Historic Town of Hyde Park
Planning Board
4383 Albany Post Road
Hyde Park, NY 12538
(845) 229-5111, Ext. 2, (845) 229-0349 Fax
“Working with you for a better Hyde Park”

DRAFT MINUTES OF THE MAY 1, 2019
PUBLIC HEARING/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

MEMBERS ABSENT:    ANN WEISER

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

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Chairman Dupree: Good Evening everyone and welcome to the May 1st meeting of the Hyde Park Planning Board. Please take note of all the exits around the room in case of mishap or emergency and now join me as we salute the American Flag. Chairman Dupree commenced the Pledge of Allegiance.

NEW PUBLIC HEARING:

ATHANAS EAST SOLAR FARM
Site Plan & Special Use Permit Approval Solar Farm (#2018-12)
Location: 1436 Route 9G
Grid#: 6165-02-770880

In attendance:  
Dawn Dana, La Bella Associates
Adam Webb, NY Solar 1000, LLC

The applicants gave a brief overview of the proposed solar farm.

MOTION: Ms. Dexter
SECOND: Mr. Oliver

To open the public hearing for Athanas East Solar Farm.

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

VOICE VOTE 6-0 1-absent  Motion Carried

Public Comment:

Michael Athanas, the property owner for this proposed array spoke on behalf of the project. James Horan of Cream Street, gave his support of the application. He cited the need for farmers to find alternative sources of steady income for survival.

MOTION: Ms. Dexter
SECOND: Ms. Wasser

To adjourn the public hearing for Athanas East Solar Farm to June 5, 2019.

Aye Mr. Dupree
The Chairman indicated that the applicants should return for a workshop on May 15th so the Board may make a SEQRA determination.

**CREAM STREET SOLAR FARM**

Site Plan & Special Use Permit Approval Solar Farm (#2018-28)
Location: 129 & 133 Cream Street
Grid#s: 6264-01-473668, -465747

In attendance:  
Dawn Dana, La Bella Associates  
Adam Webb, NY Solar 1000, LLC

The applicants gave a brief overview of the proposed solar farm.

**MOTION:** Ms. Dexter  
**SECOND:** Mr. Oliver

To open the public hearing for Cream Street Solar Farm.

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

**VOICE VOTE**  6-0  1-absent  Motion Carried

**Public Comment:**

James Horan of Cream Street, although supportive of the application, questioned whether it would be possible to bury or move the utility poles from the ridgeline view shed. Chris Osika, the property owner indicated the current cattle farm operation will remain on the property. He added that the utility poles will be within the tree line. The Chairman noted that those are deciduous trees.

**MOTION:** Ms. Dexter
SECOND: Mr. Oliver

To adjourn the public hearing for Cream Street Solar Farm to June 5, 2019.

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

VOICE VOTE 6-0 1-absent Motion Carried

CONTINUED PUBLIC HEARING:

NICHOLS OXYGEN PROPERTY
Site Plan & Special Use Permit Approval (#2019-07)
Location: 1564 Route 9G
Grid#: 6166-04-882279

In attendance: Ray Nichols, Nichols Oxygen Service, Inc.
Dan Nichols

MOTION: Ms. Dexter
SECOND: Mr. Oliver

To re-open the public hearing for Nichols Oxygen Property.

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

VOICE VOTE 6-0 1-absent Motion Carried

There was no public comment.

MOTION: Ms. Dexter
SECOND: Mr. Oliver
To adjourn the public hearing for Nichols Oxygen Property to June 5, 2019.

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

VOICE VOTE 6-0 1-absent Motion Carried

OTHER BUSINESS:

BOLANDER PROPERTY
Site Plan Approval (#2018-43)
Location: 309 Netherwood Road
Grid#: 6265-04-810355

RESOLUTION GRANTING EXTENSION OF THE TIME TO SATISFY THE CONDITIONS OF SITE PLAN APPROVAL

Bolander Renovation
Date: May 1, 2019 Moved By: Mr. Pickett
Resolution: # 2018-43B Seconded By: Ms. Dexter

WHEREAS, on December 5, 2018, by Resolution # 2018-43A, the Planning Board granted site plan approval to the applicant, Dorinda Bolander, Executor for the Estate of Joseph Bolander, to convert a former convalescent home into a multiple dwelling with three dwelling units on a 2.56 acre property located at 309 Netherwood Road (the “Project”), identified as tax parcel no. 6265-04-810355, in the Greenbelt Zoning District (the “Property”), as shown on a site plan entitled “Bolander Renovation,” sheets A-000.00, A-001.00, A-002.00, A-003.00, A-004.00, A-100.00, and A-200.00, prepared by DSB Plus LLC, dated August 14, 2017, last revised October 29, 2018, and a survey entitled “Survey of Property Prepared for Estate of Joseph Bolander Jr.,” prepared by OICLE Land Surveying, PC, dated October 23, 2018 (the “Conditionally Approved Site Plan”); and

WHEREAS, site plan approval is conditioned on satisfaction of four 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 June 3, 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 April 1, 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.

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 approval to and including September 3, 2019.

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

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

JEFFREY GROVES ESTATES
1 Year Extension of all deadlines (#68-12)
Location: 19 & 31 North Cross Road
Grid #s: upon request

MOTION: Ms. Dexter
SECOND: Mr. Oliver

To set a public hearing for Jeffrey Groves Estates for May 15, 2019.
Aye    Mr. Dupree
Aye    Ms. DiNapoli
Aye    Ms. Dexter
Aye    Mr. Pickett
Aye    Mr. Oliver
Absent    Ms. Weiser
Aye    Ms. Wasser

VOICE VOTE    6-0  1-absent    Motion Carried

OWENS, JOHN
Site Plan Waiver Garage (#2019-15)
Location: 4419 Albany Cross Road
Grid #: 6065-16-780348

In Attendance:    John Owens

John Owens
4419 Albany Post Road
Hyde Park, NY 12538
6065-16-780348

SITE PLAN WAIVER
Town Code Section 108-9.4 C 2

May 1, 2019
Resolution#: 2019-15
Moved By: Ms. DiNapoli
Seconded By: Ms. Dexter

Whereas, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by Mr. John Owens on April 10, 2019, for property located at 4419 Albany Post Road in the Town of Hyde Park; and

Whereas, the applicant has applied for a building permit to construct a detached garage for the existing single family home in the Crossroads Core District within an historic overlay district; and

Whereas, the change will have minimal impact to the character of the neighborhood; and

Whereas, the proposed architecture for the garage is consistent with barn styles of the time period that the home was constructed; and

Whereas, the location of the small garage and shed do not preclude property build out consistent with the Crossroads Core; 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 John Owens Garage, regarding the specific request as submitted in the building permit application dated March 8, 2019.

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

Voice Vote  6-Aye  0-Nay  1-Absent  Motion Carried

MOTION: Ms. Dexter
SECOND: Mr. Oliver

To authorize the Chairman to send his reviewed comments to the Town Board regarding the Telecommunications Law.

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

VOICE VOTE  6-0  1-absent  Motion Carried

MOTION: Ms. DiNapoli
SECOND: Mr. Oliver

To adjourn.

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

VOICE VOTE  6-0  1-absent  Motion Carried