



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”*

**August 17, 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**

**CONTINUED PUBLIC HEARING:**

**HYDE PARK QUICK STOP**

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

**OTHER BUSINESS:**

**HYDE PARK TOWN CENTER NORTH BUILDING 3, 4 & 5**

Extension of all deadlines of Site Plan Approval (#16-15)  
Location: 4272-4288 Albany Post Road  
Grid#: 6065-04-933017

**RITE AID SIGNAGE**

Sign Permit recommendation (#2021-36)  
Location: 1 Crum Elbow Rd.  
Grid #: 6165-03-429214

**MULLER, KYLE**

Sign Plan Waiver replacement decks front & rear (#2022-37)  
Location: 1 Crum Elbow Rd.  
Grid #: 6165-03-429214

**SCHOLZ, CHRISTOPHER**

Sign Plan Waiver New Construction Barn & Deck (#2022-35)  
Location: 71 Penny Lane, Staatsburg, NY 12580  
Grid #: 6067-02-914788

**Respond to DCWWA SEQRA Lead Agency Notice**

**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  
(845) 229-5111 Ext. 2  
(845) 229-0349 Fax**

**RESOLUTION APPROVING SPECIAL USE PERMIT AND SITE PLAN**

**Hyde Park Quick Stop**

**Date: August 17, 2022**

**Moved By: \_\_\_\_\_**

**Resolution: # 2022-10B**

**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 August 3, 2022, Sheets PB-1, PB-2, PB-3, PB-4, PB-5, PB-6, DOT-1, SP-1, SP-2, SD-1, SD-2, and SA-1 (the "Site Plan Set"); 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, on March 16, 2022, pursuant to Town of Hyde Park Environmental Quality Review Law § 54-6A(16), by Resolution #2022-10, 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 objected; and

WHEREAS, on June 15, 2022, by Resolution #2022-10A, in accordance with SEQRA, the Planning Board determined that the Project will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement (EIS) will not be prepared; and

WHEREAS, the Project was referred to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal

Law, which responded on April 19, 2022 with comments and a recommendation that the site be redesigned to put the convenience store structure to the front or side, or trigger a supermajority voting requirement; and

WHEREAS, the Planning Board has considered the orientation of the proposed convenience store structure, which complies with the Town's Zoning Law, and has determined that the location is appropriate to keep the fuel tanks further away from water resources to the west and north; and

WHEREAS, on June 22, 2022, by Resolution #22-03Z, the Zoning Board of Appeals granted the Applicant three area variances to permit increased lot coverage of 81.1% where 70% is permitted, to permit a decreased front yard setback of 5 feet 7 inches where 20 feet is required and to permit a scale of 9,071 sq. ft. where 7,500 sq. ft. is allowed; and

WHEREAS, a duly noticed public hearing for the Project was opened on April 20, 2022 and closed on August 17, 2022, during which all those who wished to speak were heard.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board makes the following findings pursuant to § 108-8.4 of the Zoning Law:**

- 1. The Project will comply with the applicable requirements in Articles 4 and 5 of the Zoning Law and be consistent with the purposes of the Chapter. The Zoning Administrator has determined that the gas canopy is a "structure" and that therefore all parking shown on the Site Plan Set is located to the rear of the structure. The Applicant has obtained variances for scale, lot coverage and setbacks.**
- 2. The Project is consistent with § 108-1.4 of the Zoning Law. The Project is a redevelopment of an existing gas station which will encourage economic development. Further, the layout of the Project will protect water resources.**
- 3. The Project will not result in excessive off-premises noise, dust, odors, solid waste or glare, or create any public or private nuisances. The Applicant has revised the proposed lighting plan to avoid off-site glare and has proposed an average of 14.5 fc.**
- 4. The Project will not cause significant traffic congestion, impair pedestrian safety, or overload existing roads, considering their current width, surfacing and condition. The Project is located on US Route 9. The additional pumps will not result in any impact on traffic patterns.**

**BE IT FURTHER RESOLVED**, that the Planning Board hereby grants conditional site plan and special use permit approval to the Project as depicted on 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. Revision of the Site Plan Set to include a stipulation that any references to signage for the Project are for location purposes only and do not constitute design approval.**
- 3. Approval by the Attorney to the Planning Board of a signed easement agreement between the Applicant and Robert J. Delarm regarding the replacement of a pipe into the wetland and the resulting increase in discharge, and proof of recordation of same with the Dutchess County Clerk.**
- 4. Receipt of final permit approval from the Department of Environmental Conservation (DEC).**
- 5. Receipt of conceptual permit approval from the Department of Transportation (DOT).**
- 6. Approval from the Dutchess County Department of Behavioral and Community Health for the methods of water supply and sewage disposal.**
- 7. Receipt of a Stormwater Management and Erosion and Sediment Control permit from the Town of Hyde Park.**
- 8. Approval by the Attorney to the Planning Board of a signed Stormwater Easement and Maintenance Agreement allowing for periodic inspections by the Town of the stormwater management facility pursuant to § 93-8(B) of the Town Code, to include periodic inspection of the Jelly Fish Water Quality Treatment Unit, and proof of recordation of same with the Dutchess County Clerk.**

**BE IT FURTHER RESOLVED**, that the Applicant will need to reapply with the Planning Board to receive approval of any and all signage for the Project.

**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.

**(supermajority requirement)**

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

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**Michael Dupree, Planning Board Chairman**

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

**DRAFT**

**Town of Hyde Park Planning Board**

**RESOLUTION RECOMMENDING ISSUANCE OF SIGN PERMITS**

**Rite Aid Pharmacy  
1 Crum Elbow Road Hyde Park, NY 12538  
Grid # 6165-03-429214**

**Date: August 17, 2022**

**Moved By:**

**Resolution#: 2021-36A**

**Seconded By:**

**WHEREAS**, the applicant, East Park Development LLC/Rite Aid Corporation, has submitted several applications for new signage, originally submitted to the Planning Board on May 25, 2021, for its retail business located at 1 Crum Elbow Road, in the East Park Business District, last revised on June 8, 2022 and submitted to the Zoning Board of Appeals (ZBA); and

**WHEREAS**, on November 3, 2021, pursuant to Town Code section 108-24.2.F(2), the Planning Board granted a discretionary bonus to increase maximum size of letter, symbol or graphic by Resolution #2021-36; and

**WHEREAS**, the Zoning Board of Appeals by Resolution 21-19Z on July 27, 2022, granted the variances as requested and shown in the June 8, 2022 Sign Plan;

**NOW THEREFORE BE IT RESOLVED**, that the Board recommends that the Zoning Administrator grant the applicant's request and issue permits for the signs shown on the June 8, 2022 Sign Plan.

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

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Mr. Michael Dupree  
Planning Board,

**Voice Vote**

**Aye-**

**Absent-**

**Nay-**

**Motion Carried/Denied**

**TOWN OF HYDE PARK PLANNING BOARD**  
**Kyle Muller**  
**5 Calmer Place**  
**6064-08-935777**  
**SITE PLAN Waiver**  
*Town Code Section 108-9.4 C 2*

**Date: August 17, 2022**  
**Resolution #: 2022-37**

**Moved By:**  
**Seconded By:**

***Whereas*, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Kyle Muller to replace rear and front decks on existing footprints to his single-family home, and**

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

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

*Whereas*, the construction will not be visible from the Hudson River, 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 Building Permit Application dated July 15, 2022 and the request for a waiver of site plan received by the Planning Department on August 9, 2022.**

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

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Mr. Michael Dupree  
Planning Board,

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

**TOWN OF HYDE PARK PLANNING BOARD**  
**Christopher Scholz**  
6067-02-914788  
**71 Penny Lane**  
**SITE PLAN Waiver**  
*Town Code Section 108-9.4 C 2*

**Date: August 17, 2022**  
**Resolution #: 2022-35**

**Moved By:**  
**Seconded By:**

***Whereas*, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Christopher Scholz for construction of a 24' x 32' barn and attached, main level 16' x 32' deck 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 construct a barn and deck and

*Whereas*, the applicant is not proposing any lighting on the river side of the structure and only shaded, motion sensor lighting on the east side, and

*Whereas*, the proposed addition meets the zoning code setback requirements, and

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

*Whereas*, Section 108-9.4 C 2, 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 July 13, 2022, and per the request to the planning board dated July 13, 2022.**

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Mr. Dupree  
Planning Board, Chairman

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

VOICE VOTE

Aye-

Absent-

Nay-

Motion Carried/Denied