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MEETING MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, June 25, 2015

CALL TO ORDER TIME: 7:00pm

PLEDGE OF ALLEGIANCE

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

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 Hearings

Acampora, Joseph, Special Use Permit, 308 South St, SBL#94.2-2-6.100, in Ag. zone.

The applicant would like approval for a one bedroom 743 sq ft. accessory apartment in his basement.

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

The Board reviewed this at previous meetings and had no further comment.

The public hearing notice was read.

A **Motion** to open the public hearing was made by William Ogden, seconded by Dave Plavchak. All ayes. No comments.

A **Motion** to close the public hearing was made by Dave Plavchak, seconded by William Ogden. All ayes. Scott read the resolution of approval.

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

Kelley, Steven and Debra, Siteplan 227 South St, SBL#86.4-3-42, 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 1,485 square feet for dancing, etc. with occupancy limited to 99 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.

Mrs. Kelley was present for the meeting.

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

The Board reviewed this application at past meetings and had no additional concerns.

The public hearing notice was read.

A **Motion** to open the public hearing was made by Fred Pizzuto, seconded by Dave Plavchak. All ayes. Matthew Corrow of 346 Station Rd: Our property abutts them, our house is about 600 to 800 ft away from their barn. Although there are trees, we have never heard a sound coming from their property so I have no problem what-so-ever with this.

Mrs. Scimeca an abutting owner read her letter of opposition to the Board. (See attached)

A letter of support was read, for the record, from Sal Timperio and Debra Healey Timperio who could not make it to the meeting. (See attached)

Mr. Scimeca inquired about the land that was once his farm, which is now an abutting subdivision, this subdivision is currently and will be staying residential. His comment was that the Kelley's barn area is right across the drainage ditch from one of those lots and is concerned about someone wanting to buy it. Some of the Board members did visit the site and know that the distance would be about 600ft to a newly built home. The Chairman thanked the public for their comments.

A **Motion** to close the public hearing was made by Carl DiLorenzo, seconded by William Ogden.

Fred Pizzuto told the Board that his relatives have a very similar set up in Milton. It is a vineyard with wine tasting and they also do event planning. Fred's cousin did a subdivision of about a half dozen houses right on the property. Fred spoke with some of the residents at his cousin's place who claim they know that something is going on but hardly hear the events. This has been going on for about two years now with no complaints. Dave P said he knows there is one in Plattekill with a little different set up and they are having problems. He also informed the Board that when he visited the applicant's property he did hear noise of tractors and does not think that this venue would be adding that much noise to the current noises that are there now. He said he understands the concerns but the noise will be restricted to inside after 8:00pm.

Scott suggested that they also have a time in which the events should end by.

Peter again brought up his concern about the newly approved subdivision and thinks that if this application is approved the Board is setting up a conflict.

Fred P: They put up tents in the daytime hours and then they go inside as darkness descends. There is a noise ordinance.

Scott: I have been struggling with the noise, mainly the DJ and bass. My concern is how far will the sound of the bass go?

Stu Weiss: They will be going inside at 8:00pm

Mrs. Kelley: There are a ton of trucks that go by that make a lot of noise as well.

The Board will also have a condition that the events will end by 11:30pm.

Scott read the resolution of approval with conditions of

- 1) The source of entertainment/music moves inside after 8:00PM.
- 2) A maximum occupancy of 99 people inside the barn.
- 3) This use shall exist for as long as the owner continues to own the adjoining lots that he owns now. If the lots are all consolidated the use will end when the property is sold.
- 4) All venues will end by 11:30PM.

A **Motion** to accept this resolution was made by Fred Pizzuto, seconded by Dave Plavchak.

Carl DiLorenzo – Aye, Dave Plavchak – Aye, William Ogden – Aye, Fred Pizzuto – Aye, Peter Brooks – Nay, Fred Riley Jr. – Nay, Scott Saso – Nay.

Motion passed.

Chuck Andola an abutting neighbor and friend of Steven Kelley arrived late to the meeting. He had some questions for the Board about this project. How many events does he plan to have? How often? What times would they be? Holidays? Weekends?

Scott: The application has been approved. You can talk with the applicants.

Mr. Andola: I have talked with them. They are good people. I trust them.

Scott: We did put some conditions on the project. You heard them.

Mr. Andola: He told me he was going to have all of the music inside.

Scott: There will be times when they have tents out there and they will have music outside. We wanted to make sure if they did have music outside it would be moved inside by 8:00pm.

Mr. Andola: How do we control the volume of the music?

Scott: We have a noise ordinance in the Town.

Mr. Andola: I have land there I would like to develop and I don't want to have a negative situation.

Set Public Hearing

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.

Steve Rozzi was present for the meeting.

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

The Board reviewed Mr. Rozzi's plan. After discussion it was suggested to Mr. Rozzi to use the existing plan that has been submitted instead of the proposed plan. The Board thought better of the existing plan even though the square footage exceeds the 650sq.ft. maximum. The Board does not want the unused space on the plan because it looks like it could be used for a second bedroom. They will waive the size to ensure it remain a one bedroom. The Board will waive the 650 sq.ft. maximum and Mr. Rozzi will follow the existing plan that has been submitted. The proposed plan is null and void.

The short EAF was read and the resolution was read. (See attached)

A **Motion** to accept the resolution of Negative Declaration and setting the public hearing was made by Dave Plavchak, seconded by William Ogden. All ayes.

Extended Public Hearings

Wang, James, Special Use Permit, 14 Roy Ln, 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 out of the country.

A **Motion** to extend the public hearing until July 23, 2015 was made by Peter Brooks, seconded by Dave Plavchak. All ayes.

Administrative Business

Minutes to Approve

A **Motion** to approve the May 21, 2015 Planning Board Workshop Minutes, as edited, was made by Dave Plavchak, seconded by William Ogden. All Ayes with Brad Scott abstaining.

A **Motion** to approve the May 28, 2015 Planning Board Meeting Minutes, as edited, was made by Fred Pizzuto, seconded by William Ogden. All Ayes.

A **Motion** to adjourn was made by Fred Pizzuto, seconded by Dave Plavchak. All ayes. 7:47pm