

**APPROVED:**

**MOTION BY:**

**AYES:**

**NAYS:**

**SECONDED BY:**

**ABSTENTIONS:**

**ABSENT:**

**DISTRIBUTION: OFFICIAL MINUTES BOOK – TOWN CLERK – BLDG DEPT.**

Certification of Receipt

By: \_\_\_\_\_  
Rosaria Peplow, Town Clerk

Date: \_\_\_\_\_

**MEETING MINUTES**  
**TOWN OF LLOYD PLANNING BOARD**

**Thursday, July 24, 2014**

**CALL TO ORDER TIME: 7:00PM**

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE** Present: Lawrence Hammond, Fred Pizzuto, Brad Scott, Scott Saso, Carl DiLorenzo, Bill Ogden, Dave Plavchak, Peter Brooks, Fred Riley, Andrew Learn; Morris Associates  
Absent: David Barton; Building Department Director, 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.**

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**New Public Hearings**

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

The applicants are requesting a minor subdivision of 89.080 acres. Lot 2 will be approximately 85.739 acres and Lot 1 will be the remaining 3.341 acres. They would like to build a single family home on lot 1 for personal use.

The applicants, Mr. and Mrs Doubrava, and their representative, Mr. Zell, with Brinner & Larios PC, were present for the meeting.

Maps were updated to reflect a change in the driveway as requested by the Planning Board.

No additional Board comment.

Scott read the public hearing notice as follows:

TO THE EDITOR OF THE OFFICIAL NEWSPAPER:

New Paltz Times

Email: [dale@ulsterpublishing.com](mailto:dale@ulsterpublishing.com)

THE FOLLOWING LEGAL NOTICE IS TO BE PUBLISHED:

WEEK OF: July 17, 2014

FORWARD PROOF OF PUBLICATION AND ALL BILLS TO:

TOWN CLERK, TOWN OF LLOYD

PLANNING BOARD MEETING MINUTES

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 Minard Farms LLC for property at 168 Hurds Rd. (SBL:94.2-1-1.211), Highland NY, 12528, proposing a two lot subdivision.

The public hearing will take place at the Town of Lloyd Town Hall on Thursday, July 24, 2014, at 7:00PM, or as soon thereafter as may be heard.

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Date: July 10, 2014

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

A **Motion** was made to open the public hearing by Dave Plavchak, seconded by Fred Pizzuto. All ayes. There were no public comments.

A **Motion** was made to close the public hearing by Dave Plavchak, seconded by Bill Ogden. All ayes. The resolution of approval was read by the chairman. (see attached)

A **Motion** of approval was made by Lawrence Hammond, seconded by Bill Ogden. All ayes.

**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.

The applicants, Mr. and Mrs Doubrava, and their representative, Mr. Zell, with Brinner & Larios PC, were present for the meeting.

The Board reviewed this application at previous meetings 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](mailto:dale@ulsterpublishing.com)

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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 Minard Farms LLC for property at 59 Hurds Rd. (SBL:94.2-2-44), Highland NY, 12528, proposing a two lot subdivision.

The public hearing will take place at the Town of Lloyd Town Hall on Thursday, July 24, 2014, at 7:00PM, or as soon thereafter as may be heard.

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Date: July 10, 2014

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

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

Jim Markey of 397 South St: I am just curious to know what they are subdividing for?

Scott: The reasons for the subdivision are not necessarily part of our purview, but in this case I believe the purpose is to potentially sell off one of the lots.

Mr. Markey looked at the proposed maps and had no additional comment.

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

The resolution of approval was read by the chairman. (see attached)

A **Motion** of approval was made by Bill Ogden, seconded by Lawrence Hammond. All ayes.

**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.

The applicant and Patti Brooks of Brooks & Brooks, were present for the meeting.

Scott and Peter had visited this site, the property was found to be in very good condition as far as maintenance goes and in overall good condition, with the driveway being a little rocky. Photos of the property were distributed.

Patti B: There was a question about new parking spaces being proposed, I have a photo of my car parked in the area where parking spots #1 and #2 will be and you can see that is an existing gravel area, so we are not proposing new parking in that area.

Patti had taken photos from the porch of Mr. Kane's property to show vantage points.

Dave P. questioned the shared driveway and easement from the Brooks residence. Patti informed the Board that the Brooks house does not have a written right-of-way or easement, but that over the years they have developed a right-of-way by use.

The Board had no additional comments.

Scott read the public hearing notice as follows:

TO THE EDITOR OF THE OFFICIAL NEWSPAPER:

New Paltz Times

Email: [dale@ulsterpublishing.com](mailto:dale@ulsterpublishing.com)

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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 Adam Kane for property at 185 Pancake Hollow Rd. (SBL:87.4-1-29), Highland NY, 12528, proposing a Special Use Permit for a two bedroom Bed and Breakfast in his owner occupied residence.

The public hearing will take place at the Town of Lloyd Town Hall on Thursday, July 24, 2014, at 7:00PM, or as soon thereafter as may be heard.

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Date: July 10, 2014

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

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

Ben Rosen of 171 Pancake Hollow Rd: Has the survey for the remaining part of the land been complete?

Patti B: No.

Ben: So Adam does not really know where the property lines are?

Patti: He knows where the property lines are to the extent of the limit that I surveyed for the purpose of this siteplan.

Ben: I am very concerned about people wandering up onto our property; Adam does not have much respect for our property. The fact is this we do not know where the property lines are and I do not think we can move forward without requesting a full survey of the whole land. And just a comment about the Brooks' property, the deed clearly has a right-of-way, I do not have a copy with me, but it does. I also think that the houses on these properties should be identified as well to give a better view of where things are located.

Peter: I do not understand the impact of how the property lines back there affect this.

Ben: Because people could be wandering all over. My wife and kids go up there all of the time. Just for the record Adam has cameras mounted, pointing at our property even though he does not know where the property lines are. I recommend the Board request a full survey before this continues.

Brad: Has your property been surveyed and do you have a full survey?

Ben: Yes, I do.

Brad: Are there property markings?

Ben: Yes, I do not think that Adam agrees with them.

The Board will check to see if a full survey is a requirement and take it into consideration.

Ben Rosen submitted a letter of concerns for the record.

Ben: I just want to mention for the record that Adam has cleared about two or so acres when he got his solar panels and left trees on our property. We have asked him numerous times to remove them and they are still there.

Eric Jones: 203 Pancake Hollow Rd: My concern would be his guests trespassing onto my property. Very close in proximity there is a waterfall and a sheer wall that is about 30 ft and this may be an attraction to people who are hiking and I am concerned about people getting hurt on my property and me being sued.

Fred P: The water-fall is on your property?

Eric: Yes, there is a stream that cuts through Mr. Kane's property that goes on to my property. There is a stone wall that primarily goes up there with a right-of-way that is there, it does parallel up there but there is nothing that would really prohibit people from coming onto my property. Mr. Kane's property is posted, mine is not. This will be a cost that I will incur, should this happen.

Brad: I think what we are talking about is not you posting your side but Mr. Kane using reasonable care to insure that his guests are informed.

Eric: I have been working in hospitality for 20 years and guests do not listen to anything, they don't follow any rules. Nothing against Adam, I have never met him before, my concern is people and if they bring kids or dogs that may also cause a nuisance. Another concern for his guests, there are a lot of people who go hunting back there on that property. We hear gun shots all of the time and I found a little hunting tent within a couple of hundred yards of my house.

Cindy Kovalsky 172 Pancake Hollow Rd.: I live across the street from the Rosen's. I am bringing up the large mountain piece that is behind Mr. Kane's house is a concern of mine also because there is an echo effect throughout our neighborhood. When he is mowing his lawn it sounds like the Rosen's are mowing their lawn. Our neighborhood is very peaceful we are afraid that guests may get loud out in his backyard and the echo will go through the whole neighborhood. That is a very big concern.

Scott: We do have a noise ordinance in Town if there are issues past hours (did not finish)

Ms. Kovalsky: It is not even noise that an ordinance, just laughing and carrying on in the backyard the other side of the road hears it.

Dave P: This is a residential zone you could have a family of four living there.

Patti B: Or a family of ten.

Ms. Kovalsky: That is not a business that would be established, these are strangers coming in.

Dave P: I understand your concern I am just trying to understand the impact.

Ms. Kovalsky: Does he have to establish his hours of operation. If he says it will only be on weekends is there anything that upholds that it would only be weekends. We have referred to this in the code if a home based business disrupts the peace of the neighborhood and unfortunately we feel it would, but there are no regulations so he could run it seven days a week if he wanted to?

Scott: There is nothing in the law that says we have to put that type of condition into the approval.

Brad: I think we should all assume that this is available to be run seven days a week.

Ms. Kovalsky: So he could potentially have someone come in and stay for weeks at a time. That becomes an issue because he could say someone is there for the bed and breakfast and they could be there for three weeks. And that raises a concern about the type of people that would be looking for that situation to live in.

Patti B: I would like to point out to the Board that there are three bedrooms in the dwelling. Adam uses one, so two of them would be available for the bed and breakfast. Right now according to the definition in the code a family is one or two or three persons occupying a dwelling unit or four or more persons occupying a dwelling unit and living together as a traditional or functioning equivalent of a traditional family, which is defined as; a group must share the entire dwelling unit, occupants must live together and cook together in a single housekeeping unit, expenses for food, rent utilities and other household expenses must be shared by the group. A group is permanent and stable, not transient or temporary in nature. So if he wanted to at this point in time he could have a rental of those two other bedrooms, and he could do that without even coming before the Board. So what I do think the Board needs to weigh is the impacts of this special use permit would differ from something that is already allowed in the code.

Scott: That was our interpretation as well, but it is good for everybody to hear as well because it is something that is an allowable use in the zone.

Ms. Kovalsky: What restrictions do you have?

Brad: As this relates to the code there is a maximum of two adults to each of the two rooms he would be renting out. That is a traditional four adults; that is a condition.

Ms. Kovalsky: Can this condition the parking also; so that those four people cannot bring a car each?

Brad: If two adults are staying in the same room there is probably a high likely that they would be traveling together.

Ms. Kovalsky: If they are renting, they may each have their own car.

Brad: I understand and that is also a possibility.

Scott: As part of a special use permit the Town could have spot inspections. If we see a whole closet full of clothes and looks like someone is living there for a lot longer than the special use permit would be revoked.

Peter: If I heard Patti right, someone living there for a long period of time is not actually in violation.

Patti: Then he does not need the special use permit.

Ms. Kovalsky: If they are paying money to stay there than they do not fit into your family clause.

Peter: It was family or one, two, or three bedroom rental.

Fred P: Where does it cross over to conflict with a boarding house? It says four or more persons occupying a dwelling unit and living together as a traditional family.

Brad: Creates what?

Fred P: A normal family.

Brad: To the extent that you feel it is being used differently than what was approved by code, I think anyone has the right to say this is being used differently. It is not being charged by the night and it somehow might be a monthly rental, we have seen that it is a monthly rental for an extended period of time and we feel it is outside of the code of a bed and breakfast.

Ms. Kovalsky: This is a peaceful neighborhood; we are like a neighborhood watch for each other, with the exception of Mr. Kane. Just having strangers in and out of our area makes everyone uncomfortable.

Ms. Kovalsky submitted a comment letter of concern.

Anthony Acosta 195 Pancake Hollow Rd.: I have two concerns one is the amount of traffic that we are going to have on Pancake Hollow, which I already think we have too much of, secondly, the possibility of Pancake Hollow becoming commercialized. If this is approved, couldn't someone else decide to open a Bed and Breakfast down the road also?

Scott: A home occupation is an allowable use; you can open up a business in your home. As far as traffic two rooms two more cars, I do not think it will add a lot to that traffic.

Mr. Acosta: There was one car that hit me when I was coming out of my driveway, all it takes is one. I am just concerned that all of these little business will become commonplace. Would that require the Health Dept. to check the kitchen and dining room since food is being served?

Scott: I do not believe that is under the Health Dept. purview of a Bed and Breakfast.

Mr. Costa submitted a letter of concerns.

Heidi Carson: If anyone knows Adam Kane, he is meticulous, and he takes great pride in his property. I spend a lot of time with Adam and the only noise I have heard at night is Mr. Rosen's dog, which at 10 o'clock one night came out of nowhere while I was sitting on the porch. Where noise is coming from I do not know. Traffic on Pancake Hollow; you have Rocking Horse Ranch, a farm right down the road, there is a school; we are talking about two extra bedrooms and maybe two cars. My car is at Adams a lot. I never heard anyone say anything about my car. Adam actually gets upset if I click it because he is afraid his neighbors will get upset. Adam has a lot of friends, we are talking about people like me who want to get away from the city and enjoy what the Hudson Valley has to offer and Adam has two rooms that he wants to share with people. We are not talking transients, we are not talking section 8, we are talking about established people who can afford a Bed and Breakfast. They are not going to be traipsing the 22 acres, we have hiked three hours and I do not think we have ever come near your property (to neighbor). On the record I would like to say that I think a lot of this is pointing towards personalities and whether or not you can get along with each other. This is very disturbing to me because it borders on defamation of who he is.

Elaine Luczka 179 Pancake Hollow Rd: My house is directly below Mr. Kane's house and property. I take exception to a statement made by the letter of intent submitted by Brooks and Brooks that his property is heavily vegetated and shields his sight from his neighbors. That is totally untrue because I can see his house from my kitchen window. Mr. Kane, several years ago planted some evergreens above our common property line, three of the trees have died and currently the only thing keeping the back of my house, which includes my bathroom and bedroom windows, is my tree that was originally planted by Marge and James Peplow from whom I bought my house in 1997. It has a 50 ft. canopy, when the leaves are off the trees, you can see right down into my property and into my house. The second thing I take exception to is a comment that Mr. Kane made at the Board meeting, which I attended on June 26<sup>th</sup>. I quote 'the neighbors I have spoken to that are immediately adjoining me have no objections'. Well I obviously adjoin his property and he did not speak to me and I certainly do object because this change in usage would greatly impact me. You have heard the comment you know what rolls down hill well so does the noise from his property. If he comes out his door and he is chit chatting with someone I cannot make out the conversation but I can hear the voices. Where parking spaces three and four are proposed they are right near the top of a bank near a stone wall right above my bedroom. I do not want to hear car doors slamming, people coming up from NYC or wherever at 10:00 or 11:00pm at night, car doors slamming, people chit chatting while they are lugging in their baggage or whatever. I am also upset that the plot plan submitted by Brooks and Brooks, of which I have a copy and I have worked for the NYS Dept of Transportation and Engineering for 35 plus years, I spent five years out on a surveying crew so I know what I am talking about. I am very upset that the location of the William's house, my house and the Marino house, which is on the Contessa Tabone's property, is not plotted. Contessa's house is within 80 ft of Mr. Kane's house and I am imagining that the comment made at the public hearing that the closest dwelling is 160 ft from Mr. Kane's house; I am imagining that is my house. I think it should all be plotted, as should the William's house and the Contessa and Marty Moreno. I also have other concerns. I take exception to the comment that it would be the same as a family of three or four people living in the house. A family is a stable situation the neighbors would know who the people are. This is definitely transient population. Transient meaning different people would be coming in and out, and possibly coming in and out every single weekend. I live alone I am concerned about the people who would be coming there. I heard two people per bedroom, would that include children? Would people see his property on Craigslist or wherever he

chooses to advertise and say 'oh boy there is a large yard so I am going to bring my dog, so that my dog can run around'? How much of his property will his guests have access to? Like Mr. Jones said, we all know how people are with rules. People do not pay attention so will there be people trying to scramble up the cliff going over his property line to look at his water fall? Going over my property line because they are not aware that they should be confined to a certain area? Can they be confined to a certain area on this property or are they allowed to have the whole use to his property? I want to know if alcohol is going to be allowed to be consumed on his property. I do not want to hear people who are up and drunk at 11, 12 or 1 o'clock in the morning because they are right above my bedroom and the sound echoes off the rock cliff. He mentioned in the minutes from June 26<sup>th</sup> that he is looking to accommodate people who might be interested in walking the Walkway over the Hudson or going on a wine trail, what are we suppose to do if somebody decides to go into New Paltz and get snookered and comes back to his place drunker than a skunk making all kinds of noise roaring up the driveway, slamming doors and laughing and making all kinds of racket at one or two in the morning. Those are some of my concerns living directly below him. He is approximately 18-20 ft above me. Right now I do not hear noise and I do not want to hear noise.

Ms. Luczka submitted comments for the record along with a photo of a tree in her yard that currently shields her bedroom and bathroom.

Bill: Does the noise come up the hill as well as come down the hill?

Mr. Kane: Yes.

Bill: So if there are some parties along the road you would hear it.

Mr. Kane: We do hear them.

Mr. Rosen: It is a unique situation because of the cliff behind the house. The noise echoes off. Our main concern is the people who will be staying there. I think most of us in this room would not choose to stay in that particular location of a Bed and Breakfast. It would have to be somebody of a lower budget.

The Board discussed the distances of the houses.

Brad: One of Elaine's comments about the parking and the spaces numbered 1,2,3 and 4(on siteplan) is this for whoever parked there or is it determined parking?

Mr. Kane: I would definitely put guests closer to the house (spots numbered 3&4).

Brad: One of the things we can consider is that guests park in spots 3 and 4.

Ms. Luczka: I would appreciate that. I know Mr. Kane does not have control if someone went into New Paltz and got snookered (did not finish)

Brad: As Mr. DiLorenzo pointed out one of the code requirements is that the home occupation shall be the secondary use to the residential purposes. It shall be conducted in a manner which shall not give the outer appearance of business, does not infringe on the right of neighboring residents to enjoy the peaceful occupancy of their dwelling unit and does not alter the character of the neighborhood. If guests, as opposed to your regular neighbors who might get snookered, if guests come here and get snookered and start to infringe on your rights, I think it would be your right to let the Town know that this special use is being used outside of the code.

Ms. Luczka: I would imagine that if we are woken in the middle of the night that it would be appropriate to call the police.

Board: Yes.

Brad: I would also let the Building Department know that it is being used outside of what it was intended for.

Ms. Luczka: Thank you very much.

Frank Williams: 183 Pancake Hollow: Mr. Kane has never given me a problem. The only real concern we have is the strangers. We have two kids and this is making my wife a little uneasy not knowing who will be over there.



Ms. Kovalsky: With Frank their children are small, the right-of-way is very close to their house and that is a concern, also there will be more traffic going up and down the road and there are small children right there. I also have a question about signage, his driveway is not easy to find.

Brad: I would like to consider that a sign be mandatory so that people would know where they are going.

Ms. Kovalsky: But then that would be altering the neighborhood.

Scott: The sign is limited in what its size can be because it is a home occupation.

Brad: I have seen signs for bed and breakfast establishments that do keep with the neighborhood.

Ms. Kovalsky asked 'If you were going to Vermont to a Bed and B what would you expect to stay in?'

Brad: My spouse and I have stayed in many Bed and Breakfasts since 1976; I would expect it to be someone's house who was respectful to their property.

Ms. Kovalsky: A lot of Bed and Breakfasts here are old Victorians, farmhouses, beautifully landscaped with gardens, that is what people in the city look at and say "wow, I want to stay there." That is why we are concerned; his property is not a wow I want to stay there and what type of people would want to stay there.

Mary Rosen: I am requesting a full survey; it seems to me that Mr. Kane does not know where his borders are. We walk our property and have a survey, Adam disputes this. He has cameras in trees I request a full survey, if these cameras are on my property I am taking them down.

Patty B: For the record Mr. Kane has contracted me for a full survey and it will be done.

Ms. Luczka: I am disappointed that Mr. Saso and Mr. Brooks did not walk along the tree line, which you specifically stated at the last Board meeting you noticed that he had a mowed lawn and nice plantings but I think if you had walked along the tree line you might have gotten a better feel of the logistics of our house and our concerns. Perhaps you can squeeze another visit in.

Unidentified from 145 Pancake Hollow Rd: I have lived here my whole life and there has always been controversy on that property. No one has ever properly surveyed that land.

Scott: I think we just heard that Patti will be doing just that.

Peter Maroldt of 145 Pancake Hollow Rd: Mr. Kane has given me a retainer for improvements; if approved we will come in and all issues will be taken care of. He has my full support with this application. Just so everyone is aware I have done some work at Adam's house and it is all like brand new.

Mr. Rosen inquired about the process of this application from here.

Scott: The process from here on out is when we are done with the public hearing we will take all of the comments into consideration, the Board will decide tonight if we will act on the resolution tonight or if we have incurred enough reason to hold over to next month and work out details at our workshop meeting and give a list of conditions that would be a part of the approval if that is the road we go down.

Glen Linder: I am a freelance radio and TV announcer; I came up to support Adam in this venture. This looks like it will be successful just like the other ventures he has had in his life. Including his 18 years in the garment center, including his venture into making movies like his father before him who was quite famous with NBC and CBS as a director and producer. I came to support him. I have known him since 1986, he has always been a gentleman, always been a man of his word and I have no doubt that this project will be the pinnacle of his career. All of the people who have said negative things about him have not confronted him to see what the quality of his character is and to see what this man is really about. I think if they talked to him about their concerns without this nit picking and back stabbing nonsense that is going on here, I think they will find that this is a viable operation.

Ms. Luczka: I would like to say for the record that I live directly below Mr. Kane and he did not say one word or discuss anything with me about this proposed bed and breakfast.

There were no additional public comments.

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

The Board closed the public hearing and will take all of the comments into consideration and carry this application over to next month for further discussion at the workshop.

## **Set Public Hearing**

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

The applicant would like to construct an office/service business. It will 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 is maximum of two on a part time basis.

Paul Cusa was present for the meeting.

Michael Zaccaria, son of the applicant was present for the meeting.

Scott: Where we left off with this application was that the wetlands were delineated as federal therefore no buffer is required. There is a letter on file from Ecological Solutions LLC. (see attached)

The Board reviewed maps dated July 18, 2014. Board of Health approval is still needed.

The Board discussed this application.

Andy L. suggested a stabilized construction site be shown on the map.

Scott read the environmental assesement form.

Scott read through the resolution of negative declaration and setting the public hearing. (see attached)

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

## **Old Business**

### **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.

This application is pending engineer updates.

## **Site Plan Amendment**

### **Administrative Business 2014**

Rail Depot signage. Signs for individual business.

The Walkway Café would like consideration in adding a new sign to their establishment. All of the signage was used on the back side of the building as show on their siteplan. This would be additional signage. How much signage is the question due to the fact that there is more than one business in this building. Our regulations define how much signage is allowed on a building, it does not matter how many businesses there are in the building.

Scott: He is coming to us for an amendment because we gave site plan and signage approval for a monument sign that is not built yet, because there is one more building to be built.

The Board reviewed the site plan.

The Board in the past only approved a 20 sf. wall sign, which at that point it was going to be a bank. The Board never discussed building signage for building #2.

The Board questioned their need to approve any additional signage.

Andy suggested a conditional sign until the monument sign is built.

The Board looked at photos of the proposed sign and suggested it be a bit smaller in size.

Brad: Aesthetically this is too big.

Bill: When we did this we took into account a corner building but not three or four sides of a building. This would almost have to be per face. We could say if they stick to something like 3 ½ by 4 just do it.

Peter: On all three sides?

Bill: At least two of them.

The Board discussed signage for this site.

The Board would like to see signs so that the size complies with the code for that zone. If they come back with a size that complies with the code they do not need to come back to the Planning Board for approval. If they want the larger sign they will need to come back and discuss changing some of the other signage.

The Board discussed the Kane Special Use Permit application.

Some Board comments: Bed and Breakfasts are less intrusive than other home occupations, A full survey of the property should be done, posting and markers of the property, no hunting signs, this special use permit is to be run as a bed and breakfast, and an acceptable sign, guests are restricted to parking in spots numbered 3 and 4 on site plan.

Carl questioned the need for Board of Health approval and fire department referral. Board of Health is not required because there is no change in the number of bedrooms.

The Board will follow up with this at the next planning board workshop.

### **Minutes to Approve**

A **Motion** to accept the minutes from the Planning Board Workshop 6-19-14 was made by Lawrence Hammond, seconded by Fred Pizzuto. All ayes. Carl DiLorenzo and Dave Plavchak abstained.

A **Motion** to accept the minutes from the Planning Board Meeting 6-26-14 was made by Fred Pizzuto, seconded by Dave Plavchak. All ayes. Carl DiLorenzo, Bill Ogden and Fred Riley abstained.

A **Motion** to adjourn was made by Dave Plavchak, seconded by Fred Pizzuto. All ayes. 9:00pm

# Ecological Solutions, LLC

Connecticut  
1248 Southford Road  
Southbury, CT 06488  
Phone (203) 910-4718  
ecolsol@aol.com

July 4, 2014

Paul Cusa  
618 North Elting Corners Road  
Highland, NY 12528

*Re: Wetland Delineation  
Cusa Property- Park Lane  
Town of Lloyd, Ulster County, New York*

Dear Paul:

Ecological Solutions, LLC completed a wetland delineation on the 1.810 acres property located on Park Lane in the Town of Lloyd in accordance with the Army Corps of Engineers (USACE) Wetlands Delineation Manual (January 1987), Routine Determination Method and recent Northcentral/Northeast supplement on July 2, 2014. Also reviewed was the New York State Department of Environmental Conservation (NYSDEC) wetland map for the area. There is no NYSDEC regulated wetland on or in the vicinity of the site. A photograph of the wetland/watercourse is attached.

The wetland/watercourse outlined on the map entitled, "Site Plan for Cusa Builders, Inc." prepared by David Rider, PE, PLLC and dated June 2, 2014 accurately depicts the federal wetlands/waters of the US delineated on the property. The wetlands/watercourse were delineated based upon the identification of the three mandatory criteria for wetland determination as outlined in the 1987 Federal Manual and supplement: dominant hydrophytic vegetation, hydric soils, and evidence of wetland hydrology. The Routine Methodology procedure for wetland delineation was used. A transect consisting of at several sample points was walked. Dominant vegetation around each sample point was identified and its percent cover quantified. The areas were checked in detail for the presence of wetland hydrologic indicators. Soil profiles were then observed and characterized at each point.

The detailed field investigation included:

1. Identification of vegetation species to determine whether there was a dominance of hydrophytic plants and areas containing transitional but primarily wetland-oriented species.
2. Determination of soil features for hydric (poorly and very poorly drained) natural soils.
3. Observation of site features displaying evidence of wetland hydrology based on the presence of inundated areas, apparent high seasonal water tables, and evidence of saturation within 12 inches of the surface (considered the root zone) during sufficient periods during the growing season to provide for anaerobic/hydric soil conditions.

The wetland/watercourse occurs as a ditch at the northeast corner of the property. There are no other wetlands or watercourses on the property. In summary, the federal regulated

RECEIVED

JUL 08 2014

Per \_\_\_\_\_

wetland/watercourse is depicted on the referenced plan. There are no state wetlands or regulated adjacent area located on or in the vicinity of the property.

If you need any additional information, please contact me.

Sincerely,  
ECOLOGICAL SOLUTIONS, LLC  
*Michael Nowicki*  
Michael Nowicki  
Biologist



7/28/14 R. Pizzuto

**RESOLUTION  
TOWN OF LLOYD PLANNING BOARD  
SEQR Negative Declaration & Set Public Hearing**

PROJECT NAME: Cusa Builders Commercial Site Plan  
PROPERTY OWNER: Cusa Builders Inc.  
PROJECT LOCATION: Park Lane  
IDENTIFIED AS: 87.1-3-38.12  
  
SEQR TYPE ACTION: Unlisted Action  
APPLICATION DESCRIPTION: Site Plan for commercial building for offices and service business.

At a meeting of the Town of Lloyd Planning Board held at the Town of Lloyd Town Hall, 12 Church Street, Highland, New York 12528 on Thursday, July 24, 2014 at 7:00 p.m., there were board members:

	<u>Present</u>	<u>Absent</u>
Chairman Scott Saso	<u>✓</u>	_____
Brad Scott	<u>✓</u>	_____
Lawrence Hammond	<u>✓</u>	_____
Carl DiLorenzo	<u>✓</u>	_____
Dave Plavchak	<u>✓</u>	_____
William Ogden	<u>✓</u>	_____
Fred Pizzuto	<u>✓</u>	_____
Alt, Peter Brooks	<u>✓</u>	_____
Alt, Fred Riley	<u>✓</u>	_____

The following resolution was moved by: Carl DiLorenzo  
Seconded by: Fred Pizzuto

**WHEREAS**, the applicant desires siteplan approval for offices and service business. It shall consist of a total of 4,500 to 5,000 square feet.

**WHEREAS**, the Planning Board of the Town of Lloyd is empowered to review site plans;

**WHEREAS**, the applicant has submitted the following materials in support of this application:

- Short form EAF
- Current Deed and a letter of intent
- Surved siteplan map submitted by David Rider, PE PLLC dated June 2, 2014, revised July 8, 2014 and again on July 18, 2014

**WHEREAS**, the Planning Board discussed the proposed use of the building;

**NOW THEREFORE BE IT RESOLVED THAT** the Planning Board, as SEQRA lead agency, issues a Negative Declaration, deciding that the impact to the surrounding neighborhood is negligible as far as the visual, traffic and noise impacts to the surrounding area; and

**BE IT FURTHER RESOLVED** the Planning Board has set a date for a public hearing to be held on Thursday, ~~July 24,~~ 2014 at 7:00 PM.

*AUG 28, 2014.*

	AYE	NAY	ABSTAIN	ABSENT
Chairman Scott Saso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brad Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lawrence Hammond	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl DiLorenzo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dave Plavchak	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Ogden	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Pizzuto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt, Peter Brooks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt, Fred Riley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7 Ayes, 0 Nay, 0 Abstain, 0 Absent

**Motion Carries**

THIS VOTE IS CERTIFIED THIS 24th DAY OF July 2014.

THIS RESOLUTION IS APPROVED AND HEREBY ORDERED TO THE RECORD THIS 24th DAY OF July, 2014.

By: *Patricia Rober*  
 Secretary  
 Planning Board/Zoning Board of Appeals

By: *SC Saso, ch*  
 Scott C. Saso, Chairman  
 Town of Lloyd Planning Board

7/28/14 R. Replaw

**RESOLUTION  
TOWN OF LLOYD PLANNING BOARD  
SUBDIVISION APPROVAL**

PROJECT NAME: Minard Farms LLC  
PROPERTY OWNER: Derrick Doubrava  
PROJECT LOCATION: 59 Hurds Rd.  
IDENTIFIED AS: 94.2-2-44

SEQR TYPE ACTION: Unlisted Action  
APPLICATION DESCRIPTION: Subdivision dividing lands, Picnic Woods Rd. Farm separate from Mill & Home Farm.

At a meeting of the Town of Lloyd Planning Board held at the Town of Lloyd Town Hall, 12 Church Street, Highland, New York 12528 on Thursday, July 24, 2014 at 7:00 p.m., there were board members:

	<u>Present</u>	<u>Absent</u>
Chairman, Scott Saso	✓	
Brad Scott	✓	
Lawrence Hammond	✓	
Carl DiLorenzo	✓	
Dave Plavchak	✓	
William Ogden	✓	
Fred Pizzuto	✓	
Alt, Peter Brooks	✓	
Alt, Fred Riley JR.	✓	

The following resolution was moved by: William Ogden  
Seconded by: Lawrence Hammond

**WHEREAS**, the applicant desires to a two lot subdivision to separate the Picnic Woods Road Farm from the area of the Cider Mill and Home Farm which is a permitted use in the A Zone;

**WHEREAS**, the Planning Board of the Town of Lloyd is empowered to review subdivisions, special use permits and site plans;

**WHEREAS**, the applicant has submitted a surveyed subdivision map prepared by Brinnier & Larios, P.C., dated May 15, 2014; ~~Revised to 5-2014~~ (PR)

**NOW THEREFORE BE IT RESOLVED THAT** the Planning Board, as SEQRA lead agency, issued a Negative Declaration on June 26, 2014, deciding that the impact to the surrounding neighborhood is negligible and the proposed use is consistent with zoning for the site; and



**BE IT FURTHER RESOLVED** the Planning Board issues a Subdivision approval with the following conditions: None.

	AYE	NAY	ABSTAIN	ABSENT
Chairman Scott Saso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brad Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lawrence Hammond	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl DiLorenzo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dave Plavchak	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Ogden	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Pizzuto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt, Peter Brooks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt, Fred Riley Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7 Ayes, 0 Nay, 0 Abstain, 0 Absent

**Motion Carries**

THIS VOTE IS CERTIFIED THIS 24th DAY OF July, 2014.

THIS RESOLUTION IS APPROVED AND HEREBY ORDERED TO THE RECORD THIS 24th DAY OF July, 2014

By: *Patricia Risher*  
 Secretary  
 Planning Board/Zoning Board of Appeals

By: *Scott C. Saso, Ch.*  
 Scott C. Saso, Chairman  
 Town of Lloyd Planning Board

*V. Schoonover*

**RESOLUTION  
TOWN OF LLOYD PLANNING BOARD  
SUBDIVISION APPROVAL**

PROJECT NAME: Minard Farms LLC  
PROPERTY OWNER: Derrick Doubrava  
PROJECT LOCATION: 168 Hurds Rd.  
IDENTIFIED AS: 94.2-1-1.211  
  
SEQR TYPE ACTION: Unlisted Action  
APPLICATION DESCRIPTION: Subdivision for the purpose of a single family residence.

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At a meeting of the Town of Lloyd Planning Board held at the Town of Lloyd Town Hall, 12 Church Street, Highland, New York 12528 on Thursday, July 24, 2014 at 7:00 p.m., there were board members:

	<u>Present</u>	<u>Absent</u>
Chairman, Scott Saso	<u>✓</u>	_____
Brad Scott	<u>✓</u>	_____
Lawrence Hammond	<u>✓</u>	_____
Carl DiLorenzo	<u>✓</u>	_____
Dave Plavchak	<u>✓</u>	_____
William Ogden	<u>✓</u>	_____
Fred Pizzuto	<u>✓</u>	_____
Alt, Peter Brooks	<u>✓</u>	_____
Alt, Fred Riley JR.	<u>✓</u>	_____

The following resolution was moved by: *Lawrence Hammond*  
Seconded by: *William Ogden*

**WHEREAS**, the applicant desires subdivision for the purpose of a single family residence;

**WHEREAS**, the Planning Board of the Town of Lloyd is empowered to review subdivisions, special use permits and site plans;

**WHEREAS**, the applicant has submitted a surveyed subdivision map prepared by Brinnier & Larios, P.C., dated April 30, 2013; revised June 5, 2014, and again on *July 24, 2014.*

**NOW THEREFORE BE IT RESOLVED THAT** the Planning Board, as SEQRA lead agency, issued a Negative Declaration on June 26, 2014, deciding that the impact to the surrounding neighborhood is negligible and the proposed use is consistent with zoning for the site; and

**BE IT FURTHER RESOLVED** the Planning Board issues a Subdivision approval with the following condition:

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

	AYE	NAY	ABSTAIN	ABSENT
Chairman Scott Saso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brad Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lawrence Hammond	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl DiLorenzo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dave Plavchak	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Ogden	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Pizzuto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt, Peter Brooks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt, Fred Riley Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7 Ayes, 0 Nay, 0 Abstain, 0 Absent

**Motion Carries**

THIS VOTE IS CERTIFIED THIS 24th DAY OF July, 2014.

THIS RESOLUTION IS APPROVED AND HEREBY ORDERED TO THE RECORD THIS 24th DAY OF July, 2014

By: *Patricia Robur*  
 Secretary  
 Planning Board/Zoning Board of Appeals

By: *SC Saso*  
 Scott C. Saso, Chairman  
 Town of Lloyd Planning Board