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WORKSHOP MINUTES
TOWN OF LLOYD PLANNING BOARD

Thursday, September 17, 2015

CALL TO ORDER TIME: 5:32

PLEDGE OF ALLEGIANCE

ATTENDANCE **Present:** Chairman Scott Saso, Brad Scott, Carl DiLorenzo, Lawrence Hammond, Fred Pizzuto, William Odgen, Fred Riley, Peter Brooks, Shari Riley; Code Enforcement Officer
Absent: Dave Plavchak, 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.

New Public Hearings

Shamrock Liquors(Khodiya LLC), 3559 Route 9W, Siteplan SBL#88.17-9-25.100, in GMU zone.

The applicant would like site plan approval for an addition of 7,520 sq. ft. to an existing 4,270 sq. ft. commercial building for use as a mixed commercial space building of retail business, service business, restaurant, office and medical uses.

Patti Brooks of Brooks & Brooks Land Surveyor, and Nadine Carney of Peak Engineering, the applicant’s representatives were present for the meeting.

Mr. Patel, the applicant was present for the meeting.

The Board acknowledged comments from Ulster County and Morris Associates. (On file)

Shari: An actual SWPPP is not required because the disturbance is less than an acre, but because of how the site is there are some concerns around drainage. Nadine and I are on the same page on how to address the comments. In reviewing Morris’ comments dated Sept. 10, 2015:

1. Peak Engineering is going to do some sort of dog-house style catch basin, Nadine agrees. We feel that is a good recommendation.
2. Nadine and I talked about and would like some infiltration type storm water management practice. What that does is allow the water to go down into the soils. So Nadine is going to look and see if that can be done, we are not sure whether or not that will be able to be accomplished but Nadine will take that into consideration and try.
3. Nadine and I both agree that the roof leader locations need to be on the plans and that we would like to put them into either drywells or infiltration systems.
6. Peak Engineering is going to do some fiber rolls along the northerly and southerly property lines, or something like that, and that should take care of some of that sediment and erosion control.
7. We are going to look at a construction phasing plan, so that could be put on a map so that we and the contractor will know.

8. We agreed that we definitely need a maintenance schedule to make sure the post construction systems are kept well maintained. Nadine will be adding all of these items in there. There were a lot of good comments from Morris and I think Nadine will be able to address a lot of them.

Nadine: The plan that we have now without looking at any of the things Morris has suggested, the stormwater runoff from this site is less after construction than prior to construction because of all of the pavement and impervious surface that is out there now. Andy did note that in Morris's comments. Nothing on the site is really changing but we are going to take some extra steps to mitigate the water.

The Board looked at the (UCPB) Ulster County Planning Board comments.

Peter: In general the UCPB was appreciative of the fact that what is happening here is congruent with the zoning district and that this is the first application since the zone change. Their biggest concern was the lack of the residential component. Their favorite answer would be at least frame it out even if you do not do the interior work. Their second concern is demonstrating that a second phase is completely possible. Their favorite one was that since this calls for a mixed use including residential, why not build it rather than this Hollywood façade that is proposed. The code says that development shall include.

Patti: They use different words throughout the code but strongly encourage at the very least because that was one of the very things that we came to talk with the Board about the first time. The code did specifically call for a minimum of two stories and allows three and we are putting just one.

Peter: I think what the UCPB is saying is that we should feel comfortable that what is being alleged possible is actually possible.

Patti B will talk with Eric Neiler. Patti also spoke about cross access from parcel to parcel being doable in the back of the lot because it becomes grade level back there.

Peter: I did let it be known after the UCPB meeting that the applicant here has made really strong efforts to get the neighbor to go along and it is not a question of anything the applicant is doing wrong, it is just in order to create the right elevation he is creating a separation between his property and the property next door. And the owner next door did not express any interest in participating even though it is likely when they are ready to do something on their property they will be faced with the same concerns and have to do the same thing. Maybe you want to add a note on the maps saying the neighbor was not interested. Their third comment is one that we have been making a lot, that when you have multi tenanted sites to come up with a combined signage plan for the building and presumably the monument that would accommodate the various tenants that will be there.

Brad: DO you have enough parking?

Patti: They do have a new parking schedule which is a cross use of the parking spaces where the tenants will be using it in the evening and the business will be using it during the day.

The Board requested that the new structure be capable of supporting a second story and conceptual drawing to support that.

Brad: Going forward as it relates to this zone I think it is tough to expect that an applicant will be able to do everything at once so I feel comfortable if they demonstrate that they can do it by code.

Peter: Although adding residential may be to their benefit to add half dozen apartments and start making money right away.

Scott: We will strongly ask that you consider this.

Patti: I attended that water and sewer meeting with Larry and then I went out to Roberto Ave. the next day and the manholes are off in the lawns. There definitely is a sewer line running all along Roberto Avenue all the way to the end. We are going to investigate tying into that.

The public hearing is set for September 24, 2015.

Behnke, David 244 Pancake Hollow Rd, Subdivision SBL:#87.3-2-21.150, in R1 zone.

The applicant proposes to subdivide their 9.863 parcel of land. The existing house lot would have an area of 1.085 acres, and the vacant lot would have an area of 8.778 acres. The vacant lot is to be conveyed to their son with the expectation of building a 4 bedroom house. The vacant lot would have a new driveway from Pancake Hollow Rd, a drilled well and a subsurface sewage disposal system.

Mr. Behnke was present for the meeting.

Board of Health approval has been given.

Scott: This does not need to go to Morris Associates for review. Dave B. will be doing the review of the SWPPP.

Shari: If this were to be approved next week it will need a condition of a signed MS4 acceptance form.

This was sent to the fire department but no comments have been received back.

The Board reviewed newly submitted maps which show the requested pull off along the driveway. The map also notes the grade of the driveway.

The public hearing is set for September 24, 2015.

Ireland, David, 66 Mayer Dr, SUP Accessory Apartment SBL#95.12-2-13, in R1/2 zone.

The applicant is requesting a special use permit to add a 425sf accessory apartment into his residence.

The Board has reviewed this application and is satisfied.

The public hearing has been set for September 24, 2015.

New Business

Servpro - Gil Morrissey, 10 Lumen Ln, Siteplan SBL#88.1-6-1.100, in GB zone.

The applicant proposes to construct a 2,700 sq.ft. office space and 15,000 sq ft. warehouse with on-site parking, and on-site wastewater treatment system. The site is serviced by municipal water. This space is intended to be occupied by SERVPRO which is an emergency response cleanup and restoration service for water, fire and mold. The operation consists of 24 employees including 12 office staff and 12 technicians (working off site). The office is generally open from 8am to 5pm. A portion of the warehouse is used for equipment and product storage. Other portions of the warehouse are used to clean, deodorize, organize, and store customer's belongings and carpets. Work in the warehouse is limited as most work is done at the customer's home/business site.

Gil Morrissey, the applicant, was present for the meeting.

Nadine Carney with Peak Engineering, the applicant's representative, was present for the meeting.

The applicant was before the Board about 10 months ago and has now come back with revised plans.

The Board reviewed siteplan maps.

Nadine discussed the parking, which is shown on the map, and informed the Board that the Dept. of Health has been applied for. This parcel does have Town water. The applicant currently has 7 trucks, one box truck and the rest are vans, and they will stay on the property overnight.

Carl: If you want to go beyond the seven vehicles will that be built into this plan?

Mr. Morrissey: The warehouse will definitely be able to accommodate it but we do have a lot of parking around the edge. But my goal would be to keep expanding the building.

Nadine: Based on the calculations right now 17 parking spaces are required and we are showing 30.

Bill: Will you have some exterior light on overnight.

Mr. Morrissey: I would say yes because it is a remote area.

The Board commented that they think this is a great fit.

Nadine noted that it is in an industrial park area.

The applicant still needs to submit a lighting detail, sign detail and a full landscaping plan. They also requested building elevations with colors.

Shari: The disturbance is two acres so we will need a SWPPP (Stormwater Pollution Prevention Plan)

Nadine submitted a hard copy SWPPP and CD.

Nadine: There is a stormwater detention pond on this site, which takes water from of 9W and puts it off of the site. There is no design information on that pond it exists and works as it is. So what we have done with our stormwater plan is to capture, treat and attenuate the stormwater through some dry swales, we are discharging it to the same point, but the water that is going to the fore bay is equal to or less than the pre-development rate so it will not impact the size or function of the existing pond.

Shari: Mr. Milano put that in years ago. We do inspect it, it is part of the MS4 inspection that we do.

Nadine: Right now there are two dry swales that we are proposing. There is a drainage ditch there now that will be relocated.

Nadine will work to get the requested details on the plan.

This will be circulated to Ulster County Planning Board, Highway Dept., Fire Dept., and Water & Sewer.

Nadine submitted to the Dept. of Health.

The Board discussed the possibility of setting the public hearing & negative declaration at the the next meeting.

DiCapua, Alyssa 168 South St, SUP Bed & Breakfast SBL#87.3-5-12, in A zone.

The applicants currently have a special use permit for a one bedroom Bed and Breakfast. They are converting a current portion of the house to add another suite with a private entrance and private bathroom. The applicant would like to change their special use permit from a one bedroom Bed and Breakfast to a two bedroom Bed and Breakfast.

Mr. & Mrs. DiCapua were present for the meeting.

The plan that was submitted shows a kitchen, which is not allowed.

Shari: There was a potential kitchen in this room, which is not allowed in a bed and breakfast. So she forgot to bring in the updated plan which I am assuming is the same exact without the stove.

Alyssa DiCapua: Yes. I will bring the new plan in tomorrow. The original house had two bedrooms, which were on the second floor. There is a garage in the front of the house and a shop in the back. To the side of the house was a very large living room so we converted that space with a private entrance already in place and added a bathroom to that space. Now we would like to convert the space on the left side of the house, which is currently a garage. Everybody will have a private entrance.

Peter: A site plan will show us where all of that is.

Alyssa: I contacted the Board of Health. I will be getting a letter from them saying that he felt it would be fine for this addition but if I felt I wanted to do any more additions in the future I would need to change the septic.

The Board discussed this application and would like to have a site plan for this application.

The Board anticipates setting the public hearing for October.

Old Business

Apple Greens (Roehrs), 161 South St, Siteplan Amendment SBL#87.3-5-15.100, in A zone.

The applicant would like site plan amendment to include a barn wedding venue.

David and Judi Roehrs were present for the meeting.

This application has been before the Board. They have concerns around lighting and people being able to get to the venue from the parking lot, and back and wandering around. This was how the lighting concerns came about. The applicants have agreed to put lighting on the path.

Mr. Roehrs: We would like for the events to be over early in the nice weather maybe until 9:00pm. We will not be letting people walk over; we will get a shuttle if we have to for transport of eight or nine people at a time.

Scott: So the parking will be at the golf course and you will have safe crossings across the road, just like you do now when you have tournaments and other stuff. Our concern was just safety.

Bill: I think we were talking about a condition of the band or DJ shutting down by 9:00pm.

Mrs. Roehrs: We spoke to our neighbors, the Bakers, and they have no problem with our application.

Mr. Roehrs: But we did not get a hold of the other neighbor, he is a lawyer in NYC and he is trying to sell his house now. I will continue to try to get in touch with him.

Everything for the venues will be portable, bathrooms and kitchen.

Brad: With the doors open on the barn do we have any sprinkler considerations?

Peter: I think what Dave Barton said was that if you do not have plumbing or water or source of flame than you do not need sprinklers. I think that is what he said about the Kelleys and they were planning on putting plumbing in.

Shari: Yes but this is a lot larger. Dave Barton will have to address this on the research he did about whether sprinklers are needed or not.

Mrs. Roehrs: The doors will always remain open.

Shari: The sprinklers, if needed, could be covered by the building permit.

Bill: We talked about this last time and I believe with the doors open it does not count as a building.

The Board anticipates setting the public hearing next week for next month. The Board will be looking for the type of lighting being used for the venue and some answers on whether the barn needs to be sprinkled.

New Public Hearing

Selux Corp., 5 Lumen Ln, Siteplan SBL#88.1-6-6.100, in GB zone.

Selux is planning 2 additions and other future improvements to the building at 5 Lumen Lane.

Selux-South is an 8,800 s.f. light industrial addition with a loading dock that will be used for product assembly and warehouse space, starting construction as soon as possible.

Selux-North is a 5,980 s.f. commercial addition for a showroom and office space, starting construction this fall. The 4,560 s.f. first floor will be completed in phase 1; the 1,420 s.f. second floor will be completed in phase 2.

Peter: They are a lighting company and they submitted plans for us to look at, the Ulster County Planning Board (UCPB) said they did not include a lighting plan. The other thing the UCPB said was that they did an expansion last year and are doing another one this year and neither one of them separately triggered a SWPPP, if you thought about the expansions together they would have.

Shari: We were going to ask tonight for a sediment and erosion control plan to address those concerns. We will contact them tomorrow. I did research this and there was no drainage plan done prior to this.

The public hearing is set for September 24, 2015.

New Business

Olson, Louis, 275 Pancake Hollow Rd, SUP Accessory Apartment SBL# 87.4-1-14, in R1 zone.

The applicant would like to legalize a 990sf accessory apartment into the lower level of this residence.

Shari Riley updated the Board on this application.

Shari: The way this came to be was that there was a fire in the apartment that was downstairs. At some point this was claimed to be a mother/daughter residence, we never had regulations on mother/daughter. We also have paperwork saying there was only one kitchen when he purchased but Mr. Olson has proof that it was there from before; so we are starting new. Right now before he can move forward in fixing the damage in that apartment he needs to have that approval or not. He cannot get a building permit until this gets legalized. He does not have enough acreage to do a two family. We want to make sure that he is aware that this needs to be owner occupied. My understanding is that his daughters were moving in.

The Board looked at a floor plan drawn up by the applicant.

Larry: Is it possible to do a lot line revision to make the legal 2 family?

Shari: I suggested that.

The Board thought the layout looked like it could be set up for a two or three bedroom.

They would like Mr. Olson to come to the next meeting to discuss this application.

Ottaviano, Frank, New Paltz Road, Lot Line SBL#87.2-8-2.115, in R ½ zone.

The applicant is requesting approval for a lot line revision for the purpose of conveying the 0.602 acre portion of land, from SBL87.2-8-2.115 lying on the northerly side of New Paltz Rd. to the lands of Hill and McNulty SBL87.11-3-35.

The Board reviewed this application at a past meeting (7-16-15).

Shari: We received a call from Jonathan Millen, the applicant's representative, who said the Rail Trail is not interested in the property and Mr. McNulty did not want the extra property so the application stands as it is presented. I put a call in to our attorney Terresa Bakner and she will do some research for us because of two things that came up.

1. Because the code does not particularly address lot line revisions, we have always looked at them as small subdivisions. If it was a subdivision then we do have to look at buildable acreage in which the flood plain will have to be removed.

2. When there is a road already subdividing the parcel, you do not have to do a subdivision.

This will be followed up on at the next meeting.

Administrative Business

Sign - Sawyer Savings

Shari informed the Board that this sign was in front of the ZBA because they needed a variance to raise it from 6ft. to 10ft.

Shari: There was a public hearing and a neighbor has a concern about what the impact would be once the sign was raised. The ZBA did an approval for the variance with the condition that the luminant height impact be reviewed again by the Planning Board. When this came into our office there was nothing in our code that states this needs an additional site plan review. So the ZBA really should not have made this part of their condition. So we are asking if you would send a memo to the ZBA stating that you have already reviewed not only the sign, but the lighting plan and that you are in approval of raising the sign up. A letter will be drafted. A **Motion** to adjourn was made by Peter Brooks, seconded by Lawrence Hammond. All ayes 7:10pm