



Historic Town of Hyde Park
Planning Board
4383 Albany Post Road
Hyde Park, NY 12538
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“Working with you for a better Hyde Park”

**MINUTES OF THE MARCH 17, 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
ANN WEISER**

MEMBERS ABSENT: STEPHANIE WASSER

**OTHERS PRESENT: VICTORIA POLIDORO, PB CONSULTING ATTORNEY
BONNIE FRANSON, PB CONSULTING PLANNER
PETER SETARO, PB CONSULTING ENGINEER
KATHLEEN MOSS, ZONING ADMINISTRATOR
CYNTHIA WITMAN, PB SECRETARY
COUNCILMAN KRUPNICK, TOWN WEBMASTER**

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Chairman Dupree: Good evening, everyone. Welcome to the March 17th, 2021 meeting of the Hyde Park Planning Board. Happy St. Patrick's Day to all. Please note that every member of the Planning Board is wearing some shade of green, as well as our consultants. That noted, let me first point out that this meeting is being conducted as authorized by Executive Order 202.1, last extended as 202.96 by Governor Andrew Cuomo. Let me first confirm that every member of the Board is alone or without someone around you trying to influence your vote.

Ms. DiNapoli: I am alone.

Mr. Oliver: I am alone.

Vice-Chair Dexter: I'm alone.

Ms. Weiser: I'm alone.

Mr. Pickett: I am alone.

Ms. Wasser: Absent

Chairman Dupree: And for the record, Ms. Wasser is absent tonight. She's in Boston. I hope celebrating St. Patrick's Day in one of the most Irish of our cities in the United States. Let me start by opening with the Pledge of Allegiance.

The Chairman led the Pledge.

PLEDGE OF ALLEGIANCE

NEW PUBLIC HEARING:

DUTCHESS COUNTY SPCA ADDITION

Site Plan Amendment Approval (#2021-02)

Location: 634-636 Violet Avenue

Grid #: 6164-04-655006

In Attendance via Zoom:

Peter Sweeny, PSA Studios

Chairman Dupree: Thank you. The first item on the agenda is a new public hearing for Dutchess County SPCA. The applicants are proposing the addition of a small or somewhat modest medical clinic. This would be a new medical clinic, but it's actually just replacing or rather moving an existing use from an older structure into the new one. May I get a motion to open the public hearing?

MOTION: Ms. Weiser
SECOND: Vice-Chair Dexter

To open the Public Hearing for the Dutchess County SPCA Addition.

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

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

Chairman Dupree: Thank you. All in favor, please raise your hand and signify by saying aye. Aye. Any nays or Abstentions? There being none, the motion carries unanimously. So from our last workshops, we seem to have resolved the flat roof issue. As noted, when we adopted the new Town Core and Corridor Business zoning, it was somehow inadvertently left in that flat roofs are now only allowed in the Town Core District. That will be resolved. But in the meantime, Mr. Sweeny, the architect, did I think a really neat and elegant sort of solution there by proposing part of the roof, that looks toward the back, to have a tilt to it, which sort of represents how the overall structure, roof, newest structural I'll call it, looks in the first place. We also circulated to Dutchess County Planning, which responded that it was a matter of local concern. In a phone conversation with Ms. LaVarnway, she did note that it was a little bit unclear whether the entry to the new clinic was actually paved. Mr. Sweeny confirmed that it is, in a subsequent email. We also heard back from the Roosevelt Fire Department, they had no objections either, as long as the building was compliant with the fire code. This leaves really for us a question about whether the septic for the new clinic can tie into the system for the newer building or whether they will need to use the older structure's septic. Using the latter would cost more because of the distance going toward it. I know that the applicants are working with our Engineering Consultant with the Department of Health. So let me first turn it over to Mr. Sweeny. Anything else you'd like to add?

Mr. Sweeny: No, I think you covered it very succinctly.

Chairman Dupree: Thank you. I'll also note that we had no one from the public sign up to speak at the public hearing, which is why I kind of rushed it through. We had several meetings on this before and workshop, so I think anyone who's interested has probably seen what we've been saying. Let me go to our consultants and start with Mr. Setaro since you're on the road, Pete, any comments?

Mr. Setaro: Yeah. The only thing is as you had said, I had offered to donate our time towards helping the SPCA with the Health Department approval. I did speak to Jason Teed yesterday from the County Health Department, so, I don't think that the approval is going to be complicated. I've asked for some water use records from the Dutchess County Water and Wastewater Authority because we are trying to see if the sewage disposal system that serves the current adoption center has excess capacity. Because it would be easier if we could just tie into that. So I should have that information probably next week and then we'll put together something and I'll submit it to the, County Health Department. But he said that either way, that's not going to be any kind of a complicated approval.

Chairman Dupree: I want to thank you as someone who's a donor to the SPCA for also volunteering your time, Pete, and yes, either way, it should be able to be resolved because they have an existing septic. It's just that it's more expense to get it over there. So, we'll hope that they have excess capacity in the new system. Ms. Franson, any comments?

Ms. Franson: I had some minor comments, my memo really just memorialized where we are in the process. We've opened the public hearing, SEQR, this was a type II action. We discussed the referrals, Planning a matter of local determination. We spoke with the Department of Health, permit, and then Roosevelt Fire also had commented and indicated they had no issues. There were some minor comments on my part about some general notes that might be added to the sheets, and they certainly could be made any kind of condition of approval, if the planning board felt that they were even necessary. And then lastly, you touched upon the flat roof matter, which they have resolved, by providing some angle on the roof. So I think from my perspective, my comments and most of the comments have been addressed.

Chairman Dupree: Thank you, Bonnie. I know that the three items of technical issues you had could be conditions because they're all just adding things, notes to the plans themselves. Ms. Moss, any comments?

Ms. Moss: Just in support of the comments that Bonnie Franson had.

Chairman Dupree: You would prefer to see them made conditions, in other words.

Ms. Moss: Yes.

Chairman Dupree: Thank you very much. And Ms. Polidoro any comments?

Ms. Polidoro: Hi everyone. One of the things that we had discussed when the applicant was proposing to hook up to this septic for the old building, is putting a restriction or a condition on approval, making it clear that any use of

the administration building would have to come back for Planning Board approval to make sure that there was adequate septic, adequate parking, et cetera. If the new building is hooking up to the new septic, we may not need that condition, so I'm curious how the Board Members feel. Do you still want to see it come back to review parking?

Chairman Dupree: I'll ask each Board Member. So what Victoria is referring to is, if the new addition uses the older building, the one that's being abandoned, if they use that septic, then there's not septic left for that building. But also, they didn't add any parking because they're essentially just moving a use from one building into a new building, but they would need more parking, likely, if they were to try to reuse the existing building, that's being more or less abandoned. Mr. Sweeny noted that in his opinion, it needs to be torn down. But I also note, that at some point, there was a discussion, way back when, by the SPCA of possibly moving the retail outlet in the Hidden Plaza, just south of this site, where they sell things that are donated to them for additional revenues. They might move that there. Also, I should have mentioned that Ms. Moss noted that she was told by our Assessor, that at some point the SPCA had an ad about leasing space. Tad wondered if that was in the old structure that's being abandoned. And we confirmed with Ms. Meloccaro, who's the Executive Director of the SPCA, that no, when times were sort of really bad, they were looking to maybe rent out actual space within the adoption building. But they had no takers, so that's kind of been abandoned along the way. But we'll ask each of you, whether you think that note should still be added, that they would have to return to us if any new use is proposed for the old building that's located to the north. Anything else, Victoria?

Ms. Polidoro: No, that's it.

Chairman Dupree: Thank you. So let me start with the Board Members, Ms. DiNapoli?

Ms. DiNapoli: To answer the first question, I think it would be a good idea to add it to the plans. I think we could quickly resolve it if they ever had to come before us. So I don't see the harm in it. Mr. Sweeny, I want to thank you for your magic quill and how you adjusted the roofline. Appreciate it very much.

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

Mr. Oliver: I agree with Diane. I think we should add it to the plans. I think it keeps everything neater and all together and makes sense to me and thank you for your work on the project. And other than that, I have no other comments.

Chairman Dupree: Thank you. Vice-Chair Dexter?

Vice-Chair Dexter: I concur with my colleagues that it should be on the plan. I did just want to add, I don't think that they're going to have a problem with the Department of Health, for the septic for the newest building there. That was an overcast. I mean, they could put on so many new things. It was sized out with whole build-out of the study. It can handle whatever you want to throw at it.

Chairman Dupree: Anne, that's what I thought. It's good to have institutional memory because I thought that when they built it, they designed it for the subsequent phases. So they wouldn't have to come back each time.

Vice-Chair Dexter: Exactly. And, you know, to be honest, either one of them work. The one behind the old building is also a new system and capable of pretty much whatever they throw at that also.

Chairman Dupree: Well, that's great to know. Okay. Thank you. Mr. Pickett?

Mr. Pickett: Nothing new. I concur with my previous Board Members.

Chairman Dupree: Thank you. Ms. Weiser?

Ms. Weiser: I agree with my Board Members as well. And also thank you again. I think the addition is a wonderful response to their needs and it looks like it's really just part of the building. So it looks great. Thanks.

Chairman Dupree: I'll also note that we resolved the door exit into the drive aisle, bollards were added. And again, the minor items in the Nelson, Pope, Voorhis comment letter from Ms. Franson can be made conditions of approval. I believe that it's recommended that we keep this open for one more meeting so that we can resolve the Department of Health septic line issue on the plans. As well as, for those who don't know, Town Hall emails were down for, I guess, roughly about 48 or more hours, so if there were members of the public who tried to log in the last two days and sent it by email, the emails apparently disappeared into the Great Maw. This was a hack that was a "hack." Apparently, Town of Poughkeepsie, I believe was hacked as well. So it affected more than one municipality. It was part of the Microsoft hack that I guess people have read about. Anyway, the Town Hall emails are back up and running. So it was suggested that we adjourn this to April 7th, at which time, then we could consider closing because as Mr. Setaro noted, we should have Department of Health's decisions by that point. Anybody have any other comments? Mr. Sweeny, does that sound okay to you?

Mr. Sweeny: You know, obviously, we look forward to resolving this, but I just thank you all for working with us on resolving some of these complications we didn't anticipate. I know that the SPCA also is very grateful. So thank you for your focus and attention.

Chairman Dupree: It's been a pleasure to work with you, Peter. I'm sorry, this is the first time, but I hope we have some meetings together in the future and you do more business here in Hyde Park. So may I get a motion to adjourn this to April 7th?

MOTION: Vice-Chair Dexter
SECOND: Ms. Weiser

To adjourn the Public Hearing for the Dutchess County SPCA Addition to April 7, 2021.

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

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

Chairman Dupree: All in favor please raise your hand and say aye. Aye. Motion carries unanimously. Thank you, Peter. We'll see you in three weeks. In the meantime, enjoy yourself and if you're considering just now starting to celebrate, don't drink too much green beer.

Mr. Sweeny: Okay, Happy St. Paddy's day, everyone. Thanks.

OTHER BUSINESS:

PHANTOM FIREWORKS

Site Plan Waiver Approval (#2021-10)

Location: 3969 Albany Post Road

Grid#: 6064-04-967195

Chairman Dupree: The next item on the agenda is Phantom fireworks. The applicants are seeking approval for a pop-up. I want to point out that they do this every year. Ms. Moss has already recommended the site plan waiver approval, which is the only way we can actually do something for a commercial site. Anybody have any questions. I just want to say that I appreciate the fact that the owner does this every year, because this is sort of a safety issue too. We need to know where the actual fireworks are located and it's gotten to where he applies rather early each time, which is great. So I believe this will be introduced by Ms. DiNapoli.

TOWN OF HYDE PARK PLANNING BOARD

**Phantom Fireworks Eastern Region / Gardner Van Valkenberg
6064-04-967195
3969 Albany Post Road
SITE PLAN Waiver
Town Code Section 108-9.4 C 1 & 2**

March 17, 2021

Moved By: Ms. DiNapoli

Resolution #: 2021-10

Seconded By: Mr. Oliver

***Whereas*, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Vincent Szabo, Phantom Fireworks Eastern Region, LLC on January 26, 2021, for approvals as required to establish a temporary sales venue for Sparkling Devices; and**

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

***Whereas*, the applicant has leased a location previously approved and developed under site plan for Park Discount Beverage; and**

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

***Whereas*, Section 108-9.4 C 1 & 2, allow the Planning Board to waive items of required information and to waive procedures required to obtain site plan approval; and**

***Whereas*, no other changes have been requested at this time and whereas the applicant is required to return to the Planning Board for all other changes to the approved plans; now**

***THEREFORE BE IT RESOLVED*, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the proposed temporary change as submitted on January 22, 2021, and on drawings for as submitted and that such request is to be incorporated into the record.**

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

VOICE VOTE

Aye-6

Absent-1

Nay-0

Motion Carried

Chairman Dupree: Thank you. Any further comments? All in favor, please raise your hand and say aye. Aye. Motion carries unanimously. Thank you.

RENAISSANCE NURSING & REHABILITATION

Sign Permit Recommendation (#2021-12)

Location: 4975 Albany Post Road

Grid#: 6066-02-856792

Chairman Dupree: The next item on the agenda is a new sign for Renaissance Nursing and Rehabilitation. Considering that we had some issues the last time with the original sign as erected, before it was approved and then adjusted. Apparently, they've changed some of their branding to get rid of most of the purple and make it more green. The sign is Code compliant as Ms. Moss has noted. Requires no more variances. It has a variance; I believe for the symbols. Anybody have any questions or comments about this? I believe our Vice-Chair is going to introduce this resolution.

Vice-Chair Dexter: Yes. And I think it looks really nice. Very conducive.

Town of Hyde Park Planning Board

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

**Jack Koshitzki – Abe Rand – Renaissance Nursing and Rehabilitation
4975 Albany Post Road
Replacement image on existing Free-Standing Sign**

Date: March 17, 2021

Moved By: Vice-Chair Dexter

Resolution: #2021-12

Seconded By: Ms. DiNapoli

WHEREAS, Abe Rand, representing Renaissance Nursing and Rehabilitation Facility, submitted a sign permit application on March 3, 2021, for refacing the existing free standing sign located at 4975 Albany Post Road, Grid Number 6066-02-856792, in the Waterfront District; and

WHEREAS, the refacing presents a revised color palette, only and all other elements including lighting, supporting posts and landscaping at the sign base will remain, all of which were recommended for a sign permit issuance by the Planning Board by resolution #2019-44 on October 2, 2019; and

To adjourn.

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

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

Chairman Dupree: All in favor, please raise your hand. Aye. Happy St. Patrick's Day everyone. Thank you. Councilman Krupnick for running the meeting and Supervisor Rohr for providing the resources to do so.

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

MOTION: Mr. Oliver
SECOND: Ms. Weiser

To approve the minutes of the March 17, 2021 Planning Board Meeting.
Ms. Wasser was absent

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

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

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

MOTION: Mr. Oliver
SECOND: Ms. Weiser

To approve the minutes of the March 17, 2021 Planning Board Meeting.

| | |
|------------|--------------------------|
| Aye | Chairman Dupree |
| Aye | Vice-Chair Dexter |
| Aye | Ms. DiNapoli |

Aye
Aye
Abstain
Aye

Mr. Oliver
Mr. Pickett
Ms. Wasser
Ms. Weiser

VOICE VOTE

Aye-6 Absent-0 Abstain-1 Nay-0 Motion Carried