



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

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"Working with you for a better Hyde Park"

June 21, 2023, 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

CONTINUED PUBLIC HEARINGS:

CAMP VICTORY LAKE MASTER PLAN & PHASE 1 CHURCH

Site Plan & Special Use Permit Approvals (#2018-66)

Location: 277 Crum Elbow Road, 232 & 262 Cardinal Road, Hyde Park, NY 12538

Grid #s: 6265-04-630350, -539445, 6265-02-721505, 6265-04-672479,
-681487, -712479

HYDE PARK TOWN CENTER NORTH-READY COFFEE

Site Plan Amendment Approval (#2021-15)

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

Grid #: 6065-04-933017

OTHER BUSINESS:

BELLEFIELD PUD PHASE II FINAL DEVELOPMENT PLAN

Final Development Plan Approval (#2022-27)

Location: 15 West Dorsey Lane, Hyde Park, NY 12538

Grid#: 6163-01-131849

WORKSHOP:

CIA HOTEL & VILLAS

Site Plan Approval Hotel & Villas (#2019-39)

Location: 1995-2066 Campus Road, 483-487 & 3957 Albany Post Road, Hyde Park,
NY 12538

Grid #s: 6064-04-965164, -932144, 6063-02-889857

WINNAKEE LAND TRUST LOT-LINE ALTERATION

Minor Subdivision Approval 2 lots (#2023-19)

Location: 991-995 N. Quaker Lane, Staatsburg, NY 12580

Grid #: 6267-03-444254, -485178

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OTHER BUSINESS:

SMAJDA, JOHN & DAWN

Site Plan Waiver replacement windows(#2023-36)

Location: 69 Garden Street, Hyde Park, NY 12538

Grid #: 6064-08-851815

PICARD, ERIK & MICHELLE

Site Plan Waiver roof mounted photovoltaic panels(#2023-37)

Location: 12 Terwilliger Road, Hyde Park, NY 12538

Grid #: 6164-01-019658

KOCH, STEPHEN

Site Plan Waiver above ground pool (#2023-38)

Location: 26 Huyler Drive, Hyde Park, NY 12538

Grid #: 6066-04-744119

EAST PARK DELI AND GROCERY

Site Plan Approval Exterior Modification (#2022-07)

Location: 1106 Violet Avenue, Hyde Park, NY 12538

Grid #: 6165-03-424169

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

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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 CONDITIONAL SITE PLAN APPROVAL

Ready Coffee

Date: June 21, 2023

Moved By: _____

Resolution #: 2021-15A

Seconded By: _____

WHEREAS, the applicant, N&N Hyde Park LLC, has submitted an application for amended site plan approval to construct a new 512 sq. ft. single-story, drive-thru retail facility at property located at 4272-4288 Albany Post Road, tax parcel no. 6065-04-933017, in the Town Core District, Pine Woods Priority Redevelopment Subarea 1 ("PW-1) (the "Project"); and

WHEREAS, the Project is depicted on a site plan entitled "Hyde Park Town Center North – Amended Site Plan – Ready Coffee" prepared by Berger Engineering and Surveying, dated June 11, 2022, Sheets No. T-1 (last revised 6/9/23), EX-1 (last revised 6/9/23), SP-1 (last revised 6/9/23), SP-2 (last revised 6/2/23) and SP-3 (last revised 6/2/23), and Sheets L-1 (last revised 3/25/23), L-2 (last revised 3/25/23) and L-3 (last revised 5/22/23) prepared by the Michael Boice Collaboration; Elevations prepared by Michael Berta, AIA Sheets AP-1, -2 -3, dated June 19, 2023 and AP-4 (LT 1), and -5 (LT-2), dated June 12, 2023 (together, the "Site Plan Set"); and

WHEREAS, a one-story shopfront is permitted in PW-1 subject to Planning Board approval; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form ("SEAF") dated January 4, 2022, pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, on August 3, 2022, the Planning Board classified the Project as a Type II SEQRA action pursuant to 6 NYCRR § 617.5(c)(9), the construction or expansion of a non-residential structure or facility involving less than 4,000 square feet of gross floor area, and 6 NYCRR § 617.5(c)(18), reuse of a residential or commercial structure, where the residential or commercial use is a permitted use in the district; and

WHEREAS, the Dutchess County Department of Community and Behavioral Health has advised the Planning Board by email dated May 31, 2023 that up to 20

outdoor seats would be permitted for the Project without the need for a public restroom;
and

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WHEREAS, by letter dated June 16, 2023, the Zoning Administrator advised that the Project did not require any area variances; and

WHEREAS, the Planning Board has determined that the off-street parking, which is shared between several uses within the Property, is reasonable and appropriate; and

WHEREAS, the Project was referred to the Dutchess County Department of Planning and Development (“DCDPD”), which responded on June 7, 2023 that the board should not grant site approval unless their conditions have been met; and

WHEREAS, DCDPD comments have been previously addressed and discussed at length by the Board; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, a supermajority vote of the Planning Board is required to approve an action contrary to the recommendation of the DCDPD; and

WHEREAS, a duly noticed public hearing was opened on May 3, 2023, and closed on June 21, 2023 during which all who wish to speak were heard.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby waives the requirement for a 6-ft wide sidewalk for the utility path from the proposed new building to the dumpster as it is an interior sidewalk which is intended to be used by staff and a compliant pathway is provided elsewhere on the Project site; and

BE IT FURTHER RESOLVED, that the Planning Board hereby approves the Site Plan Set 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. Approval by the Dutchess County Department of Behavioral and Community Health for the methods of water supply and wastewater disposal.**
- 3. Approval of the Site Plan Set by TEG Credit Union, as evidenced by an authorized representative of TEG Credit Union signing the Site Plan Set.**

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- 4. Approval by the Attorney to the Planning Board of a cross-access easement with TEG Credit Union and recordation of same with the Dutchess County Clerk.
- 5. Revision of the Site Plan Set to remove the western most parking space in the grouping of four spaces at the northern end of the Project site and to recenter the remaining three spaces.
- 6. Revision of Note 6 on Sheet T-1 to read as follows: This Site Plan is for a drive-thru serving beverages and commercially prepackaged items, including snacks, food and grab-n-go items, or items that require no or minimal assembly, but no cooking at the time of customer order. Made to order food or meals, or meals cooked on premises at the time of order, are not proposed nor permitted as part of this approval and would require a site plan amendment.
- 7. Revision of Sheet T-1 to include a Note 7 to read as follows: Any changes to the use, function or appearance of the building shall require a site plan amendment.
- 8. Revision of the Site Plan Set to include a note that Kelvin values will not exceed 3,000K.
- 9. Revision of the Site Plan Set to include a note that lightpole bases will be painted black.

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

Michael Dupree, Planning Board Chairperson

Roll Call (Supermajority)

Aye- Absent- Nay- Abstain- Motion Carried/Denied

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

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RESOLUTION TO APPROVE THE SIGN MANUAL AND UTILITY PLAN

Bellefield – Final Development Plan Phase 2

Date: June 21, 2023

Moved By:

Resolution#: 2023-27C

Seconded By:

WHEREAS, on March 15, 2023, by Resolution 2023-27B (the “Approval Resolution”), the Planning Board granted the applicant, T-Rex Hyde Park Owner LLC and its related entities (“Applicant”), conditional Final Development Plan (“FDP”) approval for Phase 2 of the Bellefield Planned Unit Development, an approximately 40-acre area (“the Phase 2 FDP”) located in the southwest corner of the overall Bellefield Property [tax lot 6163-01-131849 (335.55 ac.)] (the “Property” or “Site”); and

WHEREAS, conditional FDP was subject to 18 conditions of approval; and

WHEREAS, Condition 2 of the Approval Resolution required “approval by the Planning Board of the Sign Design Manual, including, without limitation maximum dimensional standards for letters, symbols and sign area”; and

WHEREAS, Condition 4 of the Approval Resolution required “approval by the Planning Board of an overall utility plan for all of Phase 2 as shown on the FDP”; and

WHEREAS, the Applicant has prepared and submitted a Sign Design Manual for Phases 1 and 2 of the FDP, dated June 16, 2023, a copy of which is attached to this resolution (the “Sign Design Manual”); and

WHEREAS, the Applicant has submitted an overall utility plan entitled, “Utility Plan, Bellefield Phase II” prepared by Passero Associates, dated January 2023, last revised 5/10/23, Sheets C160 and C161 has been reviewed by the Planning Board.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby approves the Sign Design Manual and Overall Utility Plan and acknowledges that Conditions 2 and 4 of the Approval Resolution have been satisfied.

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

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Michael Dupree, Planning Board Chairperson

Voice Vote Aye- Absent- Abstain- Nay- Motion Carried

TOWN OF HYDE PARK PLANNING BOARD

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**John and Dawn Smajda
6064-08-851815
69 Garden Steet
SITE PLAN Waiver
Town Code Section 108-9.4 C**

**June 14, 2023
Resolution #: 2023-36**

**Moved By:
Seconded By:**

***Whereas*, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by John and Dawn Smajda, for replacing thirteen windows of the same size on the property associated with a single-family home requiring a building permit; and**

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

***Whereas*, the applicant is proposing to replace thirteen windows of the same size; and**

***Whereas*, the proposed changes meet the zoning code setback requirements; and**

***Whereas*, the Planning Board has reviewed the request for this change in the Historic Overlay District; and**

***Whereas*, the proposed changes are minor in nature and in character with the neighborhood; and**

***Whereas*, Section 108-9.4 C, allows the Planning Board to waive the site plan procedures for minor changes requiring a building permit; 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 changes as described in the building permit received by the Building Department June 5, 2023, and per the request to the Planning Board dated June 14, 2023.**

**Mr. Michael Dupree
Planning Board, Chairman**

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

VOICE VOTE

Aye-

Absent-

Nay-

Motion Carried/Denied

TOWN OF HYDE PARK PLANNING BOARD
Erik and Michelle Picard
12 Terwilliger Road
6164-01-019658
SITE PLAN Waiver
Town Code Section 108-9.4 C 2

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Date: June 21, 2023
Resolution #: 2023-37

Moved By:
Seconded By:

***Whereas*, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Erik and Michelle Picard to install roof mounted photo voltaic panels on the existing single family home; and**

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

Whereas, the application is to install roof mounted solar panels on an existing single family home; and

Whereas, the panels are mounted at the same angle as the roof; and

Whereas, the change is not significant in nature and is in character with the neighborhood; and

Whereas, the property is adjacent to National Park Service property; and

Whereas, the construction will not be visible from the Historic Site; 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, and

Whereas, the Planning Board has reviewed the request submitted by the applicant, and has received a recommendation from the Zoning Administrator.

***THEREFORE BE IT RESOLVED*, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the proposed changes as described in the request for a waiver of site plan received by the Planning Department on June 12, 2023 and in the building permit application dated May 22, 2023.**

Mr. Michael Dupree
Planning Board, Chairman

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

VOICE VOTE

Aye-

Absent-

Nay-

Motion Carried/Denied

TOWN OF HYDE PARK PLANNING BOARD

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Stephen Koch
26 Huyler Drive, Hyde Park, NY
6066-04-744119
SITE PLAN WAIVER
Town Code Section 108-9.4 C 2

Date: June 21, 2023
Resolution #: 2023-38

Moved By:
Seconded By:

Whereas, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by Stephen Koch for property located at 26 Huyler Drive, Hyde Park, NY; and

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

Whereas, the application is to add an 8' x 20' above ground pool, interior changes, exterior alterations and new rear decks and stairs to grade in the rear of the single-family home which is in an historic overlay district; and

Whereas, the deck is negligibly visible from the Hudson River; and

Whereas, the change will have minimal impact to the character of the neighborhood; and

Whereas, the Planning Board has reviewed the request submitted by the applicant, and has received a recommendation from the Zoning Administrator; and

Whereas, the applicant is required to return to the Planning Board for all other changes to the property; and

NOW THEREFORE BE IT RESOLVED, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the file entitled Koch, Stephen, regarding the specific request received June 15, 2023, and as identified in the building permit application dated April 24, 2023.

Michael Dupree, Planning Board Chairman

Chairman Dupree
Vice-Chair Dexter
Mr. John Guercio
Vice-Chair Oliver
Mr. Don Veith
Ms. Wasser
Mr. Waters

VOICE VOTE

Aye- Absent- Nay-

Motion Carried/Denied