



Historic Town of Hyde Park

Planning Board
4383 Albany Post Road
Hyde Park, NY 12538
(845) 229-5111, Ext. 2

"Working with you for a better Hyde Park"

March 16, 2022, 6:00 PM
PUBLIC HEARING/WORKSHOP/REGULAR MEETING
OF THE HYDE PARK PLANNING BOARD

The Hyde Park Planning Board Meeting is scheduled to be conducted **remotely via Zoom** as authorized by New York State Legislation Bill A8591, amending the Open Meetings Law. If this authority is repealed prior to the meeting, then **the alternative** would be to meet in person at the Town Hall at 4383 Albany Post Road, Hyde Park, NY 12538. Please check the Planning Board agenda on the Town's Website at <https://www.hydeparkny.us/AgendaCenter>, 24 hours prior to the meeting time to determine the final meeting location.

To participate in any scheduled public hearing or attend the meeting by videoconference via Zoom;

Please click on the following link:

<https://us02web.zoom.us/j/89497881986?pwd=bWhKKzJ4cnVnRFpXcHZueDFjOTN0QT09>

Meeting ID: 894 9788 1986

Passcode: 893334

One tap mobile

+19292056099,,89497881986#,,,,*893334# US (New York)

Dial by your location

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Meeting ID: 894 9788 1986

Passcode: 893334

Find your local number: <https://us02web.zoom.us/j/89497881986?pwd=bWhKKzJ4cnVnRFpXcHZueDFjOTN0QT09>

PLEDGE OF ALLEGIANCE

NEW PUBLIC HEARING:

SMALL-O'MALLEY SUBDIVISION

Minor Subdivision Plat Approval 5 lots (#2021-55)

Location: 148 Cream Street, Poughkeepsie 12601

Grid #: 6264-01-210630

CRANSTON GM PV PANELS

Site Plan Approval ground mounted photovoltaic panels (#2021-51)

Location: 162 Crum Elbow Road, Hyde Park, NY 12538

Grid #: 6265-03-073025

WASSER GM PV PANELS

Site Plan Approval ground mounted photovoltaic panels (#2022-03)
Location: 11 Nichris Lane, Staatsburg, NY 12580
Grid #: 6167-01-441910

WORKSHOP:

HYDE PARK QUICK STOP

Site Plan Approval Convenience Store & Fuel Station (#2022-10)
Location: 4912 Albany Post Road, Staatsburg, NY 12580
Grid #: 6066-02-879622

MALCARNE SHOWROOM

Site Plan Approval Exterior Modification (#2022-11)
Location: 4236 Albany Post Road
Grid #: 6064-02-958898

OTHER BUSINESS:

KEY CONSTRUCTION OFFICE/STORAGE UNITS

Site Plan Approval (#2020-30)
Location: 1234 Route 9G
Grid #: 6165-04-524481

DOLLAR GENERAL 1 EAST DORSEY

Site Plan Approval for Extension to meet Conditions of Signature (#2019-04)
Location: 1 East Dorsey Lane, Poughkeepsie, NY 12601
Grid#: 6163-02-504633

PHANTOM FIREWORKS

Site Plan Waiver Approval (#2022-08)
Location: 3969 Albany Post Road
Grid#: 6064-04-967195

ADJOURNMENT:

All reasonable accommodations will be made for persons with disabilities. In such a case, please notify the Planning Board Secretary in advance so that arrangements can be made. *Board Members reserve the right to go into executive session at any time. Agenda items are subject to change in order or may be removed at any time. Draft Resolutions included were those available at this posting and may not be in final form or a complete listing and the Board may choose to remove from consideration at their discretion. All persons interested in a particular application are advised to visit the Town of Hyde Park's website daily. The agenda is posted at www.hydeparkny.us

Remote Public Hearing Procedures for the Town of Hyde Park Planning Board:

- If possible, Town of Hyde Park Virtual Meetings will be live streamed on the town's YouTube Channel: <https://www.youtube.com/channel/UCcb5NmRUM9SwOAL0vwcayrQ/live>
 - a) The public is advised to subscribe to this channel using the above link in order to receive notifications when meetings begin.

Live Public Participation:

- If you would like to participate live via audio and video, or audio only, you must pre-register at least 3 hour before the scheduled hearing. For a Wednesday meeting, registration is required by Wednesday at 3:00 pm.
 - a) To pre-register, you must email the Planning Board Secretary at planningsec@hydeparkny.us and include your exact name and address, as well as the name of the Public Hearing you want to participate in. You will be sent a Meeting ID and Password for you to join the hearing.
 - b) If you login to join the hearing and your screen name does not match your pre-registration name (for example, if you use your spouse's computer, his/her/their name would pop up), you will not be permitted to speak at the meeting.

Written Public Comment for the Hyde Park Planning Board:

- Written comments can be submitted via email or letter before the live Public Hearing, and **within 7 days** after the final Public Hearing. Send your comments to the Planning Board Secretary at 4383 Albany Post Road, Hyde Park, NY 12538 or by email to planningsec@hydeparkny.us
- If you would like your comment read into the record during the live Public Hearing, your comment must be received by **3 p.m.** on the date of the hearing, be able to be read in 3 minutes or less and be relevant to the subject of the public hearing.
 - a) Additionally, we ask that all comments conform to basic standards of civil public discourse and courtesy. Boards will reserve the right to refuse to read into the record obscene comments or comments containing personal attacks on others, but the comment shall be made part of the public record of the hearing.
 - b) Comments longer than 3 minutes will be accepted into the record and distributed to board members but will not be required to be read during the meeting.
 - c) Emails can also be sent during the live Public Hearing and will be entered into the record but will not be required to be read during the meeting.
- You can submit written comments during the live hearing via the Zoom Chat function and should be sent directly to Chairman Dupree.
 - a) Obscene comments and/or personal attacks will not be tolerated and will be deleted from the record.
 - b) Once you are logged in, you will be placed in the Virtual Waiting Room. The moderator will let you into the meeting at the appropriate time. You can watch the proceedings of the meeting via the live stream link while you are waiting. When you enter the meeting, you will be muted to give you time to turn off the volume on the YouTube link to prevent feedback.

**Town of Hyde Park Planning Board
4383 Albany Post Road
Hyde Park NY 12538
(845) 229-5111 Ext. 2
(845) 229-0349 Fax**

**RESOLUTION CLASSIFYING THE ACTION AND REFERRING THE APPLICATION TO
DUTCHESS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT**

Hyde Park Quick Stop

Date: March 16, 2022

Moved By:

Resolution: # 2022-10

Seconded By:

WHEREAS, the applicant, Jatt Boys Properties LLC, has submitted an application for special use permit and site plan approval to demolish an existing gas station and construct a new 3,150 square foot gas station and convenience store, along with related site improvements, at property located at 4912 Albany Post Road, tax parcel no. 6066-02-879622, in the Neighborhood Business District (the "Project"); and

WHEREAS, the project is depicted on a site plan entitled "Hyde Park Quick Stop" prepared by Mauri Architects PC, dated June 22, 2021, last revised March 1, 2022 (the "Site Plan"); and

WHEREAS, gas station uses are permitted in the Neighborhood Business District subject to special use permit and site plan approval; and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form ("EAF") dated March 1, 2022, pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, in accordance with SEQRA, the Planning Board is required to determine the classification of the proposed Project; and

WHEREAS, pursuant to Town of Hyde Park Environmental Quality Review Law § 54-6A(16), the construction or expansion by more than 50% of facilities designed for or capable of storing 5,000 or more gallons of gas or liquid fuels constitutes a Type I action under SEQRA; and

WHEREAS, the Project is located within 500 feet of New York State Route 9, also known as Albany Post Road; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, projects located within 500 feet of a state highway must be referred to the Dutchess County Department of Planning and Development for a report and recommendation thereon.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby:

- 1. Classifies the Project as a Type I under SEQRA;**

2. Declares its intent to serve as lead agency in a coordinated review of the Project and directs its Secretary to send notice of its intent to all involved and interested agencies; and
3. Directs its secretary to refer the Site Plan to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law upon receipt of a revised EAF.

Chairman Dupree
Vice-Chair Dexter
Mr. Guercio
Vice-Chair Oliver
Mr. Waters
Ms. Wasser
Absent Ms. Weiser

Michael Dupree, Planning Board Chair

VOICE VOTE Aye- Absent- Nay- Motion Carried/Denied

Involved and Interested Agencies

NYS Department of Environmental Conservation
 NYS Department of Transportation
 Dutchess County Department of Behavioral and Community Health
 Dutchess County Water and Wastewater Authority
 Town of Hyde Park Zoning Board of Appeals
 Town of Hyde Park Conservation Advisory Council
 Roosevelt Fire District

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**RESOLUTION CLASSIFYING THE ACTION AND REFERRING THE APPLICATION TO
DUTCHESS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT**

Malcarne Showroom

Date: March 16, 2022

Moved By:

Resolution: # 2022-11

Seconded By:

WHEREAS, the applicant, Cream Street Development LLC, has submitted an application for site plan approval to convert an existing building into a retail store and showroom and to make exterior changes to the building at property located at 4236 Albany Post Road, tax parcel no. 6064-02-958898, in the TC-1 Zoning District (the "Project"); and

WHEREAS, the project is depicted on a site plan entitled "Showroom by Malcarne," prepared by Malcarne Contracting Inc., dated January 30, 2022 (the "Site Plan"); and

WHEREAS, general commercial uses are permitted in the TC-1 Zoning District subject to site plan approval; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form ("EAF") dated August 4, 2021, pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, in accordance with SEQRA, the Planning Board is required to determine the classification of the proposed Project; and

WHEREAS, pursuant to 6 NYCRR 617.5(c)(18), the reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law, constitutes a Type II action under SEQRA; and

WHEREAS, the Project is located within 500 feet of New York State Route 9, also known as Albany Post Road; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, projects located within 500 feet of a state highway must be referred to the Dutchess County Department of Planning and Development for a report and recommendation thereon.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby:

- 4. Classifies the Project as a Type II under SEQRA; and**

5. Directs its secretary to refer the Site Plan to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.

Chairman Dupree
Vice-Chair Dexter
Mr. Guercio
Vice-Chair Oliver
Mr. Waters
Ms. Wasser
Ms. Weiser

Absent

Michael Dupree, Planning Board Chair

VOICE VOTE Aye- Absent- Nay- Motion Carried/Denied

DRAFT

TOWN OF HYDE PARK PLANNING BOARD

**Phantom Fireworks Eastern Region / Gardner Van Valkenberg
6064-04-967195
3969 Albany Post Road
SITE PLAN Waiver
Town Code Section 108-9.4 C 1 & 2**

**March 16, 2022
Resolution #: 2022-08**

**Moved By:
Seconded By:**

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Vincent Szabo, Phantom Fireworks Eastern Region, LLC on March 2, 2022, for approvals as required to establish a temporary sales venue for Sparkling Devices, and

Whereas, the proposed change is declared a Type II action under SEQRA, and

Whereas, the applicant has leased a location previously approved and developed under site plan for Park Discount Beverage, and

Whereas, the proposed changes are minor and temporary in nature, and

Whereas, Section 108-9.4 C 1 & 2, allow the Planning Board to waive items of required information and to waive procedures required to obtain site plan approval, and

Whereas, no other changes have been requested at this time and whereas the applicant is required to return to the Planning Board for all other changes to the approved plans, now

THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the proposed temporary change as submitted on February 17, 2022, and on drawings for as submitted and that such request is to be incorporated into the record.

Michael Dupree, Planning Board Chairman

**Chairman Dupree
Vice-Chair Dexter
Mr. John Guercio
Vice-Chair Oliver
Ms. Wasser
Mr. Waters
Ms. Weiser**

VOICE VOTE Aye Absent Nay Motion Carried/Denied

RESOLUTION TO GRANT EXTENSION OF SITE PLAN APPROVAL

Dollar General
1 East Dorsey Lane

Date: March 16, 2022

Moved By:

Resolution: # 2019-04I

Seconded By:

WHEREAS, on October 20, 2021, by Resolution # 2019-04H, the Planning Board granted conditional site plan approval to HSC Hyde Park, LLC to demolish an existing building and construct a new 7,500 sq. ft. retail building along with new access, parking, landscaping, lighting, utilities, and stormwater management at property located at 1 East Dorsey Lane, tax parcel no. 6163-02-504633, in the Neighborhood Business District (the "Project"); and

WHEREAS, site plan approval was conditioned on satisfaction of 2 conditions of approval; and

WHEREAS, pursuant to § 108-9.3E(4)(c) of the Zoning Law, conditional approval of a site plan shall expire 180 days after the date of the resolution granting conditional approval, unless such requirements have been certified as completed; and

WHEREAS, if the conditions of approval are not met, site plan approval for the Project will expire on April 18, 2022; and

WHEREAS, the Planning Board, in its discretion, may grant up to two 90-day extensions of time in which to satisfy the conditions of site plan approval; and

WHEREAS, by letter dated February 24, 2022, the applicant requested an extension of time to satisfy the conditions of approval for the Project; and

WHEREAS, the Planning Board has considered the applicant's request and the circumstances warranting the grant of an extension of conditional site plan approval for the Project.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants the applicant a 90-day extensions of time to satisfy the conditions of site plan approval to and including July 18, 2022.

**Chairman Dupree
Vice-Chair Dexter
Mr. Guercio
Vice-Chair Oliver
Mr. Waters
Ms. Wasser**

Ms. Weiser

Michael Dupree, Planning Board Chair

VOICE VOTE Aye- Absent- Nay- Motion Carried/Denied

DRAFT

**RESOLUTION TO GRANT SITE PLAN APPROVAL
1234 Route 9G – Key Construction**

Date: March 1, 2022

Moved By:

Resolution: #2020-30B

Seconded By:

WHEREAS, the applicant, JASA Properties, LLC (the “Applicant”), has submitted an application for approval of a site plan to construct office space, accessory warehouse space, and self-storage units on an existing 17.277-acre lot located at 1234 Route 9G (the “Property”). Associated improvements include but are not limited to stormwater facilities, on-site parking, individual well, septic system, landscaping, and lighting (the “Project”); and

WHEREAS, the Property is further identified on the Dutchess County Real Property tax maps as Tax Grid No. 133200-6165-04-524481-0000, which property is located in the East Park Business Zoning District (“EPBD”) as per the Town of Hyde Park zoning chapter; and

WHEREAS, the Project is depicted on a site plan submission set entitled “Proposed Office/Self Storage, 1234 Route 9G,” prepared by LRC Group (and architectural elevations and floor plans prepared by Liscom McCormack VanVoorhis), dated June 1, 2021, and last revised February 15, 2022, which drawings are subject to revision based on any conditions which shall be met in accordance with this resolution, as follows:

Index No.	Name	Last Revision Date
CV-1	Cover Sheet	2/15/22
1 of 1	Boundary & Topographic Survey	2/15/22
OP-1	Overall Site Plan	2/15/22
SP-1	Site Plan	2/15/22
SP-2	Site Plan	2/15/22
SG-1	Site Grading/Drainage Plan	2/15/22
SG-2	Site Grading/Drainage Plan	2/15/22
UT-1	Site Utilities	2/15/22
SDS-1	Septic Design Plan	2/15/22
WL-1	Buffer Impact Plan	2/15/22
EC-1	Erosion and Sedimentation Control Plan	2/15/22
EC-2	Erosion and Sedimentation Control Plan	2/15/22
LL-1	Landscape Plan	2/15/22
LL-2	Landscape Plan	2/15/22
LP-1	Lighting Plan	2/15/22
LP-2	Lighting Plan	2/4/22
PH-1	Phasing Plan	2/4/22
DN-1	Site/Details	2/15/22
DN-2	Sanitary Details	2/4/22
DN-3	Stormwater/Water Details	2/4/22
DN-4	Erosion Control Details	2/15/22
A101	First Floor Plan	5/26/21
A201	Exterior Elevations	5/26/21
A202	Commercial Storage Building Elevations	5/26/21
A203	Commercial Storage Building Elevations	5/26/21

Index No.	Name	Last Revision Date
A204	Residential Scale Storage Building Elevations	5/26/21

and;

WHEREAS, on September 21, 2021, the Dutchess County Department of Planning and Development conducted its review in accordance with 239-m of the NYS General Municipal Law, and determined the matter is one of local concern. No further action is required; and

WHEREAS, the Applicant submitted a permit application to the NYS Department of Environmental Conservation on October 26, 2021, to encroach into the 100-foot adjacent area; and

WHEREAS, the Applicant submitted a permit application to the NYS Department of Transportation on December 9, 2021, for the proposed driveway improvements within the Route 9G state right-of-way; and

WHEREAS, on January 19, 2022, the Planning Board, pursuant to the regulations implementing the New York State Environmental Quality Review Act, issued a Determination of Non-significance, i.e., a Negative Declaration, finding that the project will not have a significant adverse impact on the environment; and

WHEREAS, on February 23, 2022, the Hyde Park Zoning Board of Appeals granted an area variance to increase the maximum permissible building scale square footage from 40,000 to 66,914 square feet, in order to construct the proposed commercial buildings;

WHEREAS, on March 3, 2022, the New York State Department of Environmental Conservation (NYSDEC) validated the on-site DEC-regulated wetlands, which validation expires on March 3, 2027; and

WHEREAS, a duly noticed public hearing on the Project was opened on November 3, 2021, and closed on March 2, 2022, during which time all individuals who wished to speak were heard. After the close of the public hearing, the public was afforded an additional seven (7) days to submit written comments, and none were received.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants site plan approval to the Project and authorizes the Chair or his authorized designee to sign the Site Plan Set after compliance with the following conditions:

- 1. Payment of all fees and escrow.**
- 2. Final review of the site plan set by the Town Engineer and Zoning Administrator.**
- 3. All LED lighting shall be a maximum of 3000 Kelvin.**
- 4. Approval of the methods of water supply and wastewater disposal from Dutchess County Department of Behavioral and Community Health. The site plan shall be revised to comply with any conditions of said approval.**

5. Issuance of a permit from the NYSDEC for encroachment into the 100-foot adjacent area. The site plan shall be revised to comply with any conditions of said approval.
6. Issuance of a permit from the NYSDOT for approval of the driveway entrance. The site plan shall be revised to comply with any conditions of said approval.
7. Approval of the Stormwater Pollution Prevention Plan and Stormwater Management Permit by the Town Engineer and Stormwater Management Officer.
8. Revision of the Site Plan Set as follows:
 - a. Update the wetland boundaries on the site plan to be consistent with the validation map.

BE IT FURTHER RESOLVED, that should the issuance of any permits set forth above necessitate revisions to the site plan site, the Zoning Administrator may refer the Site Plan back to the Planning Board for review and approval.

BE IT FURTHER RESOLVED, that prior to the Zoning Administrator authorizing issuance of a building permit, the applicant shall provide the Planning Board with a .pdf of the fully signed Site Plan Set.

Absent

Vice-Chair Dexter
 Mr. Guercio, Jr.
 Ms. Kane
 Vice-Chair Oliver
 Ms. Wasser
 Mr. Waters
 Ms. Weiser

Anne Dexter, Planning Board Vice Chairperson

VOICE VOTE Aye- Absent- Nay- Motion Carried/Denied