MINUTES OF THE FEBRUARY 20, 2019
PUBLIC HEARING/WORKSHOP/REGULAR MEETING OF THE HYDE PARK PLANNING BOARD

MEMBERS PRESENT:  MICHAEL DUPREE, CHAIRMAN
                   ANNE DEXTER - VICE CHAIR
                   DIANE DI NAPOLI
                   BRENT PICKETT
                   STEPHANIE WASSER
                   ANN WEISER

MEMBER ABSENT:  CHRISTOPHER OLIVER

OTHERS PRESENT:  VICTORIA POLIDORO, PB CONSULTING ATTORNEY
                  LIZ AXELSON, PB CONSULTING PLANNER
                  CYNTHIA WITMAN, PLANNING BOARD SECRETARY

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RELEASE OF ESCROW
Chairman Dupree: Good evening ladies and gentlemen and welcome to the February 20th meeting of the Hyde Park Planning Board. Please take note of exits around the room in case you need to run out into the snow and now join me as we salute the American Flag. Chairman Dupree commenced the Pledge of Allegiance.

The Chairman thanked Vice-Chair Dexter for running the last meeting in his absence.

CONTINUED PUBLIC HEARING:

THE LOCUSTS RURAL EVENT VENUE
Site Plan and Special Use Permit Approval- Rural Events Venue (#2018-10)
Location: 83 Penny Lane, 135 Old Post Road, 34 Strawberry Fields Staatsburg 12580
Grid#: 6067-02-996864, 6167-01-117843, -168935

MOTION: Ms. DiNapoli
SECOND: Ms. Dexter

To Re-open the public hearing for The Locusts Rural Event Venue.

Aye Mr. Dupree
Aye Ms. DiNapoli
Aye Ms. Dexter
Aye Ms. Weiser
Absent Mr. Oliver
Aye Mr. Pickett
Aye Ms. Wasser

VOICE VOTE 6-0 1-absent Motion Carried

There was no public comment.

MOTION: Ms. DiNapoli
SECOND: Ms. Dexter

To adjourn the public hearing for The Locusts Rural Event Venue to August 7, 2019.

Aye Mr. Dupree
Aye Ms. DiNapoli
Aye Ms. Dexter
Aye Ms. Weiser
Absent Mr. Oliver
Aye Mr. Pickett
Aye Ms. Wasser

VOICE VOTE 6-0 1-absent Motion Carried

WORKSHOP:

SAKE’ BREWERY
Chairman Dupree: The next item is a workshop for the Asahi Shuzo Sake Brewery. The applicants have proposed some amendments to the Site Plan. They have submitted 2 sets of plans, the first was more comprehensive. Basically they are removing 9 feet of wood cladding and the ungawa. There are access changes to the Rice Polishing Building (RPB) that also necessitated exterior changes to the RPB. There is a canopy over the door facing St. Andrews road, there are 2 less parking spaces and an associated increase in the parking island and minor alterations to the main entry of the main building. The second set of plans actually dealt with changes to RPB access in response to the Fire Department's comments.

Mr. Zarin: As the Chairman mentioned, there are 2 amendments that we're seeking. First, are minor ones to the main building and some changes to the RPB access loading. Those were generated from Japan. They felt they had a design that they've been utilizing in Japan that would eliminate the need to adjust the truck height to the loading dock.

Mr. McDonnell: The previous plan had the trucks backing into a loading area at the SE end of the RPB, with a 4.5 foot elevated slab inside the building with 2 doors for equipment loading. In order to accommodate fire vehicles the Fire Department had requested an area that they could park on grass pavers, green but supportive of a large vehicle. The new proposed plan would accommodate a tracker trailer 40 feet in length that would pull head in, northward and be parallel to the RPB. The aft end of the vehicle would be under the canopy and they will pull a portable ramp from the RPB to the truck and bring the pallets down the ramp. The canopy is 21 feet to the top and roughly 19 feet to the bottom, will accommodate just about any vehicle. This was much closer to what they have in Japan, where they don't have multiple levels requiring forklifts. Eventually they came back to this. This is what serves them. We spoke with Ray Davis and he wants the vehicles as close as he can get without it being a hazard, so we have a note, ‘Fire Lane No Parking Zone’ roughly 15 feet or so from the face of the building out from under the canopy. One thing that it does allow us to do is eliminate a door. This is the canopy, it's 16.5 feet deep.

Ms. Wasser: Did the canopy depth change?

Mr. McDonnell: It did. It had been about 10 feet and now it's 16.5 feet because the vehicle was previously backing perpendicular to the building so there was less of a need for coverage of the area.

Chairman Dupree: Did the canopy material change?
Mr. McDonnell: The edge was going to be a Hardie Board white to match the upper level. Now it will be treated more like the roof which is a charcoal grey, so all of the edges of the overhang and the canopy will match the roof.

Chairman Dupree: And I believe you got rid of the grass pavers as well.

Mr. McDonnell: We did. We no longer needed them. There were some other modest changes. We switched the door from the west side to the east side because of the equipment changes. The doors will now be matching the wood finish of the siding and the overhead metal coiling door will be painted the same color as the edge of the canopy.

Chairman Dupree: Before you leave the RPB, the leaders, the downspouts, as they’re shown it looks as though they’re going to spill water onto the sidewalk.

Mr. McDonnell: Yes, at the moment. That’s something we need to discuss with Chazen, because we can treat them the way the main building is treated, which is the downspouts go into a storm drain.

Chairman Dupree: They should. You don’t want to have water spilling down that will freeze.

Mr. McDonnell: That’s correct. One of the other changes that I should remark on is that there is now a sidewalk on this edge. This will allow people exiting from this side, not to run into a vehicle. There is also a driveway apron. The asphalt is 6 inches or so below the level of the drive into the loading dock. I think that’s it.

Chairman Dupree: Do you want to cover the main building changes?

Mr. McDonnell: Yes. We reduced the wood at the north end of the ungawa, so it aligned with the edge of the roof. Before the way it had been drawn it was out here roughly 8 feet and it was going to get beaten down. The wood does much better under an overhang. If it was extended out here, it was going to fade to a different tone than the wood under here.

Chairman Dupree: Plus, I’ll add that that area is pretty obscured by landscaping.

Mr. McDonnell: Yes, it will be.

Chairman Dupree: You also added a canopy to one of the side doors.

Mr. McDonnell: Yes, this here.

Chairman Dupree: Can you tell what the materials are so they can be labeled?
**Mr. McDonnell:** Sure. On the small overhangs for the exit doors, they will be ash grey sheet metal edge.

**Chairman Dupree:** There were minor changes I believe, up here too. I think there were more panes in the windows. It was hard to tell on the plans.

**Mr. McDonnell:** I don’t know if we did that. Dave was working on them.

**Chairman Dupree:** It’s a small change. It’s minor. I was trying to list all of the things that you changed.

**Mr. McDonnell:** The canopy edges, here and here, and the loading dock at the main building will match that at the RPB. They’ll be the same grey.

**Chairman Dupree:** Before we go onto the question of the Wastewater Treatment Facility (WWTF), I’d like to revisit that. I think you presented all the changes. Is there anything else you’d like to add? Ms. Axelson, any comments?

**Ms. Axelson:** No comments on the architecture? I did do a review of the electronic submittal for conditions for approval and sent an email out. Basically, it looked like…based on the review of the electronic copy…that everything was addressed except for condition number 12 of the conditions for signing the site plan.

**Chairman Dupree:** That’s the original site plan. It appears that you’ve met all of the conditions except for conditional #12 for the DCWWA. Pete’s looking for some clarification from your office.

Ms. Axelson: Cynthia and I had some dialog today about the fact that we do need a hard copy of the full scale plans. I was able to review an electronic copy.

**Chairman Dupree:** Let’s discuss the procedure for this. Technically you could meet all of your conditions and have me sign the site plan and then when you’ve met all of the conditions for the site plan amendment, I could sign that one too. I think it would be cleaner to just have me sign the revised site plan set. If you agree with that.

**Mr. Zarin:** I agree with that. Let’s just have one final signed site plan.

**Ms. Axelson:** I believe it’s easier for the Planning Board office to keep track of a set that all bears the same revision date. That would be my suggestion, even though you’re not changing all of those sheets, they know that that set, all of those pages go together. It’s just easier.

**Ms. DiNapoli:** My question is where are you going to be ending the ungawa and the wood, what will that be? Are you keeping that brick or are you doing different siding?
Mr. McDonnell: No, the ungawa and the wood will end at the same spot and this will be the same material that's there now, the CMU, concrete block, which is the existing face of the building.

Ms. Dexter: So I think your changes look fine. Did I read this correctly, you're actually going to take away the columns and respace the columns on the western side, facing Route 9.

Mr. McDonnell: I don't know that we've changed them since you saw them last.

Ms. Dexter: There's a footnote on the first one from February 6th that says, the applicant planned on keeping the existing columns in front of the main building, but removing the canopy, but these existing columns are irregularly spaced so they now desire to make the columns smaller and respace them at a regular, consistent distance. It ends, with these changes there is no reason to extend the ungawa this far out or keep the wood cladding on the wall behind it.

Mr. McDonnell: Yes, these are even and do not align with the existing columns as they are now.

Ms. Dexter: Right, but when you do space them out that way, then everything kind of comes together and by shortening it, it now looks nice and symmetrical. Okay. I think that's all.

Chairman Dupree: I wanted to first thank the Vice-Chair for leading us to a realization to why this would all be proposed. Not just the weathering, but also now that you're relaying the columns, it keeps it symmetrical. I myself, I believe since you didn't hear any negative comments that everyone is okay with the changes proposed. You'll need to think about the down spouts. The materials for the canopies should be labeled on the plans. We've worked out the procedure for the site plan amendment. One thing you did say that set off alarm bells was that delivery trucks will head in, so I just want the Board to grapple with this. The way it was before, it was perpendicular to the RPB and so if you were driving north you could have seem some of the truck through the trees, but not the loading because it was all internal. By moving it the way they are doing it, there will be less internal loading and our Code requires that we screen loading docks. I think it's pretty well screened, but just because it's going to be head-in just evaluate whether you want any additional screening. I always thought that this building is attractive and should show up and they're keeping the natural trees that are there, but just think about whether you want them to add any landscaping and we can revisit that before the meetings over.

Ms. Dexter: Maybe something lower.

Chairman Dupree: Something lower to block the front of the truck, because, again, it's not the truck, it's the activity around it, the moving in and out with the forklifts. Let's go ahead and address the WWTF height. Tad noticed this time that the height that's proposed is much taller than what is allowed for an accessory structure.
The other Board members had no additional comments or questions about the proposed changes.

RESOLUTION TO REAFFIRM SEQRA AND REFER PROPOSED SITE PLAN AMENDMENT TO DUTCHESS COUNTY PLANNING AND DEVELOPMENT

Sake Brewery

Date: February 20, 2019

Moved By: Mr. Pickett

Resolution: # 2018-25E

Seconded By: Ms. Dexter

WHEREAS, on November 7, 2018, by Resolution #2018-25C, the Planning Board granted the applicant, Asahishuzo International Co., Ltd., conditional site plan approval to establish a Craft Brewery by redeveloping an existing commercial site with a pre-existing building, including the construction of a 4,000 sq. ft. rice polishing building, wastewater treatment plant, and related structures on a property located at 5 Saint Andrews Road, identified as tax parcel no. 133200-6164-03-021198, in the Town Center Historic District, as depicted on a site plan set entitled, “New Sake Brewery,” prepared by Chazen Engineering, Land Surveying & Landscape Architecture, Co., D.P.C., et al., dated December 11, 2017, last revised November 2, 2018, consisting of sheets G-001, C-001, C-002, C-003, C-004, C-005, C-011, C-011A, C-021, C-031, C-131, C-132, C-133, L-021, L-022, A-001, A-060, E-000, E-052, E-052A, E-052B, E-052C, E-052D, and E-100 (the “Conditionally Approved Site Plan”); and

WHEREAS, on December 5, 2018, the conditions of site plan approval were modified by Resolution # 2018-35D; and

WHEREAS, on February 5, 2019, the applicant submitted an application for amended site plan approval to remove nine feet of cladding from the western facade of the main building, eliminate the raised loading dock within the rice polishing building, and to add a canopy to the loading area at the rice polishing building (the “Amended Project”); and

WHEREAS, the Amended Project is depicted on a site plan set entitled, “Asahi-Shuzo Sake Brewery,” prepared by Chazen Engineering, Land Surveying & Landscape Architecture, Co., D.P.C., et al., last revised January 11, 2019, consisting of original and revised sheets A-001 and A-301, a technical specifications sheet entitled “PR-1800401,” prepared by Shin Nakano Industry Co., Ltd., dated November 12, 2018, and elevations entitled,
WHEREAS, the Amended Project does not propose significant changes to the Conditionally Approved Site Plan; 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.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby reaffirms its prior determination of significance, a negative declaration, adopted on September 5, 2018, determining that the Amended Project will not result in any significant adverse environmental impacts.

BE IT FURTHER RESOLVED, that the Planning Board hereby directs its Secretary to refer the Amended Project to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.

Aye Mr. Dupree
Aye Ms. Dexter
Aye Ms. DiNapoli
Absent Mr. Oliver
Aye Mr. Pickett
Aye Ms. Wasser
Aye Ms. Weiser

VOICE VOTE 6-Aye 0-Nay 1-Absent Motion Carried

MOTION: Ms. Dexter
SECOND: Ms. DiNapoli

To set a public hearing for the Sake Brewery for March 20, 2019.

Aye Mr. Dupree
Aye Ms. DiNapoli
Aye Ms. Dexter
Aye Ms. Weiser
Absent Mr. Oliver
Aye Mr. Pickett
Aye Ms. Wasser

VOICE VOTE 6-0 1-absent Motion Carried
OTHER BUSINESS:

ENCLAVE SOLAR FARM
Site Plan & Special Use Permit Approval (#2018-30)
Location: Cream Street
Grid#: 6263-01-465957

In Attendance: Nicole Patti, LRC Group
Michael Cucchiara, Nexamp

RESOLUTION AMENDING THE CONDITIONS OF CONDITIONAL SITE PLAN AND SPECIAL USE PERMIT APPROVAL

Enclave Solar

Date: February 20, 2019  Moved By: Vice-Chair Dexter
Resolution: # 2018-30C  Seconded By: Ms. DiNapoli

WHEREAS, on February 6, 2019 the applicant, by Resolution No. 2018-30B (the “Resolution”), the Planning Board conditionally approved Cream Street Solar, LLC’s application for site plan and special use permit approval to develop a 2.6-megawatt solar farm on property located at Cream Street (the “Project”), identified as Lot #26 on a subdivision map entitled “Subdivision/Site Plan/Special Use/Submission Set for the Enclave at Hyde Park A Residential Subdivision” filed in the Dutchess County Clerk’s Office on August 13, 2018 as Filed Map No. 11697C, further identified as tax parcel no. 6263-01-465957, in the Greenbelt Zoning District (the “Site”); and

WHEREAS, the Project is depicted on a site plan entitled “Site Plan and Special Use Permit Set for Enclave Solar Nexamp,” sheets C-001, TP-1, C-002, C-100, C-101, C-102, C-103, C-104, C-105, C-106, and C-107, prepared by the LRC Group, dated September 4, 2018, last revised December 4, 2018 (the “Site Plan”); and

WHEREAS, the applicant has requested that the Planning Board modify the conditions of site plan and special use permit approval as set forth in the Resolution so that trees can be removed prior to March 31, 2019 to minimize potential impacts to Blanding’s turtles; and

WHEREAS, the Planning Board has considered the applicant’s request.

NOW, THEREFORE, BE IT RESOLVED, that conditions 2, 4, 16 and 17 of the Resolution are hereby amended to read as follows:
2. Approval of the form and substance of a revised emergency access easement for the relocated roadway along with metes and bounds descriptions by the Planning Board’s Attorney and Engineer.

4. Approval of the form and substance of a stormwater easement and maintenance agreement by the Planning Board’s Attorney and Town Attorney.

17. Deleted.

BE IT FURTHER RESOLVED, that the last resolved clause of the Resolution is deleted and replaced with the following clause:

BE IT FURTHER RESOLVED, that 30 days prior to disturbance of the Site, the applicant shall re-flag 100 feet of the federal wetland on either side of the northern most edge of the wetland. The applicant’s consulting biologist shall provide the Zoning Administrator with certification that the flags have been properly installed.

BE IT FURTHER RESOLVED, that an additional Resolved clause is added to the end of the Resolution to read as follows:

BE IT FURTHER RESOLVED, that before the Zoning Administrator may authorize issuance of a solar system building permit pursuant to Section 130-4A of the Town Code for the Project, the following conditions shall be satisfied:

1. The approved emergency access easement and stormwater easement shall be recorded in the Office of the Dutchess County Clerk.

2. Entry into a Payment In Lieu Of Taxes (PILOT) Agreement with the Town of Hyde Park pursuant to Chapter 100 of the Town Code.

3. Approval by the Town Board of a removal bond pursuant to Town Code § 130-8(I)(4) or, alternatively, approval and execution by the Town Board of a decommissioning agreement with the applicant for the Project. Such removal bond or decommissioning agreement is to be based on disassembly, disposal, and site restoration costs only excluding salvage value.

Aye Mr. Dupree
Aye Ms. Dexter
Aye Ms. DiNapoli
VOICE VOTE 6-Aye 0-Nay 1-Absent Motion Carried

WEST, JEFFREY & ROBIN
Site Plan Waiver-New Window (#2019-08)
Location: 31 Horseshoe Drive
Grid#: 6064-08-853753

Jeffrey and Robin West
31 Horseshoe Drive
6064-08-853753
SITE PLAN Waiver
Town Code Section 108-9.4 C 2

Date: February 20, 2019
Resolution #: 2019-08
Moved By: Ms. DiNapoli
Seconded By: Ms. Dexter

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Jeffrey and Robin West to do interior renovations on the existing single family home, and,

Whereas, the application is to reduce the number of bedrooms from four to three and increase 1 1/2 bathrooms to 2 1/2 bathrooms. Three new windows will be installed in the new master bedroom on the main floor.

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 request for a waiver of site plan received by the Planning Department on February 14, 2019.
Mr. Pickett  Aye
Ms. Dexter  Aye
Mr. Oliver  Absent
Ms. DiNapoli  Aye
Ms. Weiser  Aye
Ms. Wasser  Aye
Mr. Dupree  Aye

VOICE VOTE  6-Aye  0-Nay  1-Absent  Motion Carried

Release of Escrow 19-A:

Date: February 20, 2019  Moved by: Chairman Michael Dupree
Resolution #: 19-A  Seconded by: Vice-Chair Anne Dexter

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Aye  Ms. DiNapoli
Aye  Ms. Dexter
Aye  Mr. Dupree
Aye  Mr. Pickett
Aye  Ms. Weiser
Aye  Ms. Wasser
Absent  Mr. Oliver

VOICE VOTE  6-Aye  0-Nay  1-Absent  Motion Carried

Adjourn

MOTION: Ms. Dexter
SECOND: Ms. Weiser
To adjourn.

Aye Mr. Dupree
Aye Ms. DiNapoli
Aye Ms. Dexter
Aye Ms. Weiser
Absent Mr. Oliver
Aye Mr. Pickett
Aye Ms. Wasser

VOICE VOTE 6-0 1-absent Motion Carried