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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"*

**November 2, 2022, 6:00 PM**  
**PUBLIC HEARING/WORKSHOP/REGULAR MEETING**  
**OF THE HYDE PARK PLANNING BOARD**

**Meeting to be held in the Hyde Park Town Hall, 4383 Albany Post Road**

**PLEDGE OF ALLEGIANCE**

**NEW PUBLIC HEARING:**

**KO STORAGE OF STAATSBURG (formerly Hutchins Staatsburg Storage)**

Site Plan Approval Extension of all deadlines (#2022-54)  
Location: 4920 Albany Post Road, Staatsburg, NY 12580  
Grid #: 6066-02-891661

**CONTINUED PUBLIC HEARING:**

**SMALL-O'MALLEY SUBDIVISION**

Minor Subdivision Plat Approval 5 lots (#2021-55)  
Location: 148 Cream Street, Poughkeepsie 12601  
Grid #: 6264-01-210630

**WORKSHOP:**

**VERIZON WIRELESS TOWER 9G**

Site Plan & Special Use Permit Approvals Telecommunications (#2022-52)  
Location: Route 9G at St Andrews Rd., Hyde Park, NY 12538  
Grid #: 6164-03-494023

**OTHER BUSINESS:**

**ENCLAVE AT HYDE PARK**

Extension of Special Use Permit and Site Plan Approvals (#16-49)  
Location: Cream Street at Long Branch Road  
Grid#: 6263-01-475939 (1 of 30 grid #s available upon request)

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**TOP TIER AUTOMOTIVE**

Sign Permit Recommendation (#2022-55)

Location: 487 Violet Avenue, Poughkeepsie, NY 12601

Grid #: 6163-01-482622

**Hyde Park Town Center North-Building #2**

Sign Permit Recommendation (#2022-56)

Location: 4272-4288 Albany Post Road, Hyde Park, NY 12538

Grid #: 6065-04-933017

**Hyde Park Town Center South- Park Plaza**

Site Plan Amendment Change in Use/Tenancy (#2022-57)

Location: 4240-4260 Albany Post Road, Hyde Park, NY 12538

Grid #: 6064-02-965956

**Set Planning Board Meeting Schedule for 2023**

**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](http://www.hydeparkny.us)

Town of Hyde Park  
Planning Board  
4383 Albany Post Road  
Hyde Park, NY 12538  
Phone: 845-229-5111, Ext. 2

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**RESOLUTION TO GRANT EXTENSION OF TIME TO COMMENCE CONSTRUCTION**

**KO Storage of Staatsburg, LLC (f/k/a Staatsburg Storage)**

**Date: November 2, 2022**

**Moved By:**

**Resolution: # 2022-54**

**Seconded By:**

WHEREAS, on July 15, 2020, by Resolution #2019-20B, the Planning Board granted the prior applicant, Tinkelman Architecture PLLC on behalf of 4920 LLC (the "Prior Applicant"), site plan amendment approval to install additional exterior storage units and make other associated site improvements including drainage, parking and landscaping at an existing self-storage facility located at 4920 Albany Post Road, identified as Tax Grid No. 6066-02-891661 (the "Site"), in the Neighborhood Business District (the "Project"); and

WHEREAS, the approved site plan for the Project was signed by the Planning Board Chairperson on August 17, 2020; and

WHEREAS, pursuant to Section 108-9.6A of the Zoning Law, an approved site plan shall be void and the building permits, if any, revoked, if substantial construction is not started within one year and the entire project or approved phase is not completed within two years of the signing of the site plan; and

WHEREAS, pursuant to Section 108-9.6B of the Zoning Law, the Planning Board may, at its discretion, after conducting a public hearing, grant an extension to an approved site plan; and

WHEREAS, on March 7, 2020, by Executive Order 202, the Governor of the State of New York declared the outbreak of the novel coronavirus, COVID-19, an emergency in the State; and

WHEREAS, by a series of Executive Orders up to and including Order 202.67, the time limit for the filing of any process or proceeding as prescribed by any statute, local law, ordinance, order, rule or regulation, or part thereof, was tolled until November 3, 2020 as necessitated by the COVID-19 state of emergency; and

WHEREAS, by Resolution #2019-20C, dated July 7, 2021, the Planning Board granted the Prior Applicant a one-year extension of time to commence substantial

construction of the Project to November 3, 2022 and to complete construction to November 3, 2023; and

WHEREAS, the extension of time granted by the Planning Board by Resolution #2019-20C also incorporated the tolling period of 78 days (from August 17, 2020 to November 3, 2020); and

WHEREAS, the Site has been sold by the Prior Applicant to a new owner named KO Storage of Staatsburg, LLC (the "Applicant"); and

WHEREAS, by letter dated October 17, 2022, the Applicant requested a one-year extension of the time to commence substantial construction; and

WHEREAS, a duly noticed public hearing was held on November 2, 2022 during which time all those who wished to speak were heard; and

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants the applicant a one-year extension of time to commence substantial construction of the Project as shown on the approved site plan to November 3, 2023 and to complete construction to November 3, 2024.**

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

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**Michael Dupree, Planning Board Chairperson**

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

Town of Hyde Park Planning Board  
4383 Albany Post Road  
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**RESOLUTION ADOPTING A SEQRA DETERMINATION OF SIGNIFICANCE  
NEGATIVE DECLARATION**

**Small Subdivision**

**Date: November 2, 2022**

**Moved By:**

**Resolution: # 2021-55A**

**Seconded By:**

WHEREAS, the applicant, Joseph Small, has submitted an application for subdivision approval to subdivide an existing lot containing a one-family dwelling into a total of 5 lots (the "Project"), on property located at 148 Cream Street, identified as tax parcel no. 6264-01-210630 in the Greenbelt Zoning District (the "Property"); and

WHEREAS, the Project is depicted on a subdivision plat entitled "Small Subdivision" prepared by Hudson Land Design Professional Engineering P.C., dated March 1, 2022, last revised October 27, 2022 (the "Subdivision Plat"); and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form ("EAF") dated December 13, 2021 and most recently updated on October 27, 2022, pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, by Resolution #2021-55, dated December 1, 2021, pursuant to Hyde Park Environmental Quality Review Law § 54-6A(29), the Planning Board classified the Project as a Type I action under SEQRA and declared its intent to serve as lead agency in a coordinated review, to which no other agency has objected; and

WHEREAS, the Planning Board has reviewed the EAF, including the reasoning set forth in parts 2 and 3 of the EAF dated November 2, 2022, and all available information concerning the potential impacts of the Project and found that the Planning Board has sufficient information on which to base a determination of significance; and

WHEREAS, the Planning Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby determines that the Project as proposed will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared.**

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

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**Michael Dupree, Planning Board Chairperson**

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

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

WHEREAS, the Zoning Administrator has recommended that the Planning Board waive the requirement for a public hearing pursuant to Section 108-9.4C (2), minor changes requiring a building permit.

WHEREAS, the Planning Board classifies the Project as a Type II SEQRA action and waives the requirement for a public hearing upon recommendation of the Zoning Administrator; and

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby approves the Amended Site Plan drawings submitted May 13, 2022 and authorizes the secretary to include this project request into the file after compliance with the following conditions:**

- 1. Payment of all fees and escrow.**
- 2. Submittal of an updated parking analysis table reflecting suite numbering, and square footage in building 1E.**

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

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**Chairman Dupree , Planning Board Chair**

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

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

**RESOLUTION TO GRANT TWO-YEAR EXTENSION OF TIME TO COMPLETE  
CONSTRUCTION  
AND  
TO RECOMMEND AMOUNT OF FINANCIAL SECURITY**

**The Enclave (f/k/a The Meadows)  
Two-Family Homes and Membership Club**

**Date: November 3, 2022**

**Moved By:**

**Resolution: # 16-490**

**Seconded By:**

WHEREAS, on September 20, 2017, by Resolution #16-49D, the Planning Board granted conditional site plan and special use permit approval to the applicant, 54-Hyde LLC, to establish 25 residential lots containing two-family homes (50 units) and a Membership Club (with separate lots for water and sewer service) in the Greenbelt District in connection with the resubdivision of 116.74 acres (the "Project"); and

WHEREAS, the Project is located at Cream Street, Hyde Park, within the Greenbelt Zoning District, and identified as Tax Grid Numbers:

- 6263-01-470921, 6263-01-478912, 6263-01-487905,
- 6263-01-498899, 6263-01-495841, 6263-01-484840,
- 6263-01-472842, 6263-01-460847, 6263-01-459862,
- 6263-01-473883, 6263-01-480868, 6263-01-492864,
- 6263-01-495876, 6263-01-475939, 6263-01-436890,
- 6263-01-447937, 6263-02-522891, 6263-02-533893,
- 6263-02-543897, 6263-02-552902, 6263-02-562910,
- 6263-02-568880, 6263-02-559875, 6263-02-549869,
- 6263-02-538869, 6263-02-517869, 6263-02-514859,
- 6263-02-509847, 6263-02-675871, 6263-02-585865

(the "Site"); and

WHEREAS, by resolution dated March 22, 2017, the Zoning Board of Appeals granted the applicant a variance to change the average density in the Greenbelt District from 2.5 acres per dwelling unit to 1.41 acres per dwelling unit; and

WHEREAS, on April 27, 2022 the ZBA granted the applicant a fifth one-year extension of the time to exercise the variance; and



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WHEREAS, the site plan was signed by the Chairperson on June 11, 2019; and

WHEREAS, pursuant to Section 108-9.6(a), "An approved site plan shall be void and the building permits, if any, shall be revoked if substantial construction is not started within one year and the entire project or approved phase is not completed within two years of signing of the site plan or site plan amendment by an authorized officer of the Planning Board;" and

WHEREAS, pursuant to Section 108-9.6(b) "The Planning Board may, at its discretion, after conducting a public hearing, grant an extension to an approved site plan. The applicant shall submit a written request 30 days prior to the site plan date of expiration, requesting an extension for a specified time and the reason therefor;" and

WHEREAS, on August 19, 2020, by Resolution # 16-49N, the Planning Board granted the Applicant a two-year extension of the time to start substantial construction of the Project to June 11, 2022 and the time to complete construction of the Project to June 11, 2023; and

WHEREAS, the applicant has timely requested a second extension of time to start substantial construction of the Project; and

WHEREAS, the Planning Board held a duly noticed public hearing on July 22, 2022, which all those who wished to speak were heard; and

WHEREAS, the applicant has extended the time for the Board to make a decision after the close of the public hearing to November 3, 2022, to allow the applicant's engineer and Town Engineer to review estimates for financial security for completion of infrastructure improvements; and

WHEREAS, pursuant to section 108-9.3H of the Zoning Law, the Planning Board may require financial security to cover the cost of installation of required infrastructure and improvements as estimated by the Planning Board on the recommendation of the Town Engineer; and

WHEREAS, on December 6, 2017, by Resolution # 16-49E, the Planning Board, based on the recommendation of the Town Engineer, accepted estimates for financial security for infrastructure costs to be provided by the Applicant, specifically (a) \$355,300 for the Sewer Plant; (b) \$319,000 for the Water Plant; (c) \$315,000 for road construction based on the original scope of work from February 2008; and (d) \$190,000 for road construction based on additional work proposed in September 2017; and

WHEREAS, by Agreement dated July 24, 2018, the Town Board agreed to substitute irrevocable letters of credit and a security agreement for cash from a forfeited performance bond; and

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WHEREAS, the cost of the infrastructure work to be performed has changed significantly since 2017 based on a number of factors beyond the control of the Planning Board or the Applicant and based on continued construction of the improvements; and

WHEREAS, the Town Engineer has provided the Planning Board with revised estimates for the cost of installation of required infrastructure and improvements.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board grants the applicant a two-year extension of the time to start substantial construction of the Project to June 11, 2024 and the time to complete construction of the Project to June 11, 2025.**

**BE IT FURTHER RESOLVED, that the Planning Board hereby accepts the following updated estimates for financial security for infrastructure costs to be provided by the Applicant:**

- 1. Wastewater Plant in the amount of \$240,240.00;**
- 2. Water Plant in the amount of \$67,600.00;**
- 3. Road Construction including associated storm drainage in the amount of \$568,700.00;**

**BE IT FURTHER RESOLVED, that the Planning Board recommends to the Town Board that it accept financial security in said amounts, subject to approval as to form and substance by the Attorney of the Town.**

**BE IT FURTHER RESOLVED, that upon completion of the wastewater treatment system and prior to the Zoning Administrator authorizing a building permit for the first dwelling unit, the Applicant shall post a maintenance bond or letter of credit with the Town pursuant to Section 119 of the Transportation Corporation Law in an amount to be determined by the Town Engineer.**

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

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**Michael Dupree, Planning Board Chairperson**

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

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**Town of Hyde Park Planning Board  
4383 Albany Post Road  
Hyde Park, NY 12538  
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**RESOLUTION RECOMMENDATION for ISSUANCE OF SIGN PERMIT  
PURSUANT TO TOWN CODE SECTION 108-24.3 A (4) (d)**

**Top Tier Automotive  
Wall Sign  
Parcel 6163-01-482622**

**Date: November 2, 2022  
Resolution: #2022-55**

**Moved By:  
Seconded By:**

**WHEREAS**, Clark and Gatto Enterprises LLC on October 19, 2022, submitted an application for a wall sign on the building at 487 Violet Avenue, associated with a new business moving into an existing auto repair facility, in the Neighborhood Business District; and

**WHEREAS**, the sign is at least 50 feet from the entry drive onto the property and is eligible for a relaxation of the standards of one inch for every 20 feet; and

**WHEREAS**, the sign is otherwise code compliant for sign area and letter height; and

**WHEREAS**, the existing bar type, down lighting will not be replaced; and

**NOW THEREFORE BE IT RESOLVED**, the Board hereby recommends the Zoning Administrator issue the sign permit for Top Tier Automotive as requested on the application received 10/19/22.

**Michael Dupree, Planning Board Chair**

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

**Voice Vote                      Aye-    Nay-    Absent-                      Motion Carried/Denied**

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**RESOLUTION GRANTING DISCRETIONARY BONUS TO  
INCREASE MAXIMUM SIZE OF LETTER, SYMBOL OR GRAPHIC  
PURSUANT TO TOWN CODE SECTION 108-24.2F(2)**

**Dutchess County Board of Elections Training Center  
Building 2 Hyde Park Town Center North  
4272-4288 Albany Post Road, Hyde Park, NY 12538  
Parcel : 6065-04-933017**

**Date: November 2, 2022  
Resolution: #2022-56**

**Moved By:  
Seconded By:**

**WHEREAS**, Amy Argyrakis, representing N & N Hyde Park LLC, on October 21, 2022 submitted an application for a wall sign on Building 2 on the approved site plan for Hyde Park Town Center North at 4272 – 4288 Albany Post Road; and

**WHEREAS**, the proposal is detailed on illustrations dated July 13, 2022 revised September 20, 2022, by GNS Group, where the letters forming the word “Dutchess County Board of Elections Training Center” are code compliant at a maximum height of 10 inches, and

**WHEREAS**, the graphic county symbol proposed at 21 inches exceeds the maximum size of 10 inches in any direction; and

**WHEREAS**, pursuant to Section 108-24.2F(2)(a), the Planning Board may grant an increase in the maximum size of any symbol or graphic by 1 inch for every 20 feet a wall sign for a business or structure is set back from its primary access roadway to a maximum of 24 inches, if it finds that 1) the additional size is necessary or appropriate due to the sign’s distance from the road, the design speed of the road or the size of the building on which the sign is placed; or 2) the symbol or graphic is of special aesthetic merit; and

**NOW THEREFORE BE IT RESOLVED**, that the Board makes the following findings to permit a maximum symbol size of 21.0 inches for the proposed Dutchess County symbol:

- 1. The additional size of the symbol is appropriate given its relationship to the size of the building and,**
- 2. The increase in size for the symbol is appropriate due to the distance of the wall sign from the site entrance.**

**BE IT FURTHER RESOLVED**, that the Board hereby grants the applicant the requested relaxation of the standard symbol size from 10 inches to 21 inches for the Dutchess County symbol as part of the wall sign that is approximately 235 feet from the primary access on Route 9; and

**BE IT FURTHER RESOLVED**, that the Planning Board recommends issuance of a sign permit for the wall sign for Dutchess County Board of Elections by the Zoning Administrator.

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**Michael Dupree, Planning Board Chair**

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

**Voice Vote            Aye-    Absent-    Nay-                    Motion Carried/Denied**

Town of Hyde Park Planning Board  
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**RESOLUTION TO GRANT SITE PLAN AMENDMENT APPROVAL**

**Hyde Park Town Center Park Plaza  
Change in Tenancy of Suite 3 from Medical Veterinary to Commercial Retail  
And to combine Suites 2 and 3**

**Date: November 2, 2022**

**Moved By:**

**Resolution: # 2022-57**

**Seconded By:**

WHEREAS, the applicant, Cosimo Town Center LLC, has submitted a request for a site plan amendment approval to authorize the change of tenancy in Suite 3 from Medical to General Commercial, Retail and to combine the space with Suite 2 (the "Project"),

WHEREAS, the previous tenant of Suite 3 had received a special use permit and site plan approval for a Medical use, and that approval is now voided with the change in tenancy to a use that does not require a Special Use Permit, and

WHEREAS, the parking table of uses on the approved site plan had one extra parking space assigned to Suite 2 and Suite 3 requires an additional space, the requirements for parking are met, and

WHEREAS, the project is in an existing shopping center located at 4240-4260 Albany Post Road, Tax Parcel No. 6064-02-965956, in the Town Core PW-2 Zoning District (the "Property"); and

WHEREAS, the Project is depicted on a site plan entitled "Hyde Park Town Center, ALTA/ASCM Land Survey dated 5/15/12 Sheet 2 of 3 and Degraw Dehaan Park Plaza Sheet A 101 Existing Plan dated 9/22/20, and

WHEREAS, general commercial uses are permitted in the Town Core PW-2 District subject to site plan approval; and

WHEREAS, the applicant previously submitted a Short Environmental Assessment Form ("EAF"), pursuant to the State Environmental Quality Review Act ("SEQRA"); and

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

WHEREAS, the Zoning Administrator has recommended that the Planning Board waive the requirement for a public hearing pursuant to Section 108-9.4C (2), minor changes requiring a building permit.

WHEREAS, the Planning Board classifies the Project as a Type II SEQRA action and waives the requirement for a public hearing upon recommendation of the Zoning Administrator; and

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby approves the Amended Site Plan drawings submitted May 13, 2022 and authorizes the secretary to include this project request into the file after compliance with the following conditions:**

- 1. Payment of all fees and escrow.**
- 2. Submittal of an updated parking analysis table reflecting suite numbering, and square footage in building 1E.**

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

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**Chairman Dupree , Planning Board Chair**

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