



Historic Town of Hyde Park

Planning Board  
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*“Working with you for a better Hyde Park”*

**MINUTES OF THE MAY 19, 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  
KATHLEEN MOSS, ZONING ADMINISTRATOR  
CYNTHIA WITMAN, PB SECRETARY  
COUNCILMAN KRUPNICK, TOWN WEBMASTER**

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**Chairman Dupree:** Good evening, ladies and gentlemen. Welcome to the Hyde Park Planning Board's May 19th meeting. First, let me note that this meeting is being conducted virtually as authorized by Executive Order 202.1, last updated as 202.108 by Governor Andrew Cuomo. Let me now confirm that each Board Member is alone.

**Ms. Weiser: I'm alone.**

**Ms. Wasser: I am alone.**

**Mr. Pickett: I am alone.**

**Mr. Oliver: I am alone.**

**Ms. DiNapoli: I'm alone.**

**Vice-Chair Dexter: I'm alone.**

**Chairman Dupree:** Thank you. I believe I could read lips there. You're still muted, Brent. Please join me as we pledge allegiance to the American flag.

## **PLEDGE OF ALLEGIANCE**

### **CONTINUED PUBLIC HEARINGS:**

#### **BELLEFIELD WWTF LOT-LINE ALTERATION**

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

Location: 3834 & 3760 Albany Post Road

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

#### **BELLEFIELD WWTF EXPANSION**

Site Plan Amendment Approval (#2021-07)

Location: 3834 & 3760 Albany Post Road

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

*In Attendance via Zoom:*

*Larry Boudreau, The Chazen Companies  
Tom Mulroy, T-Rex Hyde Park*

**Chairman Dupree:** Thank you. The first item on the agenda is a continued public hearing for Bellefield Wastewater Treatment Facility Lot-line alteration, as well as the Wastewater Treatment Facility Expansion. We held the hearing open only because we had not heard back from County Planning. However, we did in the meantime, and it was a matter of local concern with no comments. And note, we've had no public comment on this application, nor did anyone sign up tonight from the public to speak. So first, may I get a motion to reopen the public hearing?

**MOTION: Vice-Chair Dexter**

**SECOND: Mr. Oliver**

**To re-open the Public Hearing for Bellefield WWTF Expansion and Lot-Line Alteration.**

**Aye Ms. Weiser**

**Aye Ms. Wasser**

**Aye Mr. Pickett**

**Aye Mr. Oliver**

**Aye Ms. DiNapoli**

**Aye Vice-Chair Dexter**

**Aye Chairman Dupree**

**VOICE VOTE Aye-7 Absent-0 Nay- 0 Motion Carried**

**Chairman Dupree:** Thank you. All in favor, please raise your hand and signify by saying aye. Aye. Motion carries unanimously. Mr. Boudreau, do you have anything you want to add?

**Mr. Boudreau:** No. I'm here to answer any questions and by way of update, we have submitted the sewer treatment plan, full design to both DOH and the wastewater authority (DCWWA).

**Chairman Dupree:** Congratulations. One more mighty step forward. Just some housekeeping, Pete, Mr. Setaro, did speak with the Department of Health. At the last meeting we had a discussion about what would happen if one of the tanks leaked. Larry was part of this conversation. The Department of Health does not have concerns over any leakage, due to the construction of the tanks. In addition, a section of the underdrain pipe will be removed once the wastewater treatment facility is complete, so there shouldn't be a way for it to leak out afterwards. And I hadn't understood that exactly Larry, but the reason why you have the underdrain is, there's enough water there that it actually makes the tanks buoyant, which is a lot of water.

**Mr. Boudreau:** Yeah, yeah, yeah. But that's part of the calculations, so we didn't want to take the risks. So it's in, and it's only during construction. Once the tanks are filled and backfilled, we're all set.

**Chairman Dupree:** That's what I read through Pete's notes. Thank you. Let me start with our consultants, Ms. Moss, any comments?

**Ms. Moss:** No. No comments, Chairman.

**Chairman Dupree:** Ms. Franson, any comments?

**Ms. Franson:** I do not have any comments at this time, thank you.

**Chairman Dupree:** Thanks. Board Members, raise your hand and I'll call on you if you have comments? I didn't think so. We're prepared to close the hearing tonight, but we're going to allow 10 days in which to permit any further public comment, even though he received none thus far. So may I get a motion to close the public hearing?

**MOTION: Mr. Oliver**

**SECOND: Vice-Chair Dexter**

**To close the Public Hearing for Bellefield WWTF Expansion and Lot-Line Alteration with the exception of written comments for 10 days.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Aye</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

**VOICE VOTE      Aye-7 Absent-0 Nay- 0      Motion Carried**

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

**Vice-Chair Dexter:** Second, Anne Dexter.

**Chairman Dupree:** Thank you. All in favor, raise your hand. Aye. Motion carries unanimously. Thank you. Larry it was anticlimactic. Same for you, Tom, but thanks for joining us. We'll see you in two weeks and have a resolution prepared.

**Mr. Mulroy:** Thank you very much. Take care.

**Mr. Boudreau:** Okay, bye.

**Chairman Dupree:** The next item on the agenda is 64 Fallkill Road. It's a two-lot subdivision that requires site plan because there are two single family homes being proposed upon the new lot. We've had some new information from Mr. Scott, who's here tonight to join us. So let me turn it over to you, Peder.

**Mr. Scott:** Yes. One quick second here to put the camera on. Sorry, you can go on. Okay, it should work now. Huh? My camera seems to be offline, for a second anyway. I'll do it verbally. Huh, that's strange. Hmm.

**Chairman Dupree:** Would you like us to come back to you, Peder?

**Mr. Scott:** Could we do that? Is it possible?

**Chairman Dupree:** Yes, of course we can rearrange the agenda. Let's move on to Hyde Park.

**Councilman Krupnick:** I would suggest Peder signs out and signs back in, because I don't see any button allowing him to start his video, so he might need to sign out and sign back in.

**Mr. Scott:** Okay. I'll do that. I'll re-sign in. Thank you.

**Chairman Dupree:** Okay. We'll move on to Hyde Park Town Center-Park Plaza. The applicants have proposed a change to the playground location and we've received comments from Ms. Moss, suggesting that we waive the public hearing because we haven't had a public comment so far. If you recall, this is a playground for Mid Hudson Regional's relocated Early Education Center. It was originally approved to be kind of up the hill on one side of the former lumber storage facility, when it was William's. This is now going to be to the north side of that storage facility and it's not going to be cutting into the soil much. They're removing a section of the asphalt and it put in bollards, et cetera, and relocate the crosswalk. Amy, do you want to pop on and I can hand it over to you?

**Ms. Argyrakis:** Thank you. So, I don't have much to say other than, we also were going to request, if you could push us to the end of the agenda. *Laughter.* Kelly is running a few minutes behind with an appointment. I mean, I did put a presentation together, but she was going to kind of walk you through it.

**Chairman Dupree:** That's perfectly all right, we're happy to accommodate that schedule.

**Ms. Argyrakis:** Okay. I appreciate that. Thank you.

#### **OTHER BUSINESS:**

##### **CHESTNUT MOBIL**

Consider Relaxation of Letter Height Sign Standards (#2021-20)

Location: 1110 Violet Avenue

Grid #: 6165-03-424184

*In Attendance via Zoom:*

*Nancy Forrest, GNS*

*Sal Jamal, Chestnut Mobil Market*

**Chairman Dupree:** If Mr. Scott is not back, which I don't believe he is. Then the next item on the agenda would be Chestnut Mobil. Ms. Forrest is here to present. The applicants requested that we grant dimensional bonuses based on aesthetic merit rather than distance from the road or size of the building or design speed of the road itself as well. Ms. Forrest, do you want to make a presentation?

**Ms. Forrest:** Yes, I do believe this had been discussed. I don't know if it was just you, Michael, sometime ago. And so we put together a letter to the Board asking them to minimize the, or expand I guess you would say, what we want to do prior to us going for any type of a variance. So we were asking you to relax the heights standards for both lettering and the logos on the building. I trust everybody has the two drawings of the front and the side elevation.

**Chairman Dupree:** We do.

**Ms. Forrest:** Okay. Both signs are the same size as we have them posted here. And I mean, I don't know, do you want me to read through the letter that was written to you or did everybody get it.

**Chairman Dupree:** No, no, no, no. Nancy, everyone's had a chance to read it. I can call on the Board Members, but I just wanted to point out that the dimensions of the squirrel and acorn, they would be 52 inches wide and 42 inches tall, where normally a much smaller size is permitted. And I believe that the sign in the pediment that's shown, right now on the lower section, that's about 40 feet away from the street, I believe from Route 9G.

**Ms. Forrest:** Yes.

**Chairman Dupree:** And then the letters in the "Chestnut" are basically being asked for the 'C' to be, and I think the 'H' are being asked to increase to 21 inches. Some others are asked to be increased to 15 and 19 inch for the 'T's in "Chestnut". I'm correct. There you are. Thank you for showing the dimensions. So since we don't have any consultants on this, let me start with, Ms. Wasser, any comments?

**Ms. Wasser:** Sorry. I had to unmute. I was not expecting this one first. Okay. Yes. I think the Board knows I went out and took a look at it yesterday and took some photographs of all the adjacent properties in their signage and my opinion is that I'm not inclined to go with the sizes that you've asked for. Perhaps, I would consider the two inch increment that we're allowed for letters, but even, Rite Aid, which is a big corporate company, their letters are nowhere near the size and it just seems overwhelming to me. So I'm not inclined to approve it as drawn.

**Chairman Dupree:** So you're in favor of, I think it's one inch per every 20 feet from the road that we could do, rather than on aesthetic merit, the distance. This would be four letters and dimensions.

**Ms. Wasser:** For what now, to give the extra 2 inches? Yes. And also, it's pretty close to the road and people are not always at a high speed going by there. It's not like they need a bigger sign to see it. They're going through a light or they're stopped at a light or approaching a light.

**Chairman Dupree:** Thank you. Ms. Weiser, comments?

**Ms. Weiser:** I agree with Stephanie. I think the sign is too large for something that close to the road and with the regard to the speed that the cars are going. The one on Route 9 in Poughkeepsie, you're driving by at 50 miles per hour. So I get it, that that sign should be that large, but I think for Hyde Park and for that kind of speed, it's just way too large and it's overbearing. So I'm inclined to agree with Stephanie.

**Chairman Dupree:** Thank you. Vice-Chair Dexter?

**Vice-Chair Dexter:** I concur with my colleagues.

**Chairman Dupree:** That was fast. Thank you. Ms. DiNapoli?

**Ms. DiNapoli:** I concur with Anne Dexter. But I would like to make sure that it's clear that besides the lettering being too large, the logo itself, is way too large, proportionately. This afternoon, I had the pleasure of going down to Fishkill and I passed several different Mobil places. I only stopped to get this one (photo) because this is the size, if I'm not mistaken, is what they were looking for and it's like a neon sign. So, I concur with all my other previous members.

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

**Mr. Pickett:** I guess I'm the different one. I'm not opposed to what they're asking for. I think with the way they presented it on the buildings, not the sign. To me it looks good. You've got a soft contrast there between the lettering and the color of the buildings. So I am okay with what they're asking for.

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

**Mr. Oliver:** I actually liked the design of the sign. I think it looks good with the colors on the building and will look good on the corner. I'm fine with the one inch for 20 feet. Just because there's no need. I don't think in this situation, there's really a need to go crazy on the signage, being the only gas station on the corner and it's well-known. So I'm fine with doing one inch per 20 feet.

**Chairman Dupree:** Thank you. That leaves me, and I'm going to concur with my colleagues as well. I'm happy to give the dimensional increases based on the distance, but the building is actually rather small. It's not that big, the picture made it look like it kind of fit in the pediment, but then I realized the angle it's taken at, that it would actually take up a lot of the pediment. In addition, it is going to hide the architectural detail that's there now. There's a sort of circular vent where the squirrel would be. And again, I have no objection to the design. I like the way it looks. And I see that it's a method of branding. These sorts of Mobil Markets or Chestnut Markets, maybe with the Mobil attached across the County. But I don't think that it rises to the level of aesthetic merit that would warrant... A 52 inch wide squirrel is really wide. I mean, you're eight inches, less than six feet wide, and it's three and a half feet tall, which just seems really big to me, again for the size of the building and how close it is. I also appreciate that my colleagues pointed out that this is at an intersection. And so necessarily people do slow down in this area just for safety purposes. And it's been

there awhile and is well established. I'm not opposed and I would agree that we can do our normal dimensional increases, but I feel like for us, it's almost like rezoning the sign code. The ZBA, being quasijudicial, you know, would be better off, if you're going to consider getting a variance, it would be better off going to them. So, Nancy, you heard our comments.

**Ms. Forrest:** I would just like to ask, the drawings that you have, you do know that those are to scale for the building. So do you feel that in your drawing, it looks too big on those facades? Because it's scaled based on the dimensions of the building? So what you're talking about, even with the two inches is going to bring that down to probably a little less than half the size, which at that point...Kind of sometimes does just the opposite, if it's too tiny, it just doesn't aesthetically look good. Nor is it being read like you think it's going to be, because it will be less than half the size you're seeing in the scale of drawing. I just wanted to point that out. And I don't know if Sal has something he'd like to add to that.

**Mr. Jamal:** No, Nancy, I think you, uh...that's exactly what I was going to say is, we're growing the Chestnut Market brand. We launched the brand last year and we're rebuilding all of our Mobils in Dutchess County and Ulster and Orange, you know, in the Hudson Valley region. And, you know, just so you guys know, my kids went to Hyde Park Schools and we're local. We're not a national company like Rite Aid, but we just think that the signs, the way you guys want them is way too small. And it just doesn't even make sense for us to put up a sign when you can barely see it when you're driving by. And I don't know what the speed limit is on 9G, but I drive by that intersection every morning on my way to New Paltz, because I live in Salt Point. My kids went to Hyde Park Schools and people really go fast on that intersection. I mean, I know the Police in Hyde Park, they do a wonderful job, you know, just making sure there's no accidents or anything. But I just want you guys to reconsider, maybe we can meet halfway or something, but you know, what you guys are recommending is a little too small.

**Ms. Forrest:** It's quite, it's quite small. And if you go by the standards.

**Mr. Jamal:** Yeah, it's way too small, it's going to look so bad. Yeah. And then we've done these. You know, we're in Westchester County too. We branded about 10 locations in Westchester and the sizes that we've used, even like in Rye, New York and Bronxville, Scarsdale, Dobbs Ferry. I mean, we can show you pictures of those buildings if you like. You know, just this, it's not going to be gaudy. I mean, we do like to keep nice places. And we like to work with the towns that we do business in and especially my town, you know, I consider Hyde Park, my town. So, you know, we want it to look the best that it can be. And, we just want that for your consideration please.

**Ms. Forrest:** And we want it to look like we didn't make a mistake. When we put it up at 10 inches or 12 inches tall, from 40 feet away, now becomes maybe seven inches. So when you drive by, it almost looks like somebody made a mistake when they were designing.

**Mr. Jamal:** Yeah, exactly.

**Ms. Forrest:** That's really small for going up on the building and back 40 feet.

**Chairman Dupree:** I'll respond that for me personally, aesthetics are in the eyes of the beholder. I like small discreet signs and that's what our Code is trying to aim toward. I'll also remind everyone, that there's a freestanding sign on 9G, that does not say Chestnut Market, it says Mobil, but there's already a prominent sign that you've got right on the road to identify. And I think what I'd like to do is maybe suggest that you rescale this down so that the squirrel is not four and a half feet by five and a half feet or three and a half feet by five and a half. Is there a way you can make that smaller and make the Chestnut letters like maybe 16, 15 inches, so we can try to meet halfway?

**Ms. Weiser:** If we could see a rendering, that would be helpful. I can look at the two side by side. That would be great.

**Mr. Jamal:** Okay. We can do that.

**Ms. Moss:** One at the scale that you've presented now, one at the maximum dimension of anything is 24 inches. And then one that complies with the 10 inch maximum plus two inch relaxation.

**Chairman Dupree:** That will permit us to make a better decision.

**Mr. Jamal:** Okay, we can do that

**Vice-Chair Dexter:** If I could just pipe in, that when we were first reviewing this...Remember when we redid this station and on the north side was the old Mobil sign and that thing was, I think it was perfectly round and it was three feet round and the owner then wanted to try to keep that and we said that it was way too big, that they would've had to have gotten a variance for that. So, we are trying to keep things in *INAUDIBLE*, but I do like the idea of the 3 views.

**Ms. Forrest:** So we would come back to you then next month with drawings.

**Chairman Dupree:** Yes ma'am.

**Mr. Jamal:** Oh, we can't do any sooner than next month.

**Chairman Dupree:** We don't have a meeting until the...June the 2nd is our next meeting.

**Mr. Jamal:** That's two weeks then. We can have that. What do you think, Nancy? Can we have that done by June 2nd?

**Ms. Forrest:** Yes, we can have that done. And, Kathleen, or Tad, I can get that to you as soon as we have it done so you can distribute it.

**Ms. Moss:** Thank you.

**Ms. DiNapoli:** If I could make a request, if possible, I am sure we're not the only town or city that has asked you to make readjustments, is it possible for you to, along with the drawings, include photographs of the other signs?

**Mr. Jamal:** Absolutely. We'll be more than happy to show you photos from different Chestnut Markets in different towns.

**Ms. DiNapoli:** Please don't misunderstand, not of the size that you're proposing, but of the smaller sizes.

**Mr. Jamal:** We don't have smaller signs. I mean, not smaller than what you guys are requesting.

**Ms. Forrest:** No, we don't have any that small.

**Mr. Jamal:** We don't have any that small, not even in Danbury, Connecticut. I mean, we're in Fairfield, we're in Bethel, Connecticut. There's nothing that small, but we'll be more than happy to show you everything that we branded.

**Ms. DiNapoli:** No, we already have that, thank you.

**Ms. Forrest:** Closest one that we have, Sal, might be Sleepy Hollow, that's coming to mind, but it's not that small. But I will go through them. I've been handling the permits for many, so I can pull photos.

**Mr. Jamal:** Sure. Thank you, Nancy.

**Chairman Dupree:** Thank you and please try to get that to us in a week, so we have time to review it. I don't want to make you turn on a dime, but the more time we have the better, and then we'll see you in two weeks, we'll put a placeholder on our June 2nd agenda.

**Ms. Forrest:** Okay. Thank you

**Mr. Jamal:** Very much. Thank you. Thank you everybody. Have a great night. Thank you.

## **WORKSHOP:**

### **64 FALLKILL ROAD 2 LOT SUBDIVISION & SITE PLAN**

Minor Subdivision 2 Lots & Site Plan 2 Single Family (#2021-08)

Location: 64 Fallkill Road

Grid #: 6266-03-176450

*In Attendance via Zoom:*

*Peder Scott, PW Scott Eng & Arch, PC*

**Chairman Dupree:** And Mr. Scott is visible. So we're going back at 64 Fallkill Road. A reminder, this is a two lot subdivision as well as site plan. Mr. Scott, take it away.

**Mr. Scott:** So I did receive a memo from Bonnie and we can address those issues. We've tried to create a separate drawing set for the subdivision as well as a site plan, since we're working concurrently. The "A" drawings are for the subdivision and the "B" is for the site plan, just to keep everyone clear. We did, tone down and give you by email a plat. Unfortunately, the surveyor is still working on the plat, but we'll have that shortly to you and we've given a more cutdown version of this to Tad. Beyond that, most of the comments from Bonnie were clarity issues and some items that I could address, if I may. An interesting comment that Bonnie had, was can you put a bio-retention basin in the front yard of a lot and we couldn't find anything in the ordinance that would prevent that. It is a stormwater management component, but I don't think it's construed as a structure. So I couldn't find any limits to having a bioretention basin in the front yard. To quickly explain what a bioretention basin is, it's a shallow excavation. It's only two feet deep, filled with mulch and plants. It basically is a big filter and so the water flows into this shallow basin and then basically permeates through this filter of sand and some nutrients are picked up by vegetation on the cover of it. And so it really looks like a planting element. It's a more sophisticated rain garden. To put it somewhat distinctly, you're not looking at anything besides vegetation when you drive by. So we put them in front yards all the time in projects throughout the tri-state area. And again, we've never had a comment on that, but it is in one of her letters. So her comments are pretty straightforward.

I did address a letter to Kathleen Moss in regards to trying to clarify some questions we had from our work session on Monday, discussing the project itself. And just to move things along, we have prepared an open space plan, which is critical for a review by the Board Members. And what we're trying to do is we're trying to put in a buffer around the perimeter of the properties to expand the non-developed areas onto our site itself. Our buffers really are adjacent to large undeveloped spaces. We happened to be on top of a mountain, so there's no one really in the neighborhood. The closest property that's really actually developed, is to the east, which is a radio tower on tower road. Beyond that, Lot 1B, which is being developed with our proposal, our neighbors, it's all pretty much vacant land except for that tower. To make the open space contiguous, I put a strip on the western portion of the property. It's on the bottom of the page in front of you. And right below the word side yard setback is, we made the open-space contiguous, so it's on three sides of the property, but on the Western side, again, which is extensively steep slopes to our west, we have a very narrow strip of open space, because I would easily certify that those areas off of our property line are unbuildable because of the slopes that are there. Therefore we're trying to meet that criteria of contiguous open space. And that's one thing that we need to sort of have resolved, because again, it affects how things are developed. The site, to remember how the site's being developed, we had to work with preserving the tree lines which were remaining on the project itself. Yet we had to fit in some septic areas and our septic areas are pretty much at locations which have not been denuded of soil by the current owner. We're trying to minimize, to the maximum extent possible, removal of tree areas, on high elevations. So you'll notice that our septic clearing areas are on low portions of Lot 1B and beyond. So around that then, on the buffers, we kept the open

space in place. The second item to address, in a letter I wrote, is that in a project of this scale, once we start the project, we're going to have our various contractors move along and continuously constructing the various components, such as the driveway, the improvements of the ponds and the house sites. And as we do a project like this, we'll move to a certain point. We have a phasing plan in that regard. And then we'd build the guest house, and then we move along up the driveway in front of you and we'd work on the main house. We'll also put a circular road around the pond, so the fire trucks can drive around here and have a loop in which to enter and exit the site. And the last development would be the pool house. But in terms of phasing, really, the phasing only consists of what house we're going to try and finish. But once the concrete's poured for the guest house, we'd be moving along and pouring concrete for the main house and then pouring concrete for a pool, because once the trays are mobilized on our site, we're going to keep them moving from location to location. But to keep the building departments and ourselves somewhat organized, we focus on one building at a time and then finish it and move to the next, in terms of global, final construction. But all along, the concrete will be poured at the same time, framing at the same time, we just move along. So I wrote a little paragraph on how it all works. And so if we start construction and go for a CO, we can always, a. Bond improvements beyond that point, which are necessary for the projects, or basically as you can see our driveway affords access to each of the buildings. If we have the driveway finished to its entirety for the guest house, we'd probably try and apply for a CO, with all that road's accessing the guest house complete. And if we have to do something beyond that fact for the fire department, we could do other items, but that's kind of the focus of how we're trying to approach this, if I may clarify that.

**Ms. Polidoro:** Well. So just to address some of that, generally, when there's a site plan, you won't get a CO until all of the elements of the site plan are constructed. So you may want to show the phasing, different phases. You can run them concurrently, but at least we can close out one phase at a time.

**Mr. Scott:** Okay. I can put a line on the paper saying, here's the end of phase one. We'll do that for you. Not a problem at all.

**Ms. Polidoro:** Well, I think you want to be specific about what's included. Phase one is going to have to include, the driveway, the first structure...

**Mr. Scott:** Yeah, I'm aware of that. We'll clarify that, but again, we're never going to stop working on the project, but that's how we'll function on that. Second thing, Army Corps of Engineers, we qualify for a nationwide permit number 29, which allows up to half an acre of disturbances to any water body. The wetland, these are manmade ponds, so there is no extension of any vegetation beyond the edge of the pond. The pond just basically, is a dug a hole and it just sort of ends at a spot. We'll be disturbing less than half an acre, while we put in some controls for the ponds, because right now, when it rains a lot, the water just flows all across the land as sheet flow. And so we're going to put some controls in and a pipe in a dedicated discharge location for this. In total everything is less than half an acre, so we don't see a problem with the Army Corps. We have applied for a jurisdictional decision from them. But again, timeliness, we're still waiting on that. The other item that was brought up is the bats.

We work with the bats on other projects that we have and typically what we do is, we would clear all the trees between October and April 1st that are necessary for the project. And that's one way you mitigate your disturbances of the bat habitats. And a lot of our construction is an open space anyway, you can see the tree line is pretty much gone except for certain areas, which we've left untouched. But again, we'll schedule our clearing with the bats. So we're okay with the DEC guidelines. In terms of project completion, again, my client is very motivated to do this project, but there is one item that we're hoping we could work with the Board on, is we are trying to move forward to initiate construction sometime near the end of the summer. Just so we can beat the winter aspects of this project. Our goal is going to finalize the driveway as quick as we can once this project is initiated, because while some years we don't have any winter, we're never quite sure. And so that is just something that I was hoping we could work with you on and sort of move components along in the process. Again, Mr. Hall is finalizing the plat maps. If you approve the open space as we depicted it, we would give you those a metes and bounds very quickly and everything else, has been, we've submitted to the Health Department for preliminary review. And again, the plat can be finalized pretty quickly, with your input.

**Chairman Dupree:** Before, I go to the consultants, Mr. Scott, can you, or maybe it's Councilman Krupnick controlling the screen, but can someone call up the viewshed analysis?

**Councilman Krupnick:** Hold on, let me find it.

**Chairman Dupree:** Thank you. Because I'm going to confess that I must have had a brain infarction because I could not follow what you were showing. I mean, I've seen some, a little like that before, but that doesn't look like the normal viewshed analyses that are depicted for us.

**Mr. Scott:** If I could share my screen, I do have it on my computer.

**Councilman Krupnick:** That'll be easier. Thank you.

**Chairman Dupree:** That's it.

**Mr. Scott:** So what we did is, we're looking at distances which are quite large.

**Ms. Polidoro:** Can you make it bigger, please?

**Mr. Scott:** Yes. I can zoom in slightly. Okay. So, what we did is look at what the view shed was supposed to accomplish. And so we showed you distances just for reference purposes in that site plan. The Hudson River is 15,602 feet away. What we do is, we have some software that can take X and Y coordinates across any terrain, and we can create profiles out of it very quickly. This is based upon 10 foot USGS contours, which we have for Dutchess County. And so we cranked out these profiles. Each direction on my map shows you a focal point on my view shed. And we're trying to just get relatively, how far away we are and what the azimuth angle is you would see of this house. Normally, I don't do view sheds like this either, but we're so far away from

everything and we're so distant, that the only way to depict anything besides a little dots on a view screen is we did profiles of everything. In this regard, we look at the Hudson River. Hudson River basically is that little dot there, where my little hand point is, is where the house is. And you can see, the angle of viewshed. You can't see our project from the Hudson River because mountains and hillsides adjacent to the Hudson River block the view. Then I said, well, what's important to look at and so we looked at Fallkill Road. Fallkill Road is 4,200 feet away, no actually, the closest Fallkill is 1850 feet away and in this viewshed we have basically, a one degree azimuth angle you'd see from that far a distance of our house located on top of the Hill. So we took the highest point and put a 35 foot high house on top of it and that's what you would see in a viewshed of this. So again, we're so far away a normal viewshed doesn't work, because you couldn't see anything. If we turned it around the other way and tried to see this little building on top of the mountain, you wouldn't see it. It'd be a dot. So this shows you that if you put your hand in front of you and look at a one degree angle, at arm's length, it's about a quarter inch high, just to put it in reference purposes. So the closest point in Fallkill, away, we're around 1850 linear feet and there's our house and there's Fallkill Road. Then we have Fallkill River. You can't see it from Fallkill River because of topography. Again, your viewshed is blocked by local hillsides. Then, we have one to Connolly Drive view. Connolly Drive is probably the most visible component of our view. That's about 6,000 feet away. There's a subdivision of houses over here, right here on that portion of the property. And again on that one, there's two different driveways, a northern one, and a southern one. On the southern one, you would see us, but that's a 0.38 degree azimuth angle. Again, technically it would be unviewable or unseen, at a distance of over a mile. Let's go back to our picture here.

**Ms. Polidoro:** Mr. Scott, I'm sorry, when you were talking about Fallkill, you said it would be an inch. Did you mean it would appear to be an inch big from 1800 feet away?

**Mr. Scott:** Yeah. Looking at the site about approximately that size, because we're so far away, we're 35 feet high and at a distance of 2000 feet. So when you look at this, again the relative azimuth angles, reflect the fact that you see it's only an inch high from that distance away. It's basic trig, we're so far away and then the same files through with, again, Tina Drive. Tina Drive is a little flatter angle because Tina Drive's kind of at a high elevation. Tina Drive is to our south, but you'll never see it from the south because we have trees staged in that one location. And then, again, basically, we took anywhere that there was evidence of a decent population density and tried to figure out what you'd see from all these various view angles. Most of the site around us isn't developed. Because if you will look closely at this topography map that I have in front of you, which depicts all the roadways, there's no real roads going in our direction. The only thing close, is Tower Road, which is to the south of our site and that has a 14 foot high tower on it, so basically, we're not interfering with anyone's view from that direction. That's the sure. That tower is right here, right in this direction, right over here. So, our conclusions on this were, that you really, basically, because of our distance and remoteness on top of a hill, while we're on a top of a hill, we're just so far away from everyone, that a 35 foot high dwelling, is very much obscured by scale. Not anything else, really. We are preparing plans of a home, which is using natural tones, wood siding, et cetera. We are not, I'll repeat, not creating, a big white box on

the hill, like a Meyer house. It's going to be very toned down and using, again, earth tone colors, but there will be visibility in the winter time. But again, it'll be muted by distances. And that's kind of what we concluded by just depicting this. And these are all true to scale. Our computers create exact profiles and you can see all the undulations that are in here. That's exactly what the topography looks like. And as you can see, we climb, we're on a high point, pretty much in most directions. The most abrupt high point, would be from Connelly Drive where the hill pops up. And that would be our most abrupt change in grade relative to anybody. So that's how we did it. Again, in a lot of other cases, we'll float a balloon or we'll put up a red square. Can't see it. We're so far away.

**Chairman Dupree:** I thought I was looking at it correctly, but I wanted to hear it from you, because I saw the lineup and I thought this must be the angle that you would see from standing at that point to where the house is.

**Mr. Scott:** That's correct. Yes.

**Chairman Dupree:** Okay. Thank you, that's all my question is for right now. If you're done, I can start with the consultants. Is there anything else you want to add Mr. Scott?

**Mr. Scott:** That's it, thank you.

**Chairman Dupree:** Ms. Franson?

**Ms. Franson:** I was going to say a couple of points I want to make, as far as the bats and adhering to the appropriate seasons. If there isn't a note on the subdivision or site plans, then one should be added, so that, we're assured that in fact, that will be part of the conditions that will be followed during grading and other activities. The wetlands, I know you said they're manmade ponds, but they show up on the NWI mapper and they show up as forest pocketed wetlands. And I don't know that they're regulated by Army Corps, because they may very well be isolated, but I also don't know that they are actually not wetlands. They may have been disturbed by whomever has lived there in the past, but by virtue of the fact they're showing up on NWI maps. Again, I don't know that I want to say they're manmade ponds. They may have been disturbed and, and now are manmade ponds. So I think that's why that was one of my questions. The viewshed, my reaction to that is that I would concur that from the important vantage points, you are distant from them. What my memo was essentially pointing out is that, if I travel along Fallkill Road and I kind of come in this curve, as I'm approaching the site, you can see the existing house clearly. Just as you can see the radio towers. And where the conservation area is proposed is on the steep slope. And what happens is, you come up the steep slope, up to a certain topography and then it's cleared. And the main house is actually continuing up to a knoll on the property. And so I don't know that the trees that are being preserved, even at the topmost, let's say elevation of that slope...you still have another rise of maybe 40 or so feet before you get to the main house and then another 35. So my only point is that it is possible that you will see it from Fallkill Road. I think the Planning Board already communicated that there are other intrusions into that viewshed. They were less

concerned about it, but my comments are related to ways to possibly minimize further, seeing, as you said, the white block building, you know, using earth tone colors, using darker colors. You can definitely see on the hill that that site is already notched from clear cutting that had occurred before. The view shed and these angles and cross sections are useful up to a point, to some extent. It also depends on where you cut, you know, and where you have the line of sight. This is one aspect of it and I don't disagree with the bigger picture viewpoint analysis and vantage points analysis, but I'm just saying that on Fallkill's approach to the house, during off leaf conditions, you very well may see that house because of the way that it sits. Again, you have kind of a steep slope, kind of levels off and then goes up again, based on your topography.

The other thing I wanted to mention was the conservation easement area that you've shown. It's fairly wide at the steep slope and then it looks like if I measure it out, 10 feet and then it continues to capture some other lands. And I guess, you know, one of the things I'm not seeing on the subdivision that was just submitted is, is there any way to increase that? Because 10 feet, I like to measure things in parking space lengths, that's like a half of a parking space. If you want to get a sense of how wide that's going to be. And I don't know how much you're actually capturing in 10 feet, in terms of something to protect, other than to make it contiguous, for purposes of adhering to the law. Just something to consider.

**Mr. Scott:** If I may, we didn't count the area that 10 foot strip in our total areas. It was basically something that we added to make it contiguous, but we're not counting that area in our open space. Again, it was purely a concept to meet the spirit of the regulations, but we didn't consider it in our area.

**Ms. Franson:** Okay. Thank you for that. I think the other comments, a lot of them were addressed at the workshop. Some of that's just simply being able to read a little better, the maps, having the appropriate information on the appropriate maps. You did say the subdivision mapping isn't quite complete. The driveway itself is common to both of the lots. We know you're going to have the site plan for Lot 1B, but the driveways and erosion control measures and stormwater measures are common to both. So I would expect that that would be shown as additional sheets on the subdivision plans set.

**Mr. Scott:** Sure. I have in front of me the map, so basically, we simplified it to what it might look like if it becomes a final plat. Again, Mr. Hall is putting that together as we speak, so basically our subdivision consists of improving this roadway, in terms of separate plans and then this large portion, 1B becomes the site plan for all these buildings. And again, we just show septic areas, sites of the ponds and open space, which is defined. I'm not sharing with you, but there'...You can see it's a U shape around the perimeter of the site. So we felt it was important to save the trees, because of what took place, we don't really have any trees except for the banding on the north, the banding on the south, and everything else in between. If you look at the treelines, it's pretty cleared already and so we're trying to work with what we had, and again, one thing that I noticed is that there's an extensive undeveloped strip of land to the west, right to where that North arrow is on the plan that you're looking at and that is untouchable because it's at a slope of about 35 to 40 degrees for quite a distance. So

that'll always be untouched in that one area. We didn't feel, there was no point to make an open space next to Mr. Beligni's property, because he's already developed that. It's mostly cleared anyway. So we picked areas where we are saving trees and areas where you can't develop anymore, or where you might have substantial use or contiguous nature to large open spaces. Again, that's why we have the south one (*inaudible*).

**Ms. Franson:** Just a couple of other points, and I'm going to annotate the map that's shown right now on the screen. This area here, we talked about, just to point out, for those, with regard to my memo, to be able to handle this curve, there's a lot of grading that has to happen over here. And if you're out in the field, this house is much closer than it would appear on the map and between the house and this property line is a pool area, so it's someone's backyard. And I think, Mr. Scott said that the applicant is amenable to putting some kind of screenings, some kind of vegetation, if possible, to be able to provide a little bit of privacy when that is cut into that slope there. And the other thing, and you may have addressed it in your transmittal of the more recent subdivision plan, but there was a question as to whether you might need a variance for the pool house, because it is an accessory structure and I think just for the record, for the benefit of the Board, it's our understanding that you're going to scale that and the height, reduce it, so that there is no need for variance. Is that still the case?

**Mr. Scott:** Correct.

**Ms. Franson:** Okay. So we had thought there might be a variance, but they will send us architectural plans and designs that show that it will comply with accessory height of the building. As far as bio retention, what's allowed in front yards, et cetera. You know, I called them out, I defer to the Zoning Administrator as to what is or isn't allowed. Those are really primarily my main comments. The others are in my memo. Thank you.

**Mr. Scott:** I have one last question if I may, just one while we're all on the phone, together here. So, there was a request for more topographic elevations on our proposed grades because of the way this project is and there's a lot of contours. We normally put these in it 10 foot increments, in terms of specific designation of proposed grades and existing grades. But we can put a layer on that could be turned on if someone wants it, which could have all the grades called out, if that might be helpful. It's just that normally when I've gone that route, most municipalities say, you've got too many numbers on a piece of paper. We can provide that to you and maybe on specific plans that could be prepared at the end of this process. We can develop a separate plan which just depicts grading, maybe of the driveway, which is pretty much extensive, to sort of save, reduce the complexity for future generations, they can always go to a separate plan. We'll do that,

**Ms. Franson:** I had commented on the topographic. I think what might've happened, is that you have the larger map and then, you zoom in and you have a different scale, when you're zooming in on some of the lots themselves, and what may have happened, is the way that you're representing it when you enlarge it, is that some of those numbers are not now on the enlarged map. Yeah, so it wasn't, you know, for instance,

on this subdivision, I can see the elevations and how you're doing them, per 10 feet, et cetera. That's okay. I think on certain maps, that I was reviewing, I couldn't tell where we were elevation wise, because they were just missing, I think when they got enlarged. And I think that's a simple fix.

**Mr. Scott:** I'll just checked the layering on that, if I may. And there's just one other item while we're here, if I may. So the SWPPP review, is that ongoing at this point in time? Is that what's taking place?

**Chairman Dupree:** Mr. Setaro is not here tonight, so I can't answer that. I apologize.

**Mr. Scott:** Okay. Yeah, as long as we can get a holistic review, that'd be great for us, because we can address everything pretty quickly. We can respond. We actually looked at all the comments and addressed them already, from Bonnie. And we're ready to resubmit. Just some more input I have, again, I can address everything in one shot. One item I might bring up as well is, I can have a wetland consultant go look at the ponds. I don't know, Bonnie, would that be sufficient, just have him evaluate the ponds for acceptance? Or at least to describe what they are. Would that be good?

**Ms. Franson:** I think to describe them, what their quality might be. I defer to the Planning Board, ultimately what they feel needs to be submitted from both the SEQR perspective and then I would only ask Tad from a Zoning perspective, whether freshwater wetlands come into play for some kind of approval. I know the stream was evaluated. I don't know to what extent if these are wetland ponds above and if you're encroaching into them further, what, if anything may be required? So again, I would defer to Tad on that one.

**Mr. Scott:** Okay.

**Chairman Dupree:** Ms. Moss?

**Ms. Moss:** The Town does not have its own wetlands regulation. We rely on DEC and Corps of Engineers. I did not see a stream emanating from this wetland that goes onto another property, although it is a headwaters of three different drainage basins, but I didn't see a stream on the DEC website. So unless it's attached to a stream, there is not a corridor for that, so it would not need a variance.

**Mr. Scott:** Okay.

**Chairman Dupree:** Other comments Ms. Moss?

**Ms. Moss:** Yes, I would just like the Board to consider the night view of the property. Lights show up dramatically, even at low wattage, from long distances. I look about two miles across the river and there's one house that was recently built and they must have a security light or something on 24-7 and it's really irritating. Another one has a string of light bulbs, on the porch, all the way across the house. And I do think that the Board does consider lighting in site plan. I don't think your client would do that, but there's probably some map notes that could be placed on the site plan.

**Mr. Scott:** We'll comply completely with night sky criteria. Everything will be shielded. We'll put a note to that effect on the plans and that's typically what was required in all of our projects to begin with.

**Ms. Moss:** Thank you.

**Chairman Dupree:** Thanks for clarifying. I look at that house with the long string of lights every night. I thought it was along a pool and I kept thinking, why are they putting it, during the winter, on a pool? It looks like a landing strip. It's so annoying for all of us over here. Okay. Thank you. Ms. Polidoro, any comments?

**Ms. Polidoro:** No, I mean, it sounds like the major concerns are erosion, stormwater and environmental impacts at this point. They know they need to prepare the easement agreement for the driveway and so I'm happy to work with them on that. Otherwise, when we get an updated plan, we can send around for circulation and review.

**Chairman Dupree:** I agree.

**Ms. Polidoro:** I did have one question though. There's a lot of parking on this plan. Is that all for guests?

**Mr. Scott:** Well the pool has a couple of parking spaces because it's remote. The pool house, we have parking there and we have parking just for the guest suite, instead of having people drive...because we're trying to keep the parking underground, so you don't see the parked cars all the time on the guest house, they're behind it, underneath the house itself. So that's where normally the cars will park. They won't be on the flats, because no one wants to see a bunch of cars parked across a beautiful landscaped area. But if someone visits, they'd be pulling into these parking spaces and they're only for visitors. But the vehicles are underneath the building in an underground garage.

**Ms. Polidoro:** Okay. I just wanted to make sure that this was not going to end up being some kind of hospitality use that we weren't aware of.

**Chairman Dupree:** There are also 3 or 4 parking spaces that's to the east of the main house off the drive, I believe, they face in, it's on the south side of the drive. And 4 spaces for the pool house cabana. So that's eight additional spaces, in addition to people parking along the road. I understand where Victoria's coming from. Bonnie did you want to add something?

**Ms. Franson:** Yeah, I was just going to interject, that on the plans that were just submitted, as you just said Michael, there are 4 by the pool house. They do show three that would be under the guest house, but then there appear to be an additional three along the road. Thank you.

**Mr. Scott:** If I may, so again, the way you look at it is, if someone comes to visit the guest house, instead of parking on the lawn and messing up all the landscaping, et

cetera. And also, you can't pull off the road on this project because there're swales running along, adjacent to the roadway itself. So you can't just drive up on the driveway and take a right-hand turn onto the grass. You'll go into a drainage swale, which is about a foot deep. So we're pretty much limited to creating an area, where if someone comes to visit, they have to pull off to a designated area. There'll be gravel, there's no pavement on them, but I'm just trying to basically give an area so no one falls into a drainage swale. So we have three for the pool house, we have three for the guest house, and again, it's just so when you visit, you don't end up in a ditch. And there'll be a pipe extending the swales beneath them, so you have a safe access to park. And that's why we did it. On most of the major estates we do, the lawn seems to be, in the future, more important than anything else. So every time there's a rut, on a lot of these projects I work on, I have to go out there and get people to fill it up right away with topsoil. So we're trying to eliminate those accidental intrusions into soft lawn area,

**Chairman Dupree:** Without meaning this rudely, if they have a big party with lots of people, SUV's will be parking in those swales, I can assure you. It's normal life up here. So if there's no other comments from the consultants, let me start with the Board Members, Vice-Chair Dexter?

**Vice-Chair Dexter:** I wanted to thank Tad for bringing up the night sky. I had not even thought of that, so excellent point. And Stephanie, you went up and did a little video and that is a fantastic view from up there. It sounds like this is slowly coming together. There are mostly just grading and normal...How do you build a house up on a steep driveway? We'll work all of that out, but it sounds like we're moving along and slowly working out all these fairly detailed issues. So nothing else.

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

**Mr. Pickett:** Again, it sounds like there's a lot of details to work on and finalize for stormwater controls, grading, erosion controls, wetlands, what exactly is the plan and how do you take that forward. Then you've got Health Department Permits and it sounds like we need a good definition of what the phasing is too.

**Mr. Scott:** Thank you.

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

**Mr. Oliver:** I think that that night sky comment is huge, because being up so high, I was not really thinking about that, but from across the river and in the Catskills, that might look like the North Star, if not done correctly. So thank you very much on that. Other than that, I don't have any other comments.

**Chairman Dupree:** Thank you. I agree, that was brilliant on your part Tad. Ms. Weiser?

**Ms. Weiser:** I have nothing to add. I think Bonnie has done a wonderful, thorough job reviewing this. And Victoria as well. And yes, Tad, thank you for noting the night sky, that's wonderful.

**Chairman Dupree:** Ms. DiNapoli?

**Ms. DiNapoli:** I agree with all of the consultants and all of my fellow Board Members.

**Chairman Dupree:** Thank you. And Ms. Wasser?

**Ms. Wasser:** Same for me. It's the beauty of being last. *Laughter.*

**Chairman Dupree:** I don't really have anything additional to add either. As I said, what I really needed was the visual impact analysis explained. As far as the Indiana bats, I've been up to the site, it's pretty much denuded as Mr. Scott says. The purpose of normally not removing trees until after October 31st is that's when the bats go dormant. But I'm not really sure there are a lot of bats up there because there's not a lot of trees left. That noted, there could be some along the open space preservation, that's to the west side of the lot. And I want to point out that the purpose of the open space conservation easements is to allow most everything's free movement, animals, birds, et cetera. So by preserving that portion there into perpetuity, then you may still have habitat for the Indiana or even the Northern Long-eared, so we'll just have to see. But at any rate, I think what we should do is, Mr. Scott is working pretty quickly. I apologize, Mr. Scott, but I was part of a long deliberation last night on a new college president. So I was unable to take the time to review everything. I just looked at the viewshed analysis and some other things quickly, but we'll have time this week for all of us to review anything new you have to add. And then we'll put you as a placeholder on June 2nd to start the circulation process and get this going.

**Mr. Scott:** Thank you very much.

**Chairman Dupree:** You're welcome. Thank you. And have a nice night. We'll see you in two weeks.

### **HYDE PARK TOWN CENTER-PARK PLAZA**

Site Plan Amendment Approval Exterior Modification Playground (#2020-15)

Location: 4240-4260 Albany Post Road

Grid #: 6064-02-965956

*In Attendance via Zoom:*

*Kelly Libolt, KARC Planning Consultants, Inc*

*Amy Argyrakis, KARC Planning Consultants, Inc*

**Chairman Dupree:** Now Ms. Libolt, Hyde Park Town Center Park Plaza. Again, the applicants are seeking to relocate a previously approved playground for the students at the Mid-Hudson Regional Early Education Center. In addition, I was hoping we could discuss quickly, the applicants have asked for some changes to landscaping, as

part of the approval for the front section, but it's all one. At any rate, welcome Ms. Libolt. Let me turn it over to you.

**Ms. Libolt:** Thank you and thank you for pushing me off. I appreciate it. I had a commitment with my son, so I apologize. Would you like me to share my screen? I have a little presentation.

**Chairman Dupree:** Please do.

**Ms. Libolt:** Okay. Can everyone see this? Okay, so if everyone recalls, we had received site plan approval in phases for the Hyde Park Town Center, which really consisted of some improvements to the outside of the property, predominantly landscaping and the location of the playground. And then also, phase one included the architectural improvements, which are near completion. So hoping everyone likes it. I think it looks amazing. As part of the phase two approval, one of the outstanding issues had to do with the design of the playground. And I think everyone was wise to understand that there were some grading challenges on where we were proposing the playground. And so once the contractor went out and looked at it, they indicated that it was going to be extremely challenging, given the presence of bedrock back behind the old William's storage shed. So we put together this graphic illustration, just to show you. This is where the existing playground is on the property and this is where the playground was approved. So if you're facing the Williams Lumber shed, it would be to the right. And what we're proposing is to relocate the playground to the north side of the shed, which is much flatter and we can more easily accommodate the playground in this area. And this is just a quick picture of what the existing playground looks like. This is a very large map showing where we're proposing to move it and then we zoom in and then I'm just going to go down to this one, which is the zoom in. So although this is challenging to read, because there's a lot of text here, this is the existing storage shed lumber shed, and we were proposing the playground on the south side of the storage shed and now we're proposing to put the playground on the north side of the storage shed. There were a few of us that walked out there. Why are we moving it? It's predominantly more level, it's more easily accessible and we think that obviously, all the way around, this is a better location. I will tell you that I think we're probably going to be back before you, sometime in the future so that we can use the shed for actual recreational purposes, because at this point there is almost no purpose for that structure and Westchester Medical has indicated that they think that that would be a great location for them to do recreational amenities, predominantly during bad weather and in the winter. So we'll probably be coming back before you for that, but at the moment, we're trying to get their construction completed. Of course the playground is critical for approval by the state and so we wanted to present this to you tonight so that you had a chance to look at it. Amy was good to put together some photos of what that area looks like, so on the bottom, this is the lumber shed and this is the area to the north of it. We obviously will be removing this little structure. I think it was for the propane tanks, and the fence and the bollards. And we'll put up new bollards to protect this area. This is predominantly the area, really looking to the north, where we're going to propose the location of the playground area. And then this just gives you another view so you can see what we're talking about. There's been a little bit of dialogue back and forth about the surface of the playground. And we did

reach out to Westchester to find out what their intentions were as far as the surface of the playground and really who dictates what that surface is. This is essentially the information that we had received from Westchester, which summarizes the surface material that's dictated by the state and we're proposing to use a shredded rubber material, which is an approved product. Interestingly enough, grass isn't. So I think we had talked about the insanity of that, but we are proposing to use a shredded rubber material. And, the reason that we're here before you tonight is just to talk about...I'm going to go back to this slide real quick, any concerns that you may have about relocating the playground in this area and procedurally any steps moving forward. We're hoping that we may be able to request a waiver of the public hearing, so that we can move forward with any further steps that were required and then move forward with the construction of this playground

**Chairman Dupree:** We are prepared to take action tonight to circulate this. And I just want to read, real quickly into the record, a comment memo that was sent by email from Ms. Axelson at CPL, the planning consultant that has reviewed this throughout. First, the playground relocation is an improvement over the old playground location and crosswalk appears appropriate. This will be a relief to the neighbors to the south. It's recommended that a swath of clearing to the east of the proposed playground be done to provide more light and air in the playground area. Also to prevent problems with the bugs, et cetera. I'll just note that we do need to provide screening still, so they can't take down everything, but that's actually a good comment. It appears that bollards proposed along the western side of the proposed playground fence, which should be labeled with a call-out or legend item. Four, since there were refuse enclosures in this area, where the playground is now proposed, it would be reassuring to either have a narrative or plan notation about how this area will be cleaned up and sanitized before the playground is put in place. A couple of refuse containers or dumpsters are shown to be relocated south of a vacant shed for which an enclosure is recommended. The Planning Board should determine whether additional vegetative buffering will still be added to this area to buffer a view of the dumpster enclosure. Then the rest is a technical thing about how to get these sheets back into the overall plan set. It's important to enter into the record that our planning consultant believes, as I do as well and I think, probably you'll hear from most of the Board, that this is an improvement over the old location. This really involves a lot less grading, and it's also going to be a reduction in asphalt or impervious. That noted, that was me who made that comment that somehow grass is not allowed, but pea gravel is. Gee, that seems really safe for young people to land on their face with pea gravel and in their mouth and chewing things, et cetera.

**Ms. Libolt:** We all grew up with grass, so there must be something wrong with us.

**Chairman Dupree:** That's what seems so strange to me. Ms. Moss, do you have any comments?

**Ms. Moss:** Yes. I just want to think back a little bit and note that the traffic pattern is still a one-way around the building.

**Ms. Libolt:** Correct, yes, it's one-way.

**Ms. Moss:** And that the applicant did provide the turning radius, for consideration against the location of the new play area and everything seemed fine. I think the crosswalk configuration and location is much superior to the prior plan. And as a last comment, are there any other changes from the approved plan that you are proposing?

**Ms. Libolt:** There are no changes that we're proposing, but we did want to request just a discussion with you on the landscaping. And so I'll bring up this slide real quick. This is the front of the Plaza, on everyone's left is US Route 9 and this is the building. And if you recall, we were adding two landscaped diamonds to the middle of the parking lot and each of those diamonds are going to have a Hornbeam. We hired Augustine landscaping and they were concerned about the long-term life of the Hornbeam in that particular location. And I explained to him, and he fully understands the intent of the addition of those trees was to really break up that parking lot. He strongly suggested that we move those to the existing islands that were here in the front and thought that they would provide them with greater protection. We're happy to put them there in the diamonds, but I just wanted to bring that up to you for your consideration. Secondly, there is a Hornbeam that is proposed and all this work actually was supposed to start yesterday and so we put it off for one week. The landscaping is ordered. There is a Hornbeam that's proposed in this location. He was suggesting that it might be more appropriate to put it in the landscape island to the north. He felt that it was going to have a better survival rate given that larger, non pervious area and was just seeking permission, you know, the Board's consideration on that. And lastly, and this is Tad's favorite and my favorite, as you are traveling north through the internal roadway, we are proposing, I think there were eight Hornbeams in the location on the, east side of the McDonald's. You know that drive thru? And this has been historically a real challenge for us to try to avoid having people park in this location. So I think the Board's intentions and our intentions were with these trees, that that would help restrict it to mostly, you know, landscape trucks, anyone that has a trailer, or like a large truck that ended up parking here. So we wanted to propose also covering this area with river rock. And I know people have generally mixed emotions about river rock. I personally think it would help with the drainage. So all the drainage, this is a swale here and all the drainage would run off into the river rock and it would be a great collection system. It would also preclude people from really parking in there because people aren't going to want to necessarily park on the river rock, but at the same time, I know it's probably not ideal for the trees and just wanted to get the Board's feelings on those issues.

**Chairman Dupree:** Tad, do you have any comments?

**Ms. Moss:** I like river rock in a residential setting. I'm concerned that the vehicles that try to park there will edge up against the trees and will compact the river rock into the ground and it won't be able to infiltrate anything, so I don't know if there's a way to put a weight-retaining fabric under it or something. Maybe Chris has some ideas about that. The relocation of the trees out of the parking area in front of the main part of the Plaza into those islands, it doesn't really achieve the goal of breaking up the large, expansive of asphalt. It's really hard for you to give up those spaces and the ease of plowing and it's hard for the Code to be adhered to for the 15% of landscaping area that's supposed to be within the parking area. I think that's going to be a Board call.

The moving the one Hornbeam that's near the Emergency One, if that's still Emergency One, to the other end of the island, I don't have a problem with. I think the Chairman had requested that one in particular to break up a view.

**Chairman Dupree:** Wait, wait! I must say that I wanted it in the 'car seat'. It's supposed to be in the island. I'm sorry, I didn't notice that that's where it was located. It's supposed to be where you proposed it.

**Ms. Libolt:** See, I just texted Amy earlier and I'm like, I think that that's where it was supposed to be, where we want it and it got put in the wrong spot. Okay. So it's supposed to be here. So is everyone okay? I don't know why I thought this was the 'car seat' because of the, but this is, hold on, let me zoom this up. So this is where it's currently proposed.

**Chairman Dupree:** There's not enough space there.

**Ms. Libolt:** And we'd like to move it over here.

**Ms. Moss:** Is there a hydrant there? You have to stay away from the hydrant.

**Ms. Libolt:** Yeah, there's actually a hydrant. There's a stop sign there. There's a stop bar. So there's too much going on in there and he said, it's just not going to survive. He'd rather put it over here.

**Chairman Dupree:** That's where it was supposed to be. I apologize.

**Ms. Libolt:** All right. So that one's easy. Okay. If everyone else is okay with it.

**Chairman Dupree:** And we will ask Board members as we go along. Anything else you want to add Kelly?

**Ms. Libolt:** That is it, thank you.

**Chairman Dupree:** Okay. And Victoria, any comments?

**Ms. Polidoro:** I guess my only comment would be, does the Board want these changes incorporated into the plan set that we're looking at now?

**Chairman Dupree:** Kelly has prepared these sheets so that they could be, correct?

**Ms. Libolt:** Yes.

**Chairman Dupree:** And we're not talking about...Well, let's discuss this offline with Tad, because it's really sort of a Tad decision about what goes into the plans and how they're finally filed, et cetera, I think. Is that okay?

**Ms. Polidoro:** I mean, it's fine with me. I just want to understand.

**Chairman Dupree:** That's a good point, because that was Liz's last comment as well. Was how would you get these new plans incorporated into the existing plan set? And we can take care of that. So let me start with Board Members, Ms. Weiser?

**Ms. Weiser:** I agree that the proposed playground is in a far better location, so that's a good move. The two trees that you want to relocate to existing islands. I still just don't want to see a sea of asphalt. So I'm opposed to moving those, but in terms of moving the other tree to the existing Island, I think that's a great idea. I'm not qualified to talk about the effect of river rock and trees, so I'm going to leave that to the experts. That's it for me.

**Chairman Dupree:** Thank you. Mr. Oliver comments?

**Mr. Oliver:** Yeah. I understand the aesthetics of trying to have those trees in the parking lot. And I also understand the logistics of taking them out and the function of the site with snowplowing and run off and salt and everything that will make them worse. Regarding the river rock, I've used it several times in commercial landscape by putting a filter fabric underneath it and around certain bushes, plants, or trees that need a little bit more moisture. A little bit of mulch around the base of that mixed within the river rock. And I also agree with the playground area being in a better location. So that's all.

**Chairman Dupree:** My Board is so efficient. Sometimes, and I'm serious, you make my heart swell. That's not a joke. Ms. Dexter?

**Vice-Chair Dexter:** I am so torn. So let's start with the, yes, I agree that moving that playground makes so much more sense. I was a little worried that it's like, Oooh, there's all those dumpsters right there. But with good screening, and we'll probably take care of all that. That was my only concern with that, but it just looks like a much better location. When it comes to the landscaping, I don't want to see the parking lot, a big expansive...But you know, what do you do? Are we going to look at two toothpicks sitting in the middle of the parking lot or do they have to go out and buy yearly? We'll never have a tree older than three years old because they die every year.

**Mr. Oliver:** I think that's what you're looking at yeah. It's sad, but yeah.

**Vice-Chair Dexter:** Okay. Thank you. I was kind of hoping someone would say, okay, if you don't move them, here's what's going to happen. Well that's sad to have two little toothpicks sticking out of your vast, expansive concrete. It's so hard to try to maneuver that. That's such a weird parking lot and has so many restrictions on it because of the septic and just so many things. So that's my thought on that. I do like that we've discovered where that tree really does belong on the north side. That was the easy thing. That's all I have.

**Chairman Dupree:** Thank you. And Ms. DiNapoli?

**Ms. DiNapoli:** I'm thrilled that the playground's getting relocated. Thank you. Also, thank you for taking into consideration the concerns about the odors from the

dumpsters and camouflaging that. This is our one time to try to break up the sea of asphalt and I do understand what your landscaper is talking about, in terms of the diamond , but landscapers are very clever and smart people. You know, as witnessed by Mr. Oliver, on our Board and I would have great faith that he would be able to design a curbing and a way of trying to protect the trees as much as humanly possible. So I would want to keep those trees there. In terms of getting the other tree where Michael originally wanted it, that's great. In terms of the river rock, I'm with Ms. Weiser, I'll leave that to the experts.

**Chairman Dupree:** Thank you. Ms. Wasser?

**Ms. Wasser:** Yes, I agree that the revised location of the playground is so much improved and the improved crosswalk, so I'm really glad to see that. And I'm also fine with waiving the hearing requirement for this action. Before I go to landscaping, I want to stay in the playground for a minute. The existing bollards are kind of puny in my mind when I think about big powerful trucks making that turn toward the playground. Skinny is a better word than puny. I'd like to see bollards that are...I see them on the plan, called out, but not a diameter. So I'd like to see something more suited there. I don't know what the answer is.

**Chairman Dupree:** Do you want a detail? Do you want a small detail of what a typical bollard would be, that would show the dimension?

**Ms. Wasser:** Yes, especially if they're going to be bigger than those, for sure, yes.

**Ms. Libolt:** There is a detail. I just don't have it on this plan, but there is a detail. And I can check and if you're okay with it, I could check and make sure that Pete is okay with the diameter. And if that's acceptable, then we'll make sure that that detail is acceptable to him. Okay.

**Ms. Wasser:** I just didn't see any details, so I really didn't know if they were the existing ones. Okay, so then my remaining comments are on the landscaping. I understand the challenges, but I not only want to keep the two diamonds, but I want to add four trees, two in each Island. So I 'd like both. If you're talking about the two islands to the west of the diamonds, those two end islands, is that where you're talking about putting one tree in each?

**Ms. Libolt:** Our concern is that the trees are going to die. And I think that, you know, I'll leave it to, I'm not a landscaper, I'll leave it to really the experts that are on this Board. And I'm listening to what Mike Augustine is saying. And he's saying, regardless of how creative we are with the curb, the trees are likely not going to survive because of the plowing and the heat mostly. So I'll really leave it to Mr. Oliver and Chairman Dupree and anyone else who has certainly more landscaping experience than I do on the success. We'll put them there, but our concern is that they're going...He doesn't feel like they're going to be successful. And he felt as if they would be more successful. I did explain to him that the purpose of the diamonds is to break up the parking lot and he offered up that alternative.

**Ms. Wasser:** And then to my question, I hear that, but my question, those two islands at the end of the road to the west, not the ones closer to the storefront, but the ones where you said relocate, I just want to be clear where you are relocating them to.

**Ms. Libolt:** We would be proposing the two diamonds are here and we would be proposing to locate them here and here.

**Ms. Wasser:** And so could you fit in two trees in each Island?

**Ms. Libolt:** Potentially. I will tell you that all the hornbeams, all of these materials have been ordered. I can't guarantee that I'm going to get them the same day. Everything, I don't know if I'm going to be able to get the trees right away.

**Chairman Dupree:** For point of reference, these are not Hornbeams here. If you look, these are *syringa reticulata*.

**Ms. Libolt:** These are the Japanese lilac, right.

**Chairman Dupree:** I want to point out that these never get big. These will always be somewhat slim and kind of a lollipop form tree. But I didn't understand that you're relocating them to the islands that are to the east of where the two diamonds are.

**Ms. Libolt:** These two.

**Ms. Wasser:** I thought they were to the west.

**Ms. Libolt:** Yeah. The reason, if the Board, I don't know if you remember, the reason that we did not put them here was because of the proximity to the expansion area for the septic system. That was why they were not there.

**Ms. Wasser:** I just wanted to verify that. I just wanted it to be clear.

**Ms. Libolt:** I always wondered why there wasn't a curbed parking Island there and that's what I'm advised from Michele Zerfas.

**Ms. Wasser:** Well, you've heard my response. And in any case, I would like those plants in those islands and more than one per Island, regardless of what you can work out with the diamonds. Okay, quickly...

**Ms. Polidoro:** I'm sorry. Kelly, are you adding a curb then, to where there's not one?

**Ms. Libolt:** No, there's no...Oh, here?

**Ms. Polidoro:** How would you plant a tree there if there's no island?

**Ms. Libolt:** Interestingly enough, there is a curb there. It's not reflected on this plan. Thank you, Victoria. Good catch.

**Ms. Wasser:** I like the trees that soften that drive opposite McDonald's. I think that's going to help a lot. And the tree that goes in what Michael calls the 'car seat', if you can do caliper larger than three inches, that's like a real standout tree trying to block a lot of asphalt passed it. And the liner fabric sounds good. I am not an expert on river rock, but if the liner fabric keeps the weeds out, my objection was more for mess. So if the liner fabric, I don't know if Chris knows the answer to this, in his experience, if it kept the weeds down, as well as allowing moisture in.

**Chairman Dupree:** Chris, do you want to respond?

**Mr. Oliver:** Yes. It works a lot better than normal weed block, per se because it's commercial grade fabric.

**Ms. Wasser:** So if you're using that fabric, I think that would be fine with me. And I think that's it.

**Chairman Dupree:** Mr. Pickett?

**Mr. Pickett:** Yes. I agree with the move of the playground. I think that's a positive. I'm concerned about those trees that are out in the middle of the parking lot. Initially when we saw those, I think, again, from the heat and from the winter and snow removal and whatever, how much of a chance do they have of surviving. And then the other ones, I like the trees, behind McDonald's and it sounds like the river rock and the fabric underneath it would be good. My concern is people wanting to park there and along that edge, is people hitting them and knocking those trees out. Why couldn't you put some good-sized bollards between the trees to help protect them?

**Ms. Libolt:** That particular area is a drainage swale. And if we were to install the bollards, we would have to actually put a footing in that swale. What we were thinking would be a great alternative is that there are...we've tried to keep people from parking there and so we have large boulders. And so what we'd like to do, is if we did do the river rock, we'd like to put the boulders placed in between the trees. And if that isn't a deterrent, you know, I don't know what would be. Just to try to keep people from parking there. So if we have tree, river rock and the boulders, we'd slide those over, then that would certainly help as well.

**Mr. Pickett:** I agree with the boulders, that would even look a lot better than the bollards.

**Ms. Libolt:** It's been challenging. Just the day that I was there, the other day we were standing there and someone pulled in with the landscape trailer and we're all just standing right there. So clearly, we have to change people's behavior in that area. That's really what we need to do. When you damage your car, it tends to change your behavior.

**Chairman Dupree:** Okay. I'm going to be like speedy here. I think that what I would propose is that we keep the Japanese lilacs where they are and let's see what happens. As long as they're watered thoroughly at the beginning, let's see if they thrive. If not,

and you don't believe that you, because we don't want to have to keep replacing them, if they really don't do well, then we could consider saying, let's just close these up? And I don't think it would take a site plan. We could just make a note on the table to say, we tried, we failed. That's one thing. Another is of course, yes, I'm sorry I somehow missed that the Hornbeam was in the wrong location. And I believe that I'm fine with the use of river rock, as long as you do add the mesh fabric below it, because that does reduce...I mean, that was my concern was that sediment and soil starts gathering between the rocks and then weeds come up. And the last thing you need to do is spray Roundup underneath those right by the tree bases. Also Kelly, I think that's a great idea to relocate the large stones in between to sort of say, 'Stop doing this now!' You may have someone sue you, who knows, because people can sue for anything that they didn't know it was there, but it's not their property in the first place. I didn't even know who parks there by the way, because there's plenty of customer parking every place. But at any rate, I also agree that the location is better. I do think that you should consider adding screening around the dumpsters that are closest to the playground, just to help minimize odor. In addition, I can find it, but it's in 108-4.3 something or other. I'll send it to you. The Code actually requires screening waste enclosures that are visible from walkways and with the crosswalk, you can see them. So just consider adding something through there. In the meantime, if you have questions, we're happy to speak offline. In the meantime, I'm just agreeing mostly with my colleagues. In the meantime, we have a resolution to get this going.

**Ms. Libolt:** Very well. Thank you.

**Chairman Dupree:** I believe it will be introduced by Ms. Wasser.

**RESOLUTION TO CLASSIFY THE ACTION AND REFER TO THE DUTCHESS COUNTY  
DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Hyde Park Town Center Park Plaza  
Playground Modification**

**Date:** May 19, 2021

**Moved By:** Ms. Wasser

**Resolution:** #2020-15E

**Seconded By:** Ms. DiNapoli

WHEREAS, the applicant, Cosimo Town Center LLC, has submitted an application for site plan amendment approval to relocate a playground and make other associated alterations to an existing shopping center (the "Project") located at 4240-4260 Albany Post Road, Tax Parcel No. 6064-02-965956, in the Town Core PW-2 Zoning District (the "Property"); and

WHEREAS, the Project is depicted on a site plan entitled "Hyde Park Town Center, Phase 2 Site Plans and Sign Plans," prepared by Berger Engineering and Surveying dated July 15, 2020, last revised January 07, 2021, Sheets T-1, SP-1, SP-2, LS-1 and SP-1 Amended dated 4/12/2021 and first floor plan and demolition plans entitled "Park Plaza" prepared by DeGraw & DeHaan (the "Site Plan Set"); and

WHEREAS, general commercial uses are permitted in the Town Core PW-2 District subject to site plan approval; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form (“EAF”) last revised May 7, 2021, pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, pursuant to 6 NYCRR 617.5(c)(9), construction or expansion of an accessory, nonresidential structure or facility involving less than 4,000 square feet of gross floor area is a Type II action; and

WHEREAS, the Zoning Administrator has recommended that the Planning Board waive the requirement for a public hearing pursuant to Section 108-9.4C(2), minor changes requiring a building permit.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby:**

- 1. Classifies the Project as a Type II SEQRA action.**
- 2. Directs its Secretary to refer the application to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.**
- 3. Directs its Secretary to refer the application to the Hyde Park Fire District and Hyde Park Police for review and comment.**
- 4. Waives the requirement for a public hearing upon the recommendation of the Zoning Administrator.**

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

**VOICE VOTE      Aye-7   Absent-0   Nay-0      Motion Carried**

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

**Ms. DiNapoli:** Kelly, can you thank the owners for the improvements that they've made. It's even better than it looked on paper. It's like, wow!

**Ms. Libolt:** They really appreciate that. Nicholas keeps asking me, 'is anyone saying anything about the elevations?'

**Vice-Chair Dexter:** It's gorgeous.

**Ms. DiNapoli:** Are they as happy as we all are?

**Ms. Libolt:** They are. We were there last week. I forget when we were there and oh my gosh, it looks so amazing. I can't believe it. It's a complete transformation.

**Chairman Dupree:** It looks so tailored and sophisticated now. It's funny, just the addition of colors and different materials can really make it pop. And I hear from other people, believe me, who live around me going, wow, you guys did a great job. I'm like, that was the architects. We told them what we were more or less wanted, but that was the architect.

**Ms. Libolt:** No, it's interesting. I grew up there. I'm sure you've heard this before, you never really were comfortable kind of walking along that sidewalk. And all of the sudden when everything changes, it becomes so pedestrian friendly. And I think the top of the structure over the sidewalk, was modified. It's just very welcoming now. Very, very well coming.

**Chairman Dupree:** I agree.

**Ms. Wasser:** When is your new entrance sign going to be up?

**Ms. Libolt:** I don't know, but I can get you an answer before the next meeting so that you know. I know they're working on that. We actually have a few things in the works. We have some other projects that we want to come before this Board. So we have some new things, I think everyone is aware of that. Hopefully, we'll be before you soon.

**Chairman Dupree:** And I'll be seeing you tomorrow at three o'clock, along with Ms. Franson and Ms. Moss, to discuss some things that will be coming up before us, I'm happy to say. And then, County Planning has 30 days, so should we just put you on as a placeholder for the June 16th meeting?

**Ms. Libolt:** I'm wondering if I might be able to get them to initiate a response sooner, only because we have to get this playground built.

**Chairman Dupree:** Let's do a place holder for June 2nd and we can ask for expedited review. You already have plans to send us four. Okay. So we'll get those going out to County Planning and I myself will also ask Heather for an expedited review.

**Ms. Libolt:** Thank you very much. All right. Thank you everyone. Have a wonderful night.

**Chairman Dupree:** See you in two weeks. Thank you and great presentation. Congratulations Amy. Great presentation. Victoria, you're allowed to pop off, if you want to now.

**Ms. Polidoro:** Good night everyone.

**OTHER BUSINESS CONTIINUED:**

**RYMPH, CHAD & KATHERINE**

Site Plan Waiver Rear Addition (#2021-22)

Location: 7 River Road

Grid #: 6065-04-649211

**Chairman Dupree:** The next item on the agenda is an application for a rear addition located at 7 River Road. This site is visible from the Vanderbilt Carriage House, but this is in the rear of the house. And we have consistently given waivers to the same gentleman who keeps coming back whenever he has something new. And, I should also add, and I don't mean this disrespectfully, but the viewshed of the historic carriage house is already somewhat compromised by the fact that the National Park Service keeps all of its equipment right there to the side, just thrown out into the lawn. Sorry. That's why I never feared any of these houses having an impact because they all keep improving in what they're doing in their additions. So at any rate, we have a recommendation from Ms. Moss and a resolution prepared and I believe Ms. Weiser will be introducing this.

**TOWN OF HYDE PARK PLANNING BOARD**

**Chad Rymph  
7 River Road, Hyde Park  
6065-04-649211**

**SITE PLAN WAIVER for addition to rear of home  
*Town Code Section 108-9.4 C 2***

**Date: May 19, 2021  
Resolution #: 2021-22**

**Moved By: Ms. Weiser  
Seconded By: Mr. Pickett**

*Whereas*, a request for Waiver of Site Plan has been made to the Town of Hyde Park Planning Board by Chad Rymph, on April 12, 2021 to construct a new porch and bathroom on the rear of his single-family home; and

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

*Whereas*, the applicant received on May 12, 2021, an area variance number 21-07-Z to allow this construction within the 100 foot steam corridor; and



**Whereas, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by Michele and Diane DiNapoli on May 10, 2021, for property located at 35 South Drive in the Town of Hyde Park; and**

**Whereas, the application is to replace a free-standing AC unit of an existing single-family home in an historic overlay district which meets setback requirements; and**

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

**Whereas, the Planning Board has reviewed the request submitted by the applicant, and has received a recommendation from the Zoning Administrator; and**

**Whereas, the applicant is required to return to the Planning Board for all other changes to the property; and**

**NOW THEREFORE BE IT RESOLVED, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the file entitled DiNapoli regarding the specific request as submitted in the building permit application dated May 10, 2021.**

<b>Aye</b>	<b>Chairman Dupree</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Recuse</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Mrs. Wasser</b>

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

**Chairman Dupree:** Thank you. Any further discussion? All in favor, please raise your hand signify by saying aye. Aye. Motion carries unanimously amongst those who can vote.

**Discussion on Town Board proposed revision of Local Law E of 2021 Six Month Moratorium on Rural Event Venue Applications**

**Chairman Dupree:** And now very quickly, the Town Board, revised Local Law E. If I look at it correctly, the revision was basically, they put in a hardship waiver so that if someone wanted to demonstrate that they needed to pursue this during the moratorium, they have the ability to ask the Town Board to make changes or to allow them to move forward and apply to us. That's all I saw. Tad, did you see anything else? Did I miss something? Okay. So the question is, I can either just submit the same comments or I can say we also think it's a nice idea to provide the hardship waiver. I just need direction from guys.

**Ms. DiNapoli:** Yeah. Sounds good.

**Chairman Dupree:** Thank you. I'll adjust the letter and transfer that around and then send it out before the next meeting, because they just want comments by June 7th and our next meeting is June 2nd, so we'll have them out by then. In the meantime, I think there's no other business. So may I get a motion to adjourn?

**ADJOURNMENT:**

**MOTION: Vice-Chair Dexter**

**SECOND: Mr. Oliver**

**To adjourn.**

<b>Aye</b>	<b>Chairman Dupree</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Ms. Weiser</b>

**VOICE VOTE      Aye-7   Absent-0   Nay-0      Motion Carried**

**Chairman Dupree:** Thank you. All in favor please raise your hand. Aye. Thanks everyone. Thanks Supervisor Rohr and Councilman Krupnick as well for providing the resources to cover this. Have a nice night everybody.

**\*\* 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.**

<b>Aye</b>	<b>Chairman Dupree</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Ms. DiNapoli</b>
<b>Absent</b>	<b>Mr. Oliver</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Ms. Weiser</b>

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