



Historic Town of Hyde Park

Planning Board
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"Working with you for a better Hyde Park"

**MINUTES OF THE APRIL 21, 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
KATHLEEN MOSS, ZONING ADMINISTRATOR
CYNTHIA WITMAN, PB SECRETARY
COUNCILMAN KRUPNICK, TOWN WEBMASTER**

TABLE OF CONTENTS	PAGE
NORRIE PARK ESTATES LOT 1 PLAT AMENDMENT	2-19
CARRIAGE TRAILS (A.K.A.CROFTON MEWS) EXTENSION	19-23
DODIC SECOND DWELLING UNIT	23-26
DUTCHESS COUNTY SPCA ADDITION	26-29
STAFFORD, BETTINA 8 CAYWOOD PL	29-30
Town of Poughkeepsie Zoning amendment chapter 210	30-31

Chairman Dupree: Good evening, everyone. Welcome to the April 21st meeting of the Hyde Park Planning Board. Before I open the meeting fully, let me note that this is conducted or authorized by Governor Cuomo's Executive Order 202.1. Last extended as 202.99, which allows virtual meetings of public officials. Let me first confirm that each Board Member is alone.

Ms. Weiser: I am alone

Ms. Wasser: I am alone

Mr. Pickett: I am alone

Mr. Oliver: I am alone

Ms. DiNapoli: I am alone

Vice-Chair Dexter: I am alone

Chairman Dupree: And to repeat or reiterate, I'm confirming they're alone so that we know that there is no one there to influence how they would vote or speak tonight. Please join me as we salute the American Flag.

The Chairman led the Pledge.

PLEDGE OF ALLEGIANCE

NEW PUBLIC HEARING:

NORRIE PARK ESTATES LOT 1 PLAT AMENDMENT

Amend Subdivision Approval Lot 1 (#2021-17)

Location: 4 Enderkill Drive

Grid #: 6066-02-951981

In Attendance:

Robert Macho, Tree-line Builders

Brian Stokosa, Day Stokosa Engineering

Chairman Dupree: Thank you. Our first item on the agenda is a new public hearing for Norrie Park Estates. But first, let me turn this over to Victoria Polidoro, our attorney for some notes and comments.

Ms. Polidoro: Yes. Hi everyone. Good evening. I just wanted to go over the rules of conduct and procedure for public hearings before the Planning Board. The Planning Board has adopted this as part of its bylaws, and it's been some time since we've reminded the public about the rules. So speakers will be called on and recognized by the Chair. Speakers are asked to limit their remarks to five minutes and all comments should be addressed to Chairman Dupree. So it's not a conversation or back and forth with the applicant. The Planning Board is here to take your comment and to listen to your comment. Speakers should not expect a dialogue with the Board in response. Speakers should expect to dialogue with the board in response to these questions. We are also asking that speakers observe commonly accepted rules of courtesy, decency,

dignity, and taste. Personal remarks against an individual are not acceptable. All remarks should be limited to the project and its potential impacts. If issues arise that are outside the scope of the subject of the hearing, persons who are speaking will be asked to cease their comments. We will issue one warning, but after that, people may be removed from the meeting if you don't abide by these rules. I'm happy to answer any questions. I don't think we're going to have any issues, but again, just reminding everyone because we haven't done that in a while. Thank you.

Ms. Polidoro reviewed the rules and procedures for Planning Board Public Hearings.

RULES OF CONDUCT AND PROCEDURE FOR PUBLIC HEARINGS BEFORE THE PLANNING BOARD OF THE TOWN OF HYDE PARK

The following rules shall apply to a legally required public hearing held before the Planning Board:

- (a) Speakers may register in writing prior to the beginning of the hearing by providing their name, address, and organization, if any. Individuals arriving after commencement of the hearing shall be permitted to register upon arrival as long as the Chairperson has not closed the hearing.
- (b) The Chairperson shall recognize each speaker, in the order registered, when the hearing is commenced. Speakers shall identify themselves, their address and organization, if any, prior to the remarks.
- (c) Speakers are asked to limit their remarks to five minutes. Remarks shall be addressed only to the hearing issues.
- (d) All remarks shall be addressed to the Board as a body and not to any individual member thereof or to the applicant. Speakers shall not expect dialogue with the Board in response to questions.
- (e) Speakers shall observe the commonly accepted rules of courtesy, decency, dignity and good taste. Any loud, boisterous individual shall be asked to leave the meeting room by the Chairperson and may be removed at the request of the Chairperson. Speakers addressing issues outside the scope of the hearing shall be asked to cease their comments.
- (f) Interested parties may address the Board by written communication. The statements shall not be read at the hearing, but shall be provided to all Board members and entered in the minutes of the hearing by the Secretary.
- (g) The Secretary shall include in the minutes of the hearing the name, address and organization, if any, of each speaker, a summary of the remarks, and written statements submitted to the Board.

Chairman Dupree: Thank you, Victoria. May I get a motion to open this public hearing?

MOTION: Vice-Chair Dexter

SECOND: Ms. Weiser

To open the Public Hearing for the Norrie Park Estates Lot 1 Plat Amendment.

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. Motion carries unanimously. So to sum up, this is an older subdivision that was approved quite some time ago. On one particular lot, this would be Lot1, there was a driveway that was intended to be located in one area; during construction, it was relocated. The driveway as relocated would not comport with our Code because the exit and entry would be at the center of a three-way intersection. Our Code requires that a driveway entrance be located 60 feet from the central line of that intersection. We had a meeting onsite two Sundays back. I want to thank all the Board Members and the consultants, Mr. Stokosa, Mr. Macho and the intended owner, Bryan, for joining us. There was much discussion and examination of the site. What was basically concluded is that the easement for the drainage over the drainage swale would be the shorter version or 20 feet from the end of the pipe heading south. Also the swale must be cleaned out with four inch rock installed prior to my signing it. And it should be eight to 10 inches deep. As we all noticed, what's there right now is a different size rock and some sediment that's gotten into it, so it's preventing the swale from working as perfectly as intended. That's basically it and the driveway will be relocated. There was further discussion. We noticed that there were some pipes from lot two that seemed to be emptying onto lot one, into the swale and we didn't see any approvals or easements for that. So that may become an issue tonight, but that more or less sums up what we discovered that day. And again, thanks to all the Board Members giving up part of their Sunday afternoon. So before we open up for public comment, let me start with our consultants. And tonight I'll start with Ms. Moss, Tad?

Ms. Moss: I believe that the drawings are in order and that, I think the easement language still needs...Does the easement language still need to be worked on Victoria?

Ms. Polidoro: We've advised the applicant's attorney of what is needed and they responded that they were working on it, but we have not received anything yet for review.

Ms. Moss: Okay, thank you. I think it's the best solution to the situation that the Town could hope for. So, pending the Board's deliberation, I think all the paperwork is in order.

Chairman Dupree: We received a new document from Mr. Stokosa. It's shown right now on the screen. Mr. Stokosa prepared this based on comments that you heard from the Sunday site walk and you can see the relocation of the driveway. You can also see the location of the original driveway, which is shown in the dotted lines. And you can also see where the easement is located, close to Pond View and Enderkill Drive, as I said, the first 20 feet. I should also have added that this swale is actually the location of a prior natural drainage swale to a certain extent. And if you go further up on Pond View Court, some of the stormwater that would start up there has been deflected, put into stormwater drains that head down Pond View Court, and then ultimately enter into a storm water detention pond located at Pond View and Enderkill on the northeast side of that intersection. Everything seemed to be flowing well up there. Mr. Setaro our engineering consultant had looked at it along with Tad before we even started the meeting. So what you see here, what you would see into this swale is a bit of what's left over because of the steep slopes that surround the swale. As you go south, it climbs pretty steeply. Again, there wasn't a lot of regrading up there, so what you're seeing is what's left of what would be a natural drainage swale. Then rechannelized here, going down. Ms. Moss if that's all your comments, then let me go to Mr. Setaro, Pete?

Mr. Setaro: I don't really have too much more to add, without being able to see the map. Did they add an additional backup area coming out of the garage for lot one?

Ms. Moss: No.

Chairman Dupree: It doesn't appear to be shown. Mr. Stokosa, Brian, do you have an answer for that? Is there going to be any additional backup from the drive?

Mr. Stokosa: If the Board wants that? I wasn't sure how that was left in the field, but if that's the intent of the Board, then we will certainly show it.

Chairman Dupree: I believe it was the intent of the owner.

Mr. Setaro: That's correct. That's correct. Yes, that was really the intent of the owner.

Mr. Macho: Correct. It's not a requirement. I had discussions with the owner, with the purchaser and we're talking about what we're going to do.

Mr. Setaro: Okay. Well, Bob, if you're going to do it, show it on the map. If it's not on the map, then it's not going to be widened after the fact. So if we're going to do it, let's just do it now. All right.

Mr. Macho: Okay.

Mr. Setaro: All right. And then the only other thing was, I don't know if Brian had detailed the swale in terms of the cross section of it and the rip rap and the depth of it, but I can always work that out if it's not on there yet.

Mr. Stokosa: Yeah, Pete, what I can do is I can detail that. We can formalize it and make it as record on the plan. The revisions that I made, since you can't see it, is we showed basically the two easement areas, one to be maintained by the Town, one to be maintained by the individual lot owner on lot number one. I provided notation for the open space to be demarcated as per the intent of the original filed map. And then we also placed some topo on where the relocated driveway is going to be. We also provided some spot elevations to show a negative pitch coming off of Enderkill Drive, so there's no runoff that will come on the Town road.

Ms. Polidoro: So Pete, I have a question for you, because this map identifies the two drainage areas, but the drainage area that the Town is going to have the right, but not the obligation to maintain, is still shown it 20 feet wide with the driveway going through it. And when we were in the field, it looked like it could be much smaller, so that the driveway wasn't in the easement area. I know you can't see the line there, but I think...

Mr. Setaro: Yeah, I mean, we don't need to have, but that's not...Are we going to take a formal easement on that or that was just going to be a note on a map?

Ms. Polidoro: No, we're taking a formal easement.

Mr. Setaro: So now we're going to have an easement that goes all the way up, basically to the same spot that it did before?

Ms. Polidoro: Well, I guess it needs to. It's going to be requiring the homeowner to clean it. And if he doesn't take care of it and there's a problem, the Town will have the right, but not the obligation to go in and fix that drainage issue.

Chairman Dupree: But right now, as shown on the map, I'm looking at it, it is wide and it does cover a portion of the old driveway that's going to be removed, but it stops just at the corner of where the relocated driveway is curving in.

Ms. Polidoro: No, it includes the new driveway though, Michael. Look, because the driveway...

Mr. Setaro: Well, I mean, honestly, if the Town ever did go in and maintain it, which I doubt that'll happen, but if it ever did, they would actually have to use the driveway on lot number one, to access it because they need something hard to drive over to get to it. So, if we're going to kind of have that easement, I don't have an issue with being over the driveway.

Ms. Polidoro: Well, we need to go over the new driveway. The question that I'm having, and maybe we'll just take this discussion offline and do it when you can see the map, is whether the easement area should be narrowed, so it's just the ditch. So we'll continue that conversation.

Mr. Setaro: But how would the Town, I mean, yeah, we should have that offline, but I mean, if it's narrowed to just the width of the ditch, unless it's going to be limited to

guy's being able to go in there with shovels or something, then that would be okay. But if the Town ever had to try to get a piece of equipment, then that wouldn't suffice. You know what, Victoria, we can deal with that ourselves. We'll figure it out.

Ms. Polidoro: Okay.

Chairman Dupree: Victoria, do you have control? Can you show us where the easement is crossing the driveway or encompassing the driveway?

Ms. Polidoro: So right now he has the easement going this wide. So that would be the easement where the Town would have the right to go in and then the driveway goes like this, through it. So when we went out to the site, the drainage thing is really just on the side right here. So I think we only need the easement over the drainage ditch, here, with a right of access over the driveway. But it's up to Pete.

Chairman Dupree: I believe, it's hard for me to read on my screen, but I thought that it said that the owner would maintain that area in red and the Town has access to it so it could then clean. So it's an access easement, if I'm right.

Ms. Polidoro: Okay. So then, so then it's fine. We don't need to make a mountain out of it.

Chairman Dupree: The easement, in other words, is just that first 20 feet and then there's an access easement past that, that's shown in the red, there you go. But the obligation will be on the owner of lot one, unless it's not maintained, the Town has the right to access it to further clean it. Is that acceptable?

Ms. Polidoro: Yeah.

Chairman Dupree: That's something for you and Mr. Stenger to work out, the applicant's attorney.

Ms. Polidoro: Okay.

Chairman Dupree: Any other comments Mr. Setaro?

Mr. Setaro: Nope. I'm good. Thank you.

Chairman Dupree: Thank you and Victoria, any other comments from you?

Ms. Polidoro: I have no other comments.

Chairman Dupree: Let me start with the Board. Ms. Wasser, any comments?

Ms. Wasser: I apologize. I was on mute. No, I don't have additional comments. I went out there and walked and I think pending the easement resolution, I think that the two foot contours helped to show the grade toward Enderkill. So I'm good.

Chairman Dupree: Thank you, Ms. Weiser?

Ms. Weiser: I have nothing to add to the conversation.

Chairman Dupree: Mr. Oliver?

Mr. Oliver: No new comments. Thank you.

Chairman Dupree: Mr. Pickett?

Mr. Pickett: I had looked at it the Friday before, from the street, and I concur with everybody, to get a resolution to the easements. I would say that with all that's being done, about a 20% reduction in the asphalt, compared to the original proposal, so a little bit of a benefit after we get it all done.

Chairman Dupree: Thank you very much, Brent. Those are good comments. Ms. DiNapoli, any additional comments?

Ms. DiNapoli: This one, it's more of a question. Will, the person or the new owner said that he would take care of the swale, the area, what happens when he's goes to sell and there's another owner?

Ms. Polidoro: It runs with the land and it's going to bind all future owners. But I want to be clear that he's only going to have the obligation to maintain the swale as it pertains to his property line. Any portion of the swale on lot two, he does not have the obligation to maintain.

Ms. DiNapoli: That's it. Thanks.

Chairman Dupree: Thank you. And Vice-Chair, Dexter?

Vice-Chair Dexter: I guess my only comment is I just want to make sure that this view, whatever changes that get made, that nobody has to come back and change anything. So if there's any widening of the driveway up at the top for a turnaround, I would like to see that and just make sure that it's there. Get it all done. One and done.

Chairman Dupree: Good idea. Thank you.

Ms. Polidoro: Chairman, I do have another question. When this was expanded, I can see that there's a pipe shown now, a two to four inch PVC pipe into the swale. And do we want a notation? I mean, showing it sort of shows that it's allowed. Do we want a notation that says no approval is granted for, or this is not part of the project?

Chairman Dupree: I think that's an excellent note to have added on. If Mr. Stokosa can add that on as well. It can be a condition of approval.

Mr. Stokosa: Absolutely, guys.

Chairman Dupree: Thank you. Any other comments from the Board or Consultants? Let me open this up to the public. I believe the first person who signed up was Cathy Campagna (*10 Pond View Court*), the neighbor and owner of lot two, and I believe lot nine. Ms. Campagna, welcome. Can you unmute yourself?

Ms. Campagna: Could you hear me?

Chairman Dupree: Yes, we can. Thank you.

Ms. Campagna: Hi. How are you guys?

Chairman Dupree: We're good. Hope you are too.

Ms. Campagna: I am too. As far as the swale on my property, you hear what I'm saying?

Chairman Dupree: Yes, ma'am.

Ms. Campagna: I do not want Mr. Macho on my property, cleaning out the swale until the pipes, that he pointed out to the Board, are rectified. That I have now have a problem with.

Chairman Dupree: Can you explain what you mean by the pipes are rectified?

Ms. Campagna: No, Pete Setaro knows what I'm talking about. I don't want to elaborate it. All I'm saying is, I had agreed two days ago to Ms. Moss and Mr. Setaro that I would let Mr. Macho clean out the swale and make it nice. They told me what kind of rocks and seeding, and then not four minutes later, they found a problem on my property. So now I'm going to rectify my problem, but I don't want no one on my property. I don't want Mr. Macho to touch that swale until everything I feel is corrected on my end, because I don't want to elaborate, but thanks to him, I have the problem on my property. So, I don't want him to work on my property and the swale is on my property, which I never knew was there until Tad, Ms. Moss, and Mr. Setaro pointed it out because I don't walk around, you know, all over the place. And now I know it's there. So, and as far as the driveway, it's in the wrong spot, that's not my doing it's Mr. Macho's doing.

Chairman Dupree: I think we can certainly agree on that, that it's not your doing and, yes, it's located incorrectly. I do need to point out for the record that Mr. Macho did speak with the Highway Superintendent, who indicated they it would be okay with him, because he has to authorize it. At the time, Superintendent Fisher, our Highway Superintendent did not know that that intersection would be illegal under our Code because it was not 60 feet from the center line. So that's been rectified as best as possible and for whatever reason it was done and I think it had to do with the new owner's request to have a side-loaded garage instead of a front-loaded. It's happened and so of course, tonight, what we're here to do is try to take care of all these things so that the new owner can move in and take care of any other problems. As I said, we won't get into specifics, but I will leave it to Victoria at some point to figure out how it

would be noted. Do we even need to note that Mr. Macho is not allowed on Ms. Campagna's property?

Ms. Campagna: I don't want the swale touched until my problem is rectified.

Ms. Polidoro: But, Ms. Campagna, here's the issue. He doesn't have to go on your property, but that means that the swale on your portion of the property is going to continue. If you look at it, it's not right. It's overgrown.

Ms. Campagna: But let me interject a minute. When I spoke to Ms. Moss and Mr. Setaro, he said he was going to make it nice and he's going to put nice rocks, but then I don't want him working on my property because like I said, four minutes later, they seen two drain pipes on my property that they insisted was wrong and there was a problem. So now I have to fix that. So I don't want him working on my property until I fix what I have to fix.

Ms. Polidoro: Okay. But I just want you to understand that the outcome of that is that he's not going to fix that portion of the swale.

Ms. Campagna: That's what they told me when they were here two days ago.

Ms. Polidoro: But we can't force him on your property. So the leverage to get him to fix that is approving this application. So once this application is approved, then that's it. The Town has no more authority to request him to fix your swale.

Ms. Campagna: But I don't want to take care of the swale. It's not my problem.

Ms. Polidoro: Well, the swale's on your property.

Ms. Campagna: Doesn't it belong to the Town originally?

Ms. Polidoro: It does not, no.

Ms. Campagna: How come we never mentioned the swale before? How come we never heard anything in four and a half years about that swale? It's full of broken trees. It's full of garbage, rocks, all kinds of debris.

Ms. Polidoro: So, you know, this comes up a lot. The Town has very limited resources. They don't drive around looking for problems. They only become aware of problems often, you know, when they become aware of an issue and they go out and they do an inspection.

Ms. Campagna: I understand that, but when they came here Monday, Ms. Moss and Mr. Setaro, this is what they talked about with us, that Mr. Macho was going to have to do the whole swale, to get this moving. So these people could get their CO and move in and everything's going to be great. He's got other things to do around the property. Behind the house there's like a swimming pool. That's going to bring mosquitoes if

somebody doesn't fix that soon. If you go there now, it looks like there's a miniature pond back there.

Ms. Polidoro: Okay. So if you don't want him on your property, then he's just going to fix the portion of the swale on Lot one and that's the best that we can do.

Ms. Campagna: But I think part of it's on Lot two, but I'm just saying.

Ms. Polidoro: But he won't be able to do that.

Chairman Dupree: If you're denying him access, Ms. Campagna, he can't have access, that's the way the law works.

Ms. Campagna: Okay. But I don't have to be responsible for the swale then?

Ms. Polidoro: Well, you're responsible for it in as much as it's your property.

Ms. Campagna: Yeah, but I didn't put all that stuff in there, he did. There's trees, broken trees, there's rocks. There's all kinds of construction, all debris.

Ms. Polidoro: I understand, but if you want him to remove it, you have to give them permission to do that.

Ms. Campagna: I know that, but I still don't understand. What was the purpose of them coming here two days ago, telling me this would expedite this. Do you, understand what I'm saying? I'm confused on this whole thing.

Ms. Polidoro: I'm going to try and make it easy. If you don't give permission, right now on the record, for him to go onto your property, then he's not going to go on your property. If you give permission, then as a requirement, a condition of this approval, we're going to tell him to go clean it up and fix it. It's that simple.

Chairman Dupree: That's the whole swale, that would include your portion as well, Ms. Campagna. So he'd fix the whole swale. I want to point out that the only thing that I believe that Mr. Setaro and Ms. Moss discussed, in terms of your maintenance, is the portion of the swale that's on your property. Again, that was a natural swale at the time. So all they asked you to do is, when we say maintain, it's don't dump into it, because if you dump then it changes the pattern of the water, as it flows down, it may not go into the portion of the swale that's on Lot one. So if you just don't dump anything in there, it should be fine. In other words, that would be the extent of your maintenance, just not dumping into it.

Ms. Campagna: And the reason I'm confused, because in the beginning, when this all started, they came to me and they wanted 10 feet of my property. For what reason, I still don't know. His lawyer, the lawyer...

Chairman Dupree: It was going to be included in that portion of, in other words, it was going to be included, so the Town could go further up in case the swale got into

problems on your parcel, but if you don't want that to happen, then that's not going to happen because we can't compel that, in other words. You already have a lot that's subdivided and you live there and so that's, if you wanted to voluntarily say, you can have an easement on 10 feet up, then we can make it that way, but if you don't, then we're not going to.

Ms. Campagna: And that's why I'm confused with this, because if that was the first approach, give up 10 feet. And now it's this. Now the swale, I don't know where we're going with all this.

Ms. Polidoro: Nobody is asking you to give up any property. This application is for the movement of a driveway. And so as part of that, we want Mr. Macho to clean up the swale. If you don't want him to do that on your property, then that seems okay.

Chairman Dupree: You don't have to.

Ms. Campagna: But I'm not, the swale should be fine if you don't touch it, right.

Ms. Polidoro: Well, it would work better if the debris was removed and the proper rocks were laid in.

Mr. Setaro: It would look better also. I mean, right now it's like a mess and if he doesn't clean it up as part of the work on Lot one, and then we have no obligation to make him come back and finish cleaning up on Lot number two, so it would be much better if he just did it all now and make it look nice. But that's really up to Cathy.

Ms. Campagna: Like my husband just stated behind me, he doesn't do anything. I just drove home now and the road is full of giant rocks. Why don't you come *inaudible* that? I just ran over big rocks with my SUV. They're in the road. I'll take a picture and put it on the camera right now. Yeah. There's rocks all over the road. Isn't he supposed to maintain this road?

Ms. Polidoro: Well, so we want to just stay on the subject of this hearing.

Ms. Campagna: I understand, but I'm saying the debris wouldn't all be in the swale if he had cleaned up a little as he went. No, he just kept dumping his tree stumps. I mean Tad saw it Monday, am I correct Tad? You saw it's a disaster?

Mr. Setaro: Cathy, like we had told you Monday, we will make sure... we will make sure that the swale is cleaned up because that will be part of the Town granting the certificate of occupancy for a Lot number one. We will ensure the swale is cleaned up, it's seeded, it's got the nice stone in it and it all like looks nice. And he has to go do that before the Town will grant a CO for Lot number one.

Ms. Campagna: Okay, so if the swale is not cleaned up correctly, there'll be no CO issued. Is that what you're saying?

Mr. Setaro: Absolutely.

Ms. Polidoro: No, only if you grant permission for him to go onto your Lot. And we'd really like you to do that now on the record or not do it on the record, because we don't want any question moving forward. You know, we don't want to have him trespassing if you don't want him there. So we just want a clear answer either way.

Ms. Campagna: So if I say no, there's no CO, or if I say yes, there is a CO.

Chairman Dupree: No, Cathy, he would still get a CO as long as he cleans up the portion that's just on Lot one. In other words, if you agree for him to go onto your land, then there'd be no CO until the whole swale is cleaned up. If you do not agree, then he would get a CO only when the portion of Lot one is done, the lower portion.

Ms. Campagna: And when is he starting, my husband said?

Ms. Polidoro: As soon as possible, I think. I mean, if they want to CO by the end of May, which is the timeline we understand they're on. It would have to happen soon.

Chairman Dupree: The new owner is seeking financing, so it would have to be done pretty quickly in order for him to close.

Ms. Campagna: So he asked to clean it and has to start right away.

Chairman Dupree: I wouldn't say like tomorrow, but he'd have to clean it up, yes.

Ms. Polidoro: In the next few weeks.

Chairman Dupree: In the next few weeks.

Ms. Campagna: I don't know. I don't know what to do here, but the issue with my pipes, that's another thing. So now, because of all this mess he created, which I'm going to say he created, which is normal. He created it and now I have a problem with two drain pipes, draining water. I mean, it's ridiculous. So if he had done this right in the first place, we wouldn't be having this conversation.

Ms. Polidoro: Those pipes are not part of this application.

Ms. Campagna: I understand that.

Ms. Polidoro: And there's going to be a note on the plan stating that no approval is given for those pipes.

Ms. Campagna: I understand that, but like I said before, I first was in agreeance to help and then all of a sudden, I got jammed up with two drain pipes. It was like, ironic, how it happened four seconds later.

Chairman Dupree: I apologize for that, but none of us ever saw those and they weren't on the original plans to be approved. So that's something that they saw in the field.

Ms. Campagna: Two weeks ago, you saw them and you wrote there was water draining and Mr. Macho told you they were tree drains. Where he came up with that I'll never know. And now two days ago, they finally turned into a sewer drain, which they're not. So I don't know. I'm more confused than I've ever been living here.

Chairman Dupree: You gave more detail than you probably didn't want to at first, but when I was there, I did not observe an odor, but I also saw the water trickling out. And I did hear Mr. Macho say that this was from a French drain for the trees, the evergreens that were installed.

Ms. Campagna: Could we ask him how he thought that one up, because nobody told him that.

Mr. Setaro: We'll deal with that separately. That's a separate issue.

Ms. Campagna: Okay. Okay.

Ms. Polidoro: Ms. Campagna, I don't mean to harp on this, but I just don't have a clear answer, because we want to be able to advise Mr. Macho. Are you going to allow him to come and clean your swale on lot two or not?

Ms. Campagna: So if he cleans the swale, they get to CO quicker, right?

Ms. Polidoro: No, it has nothing to do with...If you don't let them on, they still get their CO.

Ms. Campagna: So let him do whatever he wants. Are you going to come and check to see if he did it right?

Mr. Setaro: Yes, we will Cathy. Yes. We are going to do that.

Ms. Campagna: Okay. Because if history repeats itself, I could pretty much tell you how it's going to go.

Mr. Setaro: No, it's not. No, it's not. We will be checking it. Tad and I will have to sign off on it.

Chairman Dupree: Correct? Correct.

Ms. Moss: So you are giving permission.

Ms. Campagna: What? Say that again?

Ms. Moss: You are giving permission?

Ms. Campagna: Yeah, I give him the permission. Let's see how this turns out.

Chairman Dupree: Thank you. Thank you, Ms. Campagna. I really do appreciate that. I think it's going to help your property too, in other words, to have it all cleaned up.

Ms. Campagna: I guess it is. There's another drain draining into the swale from up the hill. So you gotta look at all the drains coming to, you know? And I have one question for Peter Setaro, you said that the easement is going to be at the end of the road, and then it's going to go into Lot nine, the storm drain, the storm water. What is Lot nine's pond, you said it the other day?

Mr. Setaro: You own it. Yeah, it's a storm water detention pond that the Town has an easement on. And that whenever the Town takes over the road, the Town will also assume their responsibility for the maintenance of that pond.

Ms. Campagna: So if there's anything in it, they'll clean it or whatever?

Mr. Setaro: Yes, that's correct.

Ms. Campagna: I will no longer be...

Ms. Moss: The idea is to prevent pollution from entering the pond.

Ms. Campagna: Okay. Well pollutants, she says.

Ms. Moss: Like silt and sediment.

Chairman Dupree: You don't want sand or dirt going into the pond because it fills it up and it won't function like it's supposed to, to retain the stormwater until it drains down slowly.

Ms. Campagna: Yeah. Well, yeah, the pond is always full of water. It goes somewhere.

Chairman Dupree: That's I was going to say. It's designed to keep a certain level unless it gets droughty, so that the water comes in a high volume, then it stays there and is slowly released. So that's why I was saying it'll help the looks of your Lot two. It would also help the function of the stormwater pond on Lot nine. By the way, it's a nice water feature to have if you have a house there.

Ms. Campagna: I'm building a house there.

Chairman Dupree: I walked over it. The pond looks really nice, I have to say. It's working well.

Ms. Campagna: My husband mowed the lawn around it. We take care of what we have. My house is very nice.

Chairman Dupree: It looked nice and I saw the rip rap. There's a swale there as well, that carries water down from a lot nine itself, down into the pond itself too.

Ms. Campagna: Oh, I didn't know that. I haven't walked it yet.

Chairman Dupree: You'll see...rip rap is the big stone that you can see, it kind of circles or moves like a snake. It moves like a snake, the way it works, it's very curvy, but I could see it there as well.

Ms. Campagna: Oh okay. Like I said, I didn't really walk around a lot. I'm a city person and you know, I stick to my house, that's it.

Chairman Dupree: Welcome to the country.

Ms. Campagna: Yes, welcome to the country. A lot of enlightening I got tonight. All right.

Chairman Dupree: Yeah. It's not like the city where we have central sewer, central water, et cetera. It's very different up here with your septic systems, et cetera.

Ms. Campagna: Can I bring something up real quick? Okay. On Lot nine, I own Lot nine, youse know this. There's a sign there. I want to take it down. It's not my sign, it's Mr. Machos. I want Norrie Park Estates to stay. I don't want Treeline Builders up there anymore.

Ms. Polidoro: So Ms. Campagna, that would be a private issue between you and Mr. Macho.

Ms. Campagna: Okay. Even though I own the property.

Ms. Polidoro: I mean, you should consult your attorney, and they can advise you of your rights with respect to that sign. I don't know the specifics.

Ms. Campagna: I would leave Norrie Park Estates because that's the name of the development. So people could find us, but the Treeline Builders sign I don't need that.

Ms. Polidoro: Well check with your attorney and you know, they'll let you know if you have the right to take that sign down or not.

Ms. Campagna: Why don't you ask Mr. Macho, he's on the chat here.

Chairman Dupree: Because the sign is not a part of this public hearing. But Tad, real quickly, is that a temporary sign or is that a permanent sign? Do you know?

Ms. Moss: I believe it's a real estate development sign and the Treeline Builders, I think is the sub sign. I believe it's an exempt sign for contractors.

Chairman Dupree: As long as there's work going on.

Ms. Moss: Yeah. And I'm not sure, the exact location of it. I don't know if it's in the right of way or whether it's actually on the lot.

Ms. Campagna: It's on the lot, right in the middle, right on the lot in the grass.

Chairman Dupree: There's a right of way, ultimately that the Town would have, that I believe is 15 feet from the center line of a road, i.e. Enderkill. So if it's past that, then it's on your private property. I mean, if it's within that 15 feet from the center line then it'd be on the town road and I believe it's allowed under our Code. And when I say temporary, what I should say is it's not a permanent sign because it's only supposed to be up while construction is going on.

Ms. Moss: And it's 25 feet from the center line.

Chairman Dupree: 25 feet, sorry, not 15. Shoot me.

Ms. Campagna: So I can take it down?

Chairman Dupree: No, I would consult your attorney first just to make certain. Measure it, etc.

Ms. Campagna: At 15 feet from the center line?

Ms. Moss: 25.

Chairman Dupree: 25.

Mr. Setaro: 25.

Ms. Campagna: Oh, it's 25 from the center point.

Chairman Dupree: Yes, that was my error. I apologize.

Ms. Campagna: Okay.

Chairman Dupree: Thank you Ms. Campagna and you're free to raise these issues anytime also by calling the Planning and Zoning office.

Ms. Campagna: Yes, I know.

Chairman Dupree: The next person who signed up is Mr. Steigerwald (*prospective buyer of 4 Enderkill Drive*), if he's still here.

Mr. Steigerwald: Yes, I am.

Chairman Dupree: Thank you, the floor is yours.

Mr. Steigerwald: Okay, so I want to thank everybody again for all their help with this. And the only question I have right now is for extending the driveway up at the house. There seemed to be some confusion about who would do that, how it would be done. And my understanding based on the last Planning Board meeting, and I discussed this

also with Mr. Setaro at the Sunday visit. My understanding is that all we needed for this application was just to show it on the application. I just want to make sure that my understanding is clear, meaning we want to show it on the application, so that way it's done. Whether or not the work gets done now or in the future is not part of the application, is that correct?

Mr. Setaro: Yeah, I mean, we would want it shown on the map now, so that if you did want to do it later on, you could do it later on. But I mean, if you're planning on doing it now, now is the time to do it while Mr. Macho is going to have a paver there to pave the other section of the driveway, but that's up to you.

Ms. Polidoro: Tad, will this hold up a CO if it's shown on the map, but not installed?

Mr. Setaro: Oh, that's a good point. Yeah. That's a good point.

Ms. Moss: Can it be noted as a future turn around, authorized?

Chairman Dupree: Expansion. I think so.

Ms. Polidoro: We could probably get away with that, but I don't understand why you wouldn't want it done now.

Mr. Steigerwald: I'm just trying to help get this application approved as well as get the work done and if that's something that doesn't need to be done right away, then we can wait. But I know the other end of the driveway needs to be done. I would love for it to be done now, but if it becomes an issue for us getting into the house, I'd take care of it later. That's the only reason why I'm offering that.

Mr. Setaro: You know I think you just need to go work that out with Bob. And if you guys like agree that it's going to be done now, then just go do it now.

Mr. Steigerwald: Okay.

Chairman Dupree: If it's not then Mr. Stokosa should show it on the plans and just put paved drive, existing condition and then potential future expansion of drive, something like that and just outline it.

Mr. Setaro: Right. That's fine. Yep.

Mr. Steigerwald: Okay. Okay. So I'll discuss that with Mr. Macho.

Chairman Dupree: Anything else, Mr. Steigerwald?

Mr. Steigerwald: No. Thank you.

Chairman Dupree: No one else signed up to speak about this application, I believe, Councilman Krupnick?

summarize by pointing out that, we have been treating this as though it's necessary to have an amended site plan, rather than just extend what's there now. And the reason for that is because it seems silly, if not impossible to extend the time they have to complete construction, when all their permits to actually start construction have expired. So what we asked the applicants to do is to show some sort of progress that they're moving forward and on to ultimately making the modified site plan application or amended site plan. So just to outline, we've received a draft full environmental assessment form, Blandings turtle assessment report, Indiana bat assessment report, a copy of meeting discussion notes the applicants had with Dutchess County Water and Wastewater Authority on March 4th. And they've also given us a draft impact comparison matrix, that's not completed, but it shows the current approved plan compared with the new proposed plan, because the new proposed plan has shrunk the number of dwelling units by 69, I believe it is. We also have a preliminary modified engineered site plan set and architectural drawings. There's also progress mentioned in the narrative on other matters. There's going to be work on a new traffic impact analysis. Crofton Boulevard is being sort of re-looked at, reexamined to see if there are ways to reduce the costs of the bridge, et cetera. And they're working on an MOU with DCWWA on the water and sewer. They are projecting that based on all of that, that they would have a more complete submission available for the July 21st meeting. So that noted, let me get a motion to reopen the public hearing,

Ms. Wasser: So moved, Stephanie Wasser.

Chairman Dupree: Thank you.

Mr. Oliver: I second that, Chris Oliver.

Chairman Dupree: Thank you. All in favor, please raise your hand and say aye. Aye. Thank you. The motion carries unanimously. Let me turn it over to Mr. Kaufman or Mr. Rudikoff. They're both here in attendance. Is there anything you'd like to add or did I summarize anything incorrectly? Matthew and Louis you've got to unmute yourselves.

Mr. Kaufman: Thank you Chairman. I think you summarized it very well. If you'd like you can come on this side of the dais and please join us because you're a pretty good member of the team, but, no, what you said was pretty accurate. We've put in a lot of effort. Matt has put together a nice package for us. We are looking at many parts of the whole. As you know, we're trying to get at least phase one continued, which was the first 96 units. They have a substantial amount of improvements. However, we are looking at a variety of more efficient methods. It's going to be a much cleaner project now. The project is smaller, but I think better. It will ultimately have much less of an impact on the property. There's going to be much more pervious surface, but you know...

Chairman Dupree: Much less pervious surface. I'm sorry, yes, you said it right, more pervious. Yes, sorry.

Mr. Kaufman: Less impervious, so take your pick. Check both boxes. So we are not yet prepared to put a final submission together. We're putting all the parts together and based on just the effort and the time it takes and all of the reports and the experts that we have gathered, it's daunting, the timing. And so we will need more time and we appreciate it if you would give that to us. You can see the effort we've put in so far so.

Chairman Dupree: I don't think you're going to hear anything from any of the Board Members saying that we can't extend this out further, the public hearing. I should also add, so that all Board Members know and members of the public...there's a funny sound coming through like a bullfrog...Anyway, so that members of the public know, as well as the Board Members, we have an offline meeting, as we call it, scheduled with the applicants to go over the new materials they submitted because tonight's not the appropriate time, because this is a public hearing on what exists there now, not what is being proposed. So after our next agenda meeting on the 28th, we're going to have a meeting with the applicants to go through all the new materials that I just mentioned. We'll discuss that in depth and I'll have someone take notes, if not me, to send out to the rest of the Board, so they can be apprised of everything, but you all have received the new materials as well. Matthew, did you want to add anything?

Mr. Rudikoff: Well, only that we really appreciate the opportunity of having this review of our draft materials, because that means that when we do make our final submission in July, it will be that much more complete and make this process run smoothly. So thank you for that logical process of dealing with this situation.

Chairman Dupree: Always, we try to work as closely as possible with applicants to ensure that we have the best development possible for our community. Would Mr. Brandt or Mr. Arico like to comment before I open this up to our consultants?

Mr. Brandt: No, Mr. Chairman, we do appreciate the Board being willing to consider extending this and also having the offline dialogue with us, as Matthew said, so we can present a full and complete application with all the materials that the Board needs to look at to consider the project. So we appreciate the time and the courtesy. Thank you.

Chairman Dupree: Thank you.

Mr. Arico: I'm just here to answer any specific questions you might have.

Chairman Dupree: That would be probably for the next meeting, the offline meetings. So let me start with consultants, Ms. Franson, any comments?

Ms. Franson: I'm going to be looking at the materials in advance of our workshop.

Chairman Dupree: Yes, that's what I figured. Mr. Setaro any comments?

Mr. Setaro: Same thing. Thank you.

Chairman Dupree: Ms. Moss?

Ms. Moss: I'm with them.

Chairman Dupree: And Ms. Polidoro?

Ms. Polidoro: No comments at this time.

Chairman Dupree: Okay. Let me start with the Board Members, Mr. Pickett?

Mr. Pickett: No comment.

Chairman Dupree: And Ms. Wasser?

Ms. Wasser: No comments.

Chairman Dupree: Vice-Chair Dexter?

Vice-Chair Dexter: No comment.

Chairman Dupree: Mr. Oliver?

Mr. Oliver: No comments.

Chairman Dupree: Ms. Weiser?

Ms. Weiser: I also have no comment.

Chairman Dupree: Okay. And Ms. DiNapoli?

Ms. DiNapoli: I was trying really hard to come up with a comment just to break the flow and all I could come up with was no comment. Sorry.

MOTION: Ms. Wasser

SECOND: Mr. Oliver

To re-open the Public Hearing for Carriage Trails (a.k.a. Crofton Mews) Site Plan Extension.

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: So we'll know by the vote, but I want to go on the record then with my own comment that I believe that the applicants have shown sufficient progress that they're working hard. I mean, I rattled off actually just some of what they actually submitted. There was even more in the narrative, so I was trying to summarize quickly. So obviously they're moving with good intent to get this project going forward. So I see no reason why we wouldn't extend this to the July 21st meeting. As I said, we'll update all the Board Members on what occurs at the offline meeting. So may I get a motion to adjourn this to July 21st.

Mr. Oliver: I'll make that motion, Chris Oliver.

Chairman Dupree: Thank you,

Ms. Wasser: Seconded, Stephanie Wasser.

Chairman Dupree: Perfect. Thank you. All in favor, please raise your hand. Aye. Motion carries unanimously. Thanks guys. We'll see you in a week in the afternoon.

MOTION: Mr. Oliver
SECOND: Ms. Wasser

To adjourn the Public Hearing for Carriage Trails (a.k.a. Crofton Mews) Site Plan Extension to July 21, 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

OTHER BUSINESS:

DODIC SECOND DWELLING UNIT
Site Plan Approval (#2021-03)
Location: 4305 Albany Post Road
Grid #: 6065-20-883070

In Attendance:

Brad Will, AIA Ashokan Architecture

Chairman Dupree: Okay, under Other Business, we have a resolution, we are prepared to take action on Dodic Second Dwelling Unit. This is a conversion of a dwelling unit and office and mixed use building at 4305 Albany Post Road. It will now become a two family or two dwelling unit building. Each with one bedroom above and one bedroom below. Brad Will, the architect is here tonight. He's the one who

shepherded this through. We had extensive discussions and we had a public hearing where no one offered any comment. We kept it open for written comments for seven days. We received nothing. So Brad, do you have anything you want to add?

Mr. Will: No, we're happy to be at this finish line so we can hopefully start engaging with the building department.

Chairman Dupree: Gosh, I bet. Thank you for your patience and for your client's. I believe this resolution is going to be introduced by Mr. Pickett.

RESOLUTION TO GRANT SITE PLAN APPROVAL

DODIC SECOND DWELLING UNIT

Date: April 21, 2021

Moved By: Mr. Pickett

Resolution: # 2021-03A

Seconded By: Chairman Dupree

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 received 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 a two-bedroom dwelling; and

WHEREAS, the Project was referred to the Dutchess County Department of Planning and Development which responded on March 11, 2021 that it was a matter of local concern; and

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

WHEREAS, on March 3, 2021, the Planning Board classified the action as a Type II action in accordance with the New York State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, a duly noticed public hearing was held on April 7, 2021, with written comments accepted until April 14, 2021, during which all those who wished to comment were able to do so; and

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

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby approves the Site Plan and authorizes the Chair or his authorized designee to sign the Site Plan after compliance with the following conditions:

- 1. Payment of all fees and escrow.**

BE IT FURTHER RESOLVED, that the applicant is responsible for obtaining any permits required by other agencies including but not limited to the Department of Transportation.

BE IT FURTHER RESOLVED, that prior to the Zoning Administrator authorizing the issuance of a Building Permit for the Project, the applicant shall provide the Zoning Administrator with a pdf of the signed Site Plan.

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: Is there a second? I will second that motion. Any further discussion? Let me just add Mr. Will that the only condition basically that's being placed on this prior to you pulling a building permit, would be payment of all fees and escrows. So our consultants don't bill say for tonight or the last meeting, those may not be in there. So what I'd ask you to do is to make sure that that condition can be met, is to ensure that there's sufficient escrow for their final bills. Victoria and Pete, and Bonnie can probably give you an estimate if there's any other time they have. In other words, if the escrow is not sufficient, you have to wait to refill that. So if there's a way you can work with the consultants to make sure there's enough money leftover for them, for the final bill, that would be smart and behoove you moving this process along. Does that make sense?

Mr. Will: Sure. I know that the owner has made several payments. So are we anticipating additional charges at this point?

Chairman Dupree: I don't know. It's just for the time billed for tonight basically, which sounds small, but I don't know what the balance are, so we should just take a look. And Victoria, Pete and Bonnie...

Mr. Will: I'll be in contact with them to anticipate that.

Chairman Dupree:

Thank you. Any further discussion? Yes, Pete?

Mr. Setaro: I was just going to say that I haven't been billing anything to it, so I'm not going to have any bills.

Chairman Dupree: Okay. Thank you, Pete.

Ms. Witman: I'll work it out with Mr. Will. I'll walk him through it.

Chairman Dupree: Thank you, Cynthia. Any further discussion? All in favor, please raise your hand and signify by saying aye. Aye. Motion carries unanimously. Thank you. Brad, a pleasure working with you. Looking forward to it again at some point in the future.

Mr. Will: As am I. Thank you all very much. Have a good meeting and a good week.

DUTCHESS COUNTY SPCA ADDITION

Site Plan Amendment Approval (#2021-02)

Location: 634-636 Violet Avenue

Grid #: 6164-04-655006

In Attendance:

Peter Sweeny, PSA Studios

Chairman Dupree: Next item on the agenda is similar to Dodic. This is for the Dutchess County SPCA addition. This has been work-shopped, discussed, the project has changed slightly. Particularly, there's no flat roof now on this new addition. We have a resolution prepared. Mr. Sweeny, I believe is here tonight. Basically this will allow the project to move forward. Peter, do you want to add anything?

Mr. Sweeny: No. Just to say I appreciate everyone's kind of focus and getting through all this. Looking forward to moving on to the next step.

Chairman Dupree: Thank you. I believe this resolution will be introduced by Vice-Chair Dexter, because of her familiarity with the site.

Vice-Chair Dexter: It is. Thank you so much.

RESOLUTION TO GRANT SITE PLAN APPROVAL

Dutchess County SPCA Addition

Date: April 21, 2021

Moved By: Vice-Chair Dexter

Resolution: # 2021-02A

Seconded By: Mr. Pickett

WHEREAS, the applicant, Dutchess County SPCA Inc., has submitted an application for site plan approval to construct an approximately 1,684 sq. ft. building addition to relocate a veterinary clinic with kennels at an existing adoption and education facility, along with the construction of additional parking and walkways (the "Project"), on property located at 634-636 Violet Avenue, tax parcel no. 6164-04-655006, in the Greenbelt District (the "Property"); and

WHEREAS, the Project is depicted on a proposed site plan entitled "SPCA Addition," Sheets G000, C000, C100, C101, A100, A101, and A200, prepared by PSA Studios, dated February 23, 2021 (the "Site Plan Set"); and

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

WHEREAS, on July 24, 2002, the Town of Hyde Park Zoning Board of Appeals granted the Dutchess County SPCA Inc. a special use permit for a kennel; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form ("EAF") dated April 7, 2020 pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, on February 3, 2021, the Planning Board classified the Project as a Type II action under SEQRA pursuant to 6 NYCRR 617.5(c)(9), the expansion of a nonresidential structure or facility involving less than 4,000 square feet of gross floor area; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, the Project was referred to the Dutchess County Department of Planning and Development, which responded on February 26, 2021 that it was a matter of local concern; and

WHEREAS, a duly noticed public hearing was opened on March 17, 2021 and closed on April 7, 2021 with written comments accepted until April 14, 2021, during which all those who wished to comment were able to do so; and

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

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants conditional site plan approval to the Project as depicted on the Site Plan Set and

authorizes the Chair or his authorized designee to sign the Site Plan Set after compliance with the following conditions:

1. Payment of all fees and escrow.
2. Revision of the Site Plan Set to include the following note: The former clinic building shall not be reoccupied without site plan amendment approval from the Planning Board to review, among other things, parking.
3. Approval by the Dutchess County Department of Behavioral and Community Health (“DCDBCH”) for method of sewage disposal.
4. Revision of the Site Plan Set to show the septic tank and line into the existing sewer system, consistent with DCDBCH approval.
5. Revision of Sheet G000 to include a reference to the prior approval date and application number granting the special use permit to the facility.
6. Revision of Sheet C100 and C101 to label various miscellaneous buildings and wetlands areas.
7. Revision of Sheet C101 to indicate if lights will match existing lights and to state that Kelvins will be 3000 or less.

BE IT FURTHER RESOLVED, that prior to the Zoning Administrator authorizing issuance of a building permit, the applicant shall provide the Planning Board with a .pdf of the fully signed Site Plan Set.

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: Further discussion or Peter, do you have any questions about what you just saw?

Mr. Sweeny: No, I think I understand all of it. A process question, can we go into the Building Department at this point to start that review process?

Chairman Dupree: Absolutely.

Ms. Polidoro: You can start the review process, but you will not be able to pull a permit.

Mr. Sweeny: Right? No, I understand. Okay.

Chairman Dupree: I mean, these are pretty much minor revisions except for the Department of Health. By the way, there's an error in the resolution. It should be DCDCH not DH in both of those, but I think we can correct those as minor. It's Behavioral and Community Health, but that's minor. We don't have to adjust it. And if you have any questions about item number six, just speak to Bonnie about that, Ms. Franson. I think it's just labeling buildings that are not labeled now and things like that. That's all. So any further discussion? All in favor, please raise your hands and say aye. Aye. Motion carries unanimously. Thank you. Peter it's been a pleasure as well. I look forward to working with you in the future too, and good luck out there at the SPCA.

Mr. Sweeny: Thank you all very much. Take care.

STAFFORD, BETTINA

Site Plan Waiver Approval PV roof Panels (#2021-19)

Location: 8 Caywood Place

Grid #: 6064-08-919841

Chairman Dupree: The next item on the agenda is a site plan waiver request. This would be to add electrical solar panels to a roof. This is located at 8 Caywood Place, which is still in the Scenic Area of Statewide Significance. We have a recommendation from the Zoning Administrator on this. Anybody have any questions or comments? It's at 8 Caywood Place. If there were no trees between here and the river it's possible, you would see them from a very high elevation, not from the river, I should say, but from across the river. I believe this will be introduced by Ms. DiNapoli.

Ms. DiNapoli: Yes, and I woke up.

TOWN OF HYDE PARK PLANNING BOARD

**Bettina Stafford
8 Caywood Place
6064-08-919841**

**SITE PLAN WAIVER
Town Code Section 108-9.4 C 2**

**Date: April 21, 2021
Resolution #: 2021-19**

**Moved By: Ms. DiNapoli
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 Bettina Stafford, on April 13, 2021, for property located at 8 Caywood Place, Hyde Park, NY, and

Whereas, the application is to install roof mounted solar panels on the south facing rear section of the roof on 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 –**Stafford**, regarding the specific request as received April 13, 2021, and as identified in the building permit application dated March 26, 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 Absent-0 Nay-0 Motion Carried

Chairman Dupree: Thank you any further discussion? All in favor? Aye. Motion carries unanimously. Thank you.

Town of Poughkeepsie Amendments to Zoning Chapter 210, adding §210-125.2, “Signs permitted in the HRDD District”

Chairman Dupree: The next item on the agenda is a vote to authorize me to send a comment letter to Town of Poughkeepsie regarding their amendment to Zoning Chapter 210. This would be signage in basically a district that is strictly for Hudson Heritage, which you see under construction right now. And I want to thank Vice-Chair Dexter because I was in my cynical mood when I read it and thought let's not bother to comment, but in truth, they were proposing letters that really are probably too high for a pedestrian area. They were 18 inches and that's kind of drastic for a walkable area. And Anne said, no, we should always comment even if they ignore, we should comment. And you're right. We should, because I would want neighboring towns to say the same thing to us. Many eyes can improve it.

Vice-Chair Dexter: I appreciate it, thank you.

Chairman Dupree: Everyone have a chance to review it, I believe, yes. Okay. And may I get a motion authorizing that.

MOTION: Vice-Chair Dexter

SECOND: Ms. Wasser

To authorize the Chairman to send a comment letter to the Town of Poughkeepsie regarding an amendment to Zoning Chapter 210; Signage in HRDD District.

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. Aye. Motion carries unanimously.

APPROVAL OF HYDE PARK PLANNING BOARD REGULAR MEETING MINUTES

Chairman Dupree: Now we have the approval of many, many sets of minutes. I forgot we didn't have all of those. So first may I get a resolution to approve the Planning Board Meeting minutes from January 6th, January 20th, February 17th and March 3rd, 2021, where all Board Members were in attendance.

MOTION: Ms. Wasser
SECOND: Ms. DiNapoli

To approve the Planning Board meeting minutes from January 6, 2021, January 20, 2021, February 17, 2021 and March 3, 2021. *All Board Members were in attendance*****

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. Motion carries.

Chairman Dupree: The next. I would need a motion to approve the Planning Board meeting minutes from February 3rd, where Mr. Oliver was absent. So he's going to have to abstain.

MOTION: Mr. Pickett
SECOND: Ms. Weiser

To approve the Planning Board meeting minutes from February 3, 2021. **Mr. Oliver was absent**

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

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

Chairman Dupree: Thank you. All in favor? Aye. Mr. Oliver's abstaining.

Chairman Dupree: And we need a motion to approve the Planning Board minutes dated March 17th, 2021, where Ms. Wasser was absent.

MOTION: Mr. Oliver
SECOND: Ms. Weiser

To approve the Planning Board meeting minutes from March 17, 2021. **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

Chairman Dupree: Thank you. All in favor, please raise your hand and say aye. Aye. Ms. Wasser is abstaining. Thank you.

Chairman Dupree: And now may I get a motion...By the way, thanks everybody. And thanks particularly Victoria and Pete. I know that was a long lengthy first public hearing, but we got what we wanted, which is now Mr. Macho can clean the swale all

the way up, and that should help, again, the stormwater pond on the other side. Plus make it look more aesthetically enhanced. So thanks for everyone's patience. May I get a motion to adjourn?

ADJOURNMENT:

Vice-Chair Dexter: The public hearing process works.

Chairman Dupree: It does. I agree.

Ms. Wasser: Thank you to Victoria for setting those rules, which I think was very helpful.

Chairman Dupree: Actually, they're in our bylaws that we voted on.

Ms. Wasser: But the reminder, the reminder is very helpful.

Chairman Dupree: Agreed.

Mr. Oliver: I'll make that motion, Chris Oliver.

Mr. Pickett: I'll second the motion, Brent Pickett.

Chairman Dupree: Thank you. All in favor, please raise your hand and say aye. Aye. Okay. Thank you. Thank you to all the consultants who are still here. Thanks Pete. Councilman Krupnick thank you again for providing the resources and the time and talent to bring this to air.

Councilman Krupnick: My pleasure.

MOTION: Mr. Oliver

SECOND: Mr. Pickett

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

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

MOTION: Ms. Wasser
SECOND: Mr. Pickett

To approve the minutes of the April 7 and 21, May 19 and June 16, 2021 Planning Board Meeting.

Aye	Chairman Dupree				
Aye	Vice-Chair Dexter				
Aye	Ms. DiNapoli				
Absent	Mr. Oliver				
Aye	Mr. Pickett				
Aye	Ms. Wasser				
Aye	Ms. Weiser				
VOICE VOTE	Aye-6	Absent-1	Abstain-0	Nay-0	Motion Carried