



Historic Town of Hyde Park

Planning Board

4383 Albany Post Road

Hyde Park, NY 12538

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“Working with you for a better Hyde Park”

**MINUTES OF THE JANUARY 6, 2021, 6:00 PM
PUBLIC HEARING/REGULAR MEETING OF
THE HYDE PARK PLANNING BOARD**

MEMBERS PRESENT VIA LIVE STREAMED MEETING:

MICHAEL DUPREE, CHAIRMAN

ANNE DEXTER - VICE CHAIR

DIANE DI NAPOLI

CHRISTOPHER OLIVER

BRENT PICKETT

STEPHANIE WASSER

ANN WEISER

OTHERS PRESENT: VICTORIA POLIDORO, PB CONSULTING ATTORNEY

LIZ AXELSON, PB CONSULTING PLANNER

PETER SETARO, PB CONSULTING ENGINEER

KATHLEEN MOSS, ZONING ADMINISTRATOR

CYNTHIA WITMAN, PB SECRETARY

COUNCILMAN KRUPNICK, TOWN WEBMASTER

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Chairman Dupree: Good evening everyone. Welcome to the January 6th meeting of the Hyde Park Town Planning Board. It's also our first meeting of the year 2021. I'll first note that the meeting is being conducted under the authorization of Executive Order 202.87 by Governor Andrew Cuomo. This allows for remote meetings of public officers. I also want to first thank the Town Board and my long serving colleague, Anne Dexter. Anne signed up for another seven years. And I want to thank the Town Board for reappointing her and also reappointing me as Chair. That noted, I first need to confirm that each Board Member is alone and not under any influence about how you might vote.

Ms. DiNapoli: I am alone

Ms. Wasser: I am alone

Ms. Weiser: I am alone

Mr. Pickett: I am alone.

Vice-Chair Dexter: I am alone

Mr. Oliver: I am alone

Chairman Dupree: Thank you. Please join me as we pledge allegiance to the American flag.

The Chairman led the Pledge.

PLEDGE OF ALLEGIANCE

CONTINUED PUBLIC HEARINGS:

HYDE PARK TOWN CENTER-PARK PLAZA

Site Plan Amendment Approval Phase 2 Exterior Modification (#2020-15)

Location: 4240-4260 Albany Post Road

Grid #: 6064-02-965956

In Attendance via Zoom:

Kelly Libolt, KARC, Planning Consultants Inc.

Amy Argyakis, KARC Planning Consultants Inc.

Chairman Dupree: Thank you. The first item on the agenda is a continued public hearing for Hyde Park Town Center. Also commonly known to us as Park Plaza. May I get a motion to reopen the public hearing?

MOTION: Mr. Pickett

SECOND: Ms. Weiser

To re-open the Public Hearing for Hyde Park Town Center - Park Plaza Phase II.

Aye Ms. Weiser

Aye Ms. Wasser

Aye Mr. Pickett
Aye Mr. Oliver
Aye Ms. DiNapoli
Aye Vice-Chair Dexter
Aye Chairman Dupree

VOICE VOTE **Aye-7 Absent-0 Nay-0** **Motion Carried**

Chairman Dupree: All in favor please raise your hand and say aye. Aye. Nays or abstentions? There being none, the public hearing is open. Ms. Libolt is here representing the applicant. We've extensively reviewed this. There's been a lot of back and forth and Ms. Libolt revised the plans. Once again, we all had a chance to review them. Kelly, do you want to add anything?

Ms. Libolt: I do not. I think, I'm hoping we're at a point where we're close to a resolution and I appreciate all the work that everyone's put in. I'm happy to answer any questions if you have them.

Chairman Dupree: We will see. Let me first start with the consultants. Ms. Axelson any further comments? Thank you for the memo. Those all went into conditions of approval.

Ms. Axelson: Yeah, that's the main thing. There are a couple of things to clear up about storm water?

Chairman Dupree: Thank you. Mr. Setaro?

Mr. Setaro: I think that we covered everything in the resolution today.

Chairman Dupree: Ms. Moss?

Ms. Moss: I believe the sign area was an issue. I have not been able to follow anything this afternoon. The two major signs that are on the white background are the ones, the actual sign itself. The letters and symbols are within the allowance, but the background, the white background with the black frame makes it too large.

Chairman Dupree: We revised the resolution accordingly. So there'll be two signs. What Ms. Moss discovered today is that the CVS sign and the Mid-Hudson Regional Early Children's Learning Center signs were both too large in terms of the allowed square footage. So they'll come back for those for sign permits once that's adjusted. Thank you, Ms. Moss and Ms. Polidoro, any comments?

Ms. Polidoro: I wanted to remind the Board that many moons ago, you issued a blanket waiver, for signage at this Plaza, so that the letters on signs can go up to a certain size. And so all of the signs are within that blanket waiver that you granted.

Chairman Dupree: That wouldn't be a waiver. We granted in advance, a bonus for size based on design speed of the road, distance of the building from the road.

Ms. Polidoro: Right? You decided that the building distance from the road is never going to change. And so we didn't need to go through this every time a new application came forward. However, those two signs are too big, so they can either get a variance or they can modify the sign and there'll be treated separately. The other issue that is somewhat unique with this application is that it's drafted in the resolution so that you can recommend issuance of a temporary CO once the build-out is complete, except for the plantings. The applicant has indicated that they are hoping to open in March and it just won't be appropriate to plant the boxwoods and the other shrubs during the winter months. And so this resolution includes authorization for a temporary CO and a bond amount that was reviewed by Pete Setaro.

Chairman Dupree: And we have a letter from Mr. Setaro for the file as well, acknowledging formerly that it's acceptable. Thank you. Any comments from the Board? Any one of you or questions for Ms. Libolt? Ready to call on anybody individually - Ms. Dexter?

Vice-Chair Dexter: I just wanted to say that I like the progress of the facelift. It's looking really nice even though it's in progress. You can see that it's a subtle but lovely change and I wanted to thank you and the owners again for taking this on. The detail with the site plan, I think, continues to improve every time we look at it. So, it is becoming a really great property and I know we can work through these last little issues. Anyway, and then you'll be back. *Laughter.*

Ms. Libolt: Thank you.

Chairman Dupree: Yes, they will be as has been noted. I have no comments either. Mr. Krupnick, did anyone sign up to speak about this application from the public?

Councilman Krupnick: No, sir.

Chairman Dupree: Thank you. I will note for the record that throughout this process, no one has spoken about this particular application. Therefore we're prepared to close the public hearing and in lieu of keeping a seven-day period open, we're going to go ahead and consider the resolution tonight for approval. May I get a motion to close the public hearing?

MOTION: Ms. Weiser
SECOND: Mr. Pickett

To close the Public Hearing for Hyde Park Town Center - Park Plaza Phase II with no additional written comments.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

VOICE VOTE

Aye-7 Absent-0 Nay-0

Motion Carried

Ms. Weiser: So moved.

Mr. Pickett: Seconded, Brent Pickett.

Chairman Dupree: Thank you. All in favor please raise your hand and say aye. Aye.

Chairman Dupree: Nays or abstentions? I saw everybody raise their hands. Thank you. And I believe this resolution will be introduced by Ms. Weiser.

**RESOLUTION TO GRANT SITE PLAN AMENDMENT APPROVAL AND AUTHORIZING
ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY**

**Hyde Park Town Center Park Plaza
Phase 2**

Date: January 6, 2021

Moved By: Ms. Weiser

Resolution: # 2020-15C

Seconded By: Mr. Pickett

WHEREAS, the applicant, Cosimo Town Center LLC, has submitted an application for site plan approval to make exterior improvements and other alterations to an existing shopping center (the "Project") located at 4240-4260 Albany Post Road, Tax Parcel No. 6064-02-965956, in the Town Core PW-2 Zone (the "Property"); and

WHEREAS, the Project is depicted on a site plan entitled "Hyde Park Town Center," prepared by Berger Engineering and Surveying dated July 15, 2020, last revised October 20, 2020, last revised December 1, 2020 Sheets T-1, SP-1, SP-2 and LS-1, elevations entitled "Park Plaza" prepared by DeGraw & DeHaan, dated September 22, 2020, and sign details, dimensions and locations shown on a plan prepared by GNS entitled "CRG-Hyde Park Plaza" last revised 01/04/2021 (the "Site Plan Set"); and

WHEREAS, on November 18, 2020, the Planning Board approved Phase 1 of the Project, consisting of the exterior architectural improvements, with the remaining improvements designated as Phase 2; and

WHEREAS, on August 6, 2014, the Planning Board granted the applicant a blanket sign bonus to permit a maximum letter height of 22 inches for all signs on the southeastern structure, with the exception of 24 inches for the sign on the northwest corner of the southeastern structure, for all present and future signs; and

WHEREAS, when a blanket sign bonus is granted, individual signs proposed to be placed on the structure must still apply to the Zoning Administrator for a permit and to the Planning Board for a sign recommendation; and

WHEREAS, Phase 2 includes proposed signs for all of the tenant spaces; and

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

WHEREAS, the applicant has submitted a Short Environmental Assessment Form (“EAF”) dated August 4, 2020, pursuant to the State Environmental Quality Review Act (“SEQRA”); and

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, on October 7, 2020, the Planning Board classified the action as a Type II action under SEQRA; and

WHEREAS, the Project was referred to the Dutchess County Department of Planning and Development, which responded on December 22, 2020 that Phase 2 was a matter of local concern; and

WHEREAS, pursuant to Section 108-5.11.2B(1) of the Zoning Law, the Town Core Design and Development Standards do not apply to alterations to existing buildings not involving an expansion or addition of at least 50%; and

WHEREAS, pursuant to Section 108-32.2 of the Zoning Law, the Building Inspector, with the concurrence of the Zoning Administrator, may issue a temporary certificate of occupancy for a building or structure before the entire work covered by the permit is completed, provided that such portions as completed may be occupied safely without endangering life or public welfare; and

WHEREAS, as a condition of the grant of the temporary certificate of occupancy, the Planning Board, upon recommendation from the Zoning Administrator, may require the owner to provide a letter of credit or other equivalent security to the Town sufficient to cover the cost of completion of the Project, as estimated by the Planning Board; and

WHEREAS, the applicant will be seeking a temporary certificate of occupancy due to the inability to install the required landscaping improvements during the winter months and has provided the Planning Board with an estimate of the cost of installation from a bona fide contractor; and

WHEREAS, by letter dated January 6, 2021, the Town Engineer indicated that the applicant’s estimate of \$20,750.00 for landscape improvements was reasonable and recommended that the Town Board accept this amount; and

WHEREAS, a duly noticed public hearing was opened on November 18, 2020 and closed on January 6, 2021, during which all those who wished to comment were able to do so; and

WHEREAS, said public hearing was held remotely in accordance with Executive Order 202.1 and subsequent orders due to the Covid-19 pandemic.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants site plan amendment approval to Phase 2 of the Project, as shown on the Site Plan Set, and recommends issuance of the sign permits, with the exception of those for CVS and Mid-Hudson Regional Early Learning Center, subject to the following conditions:

- 1. Payment of all fees and escrow.**
- 2. Submission of a complete Site Plan Set for signature which includes sign elevations.**
- 3. Revision of the landscaping plan to indicate that minimum size of boxwoods is 1 gallon instead of 1 quart.**
- 4. Revision of the Site Plan Set to include a note indicating that unused tenant panels on the directory sign shall remain blank.**
- 5. Revision of the Site Plan Set Sheet SP-1 to show how the roof leaders in the southeastern corner will be redirected into the planting bed along the front (or south side) of building 1E.**
- 6. Revise the Plans to address the following stormwater issues:**
 - a. Revise sheet SP-1 to clearly state that the soil will be amended in every planting bed along the front of Building 1E as specified in the Landscape Bed Bio-Planter Cross Section on sheet LS-1.**
 - b. Revise sheet SP-1 to include a note referring to the Landscape Bed Bio-Planter Cross Section on sheet LS-1.**
 - c. Revise the Landscape Bed Bio-Planter Cross Section on sheet LS-1 to clarify that all soil will be replaced by a minimum of eighteen inches (18”) of leaf compost.**
 - d. Revise the note about Proposed Bio-Planters on Sheet LS-1, near the Northeast corner of Bldg. 1E to clearly identify the total area of planters that serve as bio-planters, the dimensions and areas in square feet of each.**

BE IT FURTHER RESOLVED, that prior to the Zoning Administrator authorizing either a temporary or permanent Certificate of Occupancy for the Phase 2 improvements, the applicant shall provide a plan revising the grading between the south end of Building 1E and the playground to the satisfaction of the Planning Board Engineer and Stormwater Management Officer and shall implement such approved changes.

BE IT FURTHER RESOLVED, that upon completion of all site improvements except for plantings, the Planning Board recommends that the Zoning Administrator authorize a temporary certificate of occupancy for the Phase 2 improvements upon acceptance by the Town Board of a security guarantee in the amount of \$20,750.00, to ensure that the landscaping improvements shown on the Site Plan Set will be

installed by June 1, 2021, in form and manner of execution acceptable to the Town Board and Attorney to the Town.

Aye Chairman Dupree
Aye Vice-Chair Dexter
Aye Ms. DiNapoli
Aye Mr. Oliver
Aye Mr. Pickett
Aye Ms. Wasser
Aye Ms. Weiser

VOICE VOTE **Aye-7 Absent-0 Nay-0** **Motion Carried**

Chairman Dupree: That just goes to show you how many times you've reviewed this one. None of us caught that one. Sorry. Is there a second?

Mr. Pickett: Second, Brent Pickett.

Chairman Dupree: Before I asked for a vote, I just want to point out that condition 5A, where it says that the soil will be amended in every planting bed in the front of building 1E, that would be the side that faces Route 9 or the west-facing side, because there's actually sort of two fronts. The end tenant, Mid-Hudson Regional, it's front faces south because that's the main entrance. It was the same thing when it was Williams, but all the rest, except for the current Mid-Hudson Regional all face to the West. And just to explain the 'be it further resolved', will allow the applicant to pull a building permit once the plan notations, and the prior comments, are done, will give them the time to go ahead and start the interior work. They can work with Mr. Setaro and Ms. Moss to resolve the grading issues for storm water. And it will allow the Town Board to not have to have a quick meeting to accept the bond. They'll just have to do that before they get the CO. So this should all move quickly, well maybe not quickly, but at least smoothly. I want to thank the consultants for all the work today, all the back and forth to get this ready to go. So, all in favor, please raise your hand and say, aye. Aye. Motion carries unanimously. Thank you. Thank you, Kelly and Amy. It was a little bit of a long journey, but we got to a great place and I agree with Anne, I think the site is going to really function well and I can't wait to see the new business open.

Ms. Libolt: Thank you everyone for being so creative these last few days in trying to make this less difficult. I'm glad we brought it up last month. So we're looking forward to getting this tenant moved over and I think the new Hardee is going to be going onto the exterior of the building soon. So you'll probably see a bigger transformation over the next few days.

Chairman Dupree: I'll tell you; I drive by and I see workers on Sundays and I'm like, wow. So they're really working on this. So thank you.

Ms. Libolt: They're trying to. Well, again, we had said we were trying to get this done during the better weather. So since it's been warmer, they're really pushing to get that cement fibrous material up before maybe it gets really cold in February. So fingers crossed.

Chairman Dupree: Let's hope we keep the 40-degree weather then.

Ms. Libolt: Yes, yes. But thank you everyone. Happy new year.

Chairman Dupree: Thanks. Have a nice night.

OTHER BUSINESS:

BELVEDERE -NEW 2016

Site Plan Amendment Approval (#16-29)

Location: 10 Old Route 9, Staatsburg, NY 12580

Grid#: 6168-03-410255

In Attendance via Zoom:

Warren Temple Smith, AIA

Chairman Dupree: Next item on the agenda. There'll be no public hearings past this. The next item on the agenda is to consider a site plan amendment approval for Belvedere Inn or Belvedere New- 2016. We had a resolution prepared at the last meeting; however, we were down to four members and we were required by County Planning to have a super majority, which means a vote of five. Anyone have any questions or comments on this application? Mr. Smith, You're here.

Mr. Smith: I'm here.

Chairman Dupree: Great. Any comments from you, questions?

Mr. Smith: No, I don't have any comments or questions since the last meeting where we considered this.

Chairman Dupree: Thank you. Then this will be introduced by Ms. Wasser.

RESOLUTION TO GRANT SITE PLAN AMENDMENT APPROVAL

The Belvedere Inn

Date: January 6, 2021

Moved By: Ms. Wasser

Resolution: # 16-29E

Seconded By: Mr. Oliver

WHEREAS, the applicant, New Belvedere Partners, LLC, has submitted an application for site plan amendment approval to modify site plan elements including lighting, grading and landscaping at the site of an existing nonconforming country inn with restaurant, lodging and special event hospitality, on property located at 10 Old Route 9, tax parcel no. 6168-03-410255, in the Greenbelt District (the "Project"); and

WHEREAS, the Project is depicted on plans entitled “Belvedere Inn” Sheet C1, prepared by Warren Temple Smith dated October 24, 2016, last revised October 28, 2020; Site Plan prepared by LRC dated September 11, 2020, last revised November 30, 2020; “Landscape Plan” prepared by LRC last revised October 1, 2020, last revised December 2, 2020; “Landscape Lighting Plan” dated January 31, 2020, prepared by L’Observatoire International, last revised December 1, 2020, Supporting Documents prepared by L’Observatoire International (49 pages), a narrative from L’Observatoire International dated November 30, 2020, and a survey entitled, “Belvedere Mansion” prepared by Decker Surveying, dated 10/04/16 (together, the “Amended Site Plan”); and

WHEREAS, on December 21, 2016, the Planning Board adopted a negative declaration and granted site plan and special use permit approval to permit the expansion of the Country Inn; and

WHEREAS, the Project site is located within the Hudson River National Historic Landmark District, which is listed on the State and National Registers of Historic Places; and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form (“EAF”) dated October 8, 2020, pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, on October 21, 2020, the Planning Board classified the Project as an unlisted action and declared itself lead agency as there were no other involved agencies; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, the Project was referred to the Dutchess County Department of Planning and Development for a report and recommendation thereon, which responded on November 19, 2020, that the Planning Board should not approve the Project unless all fixtures which result in up lighting are removed or replaced and required a supermajority vote of the Planning Board to approve the Project without modifications; and

WHEREAS, members of the Planning Board conducted two site visits to the Property to review a mockup of the proposed lights and determined that the decorative up lighting would not result in adverse off-site impacts; and

WHEREAS, the Planning Board has reviewed Parts 1, 2 and 3 of the EAF 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.

WHEREAS, a duly noticed public hearing was opened on November 18, 2020 and closed on December 2, 2020, during which all those who wished to speak were heard and a written public comment period was left open for an additional seven days; and

WHEREAS, said public hearing was held remotely in accordance with Executive Order 202.1 and subsequent orders due to the Covid-19 pandemic.

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.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants site plan approval to the Project, as shown on the Site Plan Set, and authorizes the Chair or his 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 provide a shield or lower the bulb wattage on the existing fixture identified as POE-05, the source producing 12.3 foot candles, which is adjacent to the front drive, to no more than 2 foot-candles.**

BE IT FURTHER RESOLVED, that the wattages and number of fixtures approved in the Site Plan Set are the maximum permitted and there shall be no increase in wattages (or lumens) or fixtures without site plan amendment approval.

Aye Chairman Dupree
Aye Vice-Chair Dexter
Aye Ms. DiNapoli
Aye Mr. Oliver
Aye Mr. Pickett
Aye Ms. Wasser
Aye Ms. Weiser

VOICE VOTE Aye-7 Absent-0 Nay-0 Motion Carried

Chairman Dupree: Thank you any further discussion? All in favor, please raise your hand and say aye. Aye. Motion carries unanimously with no nays or abstentions. Thank you. Thank you, Warren. It's good to see you again. Happy new year and good luck with this site. This may be back before us too, you never know.

Mr. Smith: *Laughter.* Thank you.

CARDINAL USED AUTO PARTS
Site Plan and Special Use Permit Approvals (#2020-20)
Location: 191-193 Cardinal Road
Grid#: 6265-01-350620

In Attendance via Zoom:

Caren LoBrutto, The Chazen Companies
Ramon Leite, Cardinal Used Auto Parts

Chairman Dupree: The next item on the agenda is Cardinal Used Auto Parts. Again, this application was extensively reviewed and discussed, referred to Department of Health. We're ready to take action tonight. Ms. LoBrutto and Mr. Leite, I'm going to say your last name wrong again, Ramon...Leite? He's not able to speak. At any rate, this will be introduced by Ms. DiNapoli.

RESOLUTION TO GRANT SPECIAL USE PERMIT AND SITE PLAN APPROVAL

CARDINAL USED AUTO PARTS, LLC

Date: January 6, 2021

Moved By: Ms. DiNapoli

Resolution: #2020-20A

Seconded By: Vice-Chair Dexter

WHEREAS, the applicant, Cardinal Used Auto Parts, LLC, has submitted an application for site plan and special permit approval for a change in ownership of an existing scrap yard (the "Project") on property identified as 191-193 Cardinal Road, Tax Grid Nos. 6265-01-350620 (the "Property"), in the Greenbelt Zoning District; and

WHEREAS, a scrap yard is permitted in the Greenbelt District subject to site plan and special use permit approval; and

WHEREAS, pursuant to Section 108-25.3 of the Zoning Law, a license is required for the operation of a scrap yard, which is personal to the owner and non-transferable; and

WHEREAS, the Project is depicted on a site plan entitled "Cardinal Used Auto Parts, LLC" prepared by Chazen Engineering, Land Surveying, Landscape Architecture & Geology, Co., D.P.C., dated October 5, 2020 Sheets G100, C110 and C130, last revised December 4, 2020 (the "Site Plan Set"); and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form ("EAF") dated October 6, 2020; and

WHEREAS, pursuant to 6 NYCRR § 617.5(c)(26), a transfer of ownership, with no change in conditions, is a Type II action.

WHEREAS, on November 18, 2020, the Planning Board classified the Project as a Type II action under the State Environmental Quality Review Act; and

WHEREAS, the Site Plan Set was referred to the Dutchess County Department of Behavioral and Community Health and the Town of Hyde Park Fire Inspector for review and comment; and

WHEREAS, a duly noticed public hearing was held on December 16, 2020, during which all those who wished to speak were heard and a written public comment period was left open for seven additional days; and

WHEREAS, said public hearing was held remotely in accordance with Executive Order 202.1 and subsequent orders due to the Covid-19 pandemic.

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

- 1. The project will comply with the applicable requirements of Articles 4 and 5 of the Zoning Law. A scrap yard has been operating at the Property since the 1970s and a scrap yard is a permitted use in the Greenbelt District. The Project will meet the Greenbelt standards in Section 108-5.3 of the Zoning Law.**
- 2. The project is consistent with the purposes of the Zoning Law. A scrap yard is a permitted use subject to site plan and special use permit approval. The facility will comply with the requirements for a scrap yard including screening and maintenance of a fifty-foot buffer.**
- 3. The project will not result in any excessive off-premises noise, dust, odors, solid waste or glare.**
- 4. The project will not cause significant traffic congestion or overload existing roads. The Property will be accessed by up to three employees daily and receive two shipments of vehicles on trailers a day. There will be no significant increase in traffic from the Project.**
- 5. The proposed use is suitable for the site at its proposed intensity. The proposed changes to operations at the site will increase safety by delineating aisles and eliminating existing encroachments into the required fifty-foot property buffer.**

BE IT FURTHER RESOLVED, that the Planning Board hereby grants the applicant a special use permit for a scrap yard which will expire one year from the date of this resolution. Said special use permit shall not be renewed by the Planning Board unless all landscaping has been installed in accordance with the approved Site Plan Set. If the Zoning Administrator confirms that the landscaping has been installed by January 6, 2022, the special use permit shall renew automatically without further review from the Planning Board and shall not thereafter expire.

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. Revision of the Site Plan Set to include the following note: In the case of a catastrophic event such as fire, hurricane or tornado that damages or destroys more than .5 acre of vegetation (cumulative) as determined by the Zoning Administrator, the applicant**

shall return to the Planning Board for review and approval of an amended site plan to ensure that an adequate screening is provided around the perimeter of the facility.

Aye Chairman Dupree
Aye Vice-Chair Dexter
Aye Ms. DiNapoli
Aye Mr. Oliver
Aye Mr. Pickett
Aye Ms. Wasser
Aye Ms. Weiser

VOICE VOTE Aye-7 Absent-0 Nay-0 Motion Carried

Chairman Dupree: Thank you any further discussion? I should have noted that we did wait seven days and did not hear any further comments from anyone. So we were free to take action tonight. All in favor please raise your hand again and say, aye. Aye. Nays or abstentions? No. Motion carries unanimously. Thank you. Thank you, Caren and Ramon.

Ms. LoBrutto: Thank you very much.

Chairman Dupree: Good luck in opening the business and this way you have a year in which to install the landscaping without having to get a temporary anything. So we're gratified.

Vice-Chair Dexter: Welcome to Hyde Park, Ramon.

Ms. DiNapoli: Happy new year.

Mr. Leite: To you guys as well. Thank you.

OWENS, JOHN

Site Plan Waiver Approve window replacement and porch enclosure (#2021-01)

Location: 4419 Albany Post Road

Grid#: 6065-16-780348

Chairman Dupree: The next time on the agenda is an application for a site plan waiver, located at 4419 Albany Post Road. This is adjacent to the entrance, well almost adjacent to the entrance of the Vanderbilt Estate. There's an intervening public park, Doty Park there. We have a recommendation from Ms. Moss. This is not visible from the river or directly from any of the historic sites. It involves a window replacement and a porch enclosure to the rear of the property. Did everyone have a chance to take a look at the materials that were sent out by Ms. Witman? Thank you. As always, Mr. Owens has great taste. It's going to be really beautiful. There you go. That'll be really nice. Ever since he's restored that, it's just a beautiful addition to the town. I believe this was going to be introduced by Ms. Dexter.

John Owens
4419 Albany Post Road
6065-16-780348

SITE PLAN WAIVER
Town Code Section 108-9.4 C 2

Date: January 6, 2021
Resolution #: 2021-01

Moved By: Vice-Chair Dexter
Seconded By: Mr. Pickett

Whereas, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by John Owens, on December 7, 2020, for property located at 4419 Albany Post Road in the Town of Hyde Park, and

Whereas, the applicant has applied for a building permit to enclose the back porch into a conditioned space as a mud room and replace six windows on the 2nd floor and two French doors on the 1st floor, associated with this single-family home in an historic overlay district, and

Whereas, the change will have a positive impact to the character of the surrounding area, 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 Owens, regarding the specific request as submitted to the Planning Board on December 7, 2020, for this project.

Aye	Chairman Dupree
Aye	Vice Chair Dexter
Aye	Ms. DiNapoli
Aye	Mr. Oliver
Aye	Mr. Pickett
Aye	Ms. Wasser
Aye	Ms. Weiser

VOICE VOTE

Aye-7 Nay-0 Absent-0

Motion Carried

Chairman Dupree: All in favor, please raise your hand and signify by saying aye. Aye. The motion carries unanimously.

Re-Appoint Anne Dexter as Vice-Chair of the Planning Board

Chairman Dupree: I have the pleasure of introducing the next resolution.

RESOLUTION DESIGNATING PLANNING BOARD VICE-CHAIRPERSON FOR THE YEAR 2021

January 6, 2021
Resolution: #21-A

Moved By: Chairman Dupree
Seconded By: Ms. Weiser

NOW BE IT RESOLVED, that Anne Dexter be designated the Vice-Chairperson of the Planning Board, authorized to conduct meetings of the Planning Board and to sign Final Plats, Site Plans and related documents, including invoices and correspondence, on behalf of the Planning Board in the absence of the Chairperson.

Aye Chairman Dupree
Aye Vice-Chair Dexter
Aye Ms. DiNapoli
Aye Mr. Oliver
Aye Mr. Pickett
Aye Ms. Weiser
Aye Ms. Wasser

Voice Vote 7-Aye 0 -Nay Motion Carried

Chairman Dupree: Thank you. All in favor please raise your hand and say, aye.

Ms. DiNapoli: Aye. Can I raise two hands? *Laughter.*

Chairman Dupree: Yes. Thank you, Anne for serving again. Thank you. Thank you. Thank you.

Vice-Chair Dexter: It's a pleasure. It really is.

Chairman Dupree: I agree, but you know, you and I, actually, everybody on this Board now are land use junkies, let's face it.

Vice-Chair Dexter: Exactly.

Ms. Wasser: Thank you Anne.

Chairman Dupree: And what's really nice, I can say this truthfully, for Anne and I, I think all of you have been serving longer and longer, is that on many Boards if you don't serve your full term, you don't get a chance to see what you've been voting on. Whereas for us, we've been here long enough that we can see the history of what's been changing. And I personally think Hyde Park looks better than ever. Just today I saw someone from, I believe the Town taking down the Christmas decorations of the poles and I thought, wow, we used to get complaints about the fact that there were still up by Easter. So things are humming

along here nicely right now. Has everyone had a chance to review the minutes of November 4th, November 18th and December 2nd?

Approval of PB Meeting Minutes of November 4, 2020, November 18, 2020 and December 2, 2020

All Board members Attended.

Vice-Chair Dexter: Yes., and again, can we just thank Cynthia and you Michael and everybody, that's a mammoth undertaking. Thank you.

Chairman Dupree: Cynthia and I have a good time actually trying to figure out, which is the funniest of the terms that are switched around (*on the auto dictation*). We can't go into lots of them, but they're really hilarious. Warren Temple Smith was renamed, I'll just say a vulgarism at one point. So anyway, may I get a motion to approve the minutes for November 4th?

MOTION: Vice-Chair Dexter
SECOND: Ms. Wasser

To approve the minutes of the November 4, 2020 Planning Board Meeting.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

VOICE VOTE Aye-7 Absent-0 Abstain-0 Nay-0 Motion Carried

Chairman Dupree: Okay. All in favor, please raise your hand and say aye. Aye. Motion carries unanimously. May I get a motion to approve the minutes from November 18th?

MOTION: Ms. Wasser
SECOND: Vice-Chair Dexter

To approve the minutes of the November 18, 2020 Planning Board Meeting.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

VOICE VOTE Aye-7 Absent-0 Abstain-0 Nay-0 Motion Carried

Chairman Dupree: Thank you. All in favor please raise your hand again and say aye. Aye. Motion carries unanimously. And may I get a motion to approve the Planning Board minutes for December 2nd, 2020.

MOTION: Ms. DiNapoli
SECOND: Mr. Oliver

To approve the minutes of the December 2, 2020 Planning Board Meeting.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

VOICE VOTE Aye-7 Absent-0 Abstain-0 Nay-0 Motion Carried

Chairman Dupree: Thank you. All in favor, please raise your hand. Aye. Motion carries unanimously. And I think we need a motion to go into executive session quickly.

EXECUTIVE SESSION:

MOTION: Ms. DiNapoli
SECOND: Ms. Weiser

To go into executive session to discuss a personnel issue.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

VOICE VOTE Aye-7 Absent-0 Abstain-0 Nay-0 Motion Carried

Chairman Dupree: Thank you. Consultants if you want to pop off, we'll see you at the next meeting or agenda meeting.

MOTION: Ms. Weiser
SECOND: Vice-Chair Dexter

To leave executive session.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

VOICE VOTE Aye-7 Absent-0 Abstain-0 Nay-0 Motion Carried

Chairman Dupree: Thank you, ladies and gentlemen for our executive session. As always, no votes were taken in executive session and may I now get a motion to adjourn this meeting?

ADJOURNMENT:

MOTION: Mr. Oliver
SECOND: Ms. DiNapoli

To adjourn.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

VOICE VOTE Aye-7 Absent-0 Abstain-0 Nay-0 Motion Carried

Chairman Dupree: All in favor, please raise your hand and say aye. Aye. Thank you and thank you, Supervisor Rohr and Councilman Krupnick as always for providing the resources and the time and energy to record and conduct these meetings via Zoom. See everyone in two weeks.

All: Thank you.

**** Motion made at the April 21, 2021 Hyde Park Planning Board Meeting****

MOTION: Ms. Wasser
SECOND: Ms. DiNapoli

To approve the minutes of the January 6, 2021 Planning Board Meeting.

Aye
Aye
Aye
Aye
Aye
Aye
Aye

Chairman Dupree
Vice-Chair Dexter
Ms. DiNapoli
Mr. Oliver
Mr. Pickett
Ms. Wasser
Ms. Weiser

VOICE VOTE

Aye-7 Absent-0 Abstain-0 Nay-0 Motion Carried