



Historic Town of Hyde Park

Planning Board

4383 Albany Post Road

Hyde Park, NY 12538

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“Working with you for a better Hyde Park”

MINUTES OF THE JUNE 2, 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
ANN WEISER**

**MEMBERS ABSENT: BRENT PICKETT
STEPHANIE WASSER**

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

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Chairman Dupree: Good evening, everyone. Welcome to the June 2nd meeting of the Hyde Park Planning Board. As always, this meeting is conducted virtually, by the authorization of Governor Cuomo's Executive Order 202.1; initially, last extended as 202.109. Let me first confirm that each Board Member is alone.

Ms. Weiser: I'm alone

Ms. Wasser: Absent

Mr. Pickett: Absent

Mr. Oliver: I'm alone

Ms. DiNapoli: I'm alone

Vice-Chair Dexter: I'm alone

Chairman Dupree: Note that we have two Members absent tonight, Ms. Wasser and Mr. Pickett. Please join me as we pledge allegiance to the American flag.

The Chairman led the Pledge.

PLEDGE OF ALLEGIANCE

WORKSHOP:

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: Thank you. The first item on our agenda tonight is a continued workshop for Hyde Park Town Center Park Plaza. The applicants propose relocating a playground for the Mid-Hudson Regional Early Education Center, I believe is the name of it. We all, I believe at the last meeting, agreed that this new location is a lot better. We just have some details to work through. Amy is joining us tonight, as well as Ms. Libolt, by phone. Kelly, are you there?

Ms. Libolt: Good evening, everyone.

Chairman Dupree: So we heard back from Dutchess County Planning, in the meantime, that this is a matter of local concern. We've not heard back from the fire department or the police with their responses, but that was a courtesy nonetheless. Kelly and Amy, let me turn it over to you.

Ms. Libolt: Thank you, Mr. Chairman. At the last meeting we had presented to you a modification to the playground location for this project. And if you recall, it was originally approved, located on the south side of the Williams Lumber storage facility. And we were proposing due to site constraints to relocate the playground to the north side of the Williams Lumber storage facility. And I think, without some, you know, minor comments, the Board felt as if it was a better location and wanted to send it over to County Planning just to get their input as well because of the modification. In addition, we also spoke to you about some requested, what we had called field changes, but we're going to conduct them as a site plan change to landscaping on the property. It was a correction of the location of a Hornbeam tree. It was incorrectly located on the approved site plan. So we're relocating it to the correct planter and also permission to put river rock along and within the swale that's located east of the McDonald's facility. And I think there was a consensus on the Board that we could go ahead and do that with the addition of filter fabric at that location. So if there are any other comments, I'm happy to address those. And I think that's all that we have for tonight.

Chairman Dupree: The remaining comments would be to enclose the refuse, the dumpsters, we'll call them, in the back, so that there would be less odor and probably more security in terms of kids getting in there. Also, I believe that we had a couple of Board Members who suggested you have more substantial bollards around the playground. And otherwise you have all my notes as well. It's like you read my pages. Anything else you guys want to add?

Ms. Libolt: My only question is on the dumpster location; we did go out there today with the site contractor to see what could be done. It appears that the dumpsters are a bit rogue. They kind of fly off the reservation and they go, you know, wherever the trucks want to put them. Our thought was to, on the southern end, just expand the pad slightly, they're on a pervious area, but just expand the pads, so they're on concrete and put a wooden fence on the south side of the dumpster area. And then that would provide a barrier between the dumpsters and the playground, but also keep the dumpsters, there'd be like a southerly boundary. They could only be set so far down and then that would keep the trucks, you know, forcing them into the location where they need to be contained.

Chairman Dupree: I think that's a good idea and that solves the problem, because I have noticed when I go back there, that the dumpsters rotate around freely. You're right, like they walk. I think that's also because I believe that there are a couple of different carriers who go back there. So we'll hear from the Board in a minute. Pete, do you have any comments?

Mr. Setaro: No comments, Michael.

Chairman Dupree: And Victoria, do you have any comments?

Ms. Polidoro: No. We have started putting together some of the conditions of what the approval would look like. And I guess one of the issues was where Ms. Libolt is now

proposing a fence, whether bollards would be needed there. And so that was a discussion that the Board should have tonight.

Chairman Dupree: Do you mean bollards around the dumpster?

Ms. Polidoro: There was a concern, if I'm remembering correctly, about a truck dropping the garbage and it rolling into the kids' playground area.

Chairman Dupree: I think the concern was maybe a car hitting a dumpster and pushing it over into the playground area, which the bollards that they're proposing on the playground would stop that, because you don't really want bollards around a waste receptacle when it's got to be lifted, moved, et cetera. I think.

Ms. Polidoro: I think as long as the bollards around the playground would extend to the dumpster side.

Ms. Libolt: The north side. So the bollards would be on the north side and the west side.

Chairman Dupree: Correct. Thank you. Let me start with our Vice-Chair, Anne, any comments?

Vice-Chair Dexter: No, I like the idea of the fence and the bollard combination and expanding the pad. I think that sounds like that might help to corral them, but yeah, it's always been kind of a difficult thing, but I think that's a great idea. I did just want to ask a question, because every time I drive by the site, now I can't not see it. I keep seeing white in between the gray bars on the CVS building. It's so weird. I keep seeing it and now I can't not see it.

Ms. Libolt: Is it on the columns or on the sign?

Vice-Chair Dexter: It's on the actual building.

Ms. Argyrakis: Kelly, remember we were talking about that and they said that they had to just move them. They were just, if you're looking up at CVS, it was like the panels had slid?

Ms. Libolt: Yeah, it seems like behind, when you put the Hardie on, there are, sort of separators and they slide down. Is it little pieces of white that you see and then they're gone?

Vice-Chair Dexter: Yeah, actually, it's a few feet, like there's two or three of them. So it looks like white bars.

Ms. Libolt: I think there are separators, like spacers in the back, but I did forward that to the construction manager so that he looked at it. Either Amy or I will drive up there tomorrow and we'll make sure that we understand what it is and then take care of it. I think that's what it is. If it's the same thing we saw when we were up there.

Vice-Chair Dexter: Thank you, I appreciate that. It's just so weird because it looks so beautiful and it's not even that big, but now that I see it, that's all I see. It's a little sliver. Thanks Amy. Otherwise, no more comments.

Chairman Dupree: Thank you. I should add that, I sent a note after our agenda meeting, outlining what we just discussed, but also, I put in, I think I called it additional CO issues. And speaking to Tad, that was one of her notes, that those panels were askew slightly, so you saw the white popping out. Also that they apparently don't have the gutters and leaders from the main building to the landscape bed yet. And that they need to replace the soil, I think it was 24 inches or 18 inches or something like that. They're aware of all that as they go along.

Ms. Libolt: Yes, the roof leaders, originally, there was a Yankee gutter in there and they thought that they were going to keep that, but when they opened up the building, of course, this was all done with Don Westermeyer's office, the Yankee gutter was rotted. And so they eliminated that and they're in the process. Everything of course is a long lead item, so I think that those were on order and should be in, it's either the end of this week or next week, all of the gutter systems. And then Mike Augustine, who's the landscaper is aware of the soil requirements. It's all going to get done at once. So when he comes to the site to do the box woods, which he wanted to make sure that I told everyone that he was doing like two sizes larger, boxwoods, when he comes to plant though, he'll do the soil at the same time.

Chairman Dupree: Nice, very nice, larger plants are always nice. Thank you, please thank the owners for that investment.

Ms. DiNapoli: What also came up with the agenda meeting was trying to follow up when Stephanie Wasser's suggestion that they add additional trees, than there has been proposed.

Chairman Dupree: Those would be in the landscape islands that are just west of the main building, you're talking about in the parking area?

Ms. DiNapoli: And a little bit closer to the building, If I remember the discussion we had on Thursday.

Chairman Dupree: I was just taking a look at the landscape plan on that. So while I look at that, Diane, do you want to add any other comments?

Ms. DiNapoli: I liked Stephanie's comments about adding, I had not considered them. And I am not a landscape artist, so like the types of trees one would be adding, I would defer to people far more knowledgeable. Otherwise, I think the plans look great. I'm so happy that they changed the playground. And I'm in total agreement about the dumpster area and what added improvements can be done there. And I thank them as always.

Ms. Libolt: I can just comment on that. The trees that we were talking about, and I do remember the conversation, we were trying to do 'in lieu of', so all the trees have

been ordered and our at Mike Augustine's facility ready to be planted. And, you know, I think that we've done a significant investment. So just asking him to add and order more trees at this point, you know, although you have the purview to do it, we would respectfully ask that we not be required to do that, given all the work that's been done to date. And you know, again, I didn't know this, but Mike Augustine is doing the larger box woods in the front. So I think that that will be a significant improvement as well.

Chairman Dupree: Well, I personally agree, but we'll hear from the rest of the Board as well. Ms. Weiser comments?

Ms. Weiser: I think the fence on the southern side of the dumpsters is a good idea. And I drove through the parking lot today and it does seem very green, very forested. And I saw that they are already notched out the squares for the new landscaping. And at least right before Route 9, it's very forested. I don't know if we really need more up there. So I think that it's looking really good.

Ms. Libolt: Thank you.

Chairman Dupree: Thank you, Mr. Oliver?

Mr. Oliver: I am also okay with the fence on the southern side of the dumpster area and the bollards around the playground area. And just to add another note, about the landscaping, as you guys probably all know with everything, supply chains are really difficult right now. So if the contractor has everything, rather than throwing a loop in there with other material that might not be easily found, it might really kind of make it difficult. And the larger boxwoods, I think are a nice addition to the site. Thank you.

Chairman Dupree: Vice-Chair, do you want to weigh in on that, on the addition to the trees?

Vice-Chair Dexter: Yeah. I'm fine. I also agree that it looks really nice right now. It's nice to have, but I don't think I would mandate it.

Chairman Dupree: Thank you. And I'm going to weigh in with them. That's why I think I forgot, because to me, if we didn't get those trees at the first iteration, I don't think it's sort of fair to come back now, considering that we're only discussing the landscaping because the applicants first proposed making some changes to it. So, I'm comfortable moving forward as is. And I will echo what everybody else had to say, Kelly and Amy. I think all those. So do you guys want to submit new plans before the next meeting so we can get rid of some of the conditions? Or do you want to have us just condition this so that you can then submit them later?

Ms. Libolt: We were hoping tonight that we could proceed, if we can with a resolution and then try to address the conditions on the plans. The only reason being is I do have everyone scheduled to try to start the end of this week. I think Westchester Medical is looking to get their facility moved July 1, so they're trying to coordinate the end of the

school year. So if we can advance it tonight, that would be wonderful, if we can't, I understand.

Chairman Dupree: So one thing that we don't have the ability to do is...as I said, we have a draft resolution, but it's full of blanks because we don't know what the fence will look like. That's one of the things we're supposed to see, the fence that would be going between the dumpster and the playground. Other than that, I mean, I guess we could say... we're not supposed to be... Let me turn it over to Victoria.

Ms. Libolt: We looked at availability, so I think this kind of goes along with what Chris had said, that there's limited availability. So the contractor did research to see what he was able to get immediately. And at the moment he cannot get board on board. He was able to get wood stockade fence, six foot or eight foot, either one of those were available. He's had board on board for another project on order for four weeks. So I don't know our chances of being able to get that in right away, but we could put a stockade either six or eight foot there. And he said an eight foot section will fit.

Ms. Polidoro: So this is for the screening around the dumpsters?

Ms. Libolt: Correct, yeah.

Ms. Polidoro: Okay. I'm going to share my screen right now for the Board. So this is a list of potential draft conditions. There's two that are sort of open-ended. Item three says to include substantial bollards in front of the playground area and the dumpster. I don't know if this is still a concern for the Board. There was a question about the number of bollards provided, so this would require them to add a few more, to be approved by Pete Setaro. And then #4, revision of the amended plan set to include screening of both refuse areas with a six foot wood stockade fence.

Ms. Libolt: So the bollards, the spacing is a standard requirement, you know, that we provide. And I think that that the spacing is on the plans. If Pete wants to suggest a larger size for the bollards, we're happy to provide a larger size. Again, it's just, kind of, based on availability that we're going to be able to get. And I do believe that the contractor has tried to order the ones that we have on the plans, because we're all trying to get this installed pretty quickly. You know, if you want them closer together, again, this is, it's kind of all long lead time stuff. We'll do the best that we can, but if Pete wants to suggest a larger size, I'm happy to just, you know, agree to that tonight so we can advance this.

Mr. Setaro: What size are they now?

Ms. Libolt: Amy, are you able to blow up that portion of the plan so that we can see the size of the bollards?

Ms. Argyrakis: I sure will try.

Ms. Libolt: Pete, what is the standard size that you...Go ahead.

Ms. Argyrakis: It says install additional bollards five feet on center. Looking to see if I can see the height.

Ms. Libolt: Pete, I think that they're eight inches and I think they're thirtysix.

Mr. Setaro: I mean, if they're eight inches, that's more than enough. I was going to say like six inches is plenty. I didn't know if he had a detail or something. And they're how high?

Ms. Libolt: I think they're 48, because that's the height of the fence.

Chairman Dupree: They are 36 inches high. They go down a certain distance as well into concrete. And I don't see a diameter on them...No, it's a 6 inch diameter.

Mr. Setaro: That's fine, 6 inches is fine.

Ms. Polidoro: If the Board is happy with the number and size of the proposed bollards.

Mr. Setaro: They're five feet apart, right?

Ms. Libolt: Five foot on center.

Chairman Dupree: Meaning a car cannot get through.

Mr. Setaro: Yeah, no, that's fine. A car 's not going to get through that.

Chairman Dupree: We can remove condition #4.

Ms. Polidoro: Well, Amy, could I put my screen back up?

Ms. Argyrakis: Yep. I'll stop.

Ms. Polidoro: I had accidentally deleted, when I took out the extra trees, condition four is about the river rock and fabric, underlayment, but three is...Let's see, so I'm taking out item #3 about the bollards.

Chairman Dupree: Kelly, Cynthia just texted me that she thinks that there's another dumpster where the original playground was located. I don't see it on the plans, but is there something new that's going to be in that corner, dumpster wise?

Ms. Libolt: No. You're talking about a dumpster where the current Westchester Medical playground is?

Ms. Witman: No, where the original proposed change was, south of the shed.

Ms. Libolt: Oh, they may have put a dumpster in there for construction because they're trying to finish up construction. So there might be something there that they placed just to finish up construction, if there was one sitting there.

Ms. Witman: It was on the plan. I haven't been to the site. It was a symbol on the plan that we were questioning.

Ms. Libolt: Oh, there's no...Yeah, there's no dumpster proposed in that corner.

Chairman Dupree: No, there's nothing I'm looking.

Ms. Libolt: Yeah, we couldn't even get it in there.

Chairman Dupree: I don't think you could. Let me just quickly ask the Board, is everyone okay with the resolution the way it's written now? And do you want me to say that that could be a six or eight foot wood stockade, because it's not on the property line, so it can be a different height than what we permit in the setbacks? In case you guys think that six foot is not high enough, Kelly, do you want us to amend that condition to say six or up to an eight foot wood stockade fence?

Ms. Libolt: It was really up to the purview of the Board and that would be great. Then it gives us flexibility as far as availability.

Chairman Dupree: Can you change that one, please, Victoria?

Ms. Libolt: Thank you.

Chairman Dupree: And I will introduce this resolution. If we're ready, Board members, can you just nod or weigh in quickly? I can sort of see everybody, that you're okay with the resolution as written or just unmute. Yes. I see Ann and Diane.

RESOLUTION TO GRANT SITE PLAN AMENDMENT APPROVAL

Hyde Park Town Center Park Plaza Playground Modification

Date: June 2, 2021

Moved By: Chairman Dupree

Resolution: #2020-15F

Seconded By: Vice-Chair Dexter

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 “Amended 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.

WHEREAS, on May 19, 2021, the Planning Board classified the Project as a Type II SEQRA action and waived the requirement for a public hearing; and

WHEREAS, the Project was referred to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law, which responded on May 27, 2021 that it was a matter of local concern.

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

- 1. Payment of all fees and escrow.**
- 2. The Amended Site Plan Set shall be appended to the “Amended Site Plan Set for Phase 2” signed by the Chair on January 27, 2021.**
- 3. Revision of the Amended Site Plan Set to show the revised location of the tree east of building 1 and to include a note regarding the proposed river rock and fabric underlay.**
- 4. Revision of the Amended Site Plan Set to include screening of both refuse areas with a wood stockade fence up to 8 feet tall.**

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

Absent **Ms. Wasser**
Aye **Ms. Weiser**

Voice Vote **Aye-5** **Absent-2** **Nay-0** **Motion Carried**

Chairman Dupree: Thank you, Vice Chair. Any further discussion? All in favor, please raise your hand and signify by saying aye. Aye. Motion carries unanimously. Congratulations, Kelly and Amy.

Ms. Libolt: Thank you. Thank you very much. I appreciate everyone and appreciate you letting me do this via phone. Thank you so much.

Chairman Dupree: I hope you enjoy your son's game.

Ms. Libolt: Thank you. We're winning, so fingers crossed. Yes. Thank you very much. Have a wonderful night, everyone.

64 FALLKILL RD/HIGHBURY 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: Next item on the agenda is what we call 64 Fallkill Road. Also known as Highbury Estate. This is a 2-lot subdivision as well as a site plan for the construction of two single family homes. Mr. Scott, welcome back.

Mr. Scott: Thank you very much.

Chairman Dupree: Let me try it over to you. You made some changes.

Mr. Scott: Yes. We received memos from, Bonnie and from Peter. And with Bonnie, we basically turned a bunch of layers on and off on our plans to provide details she requested. We've also added a buffer tree scape, at station 650, which basically will provide screening to a neighbor to the south east and as you go up the driveway. We made some minor amendments to the EAF, it was pretty much what we did for that. Peter, indicated in his review, some minor items, are trees existing or not. We identified a bunch of items like that. We did talk about the open space that we proposed to be dedicated. And we also put together, well, we had Spencer Hall put together a plat map for preliminary review and a map with easements of all these various components. And the last item that we had to work out with Peter, is we're going to put monuments on our mapping. Spencer, put a couple of locations, basically for the lot line. I think our position on the monuments for the easement is, they would be drafted to the driveway itself, almost like a blanket sort of an easement document

with metes and bounds, but we wouldn't monument them. Because when they build these things, we'll have to do an as-built to make sure we're okay with the locations as a final condition. And that was pretty much what we did on the project.

Chairman Dupree: So Mr. Scott, we're prepared to take action tonight to circulate. One of the questions that we had, is there going to be lighting along the driveway? It's a long driveway, so I assume there'll be something

Mr. Scott: No, not really. It'll be dark. Only potentially between the two houses, we may have some very low, pedestrian lighting, but they would only be turned on with a switch. It wouldn't be a photo-activated.

Chairman Dupree: When you say pedestrian, do you mean six foot, like posts you would see like along a sidewalk?

Mr. Scott: Yeah, pretty much. It'd be like, probably three feet high, mounted on a wood post. To just provide some very low lighting, pointing downward, so at nighttime, you have some sort of safety, especially, in the area where the pool house is in the main house. So you can go between the two.

Chairman Dupree: Thank you. Just a reminder that we are subject to dark sky lighting guidelines here, for Greenway. And of course, because this is high up people looking up will be able to see the lights, so we just want to make sure that they stay low level.

Mr. Scott: It'd be all night sky compliant.

Chairman Dupree: Let me start with our consultants, Ms. Franson?

Ms. Franson: So at this point, we received the plans Wednesday, we're still going through them. We did discuss, to some extent, what had been submitted and we'll get a formal memo to the Board. I think at this point, we're just anticipating the Board will commence the SEQRA process.

Chairman Dupree: Thank you. Mr. Setaro?

Mr. Setaro: Yeah, same thing as Bonnie. We got the plans and I just got back from vacation, so, we'll take a look at them. Tad and I were out making some site visits today, so we visited, the property and we drove up there. It's interesting for sure. It's beautiful up there on a top. And we got a chance to talk to the owner for a while, but we'll look at the plans and then we'll get something out.

Chairman Dupree: Ms. Moss comments?

Ms. Moss: No, I think we're good.

Chairman Dupree: You had mentioned potentially asking the applicant to plant some sort of tree with an exfoliating bark in the conservation areas, where there's already

been disturbance. So I'm just putting that into the record now, Mr. Scott. It doesn't have to be Shag Bark Hickory, anything that would have a bark that would exfoliate would probably add there. And I believe, Tad also talked about a thermal benefit, putting it politely, since it's all been kind of denuded up in that area. Thank you, otherwise, Tad. Ms. Polidoro, any comments?

Ms. Polidoro: The plans are ready for circulation at this point. And so the Board will do that tonight. We had a lot of discussion about whether there would be any impact to an existing stream and whether that would need a variance, but after Ms. Moss conducted her site visit today, she determined that a variance would not be needed.

Chairman Dupree: Thank you. And let me start with Board members, Ms. DiNapoli, comments?

Ms. DiNapoli: Not at this moment.

Chairman Dupree: Mr. Oliver?

Mr. Oliver: No comments.

Chairman Dupree: Ms. Weiser?

Ms. Weiser: I don't have any comments.

Chairman Dupree: Vice-Chair?

Vice-Chair Dexter: I'll make it unanimous. No comment.

Chairman Dupree: Okie doke. My only comments were about the lighting, that we may need to have a note attached to the approval at some point for a note on the map for the site plan, talking about lighting, which was a good point. Otherwise, I have no additional comments either. I'm looking forward to this proceeding. I believe that this resolution will be introduced by...who's actually doing this. LET me think?

Mr. Oliver: I'm doing it.

Chairman Dupree: Thank you, Chris

**RESOLUTION TYPING ACTION, CIRCULATING FOR LEAD AGENCY AND ACCEPTING
SKETCH
64 Fallkill Road 2-Lot Subdivision**

Date: June 2, 2021

Moved By: Mr. Oliver

Resolution: #2021-08

Seconded By: Ms. Weiser

WHEREAS, the applicant, Paul Beligni, has submitted an application for sketch plan and subdivision approval to subdivide an existing 28.5 acre lot located at 64 Fallkill Road (the "Property") into a 8.66 acre lot and a 19.88 acre lot and for site plan approval for proposed Lot 1B to construct two single-family houses and associated site improvements (the "Project"); and

WHEREAS, the Property is further identified as Tax Grid No. 6266-03-176450 in the Greenbelt Zoning District; and

WHEREAS, pursuant to Section 108-5.15 of the Zoning Law, a maximum average density of 2.5 acres per dwelling unit is permitted in the Greenbelt District; and

WHEREAS, the Project is depicted on a subdivision plat entitled "Easement Map for Minor Subdivision of Lands of Paul R. Beligni," Spencer S. Hall, Land Surveyor, dated May 24, 2021 (the "Subdivision Plat") and a site plan entitled "Site Plan Lot 1B" prepared by P.W. Scott Engineering & Architecture P.C., dated March 30, 2021, last revised 5/21/21, Sheets SY2, SY3A, SY3B, SY4A, SY4B, SY4C, SY5, SY5A, SY6A, SY6B, SY6C and Viewshed Drawing (the "Site Plan Set"); and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form ("EAF") dated February 18, 2021, edited April 26, 2021; and

WHEREAS, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), said Board is required to determine the classification of the Project.

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

1. **Classifies the Project as an unlisted action under SEQRA and determines to conduct a coordinated review.**
2. **Directs its Secretary to circulate notice of its intent to serve as lead agency in a coordinated review to all involved and interested agencies.**
3. **Classifies the Subdivision as a Minor Subdivision pursuant to Section 96-12B(2) of the Subdivision Law.**
4. **Accepts the Sketch Plan in accordance with Section 96-12C of the Subdivision Law.**

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

Voice Vote Aye-5 Absent-2 Nay-0 Motion Carried

Interested and Involved Agencies

NYS Department of Environmental Conservation

Dutchess County Department of Behavioral and Community Health

Roosevelt Fire District

Chairman Dupree: Thank you. Any further discussion? All in favor, please raise your hand. Aye. Any nays or abstentions? No, the motion carries unanimously. Just for the record, the interested and involved agencies are the Department of Environmental Conservation, Dutchess County Department of Behavioral Community Health, as well as Roosevelt Fire District. And are you close enough that we can set a public hearing for a month off, Mr. Scott, with elevations? Because I think that might be the only thing that people would be interested in.

Mr. Scott: Yes, we could do that.

Chairman Dupree: Would you guys like to set a public hearing on this for July 7th? May I get a motion to do that.

MOTION: Vice-Chair Dexter

SECOND: Ms. DiNapoli

To set a public hearing for 64 Fallkill/Highbury Subdivision and Site Plan for July 7, 2021.

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

VOICE VOTE Aye-5 Absent-2 Nay-0 Motion Carried

Chairman Dupree: All in favor? Aye. Thank you, Mr. Scott. You've been working very assiduously on this, so thank you. It looks as though it's going to come to fruition shortly.

Mr. Scott: Can I ask a couple of things for on our side of it? We are still working on notes on a maintenance easement in the driveway, the dedication of open space, we'd like to go over something if we could with the attorney. Is it possible our attorney could speak to the Town Attorney to resolve some paperwork?

Chairman Dupree: Of course.

Mr. Scott: The monument locations, if Peter could give me insight on that, I'd like to add those. We have a NYSEG utility easement, we have to put on the, you know, mention that. Is there a storm water easement required for inspection and maintenance for storm water? That's directed to Peter.

Mr. Setaro: We have an agreement we can send you a sample. Victoria can probably, once she coordinates with your attorney or your applicant's attorney. He has that.

Mr. Scott: Perfect. Does anyone want to go on a site walk? The Board Members? I mean, everyone else is going there intermittently, we can always arrange a site walk if you'd like.

Vice-Chair Dexter: That would be great. I don't have a car that can get up there, so.

Chairman Dupree: I'll pick you up, Anne, in my Jeep. I'll send out an email this weekend. I'll send out an email tomorrow and we can maybe set one up for this weekend. Would this weekend work, Peder?

Mr. Scott: Yes.

Chairman Dupree: Okay. Then I'll send out some times and dates. How's that?

Mr. Scott: That's very good.

Chairman Dupree: Thank you. And I'll bring a camera, because I've seen a photograph of the view, but I haven't actually seen the view. I want a copy for myself on this one. Alright, Mr. Scott, we'll see you in a month. Thank you.

Mr. Scott: Good Night.

OTHER BUSINESS:

BELLEFIELD WWTF LOT-LINE ALTERATION

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

Location: 3834 & 3760 Albany Post Road

Grid #: 6163-01-000897, -131849

BELLEFIELD WWTF EXPANSION

Site Plan Amendment Approval (#2021-07)

Location: 3834 & 3760 Albany Post Road

Grid #: 6163-01-000897, -131849

Chairman Dupree: All right. The next item of business is Bellefield Wastewater Treatment Facility, both the lot line alteration and the full expansion of build-out. The applicants could not be here tonight. Mr. Boudreau is actually at his daughter's wedding in Atlanta. He's made the determination that engineering at this site is a lot easier than trying to plan a wedding. At the last meeting we hadn't had anybody make

any public comments. I think all the rest, all the conditions we installed in here, inside the resolution, meet the ones that we need to and I believe this will be introduced by Ms. Weiser. And I unfortunately gave her the longest resolution of the night.

**RESOLUTION TO GRANT CONDITIONAL FINAL SUBDIVISION APPROVAL AND
CONDITIONAL FINAL DEVELOPMENT PLAN APPROVAL**

**BELLEFIELD – WWTF
Amended Subdivision and Final Development Plan (Site Plan)**

Date: June 2, 2021

Moved By: Ms. Weiser

Resolution #: 2021-05/2021-07A

Seconded By: Ms. Oliver

WHEREAS, the applicants, T-Rex Owner Hyde Park LLC and TR Sewage-Works Corp., have submitted an application for subdivision and amended final development plan approval for sub-phase 1A of the project formerly known as St. Andrew’s PUD to construct all phases of the proposed Wastewater Treatment Facility (“WWTF”) and to adjust the proposed work limits and lot lines to accommodate the WWTF on property located at 3834 and 3760 Albany Post Road, identified as tax parcel nos. 6163-01-000897 & -131849 (the “Property”), in the Bellefield Planned Development Zoning District (the “Project”); and

WHEREAS, the Project is depicted on plans entitled, “Amended Site Plan, to be known as The Inn at Bellefield”, prepared by the Chazen Companies, dated March 23, 2021, last revised April 19, 2021, Sheets G001, C180B,C190A, C190B, C190C, C190D, C530, C550,C551,C580 and S200 (the “Amended Site Plan Set”) and a subdivision plat entitled, “Map of Lot Line Change, Lots 1 & 3, Filed Map #12627” prepared by The Chazen Companies, dated January 20, 2021, last revised April 19, 2021 Sheets SP-1, SP-2 and SP-3 (the “Subdivision Plat”); and

WHEREAS, on January 3, 2018, the Planning Board granted the applicant Final Development Plan approval for the first sub-phase of the St. Andrew’s PUD Project (now identified as Bellefield PUD) (Sub-Phase 1-A) in accordance with Section 108-7.3.E and 108-7.4.B of the Zoning Law; and

WHEREAS, the Hyde Park Town Board served as lead agency in a coordinated SEQRA review of the St. Andrew’s PUD, which included preparation of Draft and Final Environmental Impact Statements as a predicate to the Town Board’s adoption of the PUD legislative zoning designation for the Property and approval of the Concept Plan and Comprehensive Development Plan for the Property; and

WHEREAS, on August 29, 2007, after accepting the Final Environmental Impact Statement for the St. Andrew’s PUD as complete, the Town Board adopted a SEQRA Findings Statement and approved the Concept Plan for the St. Andrew’s PUD; and

WHEREAS, due to changes in project circumstances, the Town Board reevaluated the proposed SEQRA mitigation relating to sewer issues, and, after holding a public hearing thereon, adopted an amended SEQRA Findings Statement on June 13, 2017, and thereafter filed and circulated same; and

WHEREAS, on September 6, 2017, the Planning Board, noting the Town Board's consent that lead agency be reestablished and that the Planning Board serve as lead agency for the ongoing review of the project, declared its intent to serve as lead agency for the project, including ongoing final development plan approvals for the PUD development, to which no other agency objected; and

WHEREAS, on January 3, 2018, the Planning Board, having considered the previous Environmental Impact Statements as well as supplemental information provided by the applicant, determined that the environmental record before it was sufficient to assess the potential impacts of the project as proposed in the site plan application, that a Supplemental Environmental Impact Statement would not be required, that the proposed development as set forth in the Final Development Plan for Sub-Phase 1-A would not create any significant adverse effect upon the environment, and that it would adopt a Negative Declaration; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form ("EAF") dated March 22, 2021, pursuant to the State Environmental Quality Review Act ("SEQRA") to evaluate the changes in the 1.33-acre area of disturbance for the proposed WWTF and associated infrastructure and access road, stormwater management, water line installation and sewer force main; and

WHEREAS, on April 7, 2021, the Planning Board classified the Subdivision Plat as a Minor Subdivision and directed its Secretary to send a courtesy notice of the applications to all involved and interested agencies; and

WHEREAS, the Amended Site Plan Set was referred to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law, which responded on May 7, 2021 that it was a matter of local concern; and

WHEREAS, by letter dated April 1, 2021, the New York State Historic Preservation Office advised that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by the Project; and

WHEREAS, a duly noticed public hearing was opened on May 5, 2021, and closed on May 19, 2021, during which time all those who wished to speak were heard and the Board accepted written comments on the applications until May 29, 2021; and

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

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby reaffirms the negative declaration, finding that the Project will not result in any significant adverse

environmental impacts and that a Draft Supplemental Environmental Impact Statement will not be prepared.

BE IT FURTHER RESOLVED, that the Planning Board hereby approves the Subdivision Plat and authorizes the Chair or his authorized designee to sign the Subdivision Plat after compliance with the following conditions:

1. Payment of all fees and escrow
2. Approval by the Attorney to the Planning Board of a Deed from T-Rex Owner Hyde Park LLC to TR Sewage-Works Corp. for 1.10 acres to be consolidated with Lot 3.
3. Approval by the Attorney to the Planning Board of a Revised Sanitary Sewer Easement #2 for the Sewer Outfall and a termination of existing Sanitary Sewer Easement #2.
4. Approval by the Attorney to the Planning Board of the expanded drainage/stormwater easement.
5. Confirmation that Access Easement 2 does not need to be amended to include a larger Lot 3, or approval by the Attorney to the Planning Board of an amended Access Easement 2 to revised Lot 3.
6. Approval by the Town Engineer of deed and easement descriptions.
7. Permission to file from the Dutchess County Department of Behavioral and Community Health

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

1. Payment of all fees and escrow
2. Filing the approved Subdivision Plat.
3. Proof of recordation of the consolidation deeds and easements.
4. Revision of the Amended Site Plan Set to include sub-phases to permit the WWTF to operate before it is fully constructed.
5. Approval of the WWTF by the Dutchess County Department of Behavioral and Community Health.

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

BE IT FURTHER RESOLVED, that prior to the Zoning Administrator authorizing the issuance of a Certificate of Compliance for the completion of the WWTF, the applicant shall obtain approval from the Town Engineer and Zoning Administrator of the extent of the removal of the underdrain piping.

BE IT FURTHER RESOLVED, that approval of this Amended Site Plan for the full buildout of the WWTF does not implicitly approve any future phases of the Project or any potential amendments to the Concept Plan.

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

Voice Vote Aye-5 Absent-2 Nay-0 Motion Carried

Chairman Dupree: Thank you. Congratulations on that one Ann. Any further discussion? All in favor, please raise your hand. Motion carries unanimously. Thank you very much.

HUTCHIINS STAATSBURG STORAGE ADDITIONAL UNITS

Consider Site Plan Extension Approval (#2019-20)
 Location: 4920 Albany Post Road, Staatsburg, NY 12580
 Grid#: 6066-02-891661

Chairman Dupree: The next item on the agenda is Hutchins Staatsburg Storage. These are the additional units that we approved; I believe two years ago. Let me correct that, we approved a year ago, which was submitted late 2019. The applicants have given us a reason to extend the deadlines to begin and complete construction. They were detailed. Does anybody have any questions? Then, I believe we just need a motion to set the public hearing.

MOTION: Ms. DiNapoli
SECOND: Vice-Chair Dexter

To set a public hearing for Hutchins Staatsburg Storage Additional Units Extension for June 16, 2021.

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

VOICE VOTE Aye-5 Absent-2 Nay-0 Motion Carried

Chairman Dupree: Discussion? All in favor? Motion carries unanimously, thank you. Consultants, if you want to pop off, you can, there's nothing left that you're involved now. So thank you. However briefly, it was good to see you guys. Welcome back, Pete.

Mr. Setaro: Thank you.

Ms. Franson: Thank you. Have a great night.

CHESTNUT MOBIL

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

Location: 1110 Violet Avenue

Grid #: 6165-03-424184

In Attendance via Zoom:

Nancy Forrest, GNS

Chairman Dupree: Okay, Ms. Forrest. The next item on the agenda is Chestnut Mobil. Some of the Board Members know this, Victoria and I looked at the section of Code 108-24.2 F.(2), I believe it is, that gives the Board discretion to add inches dimensionally to symbols or letters. And I had thought that we only had the ability to do one inch per every 20 feet that it's setback, but Victoria pointed out that in the actual section of Code, that's relevant, there's a comma between say, design speed of the road, building size, distance the building is setback, et cetera. But then there's a semi-colon... She's back, Victoria just couldn't stand it, she had to be here. *Laughter.*

Ms. Polidoro: You're talking about semi-colons.

Chairman Dupree: So Tad is correct and Victoria has affirmed it, that the Board, for special aesthetic merit, does have the ability to go up to 24 inches without looking at the distance that it's set back from, without looking at any other reasons. That noted, Victoria also, because she and I worked to rewrite the Code to make it a little friendlier., if you recall, the original Code had eight inch letter maximums only. We did 10 inches and then after watching Williams, which as we know is where Mid-Hudson Regional now will be, its early learning center, when they wanted to have letters that were 14 inches, which made some sense because it's set so far back from Route 9 there, and the size of that building, we changed the Code to allow that. At the same time, we were looking for examples of signs that we liked, that did have longer sizes, longer dimensions on it. And what Victoria recalled was that there was a kite on Children's Medical Group, if you recall. And the kite itself was about eight inches, but the tail made it really long. And we looked at that, saying that might be something that's worthy of special aesthetic merit, because the tail is really small on it and it would look weird to have a kite with just the two inch tail on it. Is that about the right way to sum it up, Victoria?

Ms. Polidoro: Right. The tail wasn't very visually intrusive. It was very small on the sign in relation to the letters and the majority of the symbol.

Chairman Dupree: So at any rate, that's just a little background on it. So, I apologize to Nancy because I kept thinking we can't do this, but I've been overruled and I agree that once Victoria said that...

Vice-Chair Dexter: The power of punctuation. *Laughter.*

Chairman Dupree: Well she was right we did that deliberately. There was a reason for that, to allow it. Tad's nodding. So, in the interim from the last meeting, Nancy sent over, and I think Chris got a chance to take a look at them now, as well, Nancy sent over versions of what the Code would allow us to do in terms of just granting the two inches or what's their standard now, the 10 inches. And she also added some more sizes. The requested size, I believe is 30 inches wide or 30 inches tall for the logo, i.e. the squirrel and the acorn, but it's wider than that. The width is even wider, I believe. So one of the problems is that we cannot, as a Board, there's no authority for us to grant anything above 24 inches. And for that, we must make a finding that's 24 inches in any direction. And for that, we must make a finding of special aesthetic merit. The other issue is that, I'm trying to wrap my head around how we would get bigger letters for special aesthetic merit, when letters are letters. So, let me turn it over to you, Ms. Forrest. Any comments?

Ms. Forrest: Well, okay. If everyone has the drawings, we did that. You have the 10 inch letters, showing the 10 inch squirrel, which it's a little hard to see that. We really feel that that's totally inappropriate for the building itself and with the setback of 40 feet, although you might be able to see it, you would really have to look closely and it just looks like somebody made a mistake. And I don't think the 12 inch does much more. So we went beyond that as you asked, and we did the, you mentioned the 24, the next one being the 17 inch letters, the uppercase letters, which is just the C and the H, then the T's come up that high. And then the squirrel at 24. I had sent some other photos of ones we've done. This is their branding, the sizes of the squirrel in comparison to the size of the letters. And this is what we've done, I would say probably 35 of their locations so far. So we were hoping that the last one that was sent with the 17 inch letter and the 24 inch high squirrels, if you have that in front of you. The ones you're looking at there, I can read them off to you. Those locations I have there, 2605 South Road, Poughkeepsie is one of them. Orangeburg is another one. Dobb's ferry is another one. Those are the ones I could get that were completed, that we had photos of. And as you can see in all of them, the squirrel is a certain size in comparison to the letters. So, although I know the original one, with the 20.8 inch letters and a 41 inch squirrel, you felt was much too big. We were hoping that the 17 inch letter and 24 inch squirrel would be okay.

Chairman Dupree: I need to point out again, that the 24 inch squirrel is merely the height. I believe the width is 30 inches.

Ms. Forrest: Yeah. When we can't, you know.

Chairman Dupree: Under our Code, we can't do anything beyond 24 inches in any direction.

Ms. Forrest: So, can we do the squirrel at a height that would not have the width any more than 24 inches?

Chairman Dupree: If the Board finds that there's special aesthetic merit, yes. Tad I'm correct on that, right? As long as one direction is no longer, or bigger than 24 inches?

Ms. Moss: Yes, the maximum dimension, I believe it's in any direction. I'm not looking at diagonals, but I'm doing height and width. Yeah, the maximum would be 24. And for the squirrel, it would be 24 wide, because that's the longer dimension. I don't know how tall he would be.

Chairman Dupree: One thing I just want to point out again, is that our Sign Code isn't necessarily meant for branding opportunities. That doesn't mean that we're not business friendly. It just means that there was a Sign Code put in originally, that was altered. And we tried to make it in such a way that people wouldn't have to go to the ZBA for variances every time for something as simple as signage. The problem with this, for me personally, is that if we make a finding that there's special aesthetic merit for what is essentially a branded sign, that looks the same as every place else, I don't know what's special about it and I worry that we set precedent. Then everybody who wanted bigger letters than what are allowed under our Code, would just say, grant it to us for aesthetics. So let me hear from the rest of the Board on that. Who would like to go first? Vice-Chair?

Vice-Chair Dexter: I knew you were going to call on me. I drive by this site every day and I've been like absorbing everything and it doesn't have anything on the building at this point. At first, I was like, wow, there's nothing we can do. The squirrel, if we could make that, you know, max 24, as Tad was saying, that wouldn't make it that much smaller, I don't think. But I don't know what to do about the letters because the C and H, they're 17 inches. What's the max that we could give?

Chairman Dupree: Well, if you don't find special aesthetic merit, than the most we could give would be two inches. So they could go from 10 to 12. And I think we all agreed that 12 looks small.

Vice-Chair Dexter: Yeah, and that was a nice illustration that Nancy sent over with the various sizes. I'm like, oh my, that's really small. But I also know that the way the Code is written, that we can give allowances for the squirrel but not the letters. So, you know, a letter is a letter and it's hard to give it aesthetic merit. And I do know that when you brand, it's the whole package, you know, they're not doing, just the squirrel. They're not just doing Chestnut. And it's the whole thing that's the brand, but a letter is a letter to me.

Chairman Dupree: I should point out that the applicants do have an alternate path. They could go to the ZBA and seek variances for it. They're free to do that. It's just that, like you, I don't know how we get special aesthetic merit on letters. There's nothing unusual about the font styles there either, or the colors or anything else. So thank you. Mr. Oliver comments?

Mr. Oliver: I agree. I don't want to set the precedent that, you know, we can just change the size based on aesthetic merit when it's just letters. I also agree that the 12 inch looks a little bit small, so, you know, we're kind of in a difficult position and maybe suggest they go for the variance and see what happens. That way we're not setting the precedent, as the Planning Board that we can change that.

Ms. Forrest: When you talk about aesthetics, I don't understand what's the difference in the logo or the letter? As Anne had just mentioned, when you look at the drawing, aesthetically, those small letters don't look right on the building. So that kind of is, aesthetic looking. You want it to look normal on building. So I'm a little confused, as all on that part. And I want to be able, since Sal isn't here to answer any questions he may have as well.

Chairman Dupree: Think I'm looking at the intent of the Code, since I was one of the authors of this section. I know our intent was, so that it would be something special, and again, something that did not distract because of its size, if that makes any sense to you. But I also see what your argument is, that we should look at the entire site in context. You should look at say, the big wall that's facing north, and how 12 inches would look really small on that, because there's nothing else on that wall. It's just a blank facade otherwise. So let me hear from the rest of the Board first, Ms. Weiser?

Ms. Weiser: So, I was able to see these today. I think that the balance of the logo and the typeface, I think that's very well balanced with the amount of space you have to cover. When the letters were 21 inches and the squirrel was 42, that dominated the space, but now, you're strung them down to 17 and 24, I feel that there's enough balance between what we call white space, which is just the empty space. I think it's a fine balance for the amount of space that you've got there. So I'm good with this one, aesthetically.

Chairman Dupree: We would still need to have the squirrel reduced down to 24 inches wide and shorter.

Ms. Weiser: Right? Well, isn't that what we got today, 24?

Chairman Dupree: These are 24 inches tall, but it's still 30 inches wide.

Ms. Weiser: Okay. I do think it's balanced nicely though.

Chairman Dupree: And the other question I had, I looked at some other buildings, some of the other locations, the squirrel is sometimes to the right and sometimes to the top. So if you have a preference on that, Board Members, please indicate that as well. I personally prefer seeing the squirrel and Chestnut Market on one line in the area of the pediment right there. That's me just thinking that I would miss seeing the round, sort of vent that's there right now. It gives at least some aesthetic interest to me. So we have one last Board Member to hear from, Ms. DiNapoli?

Ms. DiNapoli: I agree with all of my fellow Board Members. I also agree that this needs to be decided by the ZBA, because 12 inches is too small, taking everything into

consideration and even at 15 inches, seems appropriate. We don't have the ability to do that. I would prefer to see the logo on the same line, because I've looked at some of them, where they are. I think it has a smarter look. And I agree, Michael, with you that it's good to keep the architectural interest, the little that that building has. I'm sorry that it would mean another Board that you have to go before, because I can understand time is of the essence.

Ms. Forrest: I don't have a problem going with another Board. I just want to point out that when you see the squirrel by the side, that's usually when I have a parapet or a facade that is, you know, X amount tall and just straight across the building. If you look at those, the preference is always to put it centered above the Chestnut Market and that's done wherever the building allows for that to happen.

Vice-Chair Dexter: Can I just pop in? I was just looking at those and I agree where there's a triangular peak, you're kind of mimicking the triangle thing. So maybe a compromise, in the front, you do it that way and on the side, just put it straight. But I like the sizes and that's what I think should go to the ZBA is the 24 by 30 and the 17 inches and the ZBA can approve all of that.

Chairman Dupree: So what we need to do as a Board, and I can have the resolution written next time, because the ZBA has to grant the minimum variance possible. We need to grant the two inches, so they can get up to 12 and after that, it's up to the ZBA to take it to the next height. So, I'll have a resolution ready for the next meeting. Okay?

Vice-Chair Dexter: That works for me.

Chairman Dupree: And I think that there's an agreement that you can keep the squirrel above the Chestnut Market on the front.

Ms. Forrest: Okay. So, we go to the ZBA and are they the final word then? Or does it come back to you?

Chairman Dupree: They are the final word or Tad, let me rephrase that, Tad, in the resolution, I would grant them the additional dimensions and then we would recommend that you grant the sign permit pending the success at the ZBA for a variance? I think I can word it that way, that way they don't have to come back to us.

Ms. Moss: I think that's a Victoria thing.

Chairman Dupree: We didn't collect escrow for this. I can just write a regular resolution, authorizing it, then they can just come back to us for issuance of a sign permit, if necessary, once they get the variance.

Ms. Forrest: So it'll be 12 inches for the letter, 24 max...

Chairman Dupree: All we can do is 12 inches for letters and 12 inches for the logo. After that, the ZBA would grant the rest.

Vice-Chair Dexter: 24 inches for logo.

Chairman Dupree: So you want to grant 24 inch width for special aesthetic merit? Yes? For the squirrel?

Vice-Chair Dexter: Yes, because that's the max that we can do.

Chairman Dupree: Okay. Okay, 24 inches wide.

Vice-Chair Dexter: Is there any way Michael though, to say that the 24 by 30 and the 17 inches are kind of where we would, if we had the ability to approve that, that we would have?

Ms. Moss: I think the ZBA will be looking for a recommendation for you, anyway.

Mr. Oliver: I agree with that also because I like liked the way it looks, it's balanced and let the ZBA decide on it, because I think it is balanced that way, the 30 inch and the 24.

Ms. Moss: Now also think about the sign on the north face of the building, because that's a little further away from the entrance and you could go up a couple more inches or, I forget, one more inch.

Chairman Dupree: It's not labeled what the dimensions are from the primary roadway there, but if it's three inches...

Ms. Moss: I think one is 20 feet and one is 40 feet. I thought.

Chairman Dupree: Oh, if it's 20 feet, all we can do is grant, I mean, 20 feet from Route 9G to the front of the building?

Ms. Moss: Yeah. I don't remember what it is, Michael. I'll have to pull that out.

Chairman Dupree: Okay. We can only grant one inch then and two inches on the side.

Ms. Moss: Maybe it's 40 feet and 60 feet. I don't remember. I thought there was a difference though.

Chairman Dupree: Nancy, do you have that calculation by chance?

Ms. Forrest: I do not have it right here. I thought the minimum was 40 foot though, which is why we talked last time about having the two inches at the last meeting, because of the 40 foot setback.

Chairman Dupree: Tad and I will look into this offline, later, and then I'll, have a resolution ready for the next meeting.

Ms. Forrest: Okay. So we wait until the next meeting with you for the resolution and then I go to the ZBA?

Chairman Dupree: You can apply to the ZBA today or tomorrow if you want.

Ms. Forrest: Okay.

Chairman Dupree: By the time they start processing, we should be through with the resolution in two weeks.

Ms. Forrest: Okay.

Chairman Dupree: Also they meet the fourth Wednesday of the month, so they won't be meeting until after our next meeting.

Councilman Krupnick: June 23rd is our next meeting.

Chairman Dupree: Thank you, Councilman.

Ms. Forrest: Tad, will I be able to get in on that meeting? Do you have to have certain things, X amount of time ahead?

Ms. Moss: They need it two weeks ahead.

Ms. Forrest: Two weeks ahead. Okay.

Chairman Dupree: You have three weeks.

Ms. Forrest: Okay.

Chairman Dupree: Have a nice evening.

Ms. Forrest: You too. Thank you very much, everyone.

STOFA, JOHN

Site Plan Waiver Accessory Storage Structure (#2021-23)

Location: 3 Hughes Avenue, Staatsburg, NY 12580

Grid #: 6167-03-114255

Chairman Dupree: The next items on the agenda are site plan waivers. We have recommendations for all of them from the Zoning Administrator. They are in the Scenic Area of Statewide Significance, but not visible from any of the historic sites directly or from the river. The first one is for John Stofa. This is actually to, we'll say, rectify a violation for an already built 24' by 26' accessory storage building. And Ms. Witman was kind enough to send pictures today for everyone. Anybody have any comments or questions?

Vice-Chair Dexter: No, thank you for clarifying that though. I'm like, it's already built it and it already looks good.

Chairman Dupree: Thank you. Anne, you're going to read this resolution?

TOWN OF HYDE PARK PLANNING BOARD

John Stofa

6167-03-114255

3 Hughes Avenue, Staatsburg, NY

SITE PLAN Waiver

Town Code Section 108-9.4 C 2

Date: June 2, 2021
Resolution: 2021-23

Motion by: Vice-Chair Dexter
Seconded by: Ms. DiNapoli

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by John Stofa for the existing 24' x 26' accessory storage building on his property located at 3 Hughes Avenue, and,

Whereas, the Planning Board has reviewed the request for this change in the Historic Overlay District, and

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

Whereas, the accessory structure meets the zoning code setback requirements, and

Whereas, Section 108-9.4 C 2, allows the Planning Board to waive the site plan procedures for accessory structure requiring a building permit, and

Whereas, the Zoning Administrator has recommended that for this change it is appropriate to waive the site plan requirements, and

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

THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the proposed changes as described in the building permit received by the building department May 11, 2021, and per the request to the Planning Board dated May 18, 2021.

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

Voice Vote Aye-5 Absent-2 Nay-0 Motion Carried

Chairman Dupree: Any further discussion? All in favor, please raise your hand. Aye. Motion carries unanimously.

HOHMANN, PATRICIA

Site Plan Waiver Approval Gas Tank Relocation (#2021-25)

Location: 34 Fuller Lane

Grid#: 6064-08-767999

Chairman Dupree: The next item is a site plan waiver for Patricia Hohmann, located at 34 Fuller Lane. A reminder, we've actually given her a couple of site plan waivers already. They're still doing some more improvements there. Anybody have any questions about this site? Mr. Oliver is introducing this resolution.

TOWN OF HYDE PARK PLANNING BOARD

Patricia Hohmann

6064-08-767999

34 Fuller Lane

SITE PLAN Waiver

Town Code Section 108-9.4 C 2

Date: June 2, 2021

Resolution: 2021-25

Motion by: Chris Oliver

Seconded by: Diane DiNapoli

***Whereas*, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Patricia Hohmann for the relocation of two gas tanks for a single-family home located at 34 Fuller Lane, and,**

***Whereas*, the Planning Board has reviewed the request for this change in the Historic Overlay District, and**

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

***Whereas*, the proposed development does not change the building footprint and meets the zoning code setback requirements, and**

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

***Whereas*, Section 108-9.4 C 2, allows the Planning Board to waive the site plan procedures for minor changes requiring a building permit, and**

***Whereas*, the Zoning Administrator has recommended that for this change it is appropriate to waive the site plan requirements, and**

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

THEFORE, BE IT RESOLVED, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the proposed changes as described in the building permit received by the building department February 29, 2021, and per the request to the Planning Board dated May 20, 2021.

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

Voice Vote Aye-5 Absent-2 Nay-0 Motion Carried

Chairman Dupree: Thank you. All in favor, please raise your hand. Aye. Motion carries unanimously.

GIUDICE, JANET

Site Plan Waiver Approval Deck (#2021-26)

Location: 1 Tan House Woods Road

Grid#: 6065-19-711229

Chairman Dupree: And the last item on the agenda. I'm not sure I'm going to pronounce this correctly, but it's for Janet Giudice, not sure how to say it. This is also something minor. This is actually visible from the Vanderbilt Carriage House along the way, but you'd have to really strain to see it. And it's just a side deck that already exists. Anyone Have any questions?

Vice-Chair Dexter: Nope. I have this one.

TOWN OF HYDE PARK PLANNING BOARD

Janet Giudice

6065-19-711229

1 Tan House Woods Road

SITE PLAN Waiver

Town Code Section 108-9.4 C 2

Date: June 2, 2021
Resolution: 2021-26

Motion by: Vice-Chair Dexter
Seconded by: Ms. Weiser

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Janet Giudice for the replacement of her side deck on a single-family home located at 1 Tan House Woods Road and,

Whereas, the Planning Board has reviewed the request for this change in the Historic Overlay District, and

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

Whereas, the proposed development does not change the building footprint and meets the zoning code setback requirements, and

Whereas, the proposed changes are minor in nature, and

Whereas, Section 108-9.4 C 2, allows the Planning Board to waive the site plan procedures for minor changes requiring a building permit, and

Whereas, the Zoning Administrator has recommended that for this change it is appropriate to waive the site plan requirements, and

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

THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the proposed changes as described in the building permit received by the building department May 12, 2021, and per the request to the Planning Board dated May 22, 2021.

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

Voice Vote Aye-5 Absent-2 Nay-0 Motion Carried

Chairman Dupree: Thank you all in favor, please raise your hand. Aye. Motion carries. Thank you.

ADJOURNMENT:

Chairman Dupree: And now may I get a motion to adjourn?

MOTION: Ms. Weiser

SECOND: Mr. Oliver

To adjourn.

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

VOICE VOTE Aye-5 Absent-2 Nay-0 Motion Carried

Chairman Dupree:

All in favor. Aye. Thank you everyone. Thank you, Councilman Krupnick and Supervisor Rohr, for as always providing the time and commitment to televise and record these meetings. And we'll see you all in two weeks.

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

MOTION: Ms. DiNapoli
SECOND: Ms. Weiser

To approve the minutes of the June 2, 2021 Planning Board Meeting.

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

VOICE VOTE Aye-4 Absent-1 Abstain-2 Nay-0 Motion Carried