decision making. The Board asked for the ingress/egress to be shown also possibly using Station Rd.

Stu Weiss: I will lay out the plan.

The Board discussed how professional the site plan needs to be and the significance of the approved 29 lot subdivision that abuts this proposal.

Dave B.: read from the code chapter 100-40(D) –

Required site plan. Where a site plan is required for a special use permit, a site plan conforming with the requirements of Article **VIII** shall be submitted to the Planning Board. The Planning Board shall determine the requirements of the submitted site plan on a case-by-case basis.

The Board had concerns about noise levels and hours.

Stu W.: The Town has a noise ordinance.

Peter: We do not want to create a nuisance that is going to be aggravating people for the next 20 years.

Carl: We can hear from the public at the public hearing.

The Board will place restrictions on what time the event will have to head indoors to help keep the noise down as it gets later in the day.

Scott: Hopefully you are very successful and we need to look at this as if it is going to be a thriving business and part of planning is looking forward so that we do not create a problem down the road. I am having a tough time separating out what is happening now and the approved subdivision that is to be built. Houses will be built there and that is something that we as a Planning Board need to think about.

The Board discussed the amount of people that will be permitted, considering 80 guests maximum.

Stu will bring back a site plan to show parking with ingress/egress possibly off of Station Rd., whether paved or gravel, lighting and signage.

Extended Public Hearings

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 600sf.

The applicant is currently out of the country.

A **Motion** to extend the public hearing until May 28, 2015 was made by Dave Plavchak, seconded by William Ogden. All ayes.

Administrative Business

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

Terresa Bakner, Town Attorney, is scheduled to do some training at the upcoming Tri-Board meeting. Scott will be asking her to talk about setting precedents. It has come up with this recent kennel application and has come up in the past.

The New Village View – Discussion

Scott attended the recent ZBA meeting that opened the public hearing for the New Village View application. He informed the Board that there was a lot of neighboring opposition to the project, including the neighborhood is full of young families with children and the owner not keeping the property up to par. The Planning Board does not have a say on whether he can do it or not but they could condition the site plan should it come before them. Discussion continued on the New Village View project.

Minutes to Approve:

A **Motion** to approve the minutes from the March 19, 2015 Planning Board Workshop, as edited by Peter Brooks, was made by William Ogden seconded by Dave Plavchak. All ayes with Fred Pizzuto abstained and Fred Riley abstained.

A **Motion** to approve the minutes from the March 26, 2015 Planning Board Meeting, as amended by Peter Brooks, was made by William Ogden, seconded by Carl Di Lorenzo. All ayes.

A **Motion** to adjourn was made by Lawrence Hammond, seconded by Dave Plavchak. All ayes 8:45pm