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MOTION BY:  
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**WORKSHOP MINUTES**  
**TOWN OF LLOYD PLANNING BOARD**

**Thursday, June 19, 2014**

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

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**      Present: Lawrence Hammond, Fred Pizzuto, Brad Scott, William Ogden,  
Fred Riley, Scott Saso, Peter Brooks, David Barton; Building Department Director,  
Absent: Michael Horodyski; Town Board Liaison, Carl DiLorenzo, Dave Plavchak

**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 Business**

**Kane, Adam, 185 Pancake Hollow Rd, Special Use Permit, SBL#87.4-1-29, in R1 zone.**

The applicant proposes to convert his existing three bedroom single family dwelling into a Bed & Breakfast establishment with two rental rooms. No interior or exterior structural changes are proposed. No changes are required for well or septic supply as no expansion to the number of bedrooms is proposed. Adam Kane was present for the meeting.

Scott read the Building Department Director’s letter of review:

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**OFFICE OF BUILDING DEPARTMENT SUPERVISOR**

Application Review re: Kane Special Use Permit

S.B.L.87.4-1-29

Zone: R1

Date: 6/16/2014

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

I have reviewed the application for the Kane Special Use Permit for BnB and have the following comments:

The application is for a Class II Home Occupation, and appears to conform to the requirements of section 100-33.D.2. As the letter of intent states, no increase in bedrooms means no increase in septic and therefore no application required to the Ulster County Health Department.

Parking appears to be light for the use, but probably sufficient.

I have no other comments at this time.

Yours Truly,

David E. Barton II  
Town of Lloyd, Building Department Director, Code Enforcement Officer

The Board reviewed maps submitted of Mr. Kane's property. The Board noted that Mr. Kane has a shared driveway with some of his neighbors.

Mr. Kane: I share with Mr. Maj, his garage is right there and Ms. Brooks, she has abandoned that property. The Board suggested a sign may be a good idea so that travelers do not mistake a neighbors property for his. The Board discussed the parking, signage, lighting and allowability. The Board had no additional questions. A public hearing will be set next week for the month of July.

**Minard Farms LLC, 59 Hurds Rd, Subdivision, SBL#94.2-2-44, in A zone.**

The purpose of this subdivision is to separate the "Picnic Woods Farm" from the area of the "Cider Mill and Home Farm" to create two separate lots. The current 35.170 acre parcel will be split so that Lot 1 will contain 8.514 acres and Lot 2 will contain 26.656 acres.

Scott read the comments from the Building Department's Director as follows:

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Application Review re: Minard Subdivision

S.B.L.94.2-2-44  
Zone: A  
Date: 6/16/2014

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

I have reviewed the application for the Minard Subdivision and have the following comments:

Lot 1 and lot 2 are both conforming uses in the Town of Lloyd. Because no residential use is proposed for the orchard lot, no referral to the Ulster County Health Department is required, in my opinion

The submitted map has the appropriate notes concerning agricultural subdivisions (odors, sounds, etc) and both have more than enough acreage.

I have no other comments at this time.

Yours Truly,

David E. Barton II  
Town of Lloyd, Building Department Director, Code Enforcement Officer

Mr. and Mrs. Doubrava were present for the meeting.

Mr. Doubrava informed the Board that the purpose of this subdivision is to sell both pieces. One parcel will continue to be used by the farmer of the trees and the other piece will be used as a Cider mill and fruit storage. There will be, two separate buyers. The Board reviewed the subdivision plan. The Board had no further comments. Next week the Board will set the public hearing for the month of July.

**Minard Farms LLC (2), 168 Hurds Rd, Subdivision, SBL#94.2-1-1.211, in A zone.**

This was reviewed last year.

Newly submitted maps.

The applicant's are requesting a minor subdivision of 91.5 acres. Lot 1 will be approximately 88.16 acres and Lot 2 will be the remaining 3.341 acres. They would like to build a single family home on lot 2 for personal use.

Scott read the comments from the Building Department Director as follows;

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Application Review re: Minard 1 lot subdivision REVISED LETTER

S.B.L.94.2-1-1.211  
Zone: A

Date: 5/16/2013

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

The following is our response to the application submission received 05/02/2013. I have reviewed the plans and have comments on the project.

I recommend that the action under SEQRA is an unlisted action as it does not appear to trip the Type I list of thresholds nor does it appear on the list of exempt actions under Type II.

**The use is an allowed use.**

The applicant has submitted a drawing showing the location of the property, the lots around the property, and the proposed location subdivision.

The lot appears to comply with the bulk standards table for a lot in the "A" zone. The lot to the rear of Lot 1 is an existing flag lot and is not being considered for this application.

**Of note is the existing farm road right of way. Some consideration should be given to the continued use of that right of way for farm machinery in addition to the residential vehicles. No mention on plat.**

**No indication is given of house location or proposed septic location. Nor do I see any information concerning Board of Health approval for a septic on this property. No indication of a driveway location appears to be proposed. No indication of existing or proposed wells or other septic systems is shown. PROPOSED LOCATIONS NOW SHOWN, PRELIMINARY PLAT APPROVAL REQUIRED FOR HEALTH DEPARTMENT APPLICATION.**

**If the planning board has no objections, setting this for public hearing is the next step, leading to a preliminary plat approval with conditions (septic is the principal condition, in addition to any other that the planning board determines are required). Upon completion of conditions, the planning board, at a regular meeting, can give final plat approval and sign the maps.**

**Note that before the signing of the plat, the applicant must pay a recreation fee in the amount of \$2500.00 to the Town of Lloyd.**

Yours Truly,  
David E. Barton II  
Town of Lloyd, Building Department Director, Code Enforcement Officer

The Board reviewed maps and did not have many comments. They will need the Board of Health approval. There is a driveway that encroaches on an adjacent property, the applicant will change the driveway and show all the accesses on the map so that the driveway is on his own property after the subdivision.

Larry: In the past we have asked for open development layouts on projects like this. Is that called for or not?

Peter: What will happen to the big parcel?

Mr. Doubrava: We are going to sell it.

Dave B: It is Ag.

Mr. Doubrava: Who is to say 20 years from now but for now the best use is trees.

The Board had no additional comments.

The Board anticipates setting the public hearing next week for the July meeting.

**Pedro, Jon (and 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.

Jon Pedro is the land owner and Mr. Cunniff is his local representative.

Board of Health approval has been received and a SWPPP has been submitted.

Patti Brooks the applicant's representative was present for the meeting.

Scott read the Building Department Director's comments as follows:

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12 Church Street  
Highland, NY 12528

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Application Review re: Pedro Subdivision

S.B.L.79.4-1-18

Zone: R1

Date: 6/16/2014

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

I have reviewed the application for the Pedro Subdivision and have the following comments:

The submitted map, dated April 21, 2014 by Brooks & Brooks, P.C and three maps by Peak Engineering were reviewed. Also submitted is a SWPPP prepared for Jon Pedro by Peak Engineering dated May 2014.

The plat has been revised per the planning board's comment concerning the width of one lot. The concern was having two flag lots, which would not be allowed with this number of lots being created. The map is adjusted to allow for the correct lot width.

I have no other comments at this time.

Yours Truly,

David E. Barton II  
Town of Lloyd, Building Department Director, Code Enforcement Officer

Patti Brooks informed the Planning Board that she has sent a copy of the plans to the Fire Chief and has had conversations with him, he has been super busy and expects comments soon.

The Board discussed the proposed driveways being long, winding and steep.

Peter: Lot 1 has over 300ft of frontage why couldn't you give the 4<sup>th</sup> lot enough frontage?

Patti informed him that was due to the driveway grading. Where the driveways needed to go in order to get the grading.

Scott asked about the lot across the street, is that part of this application or has that been lopped off? Patti B. informed that it is a separate lot because it is across the street and the definition in the Town Code is any parcel of land (and then cut off)

Scott: Is there a separate deed for this?

Patti: No it is on the same deed, I went by the house today and it is fully gutted. I don't know if they are renovating or someone new bought it.

Andy L to Patti B: When you talk to the Fire Chief you may want to see if there are any requirements for the slope of the turnouts.

Patti: I am thinking that may be in the driveway code.

Andy: The chief may also want to take a look down by the corner of North Elting, the proposed regrading goes from flat to 9%, the fire truck may get hung up on a curb there. Also, does lot 1 have a big enough turn around?

Patti: Lot 1 and Lot 4, I did measure them and in accordance to what the turn around at the top should be there are two choices, a cul-de-sac or a Tee but I will check.

Patti Brooks will talk to the Highway Dept. for comments.

Bill O: Was the boundary line agreement filed?

Patti: No. Mr. Fisher was in the office this week, there is a note on the map. It will probably be filed with the map.

Andy: What is the drainage easement? I don't think this required any permanent stormwater practices.

Patti: I will check with Nadine (Peak Engineering) as to why that is on the map so that it is part of the record.

Fred R: If that overflows where will the water go?

Patti: I have never seen standing water in it. It is always just wet.

Patti B. will forward Andy a copy of the SWPPP and Andy will get his comments together.

The Board will review this application again at the next meeting.

### **New Village View, 1 Grove St., Site plan Amendment, 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.

The applicant's representatives; Anthony Trochiano of Pietrzak & Pfau Engineering & Surveying PLLC and Barry Terach of BT Architects were present for the meeting.

Scott read a comment letter from the Building Department Director as follows:

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Application Review re: New Village View Expansion Site Plan

S.B.L.88.69-1-10&11  
Zone: CB

Date: 6/16/2014

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

The submitted sketch site plan by Pietrzak & Pfau dated 6-9-14 was reviewed. The following are my comments:

The SEQRA type is probably an Unlisted Action.

The use is a pre-existing, non-conforming use in the CB zone. The Zoning Code allows modifications to non-conforming structures if such modification does not structurally alter to an extent greater than 50% (as determined by the CEO). It is presently impossible to determine the expansion increase with this map. Performing some simple math, it appears that the letter of intent which indicates a 13,000+ sq. ft. expansion seems to include both new and old structures. Clarification should be made and placed on the map of the existing square footage and the new square footage.

Demolition of two houses will occur as a result of this expansion. One house is on the parcel where the existing facility is located. The second house is on an abutting parcel. A deed conjoining both parcels should be exercised sooner rather than later. Further, the second parcel is a fair distance below the existing facility, and some serious thought should be given to stormwater flows and fill requirements for the expansion. Also, will the expansion be a three story (from grade) structure?

Behind the proposed building is a garage. It is in close proximity to the proposed building and should, for aesthetic and fire safety considerations, be removed when the house is demolished. Note 10 on the sketch indicates that all outbuildings will be removed. When the applicant returns after your sketch comments, they should have a full set of site plan maps, and future sheets should show the property as it will be developed.

The concrete pad for the dumpster will be removed with the expansion, it is unclear where the new location and screening will be for the relocated dumpster.

Obviously, new full plans will need to show lighting, elevations, stormwater control, sediment and erosion control, landscaping and anything else the planning board deems fit.

One last note: residents currently use the concrete walk and driveway to leave the site and walk through to the sidewalks further down the hill. It appears that that egress is being removed with the new parking on the side of the entrance (which I am hesitant to believe works well, as I have seen many large box trucks attempt delivery to the site and have to

swing wide to made the steep grade turn up that hill). Some consideration should be given to how the residents safely leave and reenter the site.

I have no other comments at this time.

Yours Truly,

David E. Barton II

Town of Lloyd, Building Department Director, Code Enforcement Officer

The Board reviewed some preliminary plans that were submitted.

As per Dave Barton's comments the Board would like to see the existing and proposed square footage of the project.

Barry Terach, Architect, informed the Board that this is currently built like a bi-level, the first floor is sunken half way into the ground and they plan to maintain those elevations of the floor levels in the new addition. As they build there will be a new lower level exposed due to the grading. The basement will not have any occupancy at all it will just be storage for the kitchen, which is on the first floor. Their proposal will include an area on the side where box trucks can make deliveries. A fire truck lane will also be brought around the back, with back egress.

Dave: The maximum buildout is 50% but a variance can be obtained from the Zoning Board of Appeals for additional area.

The Board requested the following information;\

Existing square footage, how many beds are there currently, how many parking spots are there and how many spots will be added?

The Board mad the suggestion that if box truck deliveries are proposed to be made on the side of the building could the front be more pedestrian friendly by having cars only use that area. The Board also recommended some consideration be given to the walkways, a design so it is safe for pedestrians to walk around. Possibly a sidewalk on the side of the building with some steps coming down to meet the sidewalk.

The addition will have the same façade as the existing building to keep continuity.

The Board discussed parking including handicapped parking.

Dave B. suggested landscaping/buffering on the residential side of the addition.

The applicants will be back with new plans.

## **Sign Approval**

### **Sign - Reflections Salon, 1-3 Main St. in CB zone.**

The applicant would like sign approval for her new business.

Lisa, the applicant and business representative was present for the meeting.

Lisa informed the Board that the sign presented is bigger than they wanted but this sign is made to fit over the existing black sign that is on the building. The Board would have liked the sign to be smaller but the applicant is stuck with the existing situation of the previous sign. There will be no lights on the sign or lighting of the sign.

A **Motion** was made to accept the sign by Fred Pizzuto, seconded by Bill Ogden. All ayes.



## **Administrative Business**

### **Administrative Business 2014**

#### **Mount Triumphant Church of God, Inc.; Route 44/55**

The zoning for the Agriculture district allows for the use of churches. The church wishes to have an adult care facility for their members. This could be considered as part of the church facility or as an accessory use to the current church.

The applicant, Pastor Ralph Cowan, and his representative Bob Hagopian P.E. were present for the meeting.

Mr. Hagopian: Pastor Cowan runs a church on Rt. 44/55, he had approached me with a request to go forward with an adult care/assisted living facility. Looking long term, I created this map with an ultimate buildout of the property this way if they can afford to go forward with only one building at first, they can always do more in the future. I know that this is an Agricultural district and that does allow churches, however it does not allow for assisted living or adult care. After speaking with the Building Dept. it was determined to present the idea to the Board to get the feeling of how the Board would view this. The church is the primary use on the property and churches are allowed so it could be an accessory use to the church so that the members who are elderly and less mobile can live there and still be able to go to church. Could this be an extension to the church or an accessory to the church, how would the Board view this before we made a formal application?

Peter: Is the plan to make it limited to people who are members of the church or all others as well.

Pastor: Both.

Dave B: If you do choose to bring in outside people you will need to get a use variance.

Brad: How many parishoners do you currently have?

Pastor: Twenty.

Brad: If 25% of them are elderly that would be five. This is a big facility.

Mr. Hagopian: We can limit this, his initial request was 16.

Pastor: I would like to have overnight accomodations for those who come for church functions.

Peter: It sounds like there are so many possibilities for being other than just exactly for the existing church members that it needs to go to the Zoning Board of Appeals to get a variance.

The Board agrees.

Brad: Asssisted living has a lot of regulatory requirements.

Peter: There are gradations from independent living thru assisted living to skilled nursing, you may want to look into the definitions and see what it is that you want.

## **New Business**

### **Cusa Builders, Paul, Park Ln, Siteplan, SBL#87.1-3-38.120, in DB zone.**

The applicant would like to construct an office/service business. It shall consist of a total of 4,500 to 5,000 square feet comprised of three offices each at 1000 sq. ft. +/- with the balance being the shop. Office occupancy unknown at this time, and shop to consist of a part time, completely under roof, limited machining service. There shall not be any outdoor storage, and no onsite automotive repairs. Employee count for the shop is maximum of two on a part time basis.

Scott read the Building Department Directors comment letter as follows:

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Application Review re: Cusa site plan Park Lane

S.B.L.87.1-3-38.12

Zone: DB

Date: 6/16/2014

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

The submitted site plan by David Rider, P.E dated June 02, 2014 was reviewed. The following are my comments:

The use is an allowed use in the DB zone. The site plan shows a three office building with associated shop. It is my understanding that light repair and fabrication will occur in the shop area, which constitutes a service business. No light industry is allowed in this zone, and since none is proposed, this is acceptable.

Parking, lighting and septic notes are on the map. Health department approval of the septic plans should be requested as soon as possible.

This is an unlisted action and the appropriate short form has been filled out.

Of note, there is a ditch that flows across the property. The ditch shows up on a wetlands mapper, and this should be indicated on the map, showing the type of wetlands it might be.

Also, the limits of disturbance are unclear, as part of the building proposed crosses over the line of disturbance.

No sign plan is proposed. Assuming there are three offices plus a shop, perhaps the planning board would require a sign plan for a monument sign with four tenant spaces? The applicant should indicate how the signage would work on this site.

Yours Truly,

David E. Barton II  
Town of Lloyd, Building Department Director, Code Enforcement Officer

This is a new building proposal. The Board liked the plan and the location for this business. The Board is concerned about wetlands that run through the parcel. They would like to see the topography and wetlands on the plans.

### **Administrative Business**

Accessory Apartments code changes passed at the Town Board meeting last night. (See attached)  
The Use table has also changed; in the GC zone of the Walkway-Gateway district upper floor and back facing apartments are now allowed via siteplan.

Discussion on showing the projects electronically, Peter Brooks will get some information on how the County is somehow able to show a slideshows of the projects.

A **Motion** to adjourn was made by Peter Brooks, seconded by Fred Pizzuto. All ayes.

Next week:

#### **MINUTES TO APPROVE:**

Planning Board Workshop: May 15, 2014

Planning Board Meeting: May 22, 2014

## Accessory Apartments

One accessory apartment per single-family dwelling shall be allowed by special use permit within a principal building as provided in the Use Table, provided that:

- A. The principal dwelling on the premises is owner-occupied.
  - (1) The principal dwelling is defined as a detached single family dwelling.
- B. The lot containing the accessory apartment contains the minimum acreage for the zoning district as set forth in the Dimensional Table.
- C. The accessory apartment shall not be counted as a residential unit for the purposes of determining density.
- D. The accessory apartment is self-contained, with separate cooking, sleeping, and sanitary facilities for use by the occupant(s).
  - (1) The accessory apartment shall have only one (1) bedroom or be a studio apartment, and no other space shall, in the opinion of the planning board, be so configured that it could be used as a second bedroom (ie; a den, a sewing room, etc).
- E. The accessory apartment is subordinate to the principal residence and contains no greater than 650 square feet of gross floor area and no less than 400 square feet of gross floor area.
  - (1) Area shall be measured from the outside of exterior walls, and from the centerline of interior walls. It shall include all spaces accessible to the unit, including hallways, bathrooms, closets, etc.
  - (2) The 650 square foot limitation may be adjusted, with permission of the planning board, to reasonably accommodate the existing shape of the area being converted to the accessory apartment.
- F. Off-street parking shall be provided in accordance with § **100-29**.
- G. Approval has been granted by the Ulster County Health Department for any required on-site sanitary or water supply system, including, as may be applicable, a determination that the water supply and sewage disposal facilities are adequate to accommodate the additional demands of the accessory apartment.
- H. Any additional exterior entrances that may be created for the principal structure shall be located at the side or rear of the structure.

I. If a secondary structure (garage, carriage house, etc) is used to house the accessory apartment, the following conditions must be met:

- 1). The secondary structure must have its primary use related to the principal dwelling (ie: the garage must be primarily used for parking cars, storage, etc).
- 2). The accessory apartment must be a secondary use of the secondary structure.
- 3) The accessory apartment must comply with the limitations and requirements listed above for accessory apartments.
- 4). The secondary structure must, in the opinion of the Planning Board, architecturally mirror and enhance the appearance of the principal structure (ie: siding should match, windows and doors should be similar in appearance and trimmed appropriately, etc).
- 5). The secondary structure must conform with the side yard setbacks of a principal dwelling, regardless of the secondary structure's pre-existence to setback requirements.
- 6). If an accessory apartment is created through the conversion of an accessory structure more than 50 years old, the conversion shall be accomplished in a manner that preserves the historic architectural features of the structure.

J. Site plan review shall be required for an accessory apartment.

K. The applicant acknowledges in writing to the Town of Lloyd the understanding that should the parcel be sold, the Town Code Enforcement Officer is authorized to conduct a site visit to verify that the accessory apartment is in compliance with the conditions of the special use permit issued for the property.