



## Historic Town of Hyde Park

4383 Albany Post Road  
Hyde Park, NY 12538  
**Zoning Board of Appeals**  
**P:** (845) 229-5111, Ext. 2  
**E:** zbasec@hydeparkny.us

*“Working with you for a better Hyde Park”*

## Agenda for Regular Meeting ZONING BOARD OF APPEALS

**Wed., January 26, 2022 6:00 PM**

*This meeting will be held in person. All those who wish to speak may attend,  
or watch the meeting broadcast live on Channel 22. Attendees are required to wear a face covering.*

*If you wish to speak but cannot attend— written comments are due by 4:00pm on the day of the meeting.  
Email to zbasec@hydeparkny.us | Or mail to ATTN: ZBA Secretary, 4383 Albany Post Road, Hyde Park, NY 12538*

Meeting begins 6:00pm  
Pledge of Allegiance

### **Continued Public Hearings:**

- #21-15z**      Camp Victory Lake  
277 Crum Elbow Road  
Hyde Park, NY 12538  
Tax Grid No. 6265-04-630350  
**Area Variance – Section 108-5.15 Bulk Regulations**  
Change maximum permitted building height from 35 feet to 47.5 feet for construction of a stadium-style sanctuary space in the Greenbelt District.  
**Area Variance – Section 108-4.3 G(2)(a)**  
Change stream corridor setback from 100 feet to 0 feet from the Fall Kill Creek for a stream crossing and other construction incursions in the Greenbelt District.
- #21-19z**      Rite Aid Pharmacy  
1 Crum Elbow Road  
Hyde Park, NY 12538  
Tax Grid No. 6162-03-429214  
Located in East Park Business District  
**Area Variance – Section 108-24.2 C(1)(a)**  
Change total square footage allowed of all wall-mounted signs on a single lot from 100 square feet up to 239.375 square feet.  
Change single sign area (sq. ft.) of 1 square foot for every 1 foot of linear storefront to 4.16 square feet for every 1 foot of linear storefront to allow larger wall-mounted signs.

**Area Variance – Section 108-24.2 C(1)(b)**

Change total number of allowed freestanding signs per business per lot from 1 to 2 signs.

Change maximum height of decorative elements on a freestanding sign from 8 feet up to 11 feet.

**Area Variance – Section 108-24.2 C(1)(d)**

Change maximum single wall-mounted sign area from 32 square feet up to 107.25 square feet, for two signs.

**Area Variance – Section 108-24.2 C(3)(b)**

Change total sign area of safety signs from 2 square feet up to 4 square feet.

**Area Variance – Section 108-24.2 F(2)(a)**

Change maximum symbol dimensions from 10 inches up to 19.5 inches for two freestanding signs; and maximum symbol dimensions from 10 inches up to 50.875 inches for two wall-mounted signs.

**Area Variance – Section 108-24.2 F(2)(b)**

Change maximum letter height from 10 inches up to 21.375 inches on two wall-mounted signs.

For full details regarding this application, please visit

<https://www.hydeparkny.us/617/Applications> or visit the Zoning Office during normal business hours to view the file.

**New Public Hearings:**

**#21-20Z**

Samuel & Stephanie Cooper  
44 Beck Road  
Poughkeepsie, NY 12601  
Tax Grid No. 6263-01-191910

**Area Variance – Section 108-4.3 G(2)(a)**

Change stream corridor setback from 100 feet to 33 feet from a waterbody in the Fall Kill Creek watershed to replace a deck on a house already within the stream corridor on property in the Greenbelt District.

**#21-21Z**

Key Construction  
1234 Route 9G  
Hyde Park, NY 12538  
Tax Grid No. 6165-04-524481

**Area Variance – Section 108-5.15 Bulk Regulations**

Change maximum permitted building scale from 40,000 square feet to 64,016 square feet for the construction of an office space, warehouse, and storage units on a 17.2-acre parcel in the East Park Business District.

**New Application Introduction:**

**#22-01Z**

Speedway  
3694 Albany Post Road  
Poughkeepsie, NY 12601  
Tax Grid No. 6063-04-992465

**Use Variance regarding commercial signage** – to allow internally lit, toggleable message above digital gas prices on all dispensers at gas station, while no internally lit signs are permitted in the Town of Hyde Park.

New & Old Business  
Adjourn

Next meeting: Wed., February 23, 2021

*\*\* Agendas are subject to change.*

Town of Hyde Park  
**ZONING BOARD OF APPEALS**  
4383 Albany Post Road  
Hyde Park NY 12538  
(845) 229-5111

**RESOLUTION TO GRANT AREA VARIANCE**

Samuel & Stephanie Cooper  
44 Beck Road

**Date: January 26, 2022**

**Motion:** \_\_\_\_\_

**Resolution # 21-20Z**

**Second:** \_\_\_\_\_

WHEREAS, the applicants, Samuel & Stephanie Cooper have submitted an application for an area variance for a stream corridor incursion toward a waterbody within the Fall Kill Creek watershed from 100 feet to 33 feet to replace a wooden deck on a house already within the stream corridor (the “Project”), located at 44 Beck Road, Poughkeepsie, NY 12601, identified as tax parcel no. 6263-01-191910, in the Greenbelt Zoning District (the “Site”); and

WHEREAS, the Project is already complete, and shown in photographs submitted by the applicant on November 24, 2021; and

WHEREAS, the applicant seeks an area variance from Zoning Law Section 108-4.3 G (2) to permit a stream corridor incursion of 33 feet where 100 feet is required; and

WHEREAS, pursuant to 6 NYCRR 617.5(c)(17), the granting of an area variance for a single-family, two-family or three-family residence is a Type II action under the State Environmental Quality Review Act and is not subject to review under the Act; and

WHEREAS, a duly noticed public hearing was held on January 26, 2022 at a regular meeting during which all those who wished to speak were heard; and

WHEREAS, the applicable standards for considering an area variance are set forth in Town Law Section 267-b and Hyde Park Zoning Law Section 108-33.6(B)(2) which require the Board to take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, and welfare of the general neighborhood or community by such grant.

NOW THEREFORE BE IT RESOLVED, that the Zoning Board of Appeals makes the following findings in accordance with Section 267-b of the Town Law and Hyde Park Zoning Law Section 108-33.6(B)(2) regarding the Requested Variance:

1. The Requested Variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.

The requested variance conforms to the character of nearby properties. Many of the houses in this area encroach into the stream corridor, and have decks leading to their front door.

As this pervious deck replaces older concrete steps, it will be a visual improvement to the house; and it decrease the chance of negative impacts to the waterbody via stormwater runoff.

- 2. The benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance.

The existing house is already within the 100-foot stream (pond) corridor. This deck provides access to the front door – without a variance for a structure here, the applicants would not be able to use the door.

- 3. The Requested Variance is numerically substantial. The applicant has requested a stream corridor incursion of 33 feet, which is encroaching 77 feet into the setback.
- 4. The Requested Variance will not have an adverse effect or impact on the physical or environmental conditions in the general neighborhood or district. The old steps were built of impervious concrete, therefore increasing stormwater runoff into the pond; and those steps have been replaced with pervious decking. This change will benefit the environment.
- 5. The difficulties are self-created.

BE IT FURTHER RESOLVED, that the Zoning Board of Appeals hereby grants the Requested Variance subject to the following condition(s):

- 1. Payment of all fees.

Adopted:

ROLL CALL VOTE BY SECRETARY

James Agrawal        \_\_\_  
Gerald Bowen        \_\_\_  
Paul Donnelly        \_\_\_  
Richard Perkins     \_\_\_  
David McNary        \_\_\_        \_\_\_