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”

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

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

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

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Chairman Dupree: Good Evening everyone and welcome to the March 20th meeting of the Hyde Park Planning Board. Please take note of all the exits around the room and now join us as we salute the American Flag. Chairman Dupree commenced the Pledge of Allegiance.

NEW PUBLIC HEARING:

SAKE’ BREWERY
Site Plan Approval (#2018-25)
Location: 5 St. Andrews Road
Grid#: 6164-03-021198

In attendance: Kate Roberts, Zarin & Steinmetz
Stuart Mesinger, AICP, The Chazen Companies
David Coon, AIA, Pelli Clarke Pelli
Mark McDonnell, AIA, Pelli Clarke Pelli

Chairman Dupree: Thank you, the first item on the agenda is Asahi-Shuzo Sake Brewery to be located at 5 St. Andrews Road.

MOTION: Ms. Dexter
SECOND: Mr. Oliver

To open the public hearing for the Sake’ Brewery.

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

VOICE VOTE 7-0 Motion Carried

There was no public comment.

MOTION: Ms. DiNapoli
SECOND: Mr. Oliver

To close the public hearing for the Sake’ Brewery.

Aye Mr. Dupree
Aye Ms. DiNapoli
Aye Ms. Dexter
The Chairman indicated that the Board will add this to the agenda for April 3, 2019 with the anticipation of a letter from the Zoning Administrator indicating that the WWTF height is acceptable.

WORKSHOP:

LUMENS HOLDINGS SINON FARM SOLAR
Site Plan & Special Use Permit Approvals Solar Farm (#2018-67)
Location: 619 Salt Point Turnpike, Poughkeepsie, NY 12601
Grid#: 6263-02-939858

In attendance: Jen Crawford, Crawford & Associates Engineering
Peter McAuliffe, Omni-Navitas Holdings, LLC.
David Byrne, Renua Energy

Chairman Dupree: The next item on the agenda is a workshop for Lumens Holdings Sinon Farm Solar. The applicants are seeking Site Plan and Special Use Permit Approval to create a solar array at 619 Salt Point Turnpike. This is roughly the corner of South Quaker and Salt Point Turnpike. We had an earlier pre-application workshop and after reviewing comments they gave us a new plan set.

RESOLUTION CLASSIFYING THE ACTION AND REFERRING THE ACTION TO THE DUTCHESS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT

Lumens Holdings Sinon Farm Solar

Date: March 20, 2019 Moved By: Ms. DiNapoli
Resolution: # 2018-67 Seconded By: Mr. Oliver

WHEREAS, the applicant, Lumens Holdings 3 LLC, on behalf of property owners Raymond G. Greco Jr. and Colleen J. Sinon, has submitted an application for site plan and special use permit approval to develop a 2-megawatt solar farm on property located at 619 Salt Point Turnpike (the
“Project”), identified as tax parcel no. 6263-02-939858, in the Greenbelt Zoning District (the “Site”); and

WHEREAS, the Project is depicted on a site plan entitled “Lumens Holdings 3, LLC 619 Salt Point Tpke Solar Project,” pages T-0.0, T-0.1, C-1.0, C-1.1 C-1.2, C-5.0, C-5.1, prepared by Crawford & Associates Engineering P.C. and NCI Renua Energy, dated February 21, 2019 (the “Site Plan”); and

WHEREAS, solar farms are permitted in the Greenbelt Zoning District subject to special use permit and site plan approval; and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form Part 1 (“EAF”) dated February 21, 2019; and

WHEREAS, in accordance with the New York State Environmental Quality Review Act (“SEQRA”), the Planning Board is required to determine the classification of the proposed action; and

WHEREAS, pursuant to 6 NYCRR 617.2(al), any action not identified as a Type I or Type II action constitutes an Unlisted action; and

WHEREAS, the Project is located within 500 feet of New York State Route 115, also known as Salt Point Turnpike; 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 an Unlisted action under SEQRA.

2. Declares its intent to serve as Lead Agency in a coordinated review of the Project and directs its secretary to circulate notice of its intent to all other involved and interested agencies.

3. 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 Mr. Dupree
Aye Ms. DiNapoli
Aye Ms. Dexter
Aye Mr. Oliver
Aye Mr. Pickett
Aye Ms. Wasser
Aye Ms. Weiser
VOICE VOTE 7-0 Motion Carried

Involved and Interested Agencies
Hyde Park Town Board
Hyde Park Zoning Board of Appeals
Hyde Park Conservation Advisory Council
Hyde Park Fire Inspector
Dutchess County Department of Planning and Development
Dutchess County Department of Public Works
New York State Historic Preservation Office
New York State Department of Environmental Conservation
New York State Department of Transportation
New York State Energy Research and Development Authority
Pleasant Valley Fire District
Central Hudson

MOTION: Ms. Wasser
SECOND: Ms. Dexter

To set a public hearing for Lumens Holdings Sinon Farm Solar for April 17, 2019.

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

VOICE VOTE 7-0 Motion Carried

HYDE PARK TOWN CENTER NORTH-BLDGS 3, 4 & 5
Site Plan Amendment Approval (#16-15)
Location: 4272-4288 Albany Post Road
Grid#s: 6065-04-933017

In Attendance: Paul Beichert, Timely Signs

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

Hyde Park Town Center North – Buildings 3, 4, 5
WHEREAS, on June 20, 2018, by Resolution # 16-15G, the applicant, N & N Hyde Park LLC, received conditional site plan approval for exterior alterations to three existing structures in an existing shopping center and other related site plan improvements located at 4272 and 4274 Albany Post Road, tax parcel nos. 6064-02-922988 and 6065-04-933017 located in the Town Center Historic District (the “Project”), as depicted on plans entitled “Hyde Park Town Center North – Amended Site Plan” prepared by Berger Engineering and Surveying, dated October 6, 2017, last revised June 14, 2018, sheets T1, EX1, SP1, SP2, SP3, and SP4, SP5, a lighting plan prepared by Selux dated June 13, 2018, landscaping plans prepared by the Michael Boice Collaboration entitled “Hyde Park Town Center North Amended Site Plan” dated April 9, 2016, last revised June 13, 2018 (6 sheets), and undated building elevations prepared by DeGraw and DeHaan Architects entitled “Hyde Park Town Plaza” submitted on June 14, 2018 (the “Site Plan”); and

WHEREAS, on December 19, 2018, the applicant has requested that the Site Plan be amended to: remove a portion of the existing sidewalk along the west and northwest sides of Building 5, as labeled on the Site Plan, and replace it with landscaping and a new concrete sidewalk; trim the two privet hedges and add new landscaping; add gooseneck lighting to the façade of Building 5; change the location of the sign on Building 5; repaint the canopy and posts on Building 2 in lieu of removing it; and remove the monument sign planter located just north of Building 5; and

WHEREAS, the proposed amendments to the Site Plan are depicted on a site plan entitled, “Hyde Park Town Center – North – Phase II Site Plan Amendment,” sheet SP-1 Revised, prepared by Berger Engineering and Surveying, dated March 12, 2019, an elevation entitled “Emergency One (Sign Location)” prepared by DeGraw and DeHaan Architects, submitted March 13, 2019, and a sign plan entitled “Emergency One – Hyde Park,” sheets 1, 2, 3, and 4, prepared by Timely Signs of Kingston, Inc., dated February 20, 2019 (collectively, the “Amended Site Plan”); and

WHEREAS, in accordance with SEQRA, the Planning Board is required to determine the classification of the proposed Project; and

WHEREAS, pursuant to 6 NYCRR 617.5(c)(9), construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls is a Type II Action under SEQRA; and
WHEREAS, the Project is located within 500 feet of New York State Route 9, also known as Albany Post Road; 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 Amended Site Plan as a Type II Action under SEQRA;

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

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

VOICE VOTE 7-0 Motion Carried

MOTION: Ms. DiNapoli
SECOND: Mr. Oliver

To waive the public hearing for the Hyde Park Town Center North-Bldgs 3, 4 & 5 Amendment as recommended by the Town Zoning Administrator.

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

VOICE VOTE 7-0 Motion Carried

OTHER BUSINESS:
RESOLUTION GRANTING EXTENSION OF THE TIME TO SATISFY THE CONDITIONS OF SITE PLAN AND ACKNOWLEDGING DE MINIMIS CHANGE TO SITE PLAN

Salt Point Solar

Date: March 20, 2019  Moved By: Ms. Weiser
Resolution: #2018-01C  Seconded By: Ms. Dexter

WHEREAS, on September 5, 2018, by Resolution # 2018-01B, the Planning Board granted site plan and special use permit approval to the applicant, Salt Point Solar, LLC, to develop a 2-megawatt solar farm on a 41.44-acre property located at 525 Salt Point Turnpike, as depicted on a site plan entitled “Preliminary Design Drawings for Salt Point, LLC,” sheets C-100, C-150, C-200, C-300, C-301, C-400, C-500, C-501, C-502, C-600, and L-100, prepared by Rina Consulting and Spinella Engineering, PLLC, dated December 18, 2017, last revised August 13, 2018 (the “Conditionally Approved Site Plan”); and

WHEREAS, Site Plan and Special Use Permit approval are conditioned on satisfaction of 14 conditions of approval; and

WHEREAS, pursuant to § 108-9.3E(4)(c) of the Zoning Law, conditional approval of a site plan shall expire 180 days after the date of the resolution granting conditional approval, unless such requirements have been certified as completed; and

WHEREAS, in accordance with § 108-9.3E(4)(c) of the Zoning Law, approval of the Conditionally Approved Site Plan expires on March 4, 2019 if the conditions of approval are not satisfied; and

WHEREAS, the Planning Board, in its discretion, may grant up to two 90-day extensions of time in which to satisfy the conditions of site plan approval; and

WHEREAS, by letter dated March 7, 2019, the applicant requested the first 90-day extension of time in which to satisfy the conditions of site plan approval; and

WHEREAS, the Planning Board has considered the circumstances warranting such an extension; and
WHEREAS, the applicant has also requested the Planning Board to acknowledge a modification to the Conditionally Approved Site Plan to include a battery back-up for the solar farm.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants the applicant a 90-day extension of time in which to satisfy the conditions of site plan and special use permit approval to and including June 3, 2019.

BE IT FURTHER RESOLVED, that the Planning Board hereby acknowledges the de minimis change to the Conditionally Approved Site Plan to include the installation of the battery storage and directs the applicant to depict the battery storage on the final Site Plan which is submitted for signature.

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

VOICE VOTE 7-0 Motion Carried

Chairman Dupree inquired if the Board Members have had enough time to review the Town’s Core District Rezoning materials and give their comments. The majority indicated they would like more time to comment and the Chairman indicated that he would send that request to the Town Board.

MOTION: Ms. Dexter
SECOND: Mr. Oliver

To adjourn.

Aye Mr. Dupree
Aye Ms. DiNapoli
Aye Ms. Dexter
Aye Ms. Weiser
Aye Mr. Oliver
Aye Mr. Pickett
Aye Ms. Wasser
VOICE VOTE  7-0  Motion Carried