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

**Thursday, September 22, 2016**

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

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE** **Present:** Dave Plavchak, Lawrence Hammond, Fred Pizzuto, William Ogden, Peter Brooks, Nicki Anzivina, Scott McCord, Ray Jurkowski; Town Engineer, Jeff Paladino; Town Board Liaison, David Barton; Building Department Director  
**Absent:** Brad Scott, Carl DiLorenzo

**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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**Sign Approval**

***CrossFit – 10 Commercial Avenue SBL#88.17-9-5.100***

A **Motion** to accept the proposed 25 sq. ft. Crossfit sign was made by William Ogden, seconded by Nicki Anzivina. All ayes.

**New Public Hearing**

**Vieira Sardinha Realty, LLC (Dunkin Donuts), Route 9W, Siteplan; SBL#96.1-4-18.241, in GB zone.**

The applicant would like siteplan approval to construct a 2,100 sq.ft. Dunkin Donuts Drive-thru restaurant with customary appurtenances.

Present for the meeting: Patti Brooks of Brooks & Brooks Land Surveyor, the applicant’s representative, Dennis Larios of Brinnier & Larios, P.C. and Applicant, Mario Sardinha.

Patti B: Since the last presentation the majority of changes that were made had to do with the meetings that Dennis and Paul had with Morris Associates who have been working on finalizing drainage and the Storm Water Management Pollution Prevention Plan (SWPPP). We did prepare a landscaping plan and yesterday I did receive a final traffic analysis from Creighton Manning so we will now be able to submit a formal application to the DOT.

The Board discussed the traffic study.

Patti: Basically the analysis concludes that the level of service indicates that the **imposition** (not clear) will operate adequately and they do not recommend any level of service mitigation. But it would be nice to know what their input is as we prepare to propose another pad on site.

Peter: Andy Learn had a few comment memos back and forth with the project engineer, have they cleared?  
Ray Jurkowski with Morris Associates: Andy has met with the applicants and it is our understanding that tonight they will be submitting a new set of plans that addresses the outstanding issues.

Patty: What we plan on doing is making a formal submission before the Oct. 10<sup>th</sup> deadline with all the maps and comment letter responses.

Dennis Larios distributed small copies of a revised Site Grading and Drainage Plan to the Board members dated 9/21/16.

Dennis: We have made many revisions to the map and SWPPP, I believe we have substantially covered all of Andy's comments. The main item being the grading on the site, that was challenging on this site because of the grade change on the site and fitting in the stormwater treatment units. He preferred bio retention areas as the basic form of treatment.

Dennis distributed a photo of a bio-retention example and a Pre-Development Watershed Map. He discussed the adequacy of the proposed 18" swale.

Dennis: Water does come off of the state highway (7 inches or so) which is not a big area, and is being taken around because we did not have the room to filter it ourselves and we do not have the obligation to filter their water. But we are putting it through a nice grass lined swale.

Ray: Once they have formally submitted the new revisions and the SWPPP we will review it and hopefully have comments before the Board's next meeting.

Patti: The updated plan incorporates all of the changes that we had talked about last month in regard to the traffic pattern.

Peter: I notice that the stormwater summary actually changed.

Dennis: Andy and the owner wanted some more curbing. Andy wanted us to add more curbing to make sure the state runoff did not come and intermingle with our runoff. This project has about 0.6 acres of impervious surface between the pavements, parking areas and the building roof. It is a very small project with just a challenging site with the topography, I think we maxed out with about 6% coming down and we have a very nice fairly flat area around the building.

The Board had no additional questions.

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

There were no public comments at this time.

A **Motion** to extend the public hearing until October 27, 2016 was made by Lawrence Hammond, seconded by William Ogden. All ayes.

The Board anticipates SEQRA determination next month.

## **New Business**

### **Tremont Hall Corp., Vineyard Ave, Siteplan, SBL#88.17-9-48 & 54.200, in R1/4 zone.**

The applicant would like to convert an existing vacant 9600 square foot lumber storage building into a multi-family residential structure with 20 apartments, with associated parking and amenities.

Ethan Jackman, the applicant, was present for the meeting.

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

Patti distributed photos of the current site, an architectural rendering of proposed and an interior floor plan.

Initially the Board questioned the height of the building.

Patti: I talked with the architect to make sure, that with the adaptive reuse, he was going to be able to use the same roof structure that is there right now and he assured me that he was going to. There is a change to the original proposal in that the four end units on both stories were going to be two bedrooms units but because of

the area that they need for stairways and janitorial services what they have done is reduced it to 6 two bedroom units and 14 one bedroom units, there will be three units per floor. (The floor plan that was distributed does not show this change)

Fred: Is there any setback requirement between this building and the rail trail?

Patti: No.

Bill: Is there a minimum square footage for the adaptive reuse?

Patti: Yes it is 450 sq. ft. for efficiency; the one bedroom apartment is 700 sq. ft. and a two bedroom unit is 900 sq. ft.

Peter: By calling it an adaptive reuse you get a lot more apartments than if you were to tear it down and put up a new building.

Patti: Correct. This is part of the code.

Dave P: These are to be luxury apartments. Aren't they on the small side to be considered luxury apartments?

Patti: I do not know what the definition of luxury apartment is but I can tell you that he is planning on market rate apartments similar in construction and amenities as Trailview.

Peter: In the current zone, which is R ¼, they would only be allowed 7 apartments.

Patti: They way I looked at it to compare it to something comparable was that in the PRD the requirement is 3,500 sq. ft. for a one bedroom, 5,000 sq. ft. for a two bedroom, basically we have a mix on this property and the average density per unit is 3,800 sq. ft. I felt that this was 1.) Consistent with what it would be if it was planned residential and 2.) There is a reason that the Town approved this code. (Patti read 100-31 Adaptive reuse buildings B) Permitted Uses: Adaptive Reuse definition.)

Peter: Any plans for affordable housing?

Patti: Not to the best of my knowledge.

Peter: Our code does encourage affordable housing.

Patti: It does, this is proposed to be market rate housing.

The Board discussed density requirements.

Patti: No buffers are required.

Dave P: They may not be required but I think as we look at the siteplan we do want to see some surrounding buffering.

Patti: I took photos of the current natural buffer. There are some large trees there now that I would suggest you may want to remove. I would suggest for a site like this that a site visit would be appropriate. I would like to get some feedback from the Board on what landscaping they would like to see. The siteplan proposes to have patios on both sides of the building with second level balconies.

Scott: How big are the patios proposed to be?

Patti: They are the footprint of the overhang.

Patti: I spoke to the Highway superintendent today to see if he had any preferences about how he would like to see the traffic flow accommodated. Some discussion we had that I would like to have with you is would you like to have one way traffic flow on to the site from Linwood Ave. and one way out onto Route 44/55? The Highway superintendent did not have any particular point of view.

Dave: We do. We do not want the traffic coming up Linwood Ave. and crossing the rail trail.

Patti: You prefer to just use the access from Route 44/55.

Dave P: Yes.

The Board discussed the bridge from Rt. 44/55 and its overall condition.

Patti: The Highway superintendent suggested maybe replacing some of the wood planks with steel girders. A main concern would be the fire trucks going over the bridge.

Ray: The Bridge would need to be looked at. Maybe the fire company would like to use Linwood Ave. as a secondary emergency access.

Larry: How many parking spaces are required?

Patti: 33 spaces are required and 36 are provided.

Bill: I suppose a turnaround is not needed because of the Linwood Ave. access.

Dave: We will send this to the fire department for comment.

The Board discussed privacy between the rail trail and the building. And will have better suggestions once they visit the site.

Bill: You may want to think about bike racks for the outdoors.

Patti: We would like to bring the public in before the design is set. So we were hoping that the Board would consider holding some sort of informational public hearing next month so that the applicant would have the opportunity to be here because he will be out of the country after that for some time.

The Board will arrange to meet on the site.

Patti: Andrew Willingham will be working on the engineering.

Patti B. informed the Board how she came to the 20 units. She took the acreage (1.75 acres) and divided it by 20 which come to 3800 square feet per unit density wise.

The Board discussed the Adaptive reuse code.

Peter: What part of this original building are they using?

Ethan: As you look at the building as it exists now the only thing that won't be there is the siding. The entire structure is being salvaged.

Peter: Isn't it a pole barn?

Ethan: Not being an architect I do not know what a pole barn is. All of the structural members that are there are going to stay there. 100 % of the building is being used; the siding is going to be gone and everything else that is there is going to be there. It does need a new roof and we do want to put solar panels on the southern half. When the Town passed this law this was exactly the type of building that they passed that law for.

Dave B: I was part of the writing of this law; the intent then was that the properties were more important than the buildings. If the building had to come down it was the property that we were most interested in. We were very careful in selecting the properties that we thought could change the uses beyond what they had originally been. I think what is being proposed now is in line with the intent of the law.

Scott: When this is all finalized and done the driveway or roadway, will that be private or the Town's?

Patti: It will be private. Right now the Town does have an easement to allow pedestrians to go up and down the road to access the rail trail. We are going to work to incorporate that in. In light that we have the Board's recommendation to have access only off of Route 44/55, I will bring this back to the planning table and work to continue to accommodate the pedestrian traffic on that.

Patti: While speaking to Rick Klotz today about having a fire truck use the bridge, he pointed out that the span of the width is so small that you are not going to have the weight of a fire truck on the bridge you may have a piece of a fire truck at any given time but the span of the bridge is so small that the weight limit becomes less of a concern. Rich did say that the bones of the bridge are good but it is the applicant's engineer who will be tasked with reviewing the bridge.

The Bridge is 22 feet wide and about 20 f t. long.

A **Motion** was made to set an informational meeting for October 27, 2016 was made by Lawrence Hammond, seconded by Fred Pizzuto. All ayes.

## **Set Public Hearing**

### **Marreiros, Antonio, 15 Bell Dr, Lot Line Revision, SBL# 88.17-6-20 & 19, in R1/4 zone.**

The applicant would like a lot line revision of .05 acres.

The applicant's father and owner of property 36 Bell Dr., who lives across the street, has property which traverses the street and crosses into 15 Bell Dr. The applicants would like to make a lot adjustment so that the property of 15 Bell Dr. reaches the street.

Mr. Marreiros was present for the meeting.

The Board reviewed this application last week. The applicant needs to submit revised hard copies of the lot line revision. The Board had requested that Rich Klotz take a look at the map, he did and had no problem with the lot line revision. Dave B. explained that all we do in a lot line revision is bring the property line to the road. He informed the Board that if it is a by-use road we always take it.

The Board reviewed the environmental assessment form and issued a negative declaration.

The resolution of Negative Declaration and Set Public Hearing was read. (See attached)

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

## **Extended Public Hearings**

### **Hudson Summit LLC 2016 (3 lot subd), 52 Mayer Dr, SBL#95.12-2-7, in R ½ & R1 zone.**

The applicant would like a three lot subdivision. Two of the lots are for single family homes and the third the applicant would like to be dedicated to the Town.

Berry Kohn's (the applicant) secretary, Fran, was present for the meeting.

The Board reviewed the revised maps at the workshop meeting. Morris's comments were reviewed this evening. (See attached)

Ray: Andy had noted that there appeared to be some conflicts with an existing water line. The applicant's engineer will need to go back and locate the potential conflicts as far as the location of those valves, because they are not shown on the mapping that was provided and that is why it was not picked up until the site visit unfortunately. They will have to locate those, rearrange the catch basins and while they are at it verify some of the elevations.

Dave P: When we went out there a catch basin was in a different spot, it looked like what we were using was not the as built.

Ray: Andy was wondering the same thing. It appears as though it may have been a design plan that was then reused as a base map for the changes and did not actually reflect field changes that may have occurred during the construction of the road.

The Board would like maps to match the site.

A **Motion** to extend the public hearing was made by William Ogden, seconded by Nicki Anzivina. All ayes.

## **Administrative Business**

### **Solar Ordinance Review**

The Board reviewed the revised solar ordinance drafted by Bill Ogden and the Solar Model Law draft, submitted by Peter Brooks, which infuses the two documents together. (See attached)  
Minor changes will be made and a revised draft will be submitted.  
The Board would like the attorneys' feedback.

A **Motion** to approve the August 18, 2016 Planning Board Workshop minutes, as edited, was made by Fred Pizzuto, seconded by William Ogden. All ayes with Lawrence Hammond abstained.

A **Motion** to approve the August 25, 2016 Planning Board Meeting, as edited, was made by Lawrence Hammond, seconded by William Ogden. All ayes. 8:10pm