



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 If this authority is repealed prior to the meeting, then **the alternative** would be to meet in person at the Town Hall at 4383 Albany Post Road, Hyde Park, NY 12538.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

+1 929 205 6099 US (New York)

Meeting ID: 894 9788 1986

Passcode: 893334

Find your local number: <https://us02web.zoom.us/u/kbwbxk45rC>

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