



Historic Town of Hyde Park

Planning Board

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“Working with you for a better Hyde Park”

**MINUTES OF THE MARCH 3, 2021, 6:00 PM
WORKSHOP/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
BONNIE FRANSON, PB CONSULTING PLANNER
PETER SETARO, PB CONSULTING ENGINEER
ELIZABETH AXELSON, PB CONSULTING PLANNER
KATHLEEN MOSS, ZONING ADMINISTRATOR
CYNTHIA WITMAN, PB SECRETARY
COUNCILMAN KRUPNICK, TOWN WEBMASTER**

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Chairman Dupree: Good evening everyone. And welcome to the March 3rd meeting of the Hyde Park Planning Board . I will note first that this meeting is authorized by Executive Order 202.1, last updated and extended as 202.94 by Governor Andrew Cuomo, which permits virtual meetings such as this one. Let me first confirm that each Planning Board Member is alone or not with anyone who might try to influence your vote.

Ms. Weiser: I'm alone.

Ms. Wasser: I am alone.

Mr. Pickett: I am alone.

Mr. Oliver: I am alone.

Ms. DiNapoli: I'm alone.

Vice-Chair Dexter: I'm alone.

Chairman Dupree: Please join me as we reaffirm our loyalty to the stars and stripes, the flag of this great nation.

PLEDGE OF ALLEGIANCE

CONTINUED PUBLIC HEARINGS:

HUDSON VALLEY HOSPICE HOUSE

Site Plan & Special Use Permit Approvals and 2 Lot Consolidation (#2020-17)

Location: 31 E. Dorsey Ln. & 542 Violet Ave.

Grid #s: 6163-02-570735, -552748

In Attendance via Zoom:

Joe Berger, Berger Engineering

Michele Zerfas, Berger Engineering

Michael Kaminski, Hudson Valley Hospice

Jaime Machado, MAG Designs

Chairman Dupree: Thank you. The first item on the agenda is a continued public hearing for Hudson Valley Hospice House. The applicants are seeking site plan and special use permit approval as well as to consolidate two lots or a minor subdivision under our Code. We've been discussing this a lot, back and forth. We even had an offline meeting that I'll discuss, initially. May I get a motion to reopen the public hearing?

MOTION: Vice-Chair Dexter

SECOND: Ms. DiNapoli

To re-open the Public Hearing for Hudson Valley Hospice House.

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: Thank you, all in favor please raise your hand and say aye. Aye. Nays or abstentions? The motion carries. So we had a meeting yesterday that I think was very productive, between the applicants, me, Ms. Weiser, and Mr. Setaro. So basically looking at the last comments, I started by summarizing that it appeared that there was a preference for a one-way, 20 foot wide drive going around the back, but that honestly, it's okay to keep it at 22 feet because there wasn't enough drive to push it that far. And Ms. Zerfas has also pointed out that there are grade changes where they might need a wider drive. We did discuss needing the painted crosswalks, so the employees could safely reach the waste receptacle that's proposed in the rear and the applicants agreed to put this in, because it is a signal to drivers that people may be walking back there at any time. Mr. Berger will notify Mr. Setaro when they have a clearer idea of what the substrate conditions are for the proposed stormwater trench, maybe nine to 10 feet deep. It's going from the top of the southwest corner down and around northeast to the back to the storm water detention pond. We think that there's a lot of rock in there and so we're interested to see what impacts that might have on neighboring wells. It may be nothing but depending on the results, Mr. Setaro may be speaking to the Department of Health, along with the applicants. Planning Board Members are free to join me, to see, to walk the southern perimeter. We noted last time that the fence at six feet tall will not do really a lot of screening, although it will probably prevent car lights from coming up. But we're curious to see whether it needs to be placed in the entire area, because there is landscaping proposed, Cedar and Pine evergreens, which will probably do a lot better job of screening the neighboring properties along the south side. The applicant and their representatives will also evaluate the likelihood of sheet flow and possibly creating hazardous or frozen conditions, and also requiring heavy salting because that sort of obviates the green storm water that's proposed now for the drop-off areas. I'm not sure where they are yet, but that's for discussion amongst the applicant and Mr. Berger, Ms. Zerfas, and the architect. The applicants have submitted a color for the privacy fence along both sides, the northern and the southern. Please, my colleagues review, it's a brown kind of gray color that I think actually looks like the color of fallen leaves and tree bark. Oh, there we are. Thank you, Councilman Krupnick. That's what's

proposed which I think will do a lot better job of blending in so it doesn't look like white popping out to the neighbors who live again on the south side and the north side. And the last comment that I pointed out from the last meeting was that there was a preference to stagger the trees in kind of zigzag fashion along 9G, rather than a row. And this will make it look a little less formal. And we also discussed the fact that everyone seemed to agree that around the actual building, it would be appropriate to have it being very park-like, so a lawn with manicured plantings, et cetera, and then as you go out, maybe still some lawn under the trees, but then around the edges, leaving it in a very natural area, this will also provide more screening. In the meantime, the ZBA granted the area variance for the applicant, so they are free to proceed now. The variance was conditioned upon us combining the lots. This hearing has been on all three, the site plan, special use permit and minor subdivision. And I'm going to propose at some point tonight that we close the portion of the public hearing on the minor lot subdivision, so we can consider taking action, accepting for sketch and possibly just going right to final at the next meeting, which would not be a public hearing. And also in the interim, we have a new submission from the applicants and I will now turn it over to Ms. Zerfas and her capable hands to walk us through, Michele.

Ms. Zerfas: Okay. I realize that the site plan I have on here is the older one, but this is this house. And if you'd go to the site plan on the next page, page two, this doesn't show the sidewalk that we've added between Violet Avenue and the building, right along the bio-retention, up there on the northern side of the driveway. In off of Violet Avenue on the north side of the driveway, there's an alley sidewalk proposed and there's also a big bench proposed up by Violet Avenue, as requested. So those were the primary things there. Now, if you go to the next slide, this is new in your packages since our last submission, that you have now, and this was for the monument sign, which is going to be up in the front. And it incorporates colors that blend in with the building, it will need a variance and the same designer's going to apply for the variance. But again, this reflects a lot of what the building features.

Chairman Dupree: If I could interject Michele, Paul at Timely Signs knows our Code and was going back and forth with me to make sure it was compliant. And I said, the only thing we can't do anything about is the symbol, because we can only increase dimensionally, based on if it's a wall sign on a building and that's for aesthetic merit or distance from the road or design speed of the road. This is pretty close to the road, so it doesn't apply to that section. I'm sorry, you have to apply for the variance, but I think the sign looks nice myself. We'll hear from the other Board Members.

Ms. Polidoro: Well, if it's going to slow the application down, you can resubmit without the sign type and just have the monument approved as part of the site plan.

Chairman Dupree: That's what I had suggested as they were showing this to us, because it may be that this...There are two options, as everyone knows for signs, you can apply for a sign permit, which is separate from site plan, but you should show the location for the signs on the site plan itself, so that you don't need a site plan amendment. So I offered that opportunity to, Mr. Beichert at Timely Signs as well. He's hoping that they'll be able to get through the variance quickly.

Ms. Moss: So the decision for the applicant is, do you want this sign tied to the site plan where you would have to go get a variance before the site plan could be signed, or do you want to apply separately for the variance and for the sign? And then the building component and site component could move forward?

Ms. Zerfas: I would be guessing, split them up.

Ms. Moss: Split them up. Okay. Thank you.

Ms. Zerfas: But, you know, even though we'd be coming back for the building, it'd be good for the Planning Board Members, I mean, they're seeing this and so then it gets taken separate, but if they have any comments.

Mr. Kaminski: Can I ask a question? As I understood the Chairman, we could keep the monument sign located on the site plan as it currently is without the verbiage on the sign and then apply for a variance based on the size of one portion of the verbiage. I would prefer to do it that way if that sounds okay.

Chairman Dupree: Great. Michele, I didn't mean to interrupt. I apologize.

Ms. Zerfas: That's perfectly fine. I'm glad you did. Okay. And Neil if you can go to the next slide. The sign will have lights and if you can see, this is similar to the lights. There'll be canister lights sitting up in the canopy over the top, directed down, which complies with lighting and it's not going to be glaring. And then the other thing I had with the fence color, just Chairman Dupree, just to let you know that the lighting person or the site lighting did a quick calculation and the lighting that's shown the average is less than two. When we resubmit all the plans after the deep tests, that will be on the plans so you have it in writing.

Chairman Dupree: Thank you. So let me start with our consultants. Let me start with Mr. Setaro first tonight.

Mr. Setaro: Wow. Switching it up. The Chairman did a good job of summarizing our meeting yesterday. It was a very productive meeting and I think we got some things clarified. So I'm not going to spend a lot of time. I think that the biggest item that we discussed was that, as the Chairman said,

in the next couple of weeks, Michele's office is going to be out there. They're going to be doing some deep hole tests to try to identify the extent of the rock and the building and in the stormwater management facility areas and some of the deeper trenches that are going to have a storm drain line in. So basically once we get the soil test information that will identify the rock. They're going to have to do some percolation tests for the stormwater management areas. So we really don't want to go too much further with the review of the SWPPP. I think that was basically it. The rest of the stuff is relatively minor. They're going to take a look at the sheet flow in parking lot. And again, that's really more of an applicant's issue. I think that's it, so we'll work together and we'll go from there.

Chairman Dupree: And thank you Pete for taking the time to meet yesterday. I know it really helped me to kind of look macro at the issues and I think it helped the applicants as well. Ms. Axelson comments?

Ms. Axelson: Again, you did a great job summarizing, Michael, and I know a lot was covered at the meeting the other day. Just a couple of points. I think it'll help the Board and I know Michele, there was a concern about cluttered plans, but having the limits of disturbance line on those other plan sheets, I figure you're just turning on a CAD layer and then I think it'll help the Board evaluate landscaping regarding the issue with the fence.

Ms. Zerfas: Liz, I can make it simple. I changed the limit of disturbance to the entire area outside of the tree line, the scalloped tree line on there. The whole rest of the site is disturbance.

Ms. Axelson: And then, I did have a discussion with Tad about the notation, so I put that in there pretty specifically, so that it was as the Board wanted regarding retaining trees beginning with the wooded area, nearest the redevelopment, maintained in a park-like manner, which I think is consistent with the intentions of Hudson Valley Hospice. And then I realized at the meeting the other day, there was a question about one of the comments regarding lighting, having to do with reducing lighting levels for the three pole situated, sort of along the northern boundary, that that was of concern. Another way to handle that...and honestly, I worded it to say, consider reducing the lighting levels. I wasn't sure how the Board felt about that. Another way to handle that would be to do some shielding. And the idea was just to reduce the amount of light that might escape to nearby properties. And that's it, most of the comments were engineering, and it sounds like the access for people going to the dumpster is going to be dealt with. So that's it.

Chairman Dupree: We missed you at the meeting. And I did ask Michele to submit what the average foot candles are for the whole site to make sure. I believe that the lights they're proposing are dark sky compliant, but if we feel as though there needs to be a shield added to maybe make it more directional

and that's okay. We did discuss this briefly at yesterday's meeting and the applicants indicated that there's also a safety issue. People are getting off at night, because this is 24-7 care. So I'd like to have some sort of safety level, which as long as the foot candle average on the entire site is at two and if it doesn't extend over the property line, which it does not, then the Board may find it acceptable, this is up to you. And please weigh in on that because Liz had a question about it as well as the fence color. Ms. Polidoro?

Ms. Polidoro: I don't have any outstanding legal issues, except that if we're waiting for deep tests, does it make sense to continue this for two months out rather than bringing them back next month.

Chairman Dupree: We had discussed doing it either a month or six weeks, depending, because, and Joe can speak about this himself, but Mr. Berger indicated he wanted to wait until the snow is gone, because that way they can really see what they're looking at instead of combining it with snow. And if the weather holds, then we might see a drastic reduction. At the same time, I believe some of my colleagues were saying that Chris is not through snowplowing yet, so we'll have to wait and see about that. Anyway, Ms. Moss comments?

Ms. Moss: My questions were answered about the sign. Thank you.

Chairman Dupree: Thank you. Okay, then let me start with Vice- Chair Dexter tonight, Anne, any comments?

Vice-Chair Dexter: Not many, other than congratulations on the variance and the ability to proceed here and the plans have really come together nicely. I mean, they really started out not too bad, but I really feel that you've taken the comments and the inputs and used them to create a really beautiful plan. Thanks.

Chairman Dupree: I agree. Thank you, Anne, that's nicely said. Stephanie comments?

Ms. Wasser: I completely agree with Anne. I think it's come together nicely. I appreciate the applicant's willingness to respond to some of our concerns all along the process. And I'm delighted that it's coming to fruition. We're almost there. So I'm very happy about that. I don't have any new comments.

Chairman Dupree: Thank you. That's a great comment. Victoria, I believe you had another comment. You just sent me a little note about.

Ms. Polidoro: Yes, sorry. Michele, when you put up the plans before, I couldn't tell, are the bench and sidewalk in the right of way or on the private property?

Ms. Zerfas: Everything's on the private property. Nothing is in the DOT right of way.

Ms. Polidoro: So you know, that we'll have to work and have an easement for the sidewalk.

Ms. Zerfas: Right, just like for the office.

Ms. Polidoro: Yep, exactly. Thank you.

Chairman Dupree: Thank you. That was a good comment. Mr. Oliver comments?

Mr. Oliver: No new comments other than congratulations and thank you for everything you've been doing with getting the plans to us and making the adjustments. And I hope to see everything gone smoothly going forward. Thank you.

Chairman Dupree: Thank you, Chris. Mr. Pickett?

Mr. Pickett: Yes. I like the color that you picked out for the fence. I've had a white polymer one from Adams, for a number of years, and the color that you've picked will go nicely with not having to clean it once or twice a year. I like the sign and the monument. I think it looks great. It will fit the building and I think it'll fit the area and be an improvement to the area. And the only other question I had, was in the last write-up, there was some discussion on the well placement and septic placement. Has there been any, is that still in motion or has it been settled?

Chairman Dupree: Michele, do you want to answer that?

Ms. Zerfas: Sure. For the most part, as far as I'm concerned, they're set. Last summer we went with the Health Department, so they saw the septic and they've seen the deep tests, so that kind of ties where it is. And then the well, we needed to try to get it a hundred feet from things and then as much inside the site as 200 feet. So the well and the septic are pretty well set. We just haven't gotten the final Health Department nod that says they're fine.

Mr. Pickett: Okay then, I look forward to getting it going. Thank you.

Chairman Dupree: Thank you. Ms. DiNapoli comments?

Ms. DiNapoli: Yes. Thank you for all of your hard work. It's always been a pleasure working with you. And it has made the project so much nicer. In one of the occupations of my life, I was a nurse and I spent years at Sloan Kettering, besides other places. And once you work with the dying, you can

truly appreciate the comfort, a place like this will bring people, so I am glad you stuck to it and we will all the benefit, hopefully not too soon though. *Laughter.* So thank you.

Chairman Dupree: I think we have a few birthday candles left on our cake, ahead, before we get over there. Let's hope. But thank you for those very touching words. And Ms. Weiser comments?

Ms. Weiser: I'll join my colleagues in thanking you for all your hard work. I think it's a great project. That building looks wonderful. We're really happy to have you in Hyde Park. I also agree the sign is really lovely looking. And then the brown fencing is fine as well. So thanks.

Chairman Dupree: Thank you, colleagues, for being so quick and brisk and efficient. Members of the public who would like to speak, I believe Ms. Hudak is here. Donna, you can unmute yourself and put yourself on video if you'd like to make comments.

Ms. Hudak: Okay. I like the sign. That's beautiful. And I appreciate the light shielding comment and the way the lights are going to protect our properties and the trees, the evergreens. So I think you're doing a really nice job and thank you for working with us and listening to our comments.

Chairman Dupree: Thank you. As I've said before, your kinds of comments, the people who live near us really do hone in our work because you're the ones who live there. We can drive by and walk on it, but it's not the same as living next door. Mr. Leonard just joined in, Brian do you want to make any comments?

Mr. Leonard: Hi everybody. How are you? I want to say thank you, the same as Donna, as willing to hear our voice and our concerns. I would like to know if it is open for the future, if there is an issue, say the trees die or the fence gets knocked down and we bring it to attention, would you be willing to hear our voice then also?

Chairman Dupree: So I can answer that very easily Brian. Once it leaves the Planning Board and once it's actually constructed, et cetera, and it gets a CO, then there are notes on all the plans that say, landscaping must remain in healthy condition or replace dying, dead, et cetera. That's standard for us. Then also, if a fence falls down, that's also part of site plan, so they'd be required to put it up. However, you wouldn't come to the Planning Board, you'd go to the Zoning Administrator, likely.

Mr. Leonard: Zoning Administration, okay.

Chairman Dupree: Because there's actually a form for complaints, for things like that.

Mr. Leonard: And it's not a complaint, it's working with you guys because you've worked with us and we want to keep that reputation as a working family and neighborhood, because this is who we are and we're the neighborhood that we're allowing you in and we want to know it as a neighborhood still. So with that, everyone can agree that the view as lovely as a building would be, nobody wants to see it in their backyard, but we're willing to accept it as well as everyone else and make it appropriate for everyone and work together with everyone so that it's appropriate functional storm drainage. The high yield of snow that we had this year is an issue with all of us, with the water. So that's going to be something for you guys to keep an eye on for the drainage and maybe have it as an inspection spot over the years so that it doesn't become overgrown and plugged up and functional because it's not a gully or a full drainage system, it's just a pathway through the woods. So it's something to keep in mind and maybe just make notes on, that we have to maintain our own, so it's a neighborhood and it would be appreciated.

Chairman Dupree: Tad, Ms. Moss is also, believe it or not, she has another title besides Zoning Administrator, it's called Storm Water Management Officer. And that's actually, Tad's nodding, but that's, I believe one of her favorite activities because she knows more about storm water than anybody I know, except for Pete and a couple of engineers.

Mr. Leonard: It's phenomenal on how much we get down here on this end. And we're just a shy portion away from it. But it's phenomenal on how much water I get from 9G.

Chairman Dupree: The applicants have shown a snow storage area and it's actually at a low point, below all the houses where you live in your neighborhood. And I believe it's supposed to drain also, not supposed to, it will also be draining into the same storm water detention pond.

Mr. Leonard: Hopefully. Well, you can't keep it out of the woods, that's the thing. And we get all of that. The neighbors, the yard water, it's phenomenal, what we get and it goes downhill. I've never seen water go up hill yet, we're down on the end.

Chairman Dupree: Mr. Setaro, I can assure you will make certain that it goes where it's intended to go, right?

Mr. Setaro: Yes.

Chairman Dupree: At any rate, if you notice that there's ponding or flooding or something else, you can also contact Tad as a Storm Water Management

Officer to discuss it with her because we are an MS4 town, that means that we do our own stormwater details. They still have to comply with DEC. That's the easiest way to explain it, but Tad is pretty, I don't know how much of your time you devote towards stormwater, but it's a lot, I know, Tad. She's nodding, that's all. So at any rate, that I think we can alleviate your concerns.

Mr. Leonard: Thank you.

Chairman Dupree: And you can also always speak to your ward member for the Town Council. At the moment that is Stephen Woodcock. He's your Town Board Member, who represents ward 3, where you guys live. But he can also help if you can't get through to Tad or something, that's what the elected officials are here for, is to respond to constituents.

Mr. Leonard: Well, again, I thank you all for working together with us and I speak for the neighborhood. Everyone here has a voice and we've all spoken, what we wish to speak about, and you've all listened and taken our concerns and that means a lot to us.

Chairman Dupree: Of course, Brian, thank you.

Mr. Leonard: Thank you,

Chairman Dupree: Susan. Do you want to add something? You'll have to unmute yourself again, Ms. DiGilio.

Ms. DiGilio: I just wanted to listen in to the last meeting that I could participate in, but all my questions have been answered beautifully. All my concerns are being addressed and I thank you all for that.

Chairman Dupree: On behalf of the board and our consultants, you are very welcome. And the applicants, I should stress are also eager to make sure that you're not unhappy neighbors because that's not good for them either once they're open and up and running. It really is, I can assure you. That's what the process is for when we have public hearings and this is not the last public hearing, we'll just be adjourning it out to a lengthier time. Because each time we host these, we charge the applicant for escrow, for our consultants, so it's just easier if they can work behind the scenes to figure out the rock and the water, well placement exactly, et cetera. Back to an earlier question that my colleague had, Mr. Pickett, I believe that that the sewer, the wastewater treatment area is definitely where it's going to be because there's not another area there. It also provides some screening. The well, it looks like it's 99% known where it's supposed to be going too, but that will be determined once they start doing testing. Any other comments from our consultants or from the applicants? Mr. Kaminsky, Ms. Zerfas, Mr. Berger, Mr. Machado?

Mr. Kaminski: I have a comment, Mr. Chairman. I want to assure the neighbors of Hudson Valley Hospice House that we are also available to meet with you and listen to and have any discussion relative to any questions you might have or issues that have come to your attention. We need to know if there's any problem with any of the neighbors so that can work together to solve it.

Chairman Dupree: So the answer there, Brian is you can also, as neighbors, you can also be good neighbors and before you go to complain to Tad, you can actually speak to the site manager.

Mr. Leonard: Michael (Kaminski), I appreciate that. I really do. Thank you.

Chairman Dupree: That's a great offer, Michael. Really, seriously great. Thank you. So going back to the applicants now, when would you guys like us to, I mean we can close the portion of the public hearing tonight on the subdivision so we can go ahead and combine those, your variance then is good because that's the main condition. But how much time do you think you'll need Joe and Michele for the work on the rock, the trenching, et cetera?

Mr. Berger: The guys should be dealt with that in three weeks, barring weather. As soon as the weather's done, I'm out there. So I'm thinking a week and a half, the weather's going to be clear and then we're out. That's just a matter of days after that.

Chairman Dupree: So then we can adjourn this then for a month. The portion of the public hearing, that's still on the site plan and the special use permit.

Mr. Berger: Sure.

Chairman Dupree: Okay. There being no other comments, then may I get a motion to first, close the public hearing portion of this that's devoted to subdivision. And I didn't assign that out so anyone can take it.

MOTION: Mr. Oliver

SECOND: Vice-Chair Dexter

To close the Public Hearing for the Subdivision portion of the Hudson Valley Hospice House.

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: Thank you all in favor. Aye. Motion carries unanimously. So we'll get that on the agenda. Victoria, is that enough time for you to do a resolution for combining the lots? I don't see any reason why we can't accept for sketch and go to final at the same time.

Ms. Polidoro: We've actually already accepted for sketch.

Chairman Dupree: Oh, that's right. We did. Sorry, I didn't look at my file completely.

Ms. Polidoro: So we can go right to final approval.

Chairman Dupree: That's why we pay you for being so smart and having a good, younger memory than I do. Thank you. So then may I get a motion to adjourn this to April the...

Mr. Leonard: Michael, can I interrupt you for a sec? It's Brian, for the drilling and the plans moving forward, is there going to be another opportunity for us to join you to follow along with all the motions?

Chairman Dupree: Oh yes, we're going to continue the public hearing to be April the 7th. So what happens is once they get through with what they're going to do and have the results, then we'll come and present it and discuss at the April 7th meeting and that'll be a public hearing and you're all welcome to attend as well.

Mr. Leonard: Excellent. Thank you very much, Michael. I appreciate that.

Chairman Dupree: You're very welcome. Don't worry. So may I get a motion to adjourn this for April the 7th.

MOTION: Mr. Oliver

SECOND: Vice-Chair Dexter

Adjourn the Public Hearing for the Site Plan and Special Use Permit portion of the Hudson Valley Hospice House to April 7, 2021.

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. I love working with this Board. Thank you. And thanks again all of you from the public for joining us, Brian, Don and Susan. We'll see you in a month. Stay safe. Stay well. And Michael, Mr. Kaminsky, Mr. Berger, Ms. Zerfas and Mr. Machado, if you need us, anytime, just send an email out and we'll set up a meeting. And Joe, I really would like to go walk the perimeter on the south side with you when you get an opportunity and it's a nice day. At any rate, when you have a date, just let me know and I'll circulate it out to a few other people in case they want to join us.

Mr. Berger: That sounds good.

WORKSHOP:

64 FALLKILL ROAD 2 LOT SUBDIVISION

Minor Subdivision Approval 2 Lots (#2021-08)

Location: 64 Fallkill Road

Grid #: 6266-03-176450

In Attendance via Zoom:

Peder Scott, PW Scott Eng & Arch, PC

Chairman Dupree: Okay. Thank you. Next item on the agenda is a workshop. Our public hearing portion of the meeting has ended as of now. This is a new application, so it's a matter of, I started to say, first impression, Victoria, you can shoot me. This is a minor subdivision approval for two lots. They're essentially creating a little bit over an 18 acre lot. Again, this is located at 64 Fallkill Road and we have Peder Scott, who's here to represent the potential new owners. Mr. Scott, welcome.

Mr. Scott: Good evening. So basically, we had a pre-application meeting on the particular project and it did result in some amendments to the plan, I could walk through with the Board Members. Again, this is a 28.5 acre parcel, we're subdividing into two portions, 8.5 and approximately 19.9 acres. Basically our amendments have to do with the roads. If I could share my screen with you, is it possible now? *Mr. Scott took a few minutes to share his screen.* Okay. So basically what we have before you is, when we last spoke, we were working with the Fire Department compliance and so what we did is we had a driveway earlier that extended up to our proposed house and pool sites. And according to what we did is we ended up making a loop road, going around a pond/wetland, which exists on the top of the hillside, to afford an ability for the fire

safety vehicles to move about the site. The next thing we did is we added a pull off for the fire trucks here, because of the length of our road we need several pull off areas. And the second one we created here was at this location. And the next one we created was up here on the right hand side, as you're going downhill or left going uphill. And so we broke the segments of the pull offs into under 500 linear feet each, and again, the cul-de-sac serves as a turnaround area. And that was pretty much the major amendment that we made during the subdivision application. To clarify where this project sits in all the various compliances, such as SEQR, DEC- DEP, we're proposing with all these activities, that is extending the roadway and putting the pool and we moved the house to this location and our guest house is in this location, plus all the septic areas which are tested and pending submission to the Health Department. There are three separate septic areas. We have 4.2 acres of disturbance. So we're under the five acres for a SWPPP with treatment, but we are proposing treatment anyway, for this particular property. And we're using bio retention structures because they have an RRV component, which allows me to attenuate storm flows. And we're putting in one bio-retention structure here, one there, and one down here. We have a storm water management plan, which has three distinct analysis points, one to due West, one to due East and one to the North, coming down the driveway for compliance. Another item we took care of is, we did speak to DEC and Army Corps. It appears that all these various components on the site plan, we did give you a drawing referred to as a CRM plan, and I could probably hit that for you if I'm lucky. Let me see if that's it.

So we gave you a drawing called a context map, the area topography, and what's most important, pretty much, is this map here, in applying for your subdivision regulations and with contact with DEC and the Army Corps, it appears that all these items that, we're draining too, are under the control of the Army Corps of Engineers. They're not DEC regulated, in fact, they're not listed as DEC regulated areas. They are all to the east of our project and so we have contacted local Army Corps and we're starting to work on any impacts you might have on this wetland with a roadway circling around it. And we also looked at, again, any increase of storm water coming down the hillside. With this map in front of you, we did describe all the soil types on the particular property and they are all pretty much the same and they happened to be the Nassau-Cardigan Complexes and they have some overburden of medium- to well-drained soils. And also, I did one more thing on this map, at the bottom of this plan, we described what all these acronyms mean in terms of the A, B, C, D E and F categories. So you get a feel for what the slopes mean. And the gist of the story is that we are utilizing all the lands where we're developing are either in the B or C soil slopes, which are less than 8%. The last thing I was going to go over, let's see if this works So I did give you a revised driveway profile and we clearly showed that there'll be some improvements on the driveway to make it work. Typically we've shown exactly where it all takes place. A little tough to describe in this scale, but what's important to realize is

that most of the site is very flat on top of this hillside and it's less than a 5% slope, so it's very easy to maneuver these emergency vehicles in this arc as shown and even to access the higher plateau, we are relatively flat in that area. And upon closer scrutiny of the plan we gave you, we have stationing geometries and slopes and all those areas with respective improvements, just to move the project along.

One more item, if I can get to this right here. So, what we want to talk about then is that we have various open space areas proposed on the project. It doesn't appear like the layer's on. Well, I can describe what we're proposing. So we're required to provide, 30% of open space, which totals about 8.55 acres for the entire project. And so we're proposing 1.3 acres of open space on lot 1a. We're proposing, in this area here, we're proposing 3.7 acres of open space, and we're creating a strip along the perimeter of this portion of the property, which totals 3.5 acres. And again we are somewhat constrained with the open space, because we have to find certain areas where we can reach suitable soils for the Health Department. They've already inspected it. Done our percs and deep test and everything else. And the last item is, we're keeping a big buffer here facing north, where the view of the property is off into the distance? So we want to keep this all intact. It's all heavily treed and will remain. And then this buffer on the south and eastern portion of the property will maintain a minimum of a 100 foot wide buffer where we're adjacent to other land, undeveloped, but nevertheless, we're keeping the buffer between ourselves, and these relatively undisturbed lands at this point in time. And that's the extent of it. Can I answer any questions?

Chairman Dupree: Thank you, Mr. Scott. First, let me just point out for my colleagues, as well as the consultants, the current owner of the current site, has, I guess the right term is to say denuded, much of the property. Trees have been removed. The freshwater pond you see at the top, yeah, right in through there, I believe it was actually created by perhaps the owner looking to almost excavate. So there are trees in the open space area that's to the north, that Mr. Scott pointed out. But the open space that's along the east side, there's not a lot of trees there in the first place. And the open space that's proposed is also not contiguous and that is a requirement our Code. So I just want to make sure that all the other Board Members have a chance to think about that and weigh in as we move forward. Let me start with Ms. Franson, our planning consultant.

Ms. Franson: Yeah. So, I had some comments that I'll formalize in a memo. I think we've talked about a fire district and a potential review by them of the proposed driveway, to make sure that access can be provided in as much as you show pull outs for vehicles, I think that's in general, a review that needs to be done. Contiguous open space, Michael touched upon it. The requirements of the average density provisions, indicate that the open space is supposed to be meaningful and preserve the important features of the site. And here they seem

to, to some extent, include steep slopes, areas that might not be developable. And, you know, part of the question is whether the ponds, the freshwater wetlands, have some quality still, to which there should be some preservation of them or not. And that's something that the Planning Board needs to discuss. The lot lines themselves between 1a and the two properties, essentially, it's unclear, at least from my read of the drawing, how the lot lines extend to Fallkill Road. There doesn't seem to be a line there or a line's missing, but again, it's unclear. Eventually, at some point, there'll be a need for an easement to make sure that access is provided to the existing house on the property. The EAF, as a matter of policy, New York State DEC policy, EAFs are to be run through EAF mapper. And when I looked at the EAF, the one comment I had is that if you look at the species, it says yes, that there is some kind of sensitive species on the site, but the actual information in the box is blank. When I ran the EAF mapper, Indiana Bat came up. So to the extent that the Planning Board wants to refer this to DEC for any comments, I'll note that Indiana Bat is indicated as being potentially present on the site. If you have emails from agencies, whether it's Army Corps or whether it's DEC, any communications, it'd be beneficial for the Planning Board to have that as part of the record, to support, you know, you're thinking in terms of, again, the jurisdiction of the wetlands that are on site, we do note the Army Corps of Engineer potentially regulated wetlands. And then lastly, on the properties you're showing guest houses and in terms of density, could you go through sort of the calculation of how you arrived at the density and how you may have considered the guest houses?

Mr. Scott: Well, I considered, there's a main house and a guest house and to be candid, I just took the total acreage and divided it through by the number of dwelling units to get a density count on it. The lot is 19 acres. And we didn't count the pool house, which is not habitable, well, it's habitable, but it doesn't have sleeping areas. And that, if we had to, we could consider that also as a dwelling unit, if you wanted to, in the calculations, but currently we just have the two buildings that were proposed on the property.

Ms. Franson: Is there, with regard to the guest house, what makes it a guest house versus, in the future, becoming an apartment or a dwelling? Will there be some kind of conditions or limitations, that the owner is willing to place on this? I think to get a sense of, you know, what this will be in the future.

Mr. Scott: Yeah, I can put something together on that. Currently our current procedure is we were going to build the guest house first, because it can be done in a timely manner and then we have a much bigger residence proposed as a main house. And so initially we would start with occupancy in the two bedroom project, called the guest house and then convert over to the main house at a future date. And if we had to file certain paperwork to make that happen, we'd be willing to do that.

Ms. Franson: Yeah, I think to some extent it's important, you know, what they're considered. I know that the Town and its Zoning regulations, you allow accessory apartments. You obviously allow single family dwellings, but you know, the guest houses again, are they accessory to something? If you build the guest house first, you know, you don't have the principal building or principal use before putting the accessory use on. If it's even considered accessory. So again, I think we just need to have a good understanding and consult with the Planning Board Attorney in terms of how to view these guest houses going forward.

Mr. Scott: Yes, we can do that. We have an attorney on board who can also assist in that presentation. I'm sure in the past, I've done similar projects and we couldn't get a CO until we did some certain items as we moved through the project. And this is typical of the scale of the projects we work on all the time. So we had some paper would give you. I could go back to sharing the drawing, but I could describe to you very carefully, quickly answer some questions. It's a flag lot. And on the site plan drawing, SY1, we do have a flag going all the way down to the street frontage. It's on the far northern portion of the property. It doesn't follow where the road is, but it does follow, the property line and it meets all the frontage criteria and the widths, et cetera, for making it a viable lot. Again, it's a strip about 25 feet wide going all the way down to Fallkill Road. We will have an easement across the driveway. We would like to discuss how wide you want the easement, because we have storm water. In the old days, the easement was just a driveway, but now the easement has to be somewhat wider because we have all these stormwater structures, which are shared by both of the common owners of this driveway. So we are looking for some guidance on how wide to make the easement. It could be 20 feet wide; it can be whatever 30 feet wide and we have to talk about certain limits. We don't want to get too wide because we never want it to become a Town road, of course. That question comes up when we give these easements out, bringing up a component. That was one item we needed to clear up if we could. Yeah, the open land is a tough, tough situation for us. The client has purchased a piece of property with a viewshed afforded by a location, centrally located, within the property, accordingly, we have to get to that central portion of the property itself, and therefore the open space, it seemed to be extends around this central location. And fortunately, I could give you probably, open space connectivity to about 350 degrees around this central location, but because I have to get to that higher location, it's somewhat difficult to give you open space and a septic system. When we did do the deep test holes, we dug 28 holes with the Health Department and spent two days at it, to come up with areas which would meet our requirements. And we had somewhat of an encroachment problem because the current owner dug up a lot of areas, and exposed shale. So, we were stuck again, trying to get to areas where there are suitable septic. We could widen the open space somewhat in areas upon your input, to where you'd like to have more or wider open space criteria, possibly working with the upper pond, but then again, we have to get a road around

there for the Fire Department. It could be for emergency purposes only, again, this is a sketch plan. We're open to any suggestion from any of yourselves or the consultant. So, yes, I acknowledge that issue.

Ms. Franson: Yeah, I would just, last, in terms of, the open space mentioned, that I think we have to look at what actual vegetation is still remaining on the site. You are somewhat at a kind of high point in that area. And to what extent, once the buildings, et cetera, are constructed, you know, are they potentially visible from any sensitive or important visual viewing places? So that's just, I think, one of the considerations in terms of what vegetation will be retained relative to those open space areas and what gets disturbed versus what even remains.

Mr. Scott: We'd like to plant, again, part of our proposal would be, we always put in pretty substantial planting plans, and again, we're open to any suggestions of what you'd like to see. The only thing I would not want to see are White Pines, because they are not very well versed on top of a mountain. We'd be shedding every day. We do have a prevailing wind from the North, but we are willing to put any planting, a very substantial planting plan to satisfy anyone's needs. If you gave me a list of any important locations that we might have to coordinate our application to, we'll give you a 3D view analysis of our proposed project from any view shed, any distance you want. We've called it 3D so.

Ms. Franson: Yeah. I'll provide some suggestions and the Planning Board can ultimately decide how they want to proceed.

Mr. Scott: Very good. Thank you.

Ms. Franson: Thank you,

Chairman Dupree: Thank you, Bonnie. Mr. Scott, do you know approximately the distance from this site to the river? Because for everyone else, surprisingly, when you're up at the top of the site where the house will be, you can see the Hudson and the mountains beyond it. It's a beautiful site. I know why people would like to be up there.

Mr. Scott: I don't have that number, it's measured in miles probably, but I can give you that.

Chairman Dupree: It's definitely measured in miles. You're pretty far in, from 9G and I can't remember how far 9G is at that point, because it varies, but it might be visible from the river, but you'd have to have big binoculars because you're looking at a Panorama from up at the top. To actually see a house that distance I think would be hard. But I appreciate Bonnie saying what she said,

because there will be some points where it will be visible, just not probably to the naked eye per se, you need binoculars or something.

Mr. Scott: Yeah, well we show a visual analysis. We do an arc distance of what you see of an arc from a certain location of the whole disturbed area and also an azimuth differential, so you can sort of get a perspective of what you're looking at. Then we can provide you actual viewpoints from anywhere you want, to the Board.

Chairman Dupree: The Board is familiar with viewshed analyses, I assure you. We have to do them fairly frequently for projects that are tall and are on the river or next to an historic site. So yes, Bonnie?

Ms. Franson: Yeah, I was just going to add, view from the road, maybe distance from the Hudson River. I agree with that. I think it's, sort of that concern of as you're driving along a public road, seeing a notch, instead of having that nice green background that would soften the appearance of a home. But frankly I think the first question is simply, is it visible from a public road that carries a reasonable volume of traffic? So thank you.

Chairman Dupree: Public viewsheds. We also told Mr. Scott that we'd like to do a site walk, but we want to wait until the snow is gone because it's going to be much easier. It's a really steep road. You will need a really good SUV to get up there, the way it is now, it's a steep slope, I should say. Mr. Setaro, comments? Because there's going to be a lot here for you.

Mr. Setaro: Well, I have to apologize because I completely let this application slip and I'm not quite sure why, but I have not looked at it yet. So I will do that and I will get some comments out early next week, but I do have a couple of things just listening and looking at the plans. Peter, is this the same piece of property that Paul's owned for years?

Mr. Scott: Yes.

Mr. Setaro: Okay. All right. Then I'm familiar with it. We did have some issues over the years, as the Chairman said with clearing trees and I believe he was excavating a pond. So I just want to make sure that was the same property. Do you have on your plans, Peter, do you have a limit of disturbance line so that we can kind of check your, I think you said there was like 4.92 acres of disturbance.

Mr. Scott: 4.2 acres.

Mr. Setaro: Oh, 4.2.

Mr. Scott: And we use something called an L D line on there, which is limit of disturbance.

Mr. Setaro: Okay. And then I assume that for the two lots, this is going to be a common driveway.

Mr. Scott: Yes.

Mr. Setaro: Okay. How much, just out of curiosity, do you know how much of it's common?

Mr. Scott: Yes, I do. We have a driveway plan that we provided. One second. The common road ends at station 1400.

Mr. Setaro: So you're going to have 1400 feet of common driveway.

Mr. Scott: Yes. And because we have a loop, we have 3,300 total length of road. But the loop is about a thousand feet, about 800 foot loop at the end. So we are looking at, from between 1400 and another 1400 pretty much is our driveway before we go to a loop.

Mr. Setaro: Yeah. I mean, because we always have this, I don't want to call an issue, but you know, it is an issue I guess, with, common driveways, in terms of who is going to be responsible for building it. Is it the first person who's going to apply for a building permit? And then how does the second person reimburse the first one? And I know in the past, and we haven't had a common driveway in quite a few years, but in the past, what we have done is had the applicant, before the map was signed, rough in the driveway and at least put a sub-base on it, up to the point where it's not common anymore, but maybe because this is only for two lots, I don't know. Maybe we can figure out something else.

Ms. Polidoro: One of the things we noticed when we were all reviewing it, is that in order to put the driveway in, it's going to need cross-access easements. So that solution may make sense. So we don't have to bother with the cross-access easements for installation.

Mr. Scott: If I may interject quickly, the 1400 feet that we're referring to is already built to some kind of standard.

Mr. Setaro: Okay. All right.

Mr. Scott: We have to repair it to make it meet your Code. This currently does not meet your Code. We are proposing plans. And we do have a joint agreement reached. That's the first thing I acquired on this project with my client. We'll give you a signed document between both the current owner and the new

owner, especially on who's paying for the road improvements. I went through that already.

Mr. Setaro: Okay. Alright.

Ms. Polidoro: So do you already have that signed, because normally we have to approve them, so it may need to be modified.

Mr. Scott: That's fine. We're open to that. At the very first moment I stepped on this site, I decided I had to solve a few things. That was one of them.

Mr. Setaro: Okay. So we'll get something out then early next week. And I apologize. I don't know how it slipped, but it did.

Chairman Dupree: Don't worry about that, Pete, to be honest with you, we kind of snuck it on because Tad reviewed it and said it was okay to go to the Board pretty quickly, so that's all.

Mr. Setaro: I have it on my desk. We'll catch up.

Chairman Dupree: I should have told you; I just should've emailed you to say we've added this sort of at the last moment.

Mr. Setaro: So that's all right. A lot of stuff going on.

Mr. Scott: The storm water management plan, I can give you. This is a sketch plan, but I do have storm water, SWPPP and, we can start feeding it to you if you'd like as well.

Mr. Setaro: Yeah. Just make sure everything is submitted through the Planning Board and then it'll get to me.

Ms. Polidoro: Stormwater and SWPPP review, they bring me to my big question, which is, you've only applied for subdivision approval of a two lot subdivision. We're looking at plans that have, you know, guest houses and pool houses and houses and, you know, stormwater review. And so the scope of the Planning Board review here right now is the two lot subdivision with driveway. Are you asking for us to approve this as a Realty Subdivision where we're approving the locations of the septic? And now that we know that there's going to be multiple dwelling units, we need to understand. Two, one-family homes are permitted, but they do require site plan review. And if it's an accessory apartment that actually requires a special use permit and has to meet certain dimensional standards. So rather than do this piecemeal, does it make sense for you to come in and apply and let us do site plan and subdivision together? Because once those lot lines are approved, you're going to be stuck with them, even if they don't make sense for site plan later on.

Mr. Scott:

Yeah. We're willing to do that. I guess our biggest concern was we need input from your offices and your consultants about the open space, because we're driven by a lot of items, in terms of designing things. About the only thing we've accomplished so far is to locate where the road is, locate where the septic are. And again, that open space issue, we'd like to get some input as soon as we can. And then, of course I'd finalize everything else very quickly for you. We have it all in the office.

Ms. Polidoro: Okay. I'm going to just recommend that the Board hold off on starting SEQR review and those other items at this point, because if you need site plan, we should be doing that altogether.

Mr. Scott: Okay, fine.

Ms. Polidoro: But certainly get input on the open space.

Chairman Dupree: And Ms. Moss is going to be the one I'm calling on next, who will ultimately have to make the determination, I believe, as to what the guest house is, because we don't normally have guest houses fully done. But we did have one recently for Small, I believe on Cream Street, but that was going to be a second family home. They applied for it that way, because that could be rented out afterwards, if they still go through with that proposal. So at any rate, Tad, comments?

Ms. Moss: Yeah. When we first discussed the application as a subdivision and this was to be a guest house, it didn't ring a bell that it would be a second single family dwelling on a lot that would require a site plan. I don't see that it's going to be an accessory apartment, because it's detached. So I think it would be a good thing to go through the site plan as we're doing this.

Chairman Dupree: Thank you, Tad. Any other comments?

Ms. Moss: No. I'm a little bit concerned about the grading, regrading of the driveway and whether or not the easement, there's going to need to be an easement for the redistribution of soil in that area. But I think we're going to work through that through the SWPPP. And I think you said that the change to the driveway was going to be done before the subdivision is signed. Is that, did I hear that right?

Mr. Scott: Yes, the making it conform is what will take place, correct.

Ms. Polidoro: Will that need an ESC permit now?

Mr. Scott: No, we're even including those improvements, we're under the five acres.

Ms. Polidoro: So the Town has a local Erosion and Sediment Control permit that's needed for work. I don't recall the thresholds off the top of my head, but it's much lower than five acres.

Mr. Scott: Yeah. We have a SWPPP already ready for it anyway.

Chairman Dupree: If he's designed this to a SWPPP, we may give an ESC permit, but it's like a SWPPP, put it that way.

Ms. Polidoro: I'm just saying that he shouldn't start the work until he checks with Ms. Moss.

Mr. Scott: Sure. Agreed. Very good.

Chairman Dupree: Any other comments, Victoria?

Ms. Polidoro: Oh, the average density, dwelling units, the Code allows, I think 0.4 dwelling units per acre, or 2.5 acres per dwelling unit. And so you should take out the max number allowed under the parent parcel and assign them to the parcels. You can do it based on their size as proposed or one parcel could retain more dwelling units, with the other retaining fewer volume units. So I just want to make sure you've thought that through and you're assigning that density.

Mr. Scott: Okay.

Chairman Dupree: We can help you walk through that, but that's something we require for all subdivisions. So that we have an idea. So if there's a parent parcel, that's allowed so much density based on that one DU (dwelling unit) per 2.5 acres, you do have to account for water bodies in there too. Then that's the density that can be assigned to one or both parcels. We don't believe that there's going to be a lot of further development here based on the environmental constraints of the site, but it's what we require nonetheless because of course, one day who knows there might be some central septic over there where you could get rid of your sewer and septic fields and put in something else.

Mr. Scott: Yes. Okay.

Chairman Dupree: I see Peter going, "no", but Pete, you never know, a hundred years from now what modern technology may be.

Mr. Setaro: You're right. You're right.

Chairman Dupree: They'll go back and there'll be a file that says how much density they're allowed to have. So it's just a good thing to do. Thank you, Victoria. So, and another surprise, let me start with Mr. Oliver tonight. Chris, any comments?

Mr. Oliver: Yeah. So I was actually taking a look on a satellite map, to see what's been cleared and what the site looks like. So everybody should know, talking about viewsheds, there is a large tower, I think to the East and it looks like most of the area that we're talking about is already cleared. So I don't know if there's really going to be any negative impacts from kind of making this better. So it's just something to think about. But, other than that, I would like to see what the fire department has to say about the grades on the driveway and the access. Those are my comments.

Chairman Dupree: Thank you, Chris. Those are good comments. And thank you for doing a little research because, yes, Ms. Wasser actually drove up there and went on the road that accesses the cell tower that's up there, which actually looks down on this site, but it was snowed and she couldn't see it, but she took the same initiative, which will lead me to Ms. Wasser. Comments?

Ms. Wasser: Well, I think Chris made some good comments, I agree with them. We're in early days here. There are a lot of question marks that need to be worked out. But one of the things, I know it's a flag lot, but one of the things I'm having trouble with, I would like to see a detail of the lot frontage for that 25 foot frontage for lot 1B. I don't see it coming all the way down. I looked at the plan a number of times, and it just might be the scale or whatever, but I'm wondering if you can just blow that up a little bit into a detail so we can more easily see that 1B has the legal frontage.

Mr. Scott: Sure. I will put a separate drawing together, defining all the lines for the subdivision. The surveyor has already put it together for us. I'll just give you his survey at this point in time.

Ms. Wasser: Okay, good. Thank you.

Ms. Polidoro: It looks like you had a bold line and that you stopped the boldness before the frontage.

Ms. Wasser: Yeah, exactly.

Mr. Scott: It makes it. It might be so much going on there. We'll take care of it.

Chairman Dupree: I think it's a CAD layer that wasn't carried over, to be honest with you.

Ms. Wasser: But that's my only additional comment at this early stage.

Chairman Dupree: You guys want to weigh in on open space or do you want to reserve judgment until later?

Ms. Wasser: I tend to agree with Chris, just in terms of the open space. I think it's going to be an improvement and I'd like to see a solution worked out and not penalize the developer for something that was already denuded.

Chairman Dupree: And I need to confess that the area that is in the open space, along the north or north and west, that, that proceeds down rather steeply, but that's probably the most valuable area left on the land to preserve. And they have done that because that's where all the trees are. Everything else is pretty much the Saudi Arabian Desert.

Ms. Wasser: So why subdivide, why not just keep it all as one lot if they're going to just keep it protected?

Mr. Scott: Currently the 8.5 acre lot where we're proposing is already developed with a house and a driveway, but he has 28.5 acres. So my client is electing to purchase the property of 28.5 acres, cut off his existing house and all these little weird buildings. Improve the driveway to meet your Code. And then add onto that with our new projects where we're going to be developing about 20 acres of land and also putting extensive plantings in there and improving what we have on site.

Ms. Wasser: Okay. So it was part of a financial decision.

Mr. Scott: Yes. My client has no interest in purchasing, then we'd have three houses on one lot.

Chairman Dupree: Also, the current owner may want to keep living there as well, because he's the one who's offering it for sale. But a good question. Anything else, Stephanie?

Ms. Wasser: No, that's it. Thanks.

Chairman Dupree: Mr. Pickett, comments?

Mr. Pickett: No questions or comments at this time.

Chairman Dupree: Ms. Weiser?

Ms. Weiser: So I wasn't sure, were you implying that it's possible or impossible to make the open spaces contiguous?

Mr. Scott: It would be impossible. Only the fact that, where we're trying to arrive to, we are using areas which are previously disturbed. The slopes are adequate for arriving at the peak of the property and accordingly, we have to go through, divide or cut through the land areas to get to that mound and therefore we can't make it one big piece. And I think a better plan, I'll show you a constraint map, a discussion where I break out all those various components, and we can all talk about it and show you what the good, the bad and the other of what we have.

Ms. Weiser: And then this is a question from Michael or Tad. Do we know if this is in the scenic overlay?

Chairman Dupree: It's not.

Ms. Weiser: Okay. That's all. Great.

Chairman Dupree: I did look at that.

Ms. Weiser: Okay. So that's it for me.

Chairman Dupree: Thank you. Ms. Dexter?

Vice-Chair Dexter: This is in my neighborhood and when I drive to the end of my road, which is South Cross Road, and I look up, I see two towers and there's a house due west of the existing house on this property that you can see a very big, they have a beautiful viewshed. They have a big grand house and they are looking over the river. So there's a lot of activity up there. So I don't think this is going to... you look up there, it's a very busy area. Those two towers, they sit there and they flash and they're big. I don't think a well-developed lot is going to detract. As far as the open space, I mean, I'm looking on parcel access and I'm looking at the contour map and, they've basically left alone all the steep slopes, but also on the backside and to the south, I don't know how anybody would ever build there. I'm not sure it's important that it's contiguous because there's actually a wealth of what appears to be open space.

Chairman Dupree: I tend to agree with you Anne, but it's my job to make sure that we bring it up. And because the other thing about the open space is it's not just for us to prevent development, but as Bonnie said, it's supposed to protect important resources and for the movement of animals.

Vice-Chair Dexter: Right. It's supposed to have corridors and stuff, but I think there's corridors here that are going to, again, I mean we can't look into the future a hundred years and who knows what we'll be doing then, but it looks like it would satisfy.

Chairman Dupree: Thank you for saying that because as I said, the other purpose is movement of animals and up that high you're not going to actually have a lot of animals moving about exposed because there's no trees, et cetera. You and I did the biodiversity assessment, so we know a lot of this. Upland habitat is only preferred when there's trees for the most part and these are mostly gone. So thank you. Anything else?

Vice-Chair Dexter: No.

Chairman Dupree: Ms. DiNapoli?

Ms. DiNapoli: Yes. My first comment is how envious I am that they're going to have a guest cottage. That is in the heart of everyone who has a lot of company, so I'm envious of them. My question is the pool house, you said is not going to have a living quarter area. How do we know, I mean, what's included besides I would assume a bathroom?

Mr. Scott: Yeah. We have this problem often and what it is an open room with no interior walls, but there is one room which houses mechanical equipment and adjacent to that would be a bathroom. And there's nothing else in it. So, there's no privacy created by this envelope of a building.

Ms. DiNapoli: Right. Thank you. In terms of the open space, I'll echo what my colleagues have said. It does look like a true challenge.

Mr. Scott: Yes.

Chairman Dupree: Thank you. Everyone has had an opportunity to weigh in. So for once you've all covered my comments. Going last, I don't have anything else new to add, except for one question for Ms. Moss. Tad this would be a private road, does this need to be named for 911 purposes?

Ms. Moss: I think it does. I think anytime three dwellings are accessed through a common drive. I think it requires a private road name.

Chairman Dupree: Peder's nodding and Pete's nodding too. I'm pretty sure that's the rule. So, you'll have to think of some clever name for your private drive because, with Tad sort of opining that the guest house is a second single family home, that means there's now a total of three up there. So three on the two lots. So we'll require that for 911. Otherwise, I don't have much comment except to say that I appreciate, my colleagues weighing in on the idea of the open space. Again, as I said, a lot of it is kind of degraded in terms of what we try to value the open space for. And the area that I thought was most important to preserve, is proposed to be preserved. The rest is more or less a requirement of the Code that they have up 30% or even more. Other issue is yes, you will need to assign the density, so that sometime in the future, someone can

develop it further. They would know what the number of houses are allowed are. That's in the subdivision section for how you calculate the total density allowed. I love to use these kinds of plans as a learning lesson, because I think I was in my fourth year on the Board, or maybe third, when I discovered that NWD did not just mean Nassau Cardigan Complex. It meant that there was a D slope to it. So once I figured that out, I was like, Oh, you can look at both the contours and the label on the soil maps to understand what that means. And you thoughtfully did that for us. I think Pete is going to have a lot of work to do looking at the grading and how storm water is managed on this as well as Tad, but they're of course up to the proposal. So, what we'll do is, I'll just wait and I don't think we need to place hold you, just wait until you meet and discuss with Ms. Moss about what other application forms are necessary and that we can get this thing going. Is that okay, Mr. Scott?

Mr. Scott: Very good.

Chairman Dupree: That's if Ms. Moss is available, she's got a tight schedule too. That noted, I believe that Mr. Scott's sort of signaling that his clients would like to be up there in that guest house as soon as possible. And which, as I said, after looking at the view shed, I thought, Whoa, so would I. You don't get a lot of places in town that have those kinds of views. Ms. Wasser actually has a gorgeous property that also has similar views, but she's much closer to the river. She lives off Route 9. Anne, do you know what the distance is of South Cross from 9 to 9G? By chance? No?

Vice-Chair Dexter: Two miles. My house is one mile in.

Chairman Dupree: Two miles. So this is probably five or six miles in from the river.

Vice-Chair Dexter: No. The bottom of my road is Anderson school, which is maybe quarter mile.

Chairman Dupree: Okay. So it's not that far in. And that's why it has such great news. Okay. Nice to hear. Interesting. So maybe it is visible. Bonnie you're, right, maybe it is visible from the river and across the river.

Ms. Franson: And again, I think my concern is just more simply the main house itself. There's very little vegetation on this property, as we all know, because of what's been graded out, but there is this little hillock that's on the top of the property, which has some remaining vegetation, which is wedged between the two ponds and that's where the main house would go. So, you know, I think just some consideration of, again, it's the notch concept. And as much as I know that there's telecommunication facilities, et cetera, not necessarily, potentially adding to it. As I'm looking at this, one final question I

forgot to ask, the guest house itself appears to have, is it going to be a four car garage and then above is going to be the living space?

Mr. Scott: Yes, it's a parking under type of a building. And in that will be tractors and maintenance equipment for the property when it's all done.

Mr. Oliver: Michael, it's 3.12 miles.

Chairman Dupree: Oh, thank you, Chris. Young and technologically adept. Thank you, Chris.

Ms. Wasser: I estimated three miles.

Chairman Dupree: Good estimate. For some reason, I thought it was a lot farther, but I'm not very good with distance measurement, particularly without having something to scale out. So there are four parking spaces associated with it, but the garage down below will actually store equipment. Right Mr. Scott.

Mr. Scott: Yes, it is. That's what it's used for.

Chairman Dupree: So just so you know that when you go through Site Plan, we will need to see elevations for the house, the guest house, all of it. I apologize because we don't require that for subdivision, but we will as part of site plan and I'm guessing this is going to be a pretty cool place. And I want to make sure you go back to your customers and tell them that Hyde Park welcomes them. We like to see improvements on property and will love having them become neighbors.

Mr. Scott: Oh, very good. Thank you very much.

Chairman Dupree: Sure. So as soon as you are ready to resubmit, then we'll schedule you on. Just make sure you send it to Ms. Witman, who will forward it to everybody else and Tad. Good luck on this. There's still some more work to do. Sorry. Thank you, Mr. Scott, stay safe until we see you again.

Mr. Scott: Thank you very much now. Good night everybody.

Chairman Dupree: Oh, we were going to type this action. I'm sorry, before we go. Should we, should we still do that?

Ms. Polidoro: We should hold off on doing that.

Chairman Dupree: We should wait, what am I saying? We should wait because we'll be reviewing site plan as well. Okay. Thank you, Mr. Scott. We'll see you in a bit.

BELLEFIELD WWTF LOT-LINE ALTERATION

Minor Subdivision Lot-line Alteration Approval (#2021-05)

Location: 3834 & 3760 Albany Post Road

Grid #s: 6163-01-000897, -131849

And

BELLEFIELD WWTF EXPANSION

Site Plan Amendment Approval (#2021-07)

Location: 3834 & 3760 Albany Post Road

Grid #s: 6163-01-000897, -131849

In Attendance via Zoom:

Larry Boudreau, The Chazen Companies

Larry Pelletier, CCIM

Tom Mulroy, T-Rex Hyde Park

Chairman Dupree: The next item on the agenda is Bellefield Wastewater Treatment Facility Lot-Line Alteration. We also have at the same time, the Bellefield Wastewater Treatment Facility Expansion. To summarize as briefly as I can, the applicants are seeking approval to enlarge the original lot that we did for the wastewater treatment facility and they're also looking to get site plan approval to install all the tanks also known as trains, that will be underground. Once the wastewater treatment facility is fully installed, they wouldn't have to keep going back to the DEC and Department of Health for SPDES permits over and over again each time there's a new client and new expansion. So they're proposing as though the entire site is fully built. This will be installed. Larry, let me turn it over to you. Welcome back, Mr. Boudreau.

Mr. Boudreau: So thank you everybody. Nice to see everybody again. Pleasure to be back in front of you. Yes, you said it right. I wanted to start off by going through that history a little bit more so everybody understands the context, and then I'm going to give you a quick update of where we are with DOH and DEC. And then I'm going to go through and I'm going to hit some of the major comments, big, broad stroke at it and then of course open it up to comments. We approached the DOH about a year ago, asking them if they would consider upping the flow confirmation letter from just the flow for the hotel, which was at 21,500 gallons a day to the full build-out. Previously, they said, no, they restricted us to the demand, so in other words, when Tom came in with another tenant and we had another need for 20,000, then we'd have to go through the whole process. And as you know, that's about a six month process. So every time, you know, just from a scalable standpoint, to get tenants online and that kind of thing, it just would be very difficult. So, they listened to our argument and they agreed. And, we presented the engineering reports to them and we received an updated flow confirmation letter from them February 3rd, 2021. So as soon as I had that in my hand, I called Tom and I said, 'Boy, this is a big benchmark for us'. And then we all celebrated over the phone. And it is

because now with that flow confirmation letter for the entire build out of the plant, which is 342,000 gallons a day, we're preparing the application to go back to DEC to amend the SPDES permit. Now what we're doing is amending the SPDES permit. We're not getting a new one, we have one in place, so it should take us half the time to amend the SPDES part of it. That's going to go in at the end of this week. Tom signed all the documents for us. We received them yesterday and we'll get that in. Simultaneously we are working on the full plant design. It's much more complicated, of course, and that'll probably go into DOH, within the next month. I'm going to share my screen here. Let's see if I can get this to work, if not Neil, we'll jump over to you. For the subdivision, we have three drawings that we submitted. This is the same subdivision plat that we submitted for the hotel. And of course the hotel is lot 2, over here on the right. The entire parcel is lot 1, of course. And lot 3 is the wastewater treatment plant and Tom set up TR Sewer Works for that. And so the idea is, you all may know, is sewer goes from the hotel to a pump station and then a force main way up to the plant. To date, the pump station is on site. It will be installed in the spring. The wet well is in. The gravity line is in. The entire force main is in all the way up to the plant. The plant itself, has what's called the headworks on it, which is three underground tanks and a screening building as well. Now back when we got this approved, and I'm going to zoom in. Actually, I'll just go to this plan here. This plan, second sheet in the Subdivision Plat is the hotel. The third sheet is the wastewater treatment plant, which is this parcel here. When we originally got it approved, it was this rectangle here at an acreage of 0.58, it fit the entire full build-out of the plant. What it did not include was how we handle the septic, because at some point you can't haul it off, the waste you want to manage it onsite. So with knowing we were going to get the updated flow confirmation letter, we relooked at the plant, and there were some things that we wanted to change. One of those was the lab building, we felt we'd be more efficient by moving it, actually over onto this property line and then get the other facilities in there. And I'll go through that in detail on the site plan. But the bottom line here is the area that we previously defined for the wastewater treatment plant needed to go to the east, so straight up is to the east. To accommodate the new location of the lab building. While again, looking at the big picture of this, Tom wanted, I mean, he asked the question, what if we want to expand the facility, we should consider taking in an envelope or an area that would handle that expansion. And we determined that the maximum expansion would be, if it ever happened, would be twice the plant size. So we would basically flip the plant here over to here and then that defined the parcel lines. So we go from 0.58 to 1.52 acres, and that's what this parcel is here. What's not on here, which came up in the comments and very good comments. The groundwater is an issue out there and we installed a drainage pipe to get that water out, and it comes down to about here. So we have that as built. That needs to show up on this plat, and there needs to be an easement on it because it goes outside the lot line, of course. So that will show up when we submit next. The other thing is when we graded in the lab building, the grade had to come off of the parcel and so what do you do

with that? Right? So you either expand the parcel area or do a grading easement, and I'll speak to Tom about it, but I think the best way is just do a grading easement for that area as well. So when we resubmit this, it'll have the easement for the drainage line going out, taking the groundwater out and the grading easement up here and then we'll also show there was a piece of this easement that has been revised and we'll show how that easement will be extinguished, that section of it. Going back to the big picture here, you can see again from the Subdivision Plat standpoint, we're limited to this area and nothing else changes on here, all these easements are holding and we'll add this and the grading easement up here. And of course, the parcel size. That's the Subdivision Plat. So I can open it up for some questions.

Chairman Dupree: So before I turn it over to our consultants, I just want to first add that Mr. Boudreau, Bridget Barclay of DCWWA, Jason Teed of Department of Health, me, and I think one of your engineers, Chris Laporta, who's no longer with this Chazen office, and then the engineer Pierre Brissette, we all met by Zoom to discuss this. Because when Mr. Teed was contacted at Department of Health about providing the new flow confirmation letter, he initially balked, because he had heard, sort of through the grapevine, that there was going to be a new concept plan submitted. And Mr. Boudreau made the correct point, that they still have an approved concept plan and so they were proceeding with these changes based on the approved concept plan. And after much discussion, it was decided that what Mr. Boudreau should do is just show the gallons per day of the new concept plan, even though it hasn't been fully submitted to the Town yet. We've only had sort of informal meetings about it. I believe although it has not been formally submitted, we now have new documentation that we'll be receiving. At any rate, Mr. Boudreau was able to show the changes that are proposed from the approved concept plan to the one that's going to be proposed to replace it. Actually, it's about the same number of gallons per day. So that's what gave Mr. Teed the confidence level to issue the new confirmation letter. And if you're wondering how that happened, there's basically less commercial and more residential and the reduction, they kind of met each other halfway. We'll put it that way. So that's a little bit of background there. Otherwise, I want to thank Bonnie and Pete for giving very detailed, early memos on this. When I looked at the plans, I realized that a lot of this is going to be technical, in terms of what sort of issues are arising. Larry just one thing quickly, because this is site plan, I think we do need to see the elevations for the structures that cover the tanks, et cetera. And I don't believe those are submitted, or maybe they were, but I didn't see them.

Mr. Boudreau: No, I need to do that.

Chairman Dupree: And I talked to Mr. Mulroy, the site owner, and applicant, just a couple of days ago, who I said, I know that they're going to look nice because you have too many high promontories that will look down on this area. So I'm sure you're not going to have something ugly and industrial. He said,

absolutely not. It's got to stay with the theme. So, at any rate, we look forward to seeing those. Actually, Peter, let me turn it over to you first. There's Tom. Hey, Tom.

Mr. Mulroy: Yes, I was just confirming.

Chairman Dupree: Mr. Setaro?

Mr. Setaro: Okay, sure. I'll just go through a couple of comments. Larry had mentioned about the under drain that they had to put in for the first set of tanks, so he's going to show that and then, I assume there'll be a need for an under drain for the expanded area. So that'll have to be shown and I assume it could tie into the same under drain, but that's something you'll have to look at.

Mr. Boudreau: Right. Okay.

Mr. Setaro: The other thing is, it looked like there was one-page amended storm water pollution prevention plan summary that just showed that there wasn't any increase in flow and it just asks for the backup.

Mr. Boudreau: I saw that. We'll get that to you. I spoke to Kyle about it, so he's on it.

Mr. Setaro: Okay, and then you had already explained about the potential for an expansion area. I think it's probably good planning at this point to make the lot a little larger, I mean, who knows what's going to happen 10 years, 15, 20 years down the road. I guess the last thing was, I think you stated that the stormwater ponds wouldn't have to be enlarged, the ones that are out there, but it did appear that there was some proposed grading shown there. So I wasn't sure quite what was up with that and whether the contour shown in that area are as built existing contours or their original contours. I know that that's hard. I know that's hard to do.

Mr. Boudreau: Yeah, that question came up a couple of times. Those contours are the design contours and the idea is, it's not a big change here. So we were using that and then, as the plants and the trains go in, we'll, as-built it, as it goes.

Mr. Setaro: All right, well, maybe we can just talk and we can clarify, you know, the grading and all that. It's not that big of a deal.

Mr. Boudreau: Yeah, and to your other point, I already sent that over to Kyle. So his response is that the storm water practices were larger than they needed to be.

Mr. Setaro: Yeah, that's fine. We'll just need, you know, the backup for it, that's all. And then, you know, I think on the erosion control plan, I think I made a comment about maybe having some phasing notes to make sure that the diversion swale that's around the back is installed, you know, right up in front. And I think that was about it.

Mr. Boudreau: No, that makes sense.

Mr. Setaro: I think that was about it. And I think that Bonnie's going to cover some of the stuff about the turtle. So, that was it for us. We'll work together, as always.

Chairman Dupree: Thank you, Pete. Ms. Franson?

Ms. Franson: Yeah. So I had sort of general application comments. Many of them are on the site plan, so I'll hold off on those. Specific to this lot line alteration plan, I don't know that it's so important for the subdivision plan, but for the site plan, I do think there needs to be a discussion about this as built and what is shown as existing versus what's already been installed. Again, I think that's especially important for the site plan. I just had a couple of minor typos that I picked up on. I think the one area in particular was an addition to that drainage easement. You were also showing the sanitary sewer easement #2 for the sewer outfall, when you enlarge that lot, it's going to change, I think the easement area. So our Planning Board Attorney will need to review that easement language and show kind of the change in the easement itself, because now a portion of that easement area will be within the new lot.

Mr. Boudreau: Yeah, and the easement goes away there. Right.

Ms. Franson: Right and then, just again, minor, but if I'm looking at the Subdivision Plan in the corner, you do have two of the lots noted as far as their acreage. It may be useful to have the hotel acreage provided there because when you look at the acreages and then look at the total site acreage, they don't add up, but it's because the hotel lot is also a portion of the subdivision. So all the way on the right hand corner bottom, those acreages where it says areas, it just might be useful to note total project acreage, maybe in parens, also includes lot 2, just a clarification. Thank you.

Mr. Boudreau: Okay. All right.

Chairman Dupree: Thank you, Bonnie. Ms. Polidoro?

Ms. Polidoro: I just wanted to go over SEQR for a quick overview of where we are in the process. The Town completed SEQR on the full build out of the project many moons ago. And when the applicant came back in for Sub Phase 1A, the site plan only included that portion of the wastewater treatment plant

attributable to the hotel. And so this is basically an amendment to that site plan, but instead of just building out a small portion of the wastewater treatment plant they're going to be building out the full wastewater treatment plant. And so as long as this is consistent with what the Board has already reviewed, there shouldn't be any significant SEQR impacts. So we just need to identify any changes between the big SEQR review and this change. So I don't think that's going to be an issue. As far as future phases, I did speak with Jennifer Van Tuyl earlier today, and we both agreed that the note should be modified. It's fine to plan for the future, but we want to make it clear that any future phases, not part of the current Bellefield project, would require their own separate Site Plan and SEQR review. So it's not that it's being approved now, you're just showing us potential. So Jennifer and I will work together on a note, Larry.

Mr. Boudreau: Okay. Yeah. She let me know. That makes sense.

Ms. Polidoro: And then the other thing Jennifer and I spoke about was the list of easements. You have it on one of these sheets, but it's not clear which ones have been recorded and which ones will be modified and which ones are new. So, she's going to help you flesh that out. So for existing easements that have been recorded and are not changing, give us that information, for easements that need to be modified, you know, let us know. And then new easements such as this under drain, those should be identified as well.

Mr. Boudreau: Okay. Got it.

Chairman Dupree: Great comments, Victoria, anything else?

Ms. Polidoro: That's it for right now.

Chairman Dupree: Thank you. Ms. Moss comments?

Ms. Moss: I had done a fair review and given my comments to Bonnie and Pete and the Board. I too am interested in the contours of the existing stormwater facility and whether or not that forebay is actually constructed. Last time I was out there, I don't think it was around the Sycamore tree. Does this in any way impact the MOU with the Town and Dutchess County Water and Wastewater? I know that there's an overall agreement as to where locations of things are and I guess when Jennifer reviews that, where the easements are and how they're impacted, I'm guessing that that will show up there.

Mr. Boudreau: I don't think there's any issue with the MOU.

Ms. Moss: So I think the Site Plan is probably where the majority of comments are going to come from for me.

Mr. Boudreau: Yeah. I have those comments, Tad, they're very good, very technical. And like Michael says, you know your stormwater so there's a lot of that in there and we'll just have to get through it.

Ms. Moss: Yep.

Chairman Dupree: So, Board Members, do you want me to ask you for comments on the Subdivision or do you want to wait until we get to the next portion of this, the Site Plan?

Ms. DiNapoli: You can wait.

Ms. Weiser: I agree.

Chairman Dupree: Okay. Larry, it's back to you.

Mr. Boudreau: Okay. So we go to the site plan. Yes. All right. Give me a minute here. I'll go right here to the site plan and go through some of the comments. One of the comments was, I believe that was with you Tad, the 500 foot buffer. We will show that. The DOH will want that shown on the plan. The 250, that's actually fixed. The 500, as long as you do mitigation for odor, then we can go back down to the 250, but I will show the 500 on there.

Ms. Wasser: Excuse me. Larry, could you just zoom that picture up a little bit.

Mr. Boudreau: You want me to zoom in?

Ms. Wasser: Yeah. Thank you.

Mr. Boudreau: Okay. I'm going to go through these, the ones that I picked out. The seven parking spaces that came up several times. I'm not sure why it's there. I need to correct that. DEC requires, one staff for four hours a day. So we'll have a parking space for one staff. We'll probably put two. The Corps, so that question came up. We are in the middle of extending that core permit out another five years. We went to Brian Roselle last fall and said, look, we know this is coming up, we want to be proactive, we want to do it now. He said, don't worry about it, come back in March and give me the application and we'll take care of it then. So that is correct, it is coming up and we need to get it updated. The open space, that was a good question. The expansion of this lot area does not go into the open space. We submitted quite a bit of work through Jennifer, earlier this week and you'll see the open space diagram in there and we did locate the wastewater treatment plant. But it's essentially down by the Maritje Kill, which is further down here. So the open space areas down through here. This expansion does not get into that.

Mr. Setaro: Hey, Larry, could you explain to the Planning Board what the belt press building is?

Mr. Boudreau: Yeah, I can get into that. So the idea here is, again, I'm just going to give context here, these greyed out buildings here, these tanks are in the ground. This one here, has a screening building. The screening building is used to screen out debris that makes it into the sewer. Here's the belt press here. There are a couple of ways to deal with septic waste and initially on the first train, we were going to haul it off, but then after that, it gets too expensive to do. So then you can either do a greenhouse where you let the solids, kind of bake in there over a period of time, or you can use a belt press. The belt press is a smaller, more efficient building. We decided to go that way because there's a buffer off of it. This is the 250 buffer off the belt press. The way it works, not getting too technical, the end product goes through a conveyor belt and into a 10 yard container. That container will be within this building here, and the trucks will come up, swing up into here. That's why this is here. And they'll back in here. That container gets rolled out and picks it up and then they'll swing it up and go out. I think what I will do is show you a truck template, so you can see the radius and why this is the shape it is. But it's real efficient, it's enclosed and plenty of setback here. Initially when we're dealing with the septic, the belt press won't be there, because it will only come online on the second phase or train. So on the first train, when this goes in, we'll deal with the septic by coming in here and the standard septic trucks will come down here and, and pull the septic out of here and then swing over. So we checked all the radiuses for the truck turnings on septic trucks and 10 yard dumpster trucks. So we'll show off all that to you. In the previous plan, the lab building, which is now here, was here. So we moved it to here and along with that will come the T transformer and then the gen set, which will be here. By the time you grade it all in, we get this, you know, for future turning radiuses, that's why this lot line pushed out from here. You can kind of see the light line here, which is the original property or current property line, goes from here. So just going through a few more of these comments here, Pete, you made a comment regarding the underground tanks. That was, and still is the goal here, it's much more efficient to put all these tanks in at once, these six right here. That's a dollar thing too. So financing would all have to be in place to do that. I don't believe we'd want to commit to putting all six in at once. If it works out, financially and we're able to do it, it is the right way to do it. Tad had some comments, good comments on, all right, when you pull all this dirt out, we know the quality of it, where's it going to go? How are you going to manage it? And so we will show that and that's really it, so I can open it up for some questions.

Chairman Dupree: I looked up belt press building when we first got this. It's another way to de-water liquid sludge, so to speak and it produces what's called cake, when it's done. I read the EPA manual. That's what they call it politely, is cake. It didn't sound like birthday cake to me, however.

Mr. Setaro: You know, that's one thing you don't put candles on. *Laughter.*

Chairman Dupree: At any rate, it's a quieter process than what's used. So actually this is very consonant with what they're proposing. I also just wanted to point out for everyone's edification and Larry will remember this because I had to accompany the applicant's consultants to the DEC because they were being a little bit murky in their response. But the area of the expansion, I believe, includes what's called secondary habitat or roving habitat for the Blanding's turtles. It's not primary, but we want to make sure that when we get this done, that that entire construction area still has what's laughingly known as the appropriate turtle fencing, because again, it's just secondary habitat. That's all.

Mr. Boudreau: Yeah, yeah, exactly. It's on here, but we are doing the follow up with that.

Chairman Dupree: Thank you. And Mr. Setaro comments?

Mr. Setaro: No, I pretty much went over mine in the prior one.

Chairman Dupree: Thank you. Ms. Franson?

Ms. Franson: I think this was raised by Victoria, but we also noted that somehow the site plan amendment sheets need to be coordinated with the overall site plan for sub phase 1A and ensure that they're all consistent with one another. Also note that, there was a site plan amendment set approved back, I think in January 15th, 2020. And I'm not sure what the status is, or if you had already signed that Michael, and if that's filed, because I don't know how that might relate to these amendments and do, we sort of have another, set of plans that are sitting out there that these have to be coordinated with. So just kind of know where we are in the overall process.

Chairman Dupree: Larry, can you correct me if I'm wrong, but was that for the changes to the hotel site plan?

Mr. Boudreau: Yes.

Chairman Dupree: That's what I thought. Bonnie, those were all involving changes to the hotel. There was a change to, I believe some utilities that were outside.

Mr. Boudreau: The dumpster area. Yeah.

Chairman Dupree: Storm water management areas. They lost an indoor pool, but added some hotel rooms. So that was all strictly to the right-hand side of the site plan, but it's a great comment. A great comment.

Ms. Franson: Both on the application, on the site plan, Larry, just note that, you need to refer to the TR Sewage Works Corporation, as far as ownership of that particular lot that's being expanded. You touched upon already the comment about the seven parking spaces. Victoria touched upon SEQR. just again, I'm going through my general comments, public hearing will be needed for both the lot line alteration and for the amended site plan. I indicated some agencies that this will likely be referred to. The Army Corps, you touched upon. You touched upon the open space, site plan comments. We talked about the lot owner. Is a fence generally required for the WWTP? Again, because I didn't look at the overall site plan. I don't know if that detail is already there and because you're going to be expanding that lot.

Mr. Boudreau: No, no, no, we're going to have a gate and everything is locked. Everything's locked.

Ms. Franson: And we want to make sure whatever lights have been installed or whatever lights will be installed are provided on the plan, if they're not already on the original site plan. This kind of gets again to the as-built, because we've seen for instance, two sheets, that show around the belt press building, two different topographic lines. So I think it's a matter of ensuring that whatever's being reviewed is up to date. Right, so you could see there that what appears to be shown...

Mr. Boudreau: What this is, this is the design grading that was approved previously. That's the way it's built.

Ms. Franson: It is built?

Mr. Boudreau: Yes. This slope this is approved and this is proposed.

Ms. Franson: Okay. So if you go to the prior sheet that we were on, you can see how that looks like that's the older survey, because it's not showing...

Mr. Boudreau: Correct.

Ms. Franson: So we just need to make sure that they're consistent. To a point made earlier, we also questioned for purposes of identifying the limits of disturbance. What's actually, again, been constructed out there and specifically with regard to the stormwater basins, because there is some drainage coming off of this site that will go off the lot. So we want to make sure that that's known. We talked about the turtle restrictive fencing. In terms of details, you did have some tree protection details, but it'd be useful to say what trees are being protected, specifically. We had some notes about correcting a label that appeared on a plant list. Then we had some general SEQR comments on the EAF itself, which you can take a look at. But in particular, we just want to

make sure that when you did your SHPO review of prior sub phases, that it included the area within which you're doing any additional disturbances.

Mr. Boudreau: Yeah. It will, it's going out this week.

Ms. Franson: Okay, thank you.

Mr. Boudreau: Thank you.

Chairman Dupree: Thank you, Bonnie. Victoria?

Ms. Polidoro: I don't have any additional comments.

Chairman Dupree: Thank you. And Tad?

Ms. Moss: When we do site plan, we need elevations of what the buildings look like. So certainly the belt press building, probably the lab building. And is the structure that's there over the first train? I forget what you called that building. Is that going to remain? Is it going to be replaced? What's happening with that?

Mr. Boudreau: The screening building. It remains, but the color will change.

Ms. Moss: Well, there was a note somewhere that the existing something was going to be removed. I don't recall.

Mr. Boudreau: I think that's referring to the lab building.

Ms. Moss: And is the lab building on the property now?

Mr. Boudreau: Yes, it is.

Ms. Moss: Okay. Thank you.

Chairman Dupree: Thank you. Colleagues, let me start with Ms. Weiser.

Ms. Weiser: I don't have any additional questions or comments. Thank you.

Chairman Dupree: Thank you, Ms. Wasser?

Ms. Wasser: Well, I'm glad Tad mentioned the elevations, because I was trying to understand, I wasn't on the Board when this was initially approved, so I'm just trying to absorb a lot of it. And I'm just wondering about the visual buffering. Larry mentioned a 250 foot radius buffer. I wasn't sure if that was noise, visual or odor.

Mr. Boudreau: Odor, I'm sorry. Odor.

Ms. Wasser: Okay. And you need that much of a buffer. So will people smell it on Route 9? That 250 foot buffer, I can't see where that dotted line goes. Does it go into Route 9?

Mr. Boudreau: Yes, it does.

Ms. Wasser: So there's nothing that can be done to contain that.

Mr. Boudreau: Well, what's very good at containing odor is vegetation, any kind. And this is all undisturbed.

Ms. Wasser: I noticed the topography slopes down, the perspective from Route 9 to the belt press, it sits lower. You can't really see it, but I did notice you don't have much, I don't know how much you will see it, but that's why I was interested in the elevations because there's only three deciduous trees, from the Route 9 perspective. I just don't have a sense of what you're going to see and what you're not going to see. And then there's some blue spruce, three blue spruce, I think I saw some other things. So that's the only thing I'm really commenting on at the moment on the site plan piece.

Chairman Dupree: Thank you, Stephanie. Mr. Pickett?

Mr. Pickett: Yes. During the various phases of the septic build out, will there be good access for the fire department for entry, exit, et cetera.?

Mr. Boudreau: So the access would be on this drive here, up in through here and either down through here, I believe this is, gosh, I don't know if I remember the dimension here, but certainly right through here. This guy here, I believe is 22 feet right here.

Chairman Dupree: We need to make sure that they have a turnaround area as well. They can back up, it appears too, but they may want to turn around. We'll see.

Mr. Pickett: That's my only question.

Chairman Dupree: That's a good one. My first thing, I underlined it as a good question. Thank you, Brent. Ms. Dexter?

Vice-Chair Dexter: I'm very thankful that we have such a great technical team because so much of this is like, wow, so very happy that we have our consultants. And again, this is great news, right? That we're doubling this, so excellent. Glad to hear. No other comments.

Chairman Dupree: Thank you, Anne. Mr. Oliver?

Mr. Oliver: I'd like to congratulate the applicant on getting the go ahead from DOH and I think from a planning perspective, this really makes a lot of sense to look at this sewage treatment plant from a holistic approach and really kind of see everything at this stage rather than piecemeal throughout the build out of the project. So I appreciate that. And no further comment. Thank you.

Chairman Dupree: Great comment as well, Chris, thank you. Ms. DiNapoli?

Ms. DiNapoli: No questions, no comments at this time.

Chairman Dupree: Thank you. I do want to just point out that there was a little bit of a concern at some point by DCWWA. They were worried that they might, if somehow the project, let's just say the economy tanks and then craters, they were worried that they might have to handle and own and maintain a facility that doesn't really have a lot of users if it's built out for others. But I believe those fears were allayed in all the discussions, the endless discussions that Larry went through with the Department of Health and DCWWA. I also would echo all my colleague's comments, that this does make sense. Because once the proposed concept plan is reviewed, maybe tinkered with, but assuming it is approved, then Mr. Mulroy will be free, really if this is ongoing and fully built, then he'll be free to gobble up his tenants as fast as possible, because they'll already have the sewer and a septic. So it doesn't require referral to DOH, DEC, et cetera. You know, people who have seen me talk to the Chamber of Commerce, et cetera, have heard my rant for years. It's not that it's so hard to develop in Hyde Park because of the Planning Board. It's because there's a lot of hurdles to jump. We're the largest town without a commercial sewerage. Almost all of the development that's commercial occurs on 9 and 9G. When you think about it, that's a lot of other agencies to try to involve and get through. So it makes sense to go through this at one fell swoop and I appreciate what Tom's doing because I know this is money that you don't get a return on initially, but it will speed the process up later on. So I salute you, Tom.

Mr. Mulroy: Thank you, Michael.

Chairman Dupree: Of course. Most of these comments really are more technical. We did notice, Larry that the contours were different under each and that's why you heard a lot of comments about it. The seven parking spaces that we read, but really are non-required, so you're going to have two. Because we were like, where can the trucks turn around if they have seven spaces here? You'll need to identify those two spaces. I couldn't tell if they were on the road to park or in that backup turnaround area, but just show the striping or something. I'm going to assume that ADA compliant is not required with parking because this is not a public building. That's something for the Building Department, I don't know, but that you might want to just address that with

an architect if that's a possibility. Otherwise, I don't think I have much else to add because as Anne said, we have a great amount of technical expertise on the Board, with our consultants. I'll say as I think about this a lot, when I first applied to join the Board along with, my long serving Vice-Chair Anne Dexter, we both were interested in making the town look better and function better and I never thought I'd be going down the endless rabbit holes I do of learning about septic systems and storm water. It's insane. Once I started reading about belt press buildings, I thought, Oh, okay, so this is better, this is a more improved system, et cetera. So I liked the fact that you're investing in something that I think will provide long-term benefits for that community, the Agri-hood that you're calling it, once it's fully operational and developed, because what you're proposing, Tom, I believe, is going to encourage a lot of people to walk around the site, both visitors and those who live there for the experiences that are going to be offering, through nature, et cetera. and I'm not sure they're going to wander close to this. Maybe that 250 foot barrier will block that, but I'm not really sure, I think people will be wandering all over the site at some point. At any rate, I have no other comments other than, it looks as though we need to have a little bit of a cleanup and then we can get started on circulation. Victoria, I'm not sure how we analyze the SEQR changes. I paid attention to what you said, you were just saying, is this consistent? I think it is. Again, the area, new area of development for the lot line alteration, will go into secondary habitat, but the only requirement from DEC last time was to erect and maintain the fencing. And again, it's not primary habitat, it's just potential secondary. I know Blandings Turtles are actually rather shy and once there's been a lot of development and sound, they probably won't even be heading down to this area, but it also depends on what their needs are because they would be heading down here for the water as we know. So that's about it. Larry do you want to neaten up stuff and then get back to us and we will get everything going for circulation, et cetera.

Mr. Boudreau: Yeah. So it's circulation and then the public hearing.

Chairman Dupree: Yup. I mean, part of it is, is that we need to have a coordination with Bonnie, Tad and you, because we need to make sure that we're amending, and Pete said the same thing, is we're amending the original site plan, so we need to coordinate how these sheets fit in there. We don't need a full set, but we'll need to have plans with pagination that will fit into, I think the existing signed site plan. is that right Tad? Or would you prefer...

Ms. Polidoro: Or it just needs to identify what's being changed from the signed site plan.

Mr. Boudreau: Okay.

Chairman Dupree: Provide a clear path forward for us, but I think we're pretty close and we can get this thing started. That's a matter of if you need my help

in coordinating that meeting, please let me know. I'm not sure I need to be there, but I'm always happy to attend.

Mr. Boudreau: Okay. All right. Very good.

Chairman Dupree: Anything else from anybody else? Great to see you guys. Looking forward to processing this. You heard, I think the Board's sort of excited about this too, because it's one more step closer. And talk to you soon. Stay safe and well.

Mr. Boudreau: Yeah. Thank you everybody.

OTHER BUSINESS:

DODIC SECOND DWELLING UNIT

Site Plan Approval (#2021-03)

Location: 4305 Albany Post Road

Grid #: 6065-20-883070

In Attendance via Zoom:

Brad Will, AIA Ashokan Architecture

Chairman Dupree: Next item on the agenda, Mr. Will is here representing the applicant, the Dodics. And we asked for some more information after, well first, this project is located at 4305 Albany Post Road. It basically involves the conversion of an existing building with a gambrel roof. That's located on Route 9 obviously, that has been an office on the first floor, as well as a two bedroom apartment on the top. It's going to be converted into a two family building, which is now allowed under our new zoning. In addition, the applicants have already, Mr. Will already reached out to Department of Health. Mr. Teed issued a letter saying that the septic is adequate for two, one bedroom dwelling units. So they'll be revising the upper floor, to reduce the bedrooms by one and creating a new dwelling unit on the bottom. The questions we asked for last time were basically, can he show us details of the new entry, walkway, steps and the windows. And Mr. Will got them to us, quickly. I'll turn it over to you.

Mr. Will: Really all I have to add is that I included those details that were requested. And they thankfully made it also into the ZBA set. So thank you for doing that and I'm really just here to answer any questions you may have.

Chairman Dupree: Again, you propose a window that would be facing the driveway that comports stylistically with those exist. I think everyone is probably going to agree that what you're proposing is a lot more aesthetically attractive than that big, long ramp that exists there now. That's going to be a nice thing to see, to be moved. Otherwise, we're prepared to refer this application to DC Planning, because that's required being on a state highway because it's site plan, as well as typing the action. Just a note for everyone,

they're at the ZBA for a density variance and I don't know where they stand in that process. Mr. Will can tell us if anybody's that interested, but at least this can get it going. And we were planning on also setting at public hearing for April 7th, if that's acceptable to everybody. Victoria, do you know where this is in the process with the ZBA, by chance or Mr. Will, do you?

Mr. Will: Well last week was the public hearing and I understand that they're going to be drafting a resolution at their March 24th meeting, for that meeting.

Chairman Dupree: It's very appropriate for us to set a public hearing for April 7th. So Ms. Franson any additional comments?

Ms. Franson: The only comment we discussed after the package was received was confirming or clarifying if the applicant wanted to do the pavers or concrete for the sidewalk. I think that was the only item that was discussed.

Chairman Dupree: You're right. Thank you for being my memory. And I actually sent that over to Mr. Will and said, I believe that most of the Board Members think it'd be better to be concrete because it seems more in keeping with the era in which the house was built. And it seems easier for maintenance in terms of renters potentially being there, because I know with my pavers grass sprouts out, there's some issues involved with it. Thank you.

Ms. Franson: Yes, you're welcome. And that was it.

Chairman Dupree: Mr. Setaro, no comments, right? Ms. Moss? Ms. Polidoro? Anyone from the Board want to offer comments?

Ms. DiNapoli: Concrete is fine.

Chairman Dupree: Brad, do you know if the owner would prefer concrete or pavers?

Mr. Will: I think he would prefer concrete and I'm very happy to recommend that he use that material.

Chairman Dupree: Thank you. If there's no other discussion, then I believe we'll be having Ms. Weiser introduce this resolution tonight.

**RESOLUTION TYPING ACTION AND REFERRING THE APPLICATION TO THE
DUTCHESS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT**

DODIC SECOND DWELLING UNIT

Date: March 3, 2021

Moved By: Ms. Weiser

Resolution: # 2021-03

Seconded By: Ms. Wasser

WHEREAS, the applicant, Brad Will on behalf of Sulejman and Hava Dodic, has submitted an application for site plan approval to convert an existing mixed use building into a two-family dwelling (the "Project") on property identified as 4305 Albany Post Road, Tax Grid No. 6065-20-883070 (the "Property"), in the Town Core Zoning District, sub-area PW-1; and

WHEREAS, a two-family dwelling is a permitted use in the Town Core Zoning District subject to site plan approval; and

WHEREAS, the applicant has applied for an area variance from Section 108-5.15 of the Zoning Law to permit two dwelling units on 5,880 square feet where 12 dwelling units per acre are allowed; and

WHEREAS, the Project is depicted on a site plan entitled "Sulejman & Hava Dodic Property," prepared by Ashokan Architecture and Planning PLLC dated December 21, 2020, last revised February 23, 2021 (the "Site Plan Set"); and

WHEREAS, pursuant to Section 108-5.11.2B(1), the architectural standards of the Town Core District do not apply to existing structures that are no being expanded; and

WHEREAS, by letter dated December 3, 2020, the Dutchess County Department of Behavioral and Community Health indicated that it has no objection in the change of the use of the structure to two one-bedroom dwelling units; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form ("EAF") dated December 21, 2020; and

WHEREAS, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), said Board is required to determine the classification of the Project; and

WHEREAS, pursuant to 6 NYCRR 617.5(c), construction or expansion of a two-family dwelling is a Type II action; 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 II action under SEQRA.**

2. Directs its secretary to refer the application to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.

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. Aye. Nays or abstentions? The motion carries unanimously. And may I get a motion to set the public hearing for Dodic Second Dwelling Unit for April 7th, 2021.

MOTION: Ms. Wasser
SECOND: Ms. Weiser

To set a Public Hearing for Dodic Second Dwelling Unit for April 7, 2021.

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: Thank you. Any further discussion? All in favor, please raise your hands and signify by saying aye. Aye. Thank you very much. Mr. Will, sorry you had to be so patient to sit through a very long meeting.

Mr. Will: Thank you for being so understanding.

Chairman Dupree: I hope you were reading a novel or doing a crossword puzzle or something because some of our conversation was pretty dense.

Mr. Will: You know it's funny, I'll just note that I had on a second small screen, my County Executive doing a town hall meeting, so I had one ear that way and the other ear this way, trying to keep track. I think I should have probably read a book instead, but thank you.

Ms. Wasser: You made your Civics requirement for the evening.

Chairman Dupree: That's exactly right. We'll see you on April 7th. Thank you.

Mr. Will: Great. Thank you all very much.

DR. SAI TSENG, DDS

Sign Permit Recommendation 2 Wall Signs (#2020-28)

Location: 5 Alexander Drive

Grid #: 6164-02-581598

In Attendance via Zoom:

Kate Hinz-Shaffer, Riverwood Signs

Chairman Dupree: The next item on the agenda is a recommendation for two wall signs for sign permits. This would be for a new dental office located at 5 Alexander Drive, which for locals is just behind the carwash that's on 9G, the only car wash in town for that matter. And Ms. Hinz-Shaffer is here, who designed the sign. Kate, sorry it took so long to get this forward and through.

Ms. Hinz-Shaffer: That's okay.

Chairman Dupree: Does anyone have any comments or questions for Kate?

Vice-Chair Dexter: Nice sign as always.

Ms. Hinz-Shaffer: Oh, thank you.

Ms. Weiser: It's nice.

Ms. Hinz-Shaffer: It wasn't my idea, but, you know, it's there. And if we've got approval from you guys for the increased height of 13 inches, that would be great.

Chairman Dupree: That's in the resolution and I kind of rewrote it from what Ann Marie wrote originally, because I think that Victoria has trained me that we're supposed to have findings in order to grant these dimensional increases. So being the loyal boy to Victoria, I did it. I'm also going to introduce this resolution. Before I do, Kate can you tell me if I am saying it, Sai Tseng, correctly?

Ms. Hinz-Shaffer: Dr. Sai Tseng. You did, yes.

**RESOLUTION RECOMMENDATION for ISSUANCE OF SIGN PERMIT
PURSUANT TO TOWN CODE SECTION 108-24.3 A (4) (d)**

**Sai Tseng, DDS
5 Alexander Drive - Parcel 6164-02-581598
Two Replacement Wall Signs**

Date: March 3, 2021

Moved By: Chairman Dupree

Resolution: #2020-28

Seconded By: Vice-Chair Dexter

WHEREAS, Kate Hinz-Shaffer of Riverwood Signs, on November 23, 2020, submitted two wall sign permit applications for a new tenant in the dentist office located at 5 Alexander Drive, Suite A, Grid Number 6164-02-581598, in the East Park Business District; and

WHEREAS, one code compliant wall sign, being less than 3 square feet is next to the entrance door to the office, and

WHEREAS, the applicant is requesting to replace the wall sign facing Violet Avenue that is approximately 100 feet from the primary access roadway, and

WHEREAS, the applicant has requested a relaxation of the standard maximum 10 inch symbol dimension to 13 inches, and

WHEREAS, pursuant to Section 108-24.2F(2)(a), the Planning Board may grant an increase in the maximum size of any symbol or graphic by 1 inch for every 20 feet a wall sign for a business or structure is set back from its primary access roadway to a maximum of 24 inches, if it finds that 1) the additional size is necessary or appropriate due to the sign's distance from the road, the design speed of the road or the size of the building on which the sign is placed; or 2) the symbol or graphic is of special aesthetic merit; and

WHEREAS, the signage is otherwise code compliant;

NOW THEREFORE BE IT RESOLVED, that the Board makes the following findings to permit a maximum symbol height of 13 inches as cited below for the proposed Sai Tseng, DDS wall sign:

- 1. The additional size of the symbol is appropriate given the sign's distance from the road, which is approximately 100 feet.**
- 2. The increase in size is appropriate due to the size of the building upon which the wall sign is being placed.**

BE IT FURTHER RESOLVED, The Board grants a relaxation of the standard symbol height to 13 inches in consideration of the distance to the property access and building size, and

BE IT FURTHER RESOLVED, the Board hereby recommends the Zoning Administrator issue the sign permits for Dr. Sai Tseng, based on the sign permit application submitted November 23, 2020 by Kathleen Shaffer of Riverwood Signs by Dandev Designs, Inc. dated 11/23/2020.

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: Any further discussion? All in favor, Aye. No nays or abstentions. Okay. That was unanimous. Thank you. Kate, sorry you had to wait all this time too. I hope you somehow enjoyed yourself.

Ms. Hinz-Shaffer: I was doing work. I was listening and one little comment I have, is that the sign for Hospice that has the nice flower, that unfortunately is an issue because it's too close to the road. And I still say the Town Board needs to change that about the design stuff, you know, because now what's going to go behind there, that little flower that they had it's not going to be, unless they...

Chairman Dupree: No, they're applying to the ZBA for a variance. That's their symbol, that 'starburst' they call it.

Ms. Hinz-Shaffer: So they'll get granted an aesthetic merit or whatever?

Chairman Dupree: No, the ZBA doesn't use those criteria. They use their standard criteria for an area variance, impacts to the neighborhood, et cetera. I am not going to argue for the applicant, but there are signs in the area that have larger symbols. I think they can make that argument successfully.

Ms. Hinz-Shaffer: Of course they do. Well, you know maybe Hospice can afford the application fee to Zoning for the variance, but some smaller businesses can't and it's still a shame that they have to go through that. So I'll be writing letters.

Chairman Dupree: No, I understand what you're saying. It's always hard to create a balance. You don't want garish signs with huge symbols everywhere upfront. Because, as you know, since you design these and you have to deal with clients that they always want the biggest they can get wherever it is.

Ms. Hinz-Shaffer: And they need to be guided, you know, with kid gloves, but it's doable and certainly if we had another board, like I've always been asking for, the design review committee or something. You guys do a fabulous job when you do all your reviews, but you know, it's something more on your shoulders that you have to deal with.

Chairman Dupree: They're big shoulders girl, don't worry. There's seven of us and they're big shoulders. *Laughter.* Good to see you. Stay safe. Stay well. Thank you.

Ms. Hinz-Shaffer: Bye everybody.

OPSTAD, DAVID & ROBIN

Site Plan Waiver Residential 2nd Story Addition (#2021-06)

Location: 56 River Road

Grid #: 6065-04-541012

Chairman Dupree: Next item on the agenda is a recommendation for a site plan waiver for Dave and Robin Opstad. This is a second story addition located at 56 River Road, which is actually just around the corner from where I live. It is visible from the river and it is in the scenic view shed or the scenic area of statewide significance. However, I think everyone's had a chance to look at the building. I did note for the record that in the Code, buildings that are located within the waterfront district are supposed to be quote unquote manorial. I believe that this actually creates a more manorial look by adding the second floor. It also kind of balances off something that's not as attractive in the rear. Right now it's a kind of a bump out with a flat roof that this is going to help disguise. Tad do you want to add anything else? Okay. Thank you. Any comments or questions from the Board? I believe Stephanie will be introducing this resolution.

TOWN OF HYDE PARK PLANNING BOARD

David and Robin Opstad
56 River Road, Hyde Park, NY
6065-04-541012
SITE PLAN WAIVER
Town Code Section 108-9.4 C 2

Date: March 3, 2021
Resolution: #2021-06

Moved By: Ms. Wasser
Seconded By: Mr. Oliver

Whereas, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by Robert J. Dupont, AIA, representing the property owners David and Robin Opstad for property located at 56 River Road, Hyde Park, NY, and

Whereas, the application is to alter the interior of the home without adding any new bedrooms and constructing an addition within an existing unconditioned attic space of the single-family home that is located in an historic overlay district, 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 –Opstad second floor addition, regarding the specific request as received February 18, 2021, and as identified in the building permit application dated February 1, 2021 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: Further discussion? All in favor, please raise your hand and say Aye. Aye. Motion carries unanimously.

POLISTENA, JOSEPH

Site Plan Waiver Generator (#2021-09)

Location: 15 Crumwold Pl

Grid #: 6064-08-856995

Chairman Dupree: And the last item on the agenda is a recommendation for a site plan waiver for a generator to be located at 15 Crumwold Place. And on this one, Ann, I did not go down and try to look, it's too hard to figure out, I mean I could have looked by the grid number, but I didn't look to see if this is in the view shed or not, but this is below grade of the building and I believe most of what you see in that viewshed are roof lines. If the trees were all removed. So anybody have any questions for this one? We have the recommendation from Tad. I believe that Chris is going to introduce this one.

Chairman Dupree: Further discussion? All in favor, please raise your hand. Motion carries unanimously.

TOWN OF HYDE PARK PLANNING BOARD

Polistena

6064-08-856995

SITE PLAN WAIVER

Town Code Section 108-9.4 C 2

March 3, 2021
Resolution: #2021-09

Moved By: Mr. Oliver
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 Joseph Polistena on March 1, 2021, for property located at 15 Crumwold Place in the Town of Hyde Park, and**

***Whereas*, the application is to add a generator in the rear of an existing single-family home in an historic overlay district which meets setback requirements, 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 Polistena regarding the specific request as submitted in the building permit application dated November 12, 2020.**

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

ADJOURNMENT:

Chairman Dupree: Just a quick note, before we adjourn, Mr. Opstad actually owns the McDonald's that's in our town. And I always like to give a shout out to him because that's one of the most well-maintained buildings and grounds we have in the entire community. It never looks anything sloppy at all. It's great looking. And in addition, Mr. Polistena is of course our Planning Board Secretary's father.

Vice-Chair Dexter: Glad to hear he got his generator finally.

Chairman Dupree: At any rate, thank you all for all your hard work on this, especially tonight, because this is a longer meeting than usual. We had a lot to get through and I think we did so, well. That's a lot of technical stuff to get through. Bellefield is going to continue to be technical because when they change things, it changes the easements. It's like the domino, a concatenation effect where once you do one thing, it just affects everything else down the way. But, thank Heaven's as you said, we have Pete and Bonnie working their expertise and magic, as well as Victoria. So May I get a motion to adjourn.

MOTION: Mr. Pickett

SECOND: Mr. Oliver

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 Nay-0

Motion Carried

Chairman Dupree: Thank you. All in favor. Aye. Good Night everyone. Thank you, Deputy Supervisor Krupnick.

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

MOTION: Ms. Wasser

SECOND: Ms. DiNapoli

To approve the minutes of the March 3, 2021 Planning Board Meeting.

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 Abstain-0 Nay-0 Motion Carried