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

DRAFT MINUTES OF THE JUNE 5, 2019
PUBLIC HEARING/WORKSHOP/REGULAR MEETING
OF THE HYDE PARK PLANNING BOARD

MEMBERS PRESENT: MICHAEL DUPREE, CHAIRMAN
ANNE DEXTER - VICE CHAIR
CHRISTOPHER OLIVER
BRENT PICKETT
STEPHANIE WASSER
ROBERT WATERS-ALTERNATE
ANN WEISER

MEMBERS ABSENT: DIANE DI NAPOLI

OTHERS PRESENT: VICTORIA POLIDORO, PB CONSULTING ATTORNEY
ANDY LEARN, P.E., CPL TEAM
LIZ AXELSON, PB CONSULTING PLANNER
CYNTHIA WITMAN, PLANNING BOARD SECRETARY

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Chairman Dupree: Good Evening everyone and welcome to the June 5th meeting of the Hyde Park Planning Board. Please take note of the exits around the room and now join us as we pledge allegiance to the American Flag. Chairman Dupree commenced the Pledge of Allegiance.

CONTINUED PUBLIC HEARING:

The Chairman indicated that the Public Hearing originally scheduled for Lumens Holdings Sinon Farm Solar Farm had been canceled due to the receipt of a letter of withdrawal for the project, from the property owner.

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

In Attendance: Paul Tirums, P.E.
Ray Nichols, applicant
Dan Nichols

Mr. Tirums stated that he has been unsuccessful in persuading the DOT that 2 driveways on Route 9G are acceptable. So they will submit new plans with the northern entrance closed with a concrete curb and grass planted behind it.

MOTION: Vice-Chair Dexter
SECOND: Mr. Oliver

To open the public hearing for Nichols Oxygen Property.

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

VOICE VOTE 6-0 1-Absent Motion Carried

There was no public comment.

MOTION: Vice-Chair Dexter
SECOND: Ms. Wasser

To adjourn the public hearing for Nichols Oxygen Property to June 19th, 2019.

Aye Chairman Dupree
Aye  
Absent  
Aye  
Aye  
Aye  
Aye  
Aye  
Voice Vote  6-0  1-Absent  Motion Carried

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

In attendance:  
Dawn Dana, La Bella Associates

MOTION: Ms. Wasser
SECOND: Mr. Oliver

To open the public hearing for Athanas East Solar Farm.

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

There was no public comment.

MOTION: Vice-Chair Dexter
SECOND: Mr. Oliver

To close the public hearing for Athanas East.

Aye  
Aye  
Absent  
Aye  
Aye  
Aye  
Aye  

RESOLUTION GRANTING CONDITIONAL SITE PLAN AND SPECIAL USE PERMIT APPROVAL

Athanas East Solar Farm

Date: June 5, 2019
Moved By: Ms. Weiser

Resolution: #2018-12B
Seconded By: Mr. Oliver

WHEREAS, the applicant, NY Solar 1000 LLC, on behalf of owner Thomas Athanas, has submitted an application for site plan and special use permit approval to develop a 2.6-megawatt solar farm on property located at 1436 Route 9G (the “Project”), identified as tax parcel no. 6165-02-770880, in the Greenbelt Zoning District (the “Site”); and

WHEREAS, the Project is depicted on a site plan entitled “Athanas East Photovoltaic Plant,” including the following sheets: Cover sheet; and sheets C-001, C-101, C-201, C-202, C-301, C-401, C-501, C-502, C-601, C-602, prepared by LaBella PC, dated November, 2018, last revised May 3, 2019 (the “Site Plan”); and

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

WHEREAS, on April 3, 2019, the Planning Board classified the Project as a Type I action under the State Environmental Quality Review Act (“SEQRA”) and declared its intent to serve as lead agency, to which no other agency objected; and

WHEREAS, on April 3, 2019, the Planning Board referred the application materials to the Dutchess County Department of Planning and Development for its review pursuant to section 239-m of the General Municipal Law, which responded on May 2, 2019, that it was a matter of local concern and provided comments; and

WHEREAS, on May 15, 2019, the Planning Board determined that the Project as proposed will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared; and

WHEREAS, a duly noticed public hearing was opened on May 1, 2019, and closed on June 5, 2019, during which all those who wished to speak were heard.
NOW, THEREFORE, BE IT RESOLVED, that the Board makes the following findings pursuant to Section 108-8.4 of the Zoning Law:

1. The Project will comply with the applicable requirements of Articles 4 and 5 of the Zoning Law and will be consistent with the purposes of the Greenbelt District. Solar farms are an expressly permitted use within the District.

2. The Project will be consistent with the purposes of the Zoning Law.

3. The Project will not result in excessive off-premises noise, dust, odors, solid waste or glare or create any public or private nuisances. The Project will maintain a vegetative buffer along the Property line on the Site and will supplement the buffer with Norway spruce and Eastern White Pine to further screen the view of the Project. Once constructed, the Project will not create any excessive noise, dust or odors.

4. The Project will not cause significant traffic congestion, impair pedestrian safety or overload existing roads. After construction the Project will generate very little traffic as there will be no employees at the Site.

5. The Project will be suitable for the proposed action considering the Property’s size, location, topography, vegetation, soils, natural habitat, hydrology, and its ability to be screened from neighboring properties and public roads. The Site is screened from the road and neighboring properties by a natural wooded buffer as well as additional plantings. Potential impacts to water are addressed by erosion control and landscaping plans. Potential impacts to wildlife including the Blanding’s turtle are addressed by plan notations regarding tree clearing, lighting, dust control, construction timing, fencing, and monitoring. The solar farm is a low-impact use which is consistent with neighboring uses.

6. The Project has been designed to ensure compatibility with surrounding uses and to protect the natural, historic and scenic resources of the Town.

BE IT FURTHER RESOLVED, that the Planning Board hereby approves the Site Plan and grants a special use permit for the Project as shown on the Site Plan, and authorizes the Chairperson or his authorized designee to sign the Site Plan after compliance with the following conditions:

1. Payment of all fees and escrow.
2. Revision of Site Plan sheet C-601 to add the symbol for chain link security fence to show a complete enclosure in the southwestern corner of the array labeled as A-1.2.

3. Revision of Site Plan sheet C-502 and detail 3/C-502 to complete the warning and guidance markings, pursuant to Town Code §§ 130-7(H)(1), 130-8(B), by including the manufacturer’s and installer’s identification, the emergency responder, and other contact information.

4. Revision of Site Plan sheet C-501 to complete the plan view and details of the proposed equipment pursuant to Town Code § 130-8(C), including all equipment elements with dimensions, height, materials, colors and any enclosures.

5. Approval of a decommissioning agreement by the Town of Hyde Park Town Board.

6. Revision of the estimate of decommissioning costs to delete the reference to salvage value and net cost.

7. Review by the Planning Board’s Consulting Engineer of the revised estimate of decommissioning costs prior to consideration of the forthcoming decommissioning agreement.

8. Revision of Site Plan Sheet C-202, note 2, regarding areas disturbed within the array, to specify the use of NYS #6 conservation seed mix, with the addition of birdsfoot trefoil and clover.

9. Revision of Site Plan Sheet C-202, note 3, regarding grassed areas, to state that the site will be mowed at a maximum of twice per year.

10. Approval of a final Stormwater Pollution Prevention Plan, subject to approval by the Planning Board’s Consulting Engineer and the Town of Hyde Park Stormwater Management Officer.

11. Issuance of stormwater permit by the Zoning Administrator.

12. Proof of recordation with the Dutchess County Clerk of a stormwater easement and maintenance agreement approved in form and substance by the Planning Board’s Attorney and Town Attorney.

BE IT FURTHER RESOLVED, that before the Zoning Administrator may authorize issuance of a solar system building permit pursuant to Section 130-4A of the Town Code for the Project, the following conditions shall be satisfied:

1. Approval by the Town Board of a removal bond pursuant to Town Code § 130-8(I)(4) or, alternatively, execution by the Town Board of a decommissioning agreement with the applicant for the Project. Such removal bond or decommissioning agreement is to be based on
disassembly, disposal, and site restoration costs only excluding salvage value. The approved and executed decommissioning agreement shall be recorded with the Dutchess County Clerk.

2. Entry into a Payment In Lieu Of Taxes (PILOT) Agreement with the Town of Hyde Park pursuant to Chapter 100 of the Town Code and recordation with the Dutchess County Clerk and proof of filing with the Town Assessor and Town Clerk.

BE IT FURTHER RESOLVED, that before the Zoning Administrator may authorize a certificate of completion for the Project, the applicant shall hold a training session for members of the Roosevelt Fire Department.

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

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

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

In attendance: Dawn Dana, La Bella Associates

Ms. Polidoro indicated that she didn’t think a cross access easement would be necessary because there is sufficient frontage to create a second entrance if needed. She went on to say that the last resolution that was read is the same as the resolution for this project but with the additional conditions that the Town be granted access from Cream Street in the Stormwater Easement Agreement (#12) and in the Decommissioning Agreement (#1). This gives the Town the ability to access that site.

MOTION: Ms. Wasser
SECOND: Vice-Chair Dexter

To open the public hearing for Cream Street Solar Farm.

   Aye Chairman Dupree
The Chairman noted the sections of buried versus poled power lines as well as the additional landscaping and existing screening. The consultants and Board indicated that they appreciated the collaborative process with the applicants for both of the solar projects.

There was no public comment.

**MOTION:** Vice-Chair Dexter  
**SECOND:** Mr. Oliver

To close the public hearing for Cream Street Solar Farm.

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

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

Ms. Polidoro noted that as discussed, this resolution has all of the same conditions as the previous resolution, with the exceptions already noted regarding the Town’s access and so the Board could stipulate that this has been read into the record.

**MOTION:** Ms. Wasser  
**SECOND:** Ms. Weiser

To adopt the resolution granting Conditional Site Plan and Special Use Permit approvals for Cream Street Solar Farm.

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

**VOICE VOTE** 6-0 1-Absent  **Motion Carried**
RESOLUTION GRANTING CONDITIONAL SITE PLAN AND SPECIAL USE PERMIT APPROVAL

Cream Street Solar Farm

Date: June 5, 2019
Moved By: Ms. Wasser

Resolution: #2018-28B
Seconded By: Ms. Weiser

WHEREAS, the applicant, NY Solar 1000 LLC, on behalf of owners Equine129, LLC and Cattle133, LLC, has submitted an application for site plan and special use permit approval to develop a 4.9-megawatt solar farm on two properties located at 129 and 133 Cream Street (the “Project”), identified as tax parcel no. 6264-01-465747 and -473668, respectively, in the Greenbelt Zoning District (the “Site”); and

WHEREAS, the Project is depicted on a site plan entitled “129/133 Cream Street Photovoltaic Plant,” including the following sheets: Cover sheet; and sheets C-001, C-101, C-201, C-202, C-301, C-401, C-402, C-501, C-502, C-601, C-602, prepared by LaBella PC, dated November, 2018, last revised May 3, 2019 (the “Site Plan”); and

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

WHEREAS, on April 3, 2019, the Planning Board classified the Project as a Type I action under the State Environmental Quality Review Act (“SEQRA”) and declared its intent to serve as lead agency, to which no other agency objected; and

WHEREAS, on April 3, 2019, the Planning Board referred the application materials to the Dutchess County Department of Planning and Development for its review pursuant to section 239-m of the General Municipal Law, which responded on May 2, 2019, that it was a matter of local concern and provided comments; and

WHEREAS, on May 15, 2019, the Planning Board determined that the Project as proposed will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared; and
WHEREAS, a duly noticed public hearing was opened on May 1, 2019, and closed on June 5, 2019, during which all those who wished to speak were heard.

NOW, THEREFORE, BE IT RESOLVED, that the Board makes the following findings pursuant to Section 108-8.4 of the Zoning Law:

7. The Project will comply with the applicable requirements of Articles 4 and 5 of the Zoning Law and will be consistent with the purposes of the Greenbelt District. Solar farms are an expressly permitted use within the District.

8. The Project will be consistent with the purposes of the Zoning Law.

9. The Project will not result in excessive off-premises noise, dust, odors, solid waste or glare or create any public or private nuisances. The Project will maintain a vegetative buffer on the Site and will supplement the buffer with Norway spruce and Eastern White Pine to further screen the view of the Project. Once constructed, the Project will not create excessive noise, dust or odors.

10. The Project will not cause significant traffic congestion, impair pedestrian safety or overload existing roads. After construction the Project will generate very little traffic as there will be no employees at the Site.

11. The Project will be suitable for the proposed action considering the Property’s size, location, topography, vegetation, soils, natural habitat, hydrology, and its ability to be screened from neighboring properties and public roads. The Site is screened from the road and neighboring properties by a natural wooded buffer as well as additional plantings. Small impacts to water are addressed by erosion control and landscaping plans. Small impacts to wildlife are addressed by plan notations regarding tree clearing, lighting, dust control, construction timing, fencing, and monitoring. The solar farm is a low-impact use which is consistent with neighboring uses.

12. The Project has been designed to ensure compatibility with surrounding uses and to protect the natural, historic and scenic resources of the Town.

BE IT FURTHER RESOLVED, that the Planning Board hereby approves the Site Plan and grants a special use permit for the Project as shown on the Site Plan, and authorizes the Chairperson or his
authorized designee to sign the Site Plan after compliance with the following conditions:

13. Payment of all fees and escrow.

14. Revision of Site Plan sheet C-201 to label the area west of the arrays and within the curve of the driveway as a wooded area to remain.

15. Revision of Site Plan sheet C-502 and detail 3/C-502 to complete the warning and guidance markings, pursuant to Town Code §§ 130-7(H)(1), 130-8(B), by including the manufacturer’s and installer’s identification, the emergency responder, and other contact information.

16. Revision of Site Plan sheet C-501 to complete the plan view and details of the proposed equipment pursuant to Town Code § 130-8(C), including all equipment elements with dimensions, height, materials, colors and any enclosures.

17. Approval of a decommissioning agreement by the Town of Hyde Park Town Board.

18. Revision of the estimate of decommissioning costs to delete reference to salvage value and net cost.

19. Review by the Planning Board’s Consulting Engineer of the revised estimate of decommissioning costs prior to consideration of the forthcoming decommissioning agreement.

20. Revision of Site Plan Sheet C-202, note 2, regarding areas disturbed within the array, to specify the use of NYS #6 conservation seed mix, with the addition of birdsfoot trefoil and clover.

21. Revision of Site Plan Sheet C-202, note 3, regarding grassed areas, to state that the site will be mowed at a maximum of twice per year.

22. Approval of a final Stormwater Pollution Prevention Plan, subject to approval by the Planning Board’s Consulting Engineer and the Town of Hyde Park Stormwater Management Officer.

23. Issuance of stormwater permit by the Zoning Administrator.

24. Proof of recordation with the Dutchess County Clerk of a stormwater easement and maintenance agreement approved in form and substance by the Planning Board’s Attorney and Town Attorney. The stormwater easement and maintenance agreement must provide the Town with access from Cream Street.

BE IT FURTHER RESOLVED, that before the Zoning Administrator may authorize issuance of a solar system building permit pursuant to
Section 130-4A of the Town Code for the Project, the following conditions shall be satisfied:

3. Approval by the Town Board of a removal bond pursuant to Town Code § 130-8(I)(4) or, alternatively, execution by the Town Board of a decommissioning agreement with the applicant for the Project. Such removal bond or decommissioning agreement is to be based on disassembly, disposal, and site restoration costs only excluding salvage value. The decommissioning agreement shall provide the Town with access from Cream Street. The approved and executed decommissioning agreement shall be recorded with the Dutchess County Clerk.

4. Entry into a Payment In Lieu Of Taxes (PILOT) Agreement with the Town of Hyde Park pursuant to Chapter 100 of the Town Code and recordation with the Dutchess County Clerk and proof of filing with the Town Assessor and Town Clerk.

BE IT FURTHER RESOLVED, that before the Zoning Administrator may authorize a certificate of completion for the Project, the applicant shall hold a training session for members of the Roosevelt Fire Department.

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

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

WORKSHOP:

SLIFSTEIN ACCESSORY APARTMENT
Site Plan & Special Use Permit Accessory Apartment (#2019-16)
Location: 9 Quail Ridge Road
Grid #s: 6265-03-097488

In attendance: Charles Brown, Talcott Engineering

Mr. Brown explained that his client is requesting approval to convert an existing pool house to an accessory apartment. The septic system has a 1250 gal tank which is adequate for 4 bedrooms but the Health Department is requiring an additional lateral. They do not need any additional soil testing. Ms. Polidoro indicated that the Health Department can’t issue a permit until a Negative
Declaration has been issued and the Board is prepared to consider starting that process tonight.

RESOLUTION CLASSIFYING THE ACTION AND DETERMINING TO CONDUCT A COORDINATED SEQRA REVIEW

Slifstein Accessory Apartment

Date: June 5, 2019

Moved By: Ms. Wasser

Resolution: #2019-16

Seconded By: Vice-Chair Dexter

WHEREAS, the applicant, Keith Slifstein, has submitted an application for site plan and special use permit approval to convert an existing pool house into an accessory apartment at property located at 9 Quail Ridge Road, tax parcel no. 6265-03-097488, in the Neighborhood Zoning District (the “Project”); and

WHEREAS, the Project is depicted on: a site plan entitled “Slifstein Accessory Apartment” prepared by Talcott Engineering Design PLLC, dated April 9, 2019, last revised May 7, 2019; existing elevations and floor plans entitled “Slifstein Accessory Apartment” prepared by Talcott Engineering Design PLLC, dated April 9, 2019, last revised April 16, 2019; and drawings entitled “Existing Slifstein Residence” sheets A-1, A-2, A-3, and A-4, prepared by Talcott Engineering Design PLLC, dated April 9, 2019 (collectively, the “Site Plan”); and

WHEREAS, accessory apartments are permitted in the Neighborhood Zoning District subject to special use permit and site plan approval; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form (“EAF”) dated April 8, 2019, pursuant to the State Environmental Quality Review Act (“SEQRA”); and

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

WHEREAS, pursuant to 6 NYCRR 617.2(al), all actions not identified as a Type I or Type II action are unlisted actions under SEQRA.

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

1. Classifies the Project as an unlisted action under SEQRA;

2. Declares its intent to serve as lead agency in a coordinated SEQRA review of the Project and directs its Secretary to send notice of its intent to all involved and interested agencies.
Involved and Interested Agencies
Dutchess County Department of Behavioral and Community Health

MOTION: Vice-Chair Dexter
SECOND: Mr. Oliver

To set the public hearing for Slifstein Accessory Apartment for July 17th.

DOLLAR GENERAL 1 EAST DORSEY
Site Plan Approval (#2019-04)
Location: 1 East Dorsey Lane, Poughkeepsie, NY 12601
Grid#: 6163-02-504633

In attendance: Caryn Mlodzianowski, Bohler Engineering
Ken Fioretti, HSC Hyde Park, LLC

The Chairman pointed out that the applicants have responded positively to several suggestions by the Board and Consultants as to architecture, site layout, etc. Ms. Mlodzianowski highlighted the plan revisions which included a ‘right in only’ from Route 9G, angled the truck turnaround away from Route 9G, additional landscaping including foundations plantings, shrubs and street trees. She also noted that they have proposed over 900 feet of sidewalks with pedestrian connections and benches. Ms. Mlodzianowski indicated that they revised the architecture after receiving helpful feedback from the Board. They added dormer windows, upper windows, changed the doors and added craftsman style columns and an entrance pergola. The Chairman noted that the
submitted traffic impact assessment showed that this is a fairly low traffic generator. He also thanked Ms. Weiser for her architectural recommendations. Ms. Axelsson provided everyone with a new review memo which highlights the major engineering concerns of site drainage and traffic flow. Ms. Polidoro commented on the difference between sheet flow and channelized flow toward the neighboring property. Other items of note are suggestions to reduce the travel aisle width and parking space size and to add specific hours of operation without overnight delivery hours, as well as landscaping improvements. Mr. Learn commented that the soil testing revealed that top 2-3 feet are ‘fill’ which according to design requirements are not suitable for an infiltration basin. Along with meeting the separation requirements to existing ground water and redirecting the spillway from the neighbor. There was a suggestion of using pervious pavement and a discussion about maintaining it and possibly a maintenance agreement. Ms. Polidoro suggested that the Board consider whether more than one trash receptacle is needed. The Board was complementary about many of proposed changes and the applicant’s efforts. Mr. Oliver agreed that pervious pavers might be helpful with the runoff issue and stated that the Spirea is too low for screening and should be changed. Ms. Dexter encouraged them to consider the local school traffic, including evening events and voting in the traffic assessment. Mr. Pickett indicated that he was very appreciative of the additional sidewalks but would like to see an increase in the height of the screening for the neighbors.

**Ms. Weiser:** I cannot tell you how much I appreciate your serious consideration of my notes regarding the architectural cohesiveness of the building. It’s really starting to feel much more Craftman-like. I just have a few more suggestions that I think will help bring it a little bit more together. Regarding the rear elevation, in order to break up the expanse of wall, I thought maybe you could add 2 more sets of the faux windows on either side of the barn doors. Especially since that will be facing the street. The same thing with the right side elevation, to break up the expanse...more sets of the faux windows, here and here. Again with left side elevation, you’ll see it wanting to break up the expanse, perhaps one or two sets of faux windows to the left of the two that are proposed. I’d love to see something break up this expanse on the front elevation but I’m at a loss at what that could be. I think if you were to put something there, you’d loss the symmetry, so it may be a problem that can’t be solved. I don’t know what would work.

**Ms. Mlodzianowski:** What that doesn’t show is the landscaping and we added a planting area right along that façade.

**Ms. Weiser:** I love the expanded dormers and the pergola with the dentils underneath it, I think that’s really lovely. The only thing...the tapered craftsman column looks great but I suggest that you make them actual columns I think look great, but I suggest that you make them actual columns and detach them from the sides of the building. By keeping them attached you create a corner that, at night, could be a dark and very dangerous spot.
Chairman Dupree: That’s going to be my comment as well. Remove this section right here if you can so that they are actual columns. Those are great comments colleagues. Particularly, the one on traffic so we have a thorough analysis of what potential impacts are throughout the week since this is operated 7 days a week and 24 hours. Otherwise, I think you’ve heard positive comments, let me echo those. It’s nice to work with applicants that are so forthcoming. Obviously you want this here in our Town because the sidewalk alone was a big give and it’s something this neighborhood really needs. Having 4 corners here with sidewalks will really active this area. I agree with what you heard from Ann about adding more faux windows but that’s not going to make it or break it for me. I also agree that having a monoculture of just Spirea at the end of the parking lot isn’t really suitable for screening. Spirea can also have problems if it’s a heavy winter with breaking of their limbs. Something easy to maintain. Ms. Moss might be able to suggest something. I like the right turn in suggested by the DOT. Having read the traffic report...this road has a lot of traffic! I now understand why you chose this location, because of the neighbor to the east of the site without any stores.

The Chairman indicated that he would place-hold them on the agenda for July 17th to consider a Negative Declaration pending a favorable review of the traffic assessment.

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

Dollar General

Date: June 5, 2019 Moved By: Vice-Chair Dexter
Resolution: #2019-04 Seconded By: Mr. Oliver

WHEREAS, the applicant, HSC Hyde Park, LLC, has submitted an application for site plan approval to demolish an existing building and construct a new 7500 sq. ft. retail building along with new access, parking, landscaping, lighting, utilities, and stormwater management at property located at 1 East Dorsey Lane, tax parcel no. 6163-02-504633, in the Neighborhood Business District (the “Project”); and

WHEREAS, the Project is depicted on: a site plan entitled “Site Development Plans for HSC Hyde Park, LLC” sheets 1-13, prepared by Bohler Engineering, dated January 5, 2019, last revised May 16, 2019; a lighting plan entitled “New Store Construction – Dollar General” prepared by Adams Stewart Architects, LLC, dated March 18, 2019; elevations entitled “New Store Construction, 7500 Center Entry – Dollar General” prepared by Adams Stewart Architects, LLC, dated May 10, 2019; and renderings entitled “Preliminary
Perspective View – Dollar General" received May 20, 2019 (collectively, the “Site Plan”); and

WHEREAS, general commercial uses are permitted in the Neighborhood Business District subject to site plan approval; and

WHEREAS, the Project proposes to exceed the maximum permitted scale of 7,500 gross square feet and maximum total impervious area of parking and aisles; and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form ("EAF") dated January 21, 2019, pursuant to the State Environmental Quality Review Act ("SEQRA"); and

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

WHEREAS, pursuant to 6 NYCRR 617.2(al), all actions not identified as a Type I or Type II action are unlisted actions under SEQRA; and

WHEREAS, the Project is located within 500 feet of New York State Route 9G, also known as Violet Avenue; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, projects located within 500 feet of a state highway must be referred to the Dutchess County Department of Planning and Development for a report and recommendation thereon.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby:
1. Classifies the Project as an unlisted action under SEQRA;
2. Declares its intent to serve as lead agency in a coordinated SEQRA review of the Project and directs its Secretary to send notice of its intent to all involved and interested agencies.
3. Directs its secretary to refer the Site Plan to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.

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

Involved and Interested Agencies
New York State Department of Environmental Conservation
New York State Department of Transportation
Dutchess County Department of Behavioral and Community Health
Dutchess County Department of Public Works
Town of Hyde Park Zoning Board of Appeals
Town of Hyde Park Fire Inspector
Fairview Fire District

PLT STORAGE YARD RECONSTRUCTION
Site Plan Amendment & Special Use Permit Approvals (#2019-19)
501-503 Salt Point Turnpike, Poughkeepsie, NY 12601
Grid#s: 6263-03-221319, -260384

In attendance: Joe Berger, Berger Engineering and Surveying
Patrick Gleason, PLT Storage Reconstruction

RESOLUTION CLASSIFYING THE ACTION AND CIRCULATING THE APPLICATION
TO INVOLVED AND INTERESTED AGENCIES

PLT STORAGE YARD RECONSTRUCTION

Date: June 5, 2019  Moved By: Mr. Oliver
Resolution#: 2019-19  Seconded By: Vice-Chair Dexter

WHEREAS, the applicant, PLT Associates LLC, has submitted an application for site plan and special use permit approval to reconstruct and expand a construction yard and recycling center warehouse located at 501-503 Salt Point Turnpike, tax parcel no. 6263-03-221319, in the Neighborhood Business District (the “Project”); and

WHEREAS, the Project also proposes to construct a temporary staging area on an adjacent lot identified as 517 Salt Point Turnpike, tax parcel no. 6263-03-260384; and

WHEREAS, the Project is depicted on a site plan entitled “Site Plan Amendment” SP-1, prepared by Berger Engineering and Surveying, dated April 30, 2019, last revised May 30, 2019 (the “Site Plan”); and

WHEREAS, the existing light industrial use is a nonconforming use in the Neighborhood Business District, which may be expanded by up to 50% of its area in gross square feet subject to issuance of a special use permit; and

WHEREAS, by Resolution No.15-12A, dated June 6, 2012, the applicant has previously received a special use permit to expand the nonconforming use by 17,000 square feet, or 12.55%; and
WHEREAS, the applicant has submitted a Full Environmental Assessment Form (“EAF”) dated May 20, 2019 pursuant to the State Environmental Quality Review Act (“SEQRA”); and

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

WHEREAS, pursuant to 6 NYCRR 617.2(al), all actions not identified as a Type I or Type II action are unlisted actions under SEQRA; and

WHEREAS, the Project is located within 500 feet of New York State Route 115, also known as Salt Point Turnpike; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, projects located within 500 feet of a state highway must be referred to the Dutchess County Department of Planning and Development for a report and recommendation thereon.

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

1. Classifies the Project as an unlisted action under SEQRA; and

2. Declares its intent to serve as lead agency in a coordinated SEQRA review and directs its secretary to circulate notice of its intent to all involved and interested agencies.

3. Directs its secretary to refer the Project to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.

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

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

Involved and Interested Agencies

New York State Department of Environmental Conservation
New York State Department of Transportation
Hyde Park Police Department
Roosevelt Fire District
MOTION: Vice-Chair Dexter
SECOND: Ms. Wasser

To set the public hearing for PLT Storage Yard for July 17th.

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

VOICE VOTE 6-0 1-Absent Motion Carried

TACONIC REALTY VIOLET AVENUE
Minor Subdivision 4 lots & Site Plan Approval (#2018-29)
Location: 374, 378, 382, 386 Violet Avenue
Grid#: 6163-04-600353

In attendance: Kelly Libolt, Page Park Associates

Alternate Planning Board Member Robert Waters joined the other Board Members on the Dais for this application. Mr. Oliver who is recused from this application stepped down from the dais.

There was a discussion of the latest submission.

RESOLUTION CLASSIFYING THE ACTION, CIRCULATING THE APPLICATION, ACCEPTING SKETCH, AND REFERRING THE ACTION TO THE DUTCHESS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT

Taconic Realty & Hudson Valley Hospice

Date: June 5, 2019 Moved By: Ms. Weiser
Resolution: #2018-29 Seconded By: Ms. Wasser

WHEREAS, the applicants, Taconic Realty Associates and Hudson Valley Hospice, have submitted applications for site plan and subdivision approval to subdivide an existing shopping center into four lots, each with its own site plan, at property located at 374, 378, 382, and 386 Violet Avenue (the “Project”), identified as tax parcel no. 6163-04-600353-0000, -0001, -0002, and -0003 in the Neighborhood Business Zoning District (the “Site”); and
WHEREAS, Hudson Valley Hospice further proposes to expand an existing building and make improvements to the parking lot, drainage and landscaping; and

WHEREAS, general commercial uses are permitted in the Neighborhood Business Zoning District subject to site plan approval; and

WHEREAS, the Project is depicted on a site plan entitled “Site Plan Submission Set for Taconic Realty Associates,” sheets CV-1, 2 (Boundary & Topographical Survey), OV-1, SU-2, SU-3, and SU-4, dated September 4, 2018, last revised May 21, 2019 (the “Taconic Site Plans”), and on a subdivision sketch plan entitled “Subdivision Submission Set for Taconic Realty Associates,” sheets CV-1, 2 (Boundary & Topographical Survey), and SB-1, dated September 4, 2018, last revised May 21, 2019 (the “Sketch Plan”), both prepared by LRC Group and Decker Surveying; a site plan entitled, “Hudson Valley Hospice” sheets 1-6 dated March 5, 2019, prepared by Berger Engineering and Surveying; Landscape Plan prepared by Lehigh Lawn and Landscaping, dated April 29, 2019; and elevations prepared by Liscum VanVoorhis McCormack LLP, dated August 15, 2018, last revised March 5, 2019 (the “Hospice Site Plan”); and

WHEREAS, the Taconic Site Plans, Sketch Plan and Hospice Site Plan are being considered together for purposes of review under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form Part 1 (“EAF”) dated September 4, 2018, revised March 7, 2019; and

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

WHEREAS, pursuant to 6 NYCRR 617.2(al), any action not identified as a Type I or Type II action is an unlisted action under SEQRA; and

WHEREAS, pursuant to Hyde Park Subdivision Law § 96-12(B)(2), the Planning Board is required to determine whether the proposed Project is a major or minor subdivision; and

WHEREAS, pursuant to Subdivision Law § 96-4, a subdivision is “minor” if it contains no more than five lots, each fronting an existing street, not involving a new street or the extension of Town facilities, does not adversely affect the development of the remainder of the parcel of adjoining property, and does not conflict with the Comprehensive Plan, Official Map, Subdivision Law, or Zoning Law; and

WHEREAS, the Project is located within 500 feet of New York State Route 9G, also known as Violet Avenue; and
WHEREAS, pursuant to Section 239-m of the General Municipal Law, projects located within 500 feet of a state highway must be referred to the Dutchess County Department of Planning and Development for a report and recommendation thereon.

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

1. Classifies the Project as an Unlisted action under SEQRA.
2. Declares its intent to serve as Lead Agency in a coordinated review of the Project and directs its secretary to circulate notice of its intent to all other involved and interested agencies.
3. Classifies the Project as a minor subdivision.
4. Accepts the Sketch Plan as adequate for further review by the Planning Board.
5. Directs its secretary to refer the Project to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.

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

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

Involved and Interested Agencies
New York State Department of Transportation
Dutchess County Water and Wastewater Authority
Dutchess County Department of Behavioral and Community Health
Town of Hyde Park Zoning Board of Appeals
Town of Hyde Park Town Board
Town of Poughkeepsie Town Board
Town of Poughkeepsie Sewer Department
Fairview Fire District
PHANTOM FIREWORKS
Site Plan Waiver Temporary Sales location (#2019-24)
3969 Albany Post Road Park Beverage Center
Grid#: 6064-04-967195

In Attendance: Vincent Szabo

Phantom Fireworks Eastern Region / Gardner Van Valkenberg
6064-04-967195
3969 Albany Post Road
SITE PLAN Waiver
Town Code Section 108-9.4 C 1 & 2

June 5, 2019
Moved By: Vice-Chair Dexter
Resolution #:2019-24
Seconded By: Mr. Oliver

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Vincent Szabo, Phantom Fireworks Eastern Region, LLC on May 10, 2019, for approvals as required to establish a temporary sales venue for Sparkling Devices, and

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

Whereas, the applicant has leased a location previously approved and developed under site plan for Park Discount Beverage, and

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

Whereas, Section 108-9.4 C 1 & 2, allow the Planning Board to waive items of required information and to waive procedures required to obtain site plan approval, 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 temporary change as submitted on May 10, 2019, and on drawings for as submitted and that such request is to be incorporated into the record.

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

VOICE VOTE 6- Aye 1-Absent 0- Nay Motion Carried
HUTCHINS STAATSBURG STORAGE ADDITIONAL UNITS  
Site Plan Amendment Approval Additional Units (#2019-20)  
Location: 4920 Albany Post Road, Staatsburg, NY 12580  
Grid#: 6066-02-891661

In attendance:  Robert Turner, Tinkelman Architecture

Mr. Oliver returned to the dais and Mr. Waters stepped down.  
There was a discussion about the proposed site plan amendment.

OTHER BUSINESS:

CALABRO, JOSEPH & REGINA  
Site Plan Waiver New Windows (#2019-21)  
Location: 23 Crumwold Place  
Grid#: 6064-08-823992

Joseph and Regina Calabro  
23 Crumwold Place  
6064-08-823992  
SITE PLAN Waiver  
Town Code Section 108-9.4 C 2

Date: June 5, 2019  
Resolution #: 2019-21  
Moved By: Mr. Pickett  
Seconded By: Mr. Oliver

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Joseph and Regina Calabro for the replacement of fifteen windows and sliding door on the existing single family home, and

Whereas, the application involves no structural change on an existing single family home, and

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

Whereas, the change is not significant in nature and is in character with the neighborhood, and

Whereas, the construction will not be visible from the Hudson River, 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, and

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

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 Application dated May 1, 2019 and the request for a waiver of site plan received by the Planning Department on May 13, 2019.
Voice Vote 6-Aye 1-Absent 0-Nay Motion Carried

HOSACK PARTNERS I, LLC
Site Plan Waiver In-Ground Pool (#2019-22)
Location: 14 Vanderbilt Lane
Grid#: 6065-02-857555

Hosack Partners I LLC.
14 Vanderbilt Lane
6065-02-857555

SITE PLAN WAIVER
Town Code Section 108-9.4 C 2

June 5, 2019 Moved By: Ms. Wasser
Resolution #: 2019-22 Seconded By: Vice-Chair Dexter

Whereas, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by Robert DuPont, representing Mr. Hilliker of Hosack Partners I, LLC. on May 14, 2019, for property located at 14 Vanderbilt Lane in the Town of Hyde Park, and

Whereas, the application is to add an in ground pool and associated equipment to the property, and a covered porch at the end of the dining room (previously approved by waiver) associated with the historic structure (single family home) in an historic overlay district, and

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

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

Whereas, the applicant is required to return to the Planning Board for all other changes to the property, including the pool,

NOW THEREFORE BE IT RESOLVED, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the file entitled Hosack Cottage I, LLC, regarding the specific request as submitted by Architect Robert J. Dupont to the Planning Board on May
14th and in the building permit application for Hosack Partners1, LLC dated May 7, 2019, plans last revised 5/24/2019.

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

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

AGRAWAL, JAMES & DEBORAH
Site Plan Waiver New Home Construction (#2018-65)
Location: 84 River Road
Grid#: 6064-02-543854

Deborah and James Agrawal
84 River Road, Hyde Park, NY 12538
6064-02-543854

SITE PLAN WAIVER
Town Code Section 108-9.4 C 2

Date: June 5, 2019 Moved By: Mr. Oliver
Resolution #: 2018-65 Seconded By: Vice-Chair Dexter

Whereas, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by James and Deborah Agrawal, on September 14, 2018, for property located at 84 River Road in the Town of Hyde Park; and

Whereas, the application is to construct a new three bedroom single family home with decks and covered rear porch and attached three car garage with unfinished attic in an historic overlay district; and

Whereas, the new home will be visible from the Hudson River; 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 Agrawal new single family, regarding the specific request as received September 14, 2018, and in the building permit application for this project dated April 3, 2019.

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

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

CIRE OF DUTCHESS aka LANDS of CIRE
Extension of time to Commence and Complete Construction (#58-08)
4185 Albany Post Road
Grid#: 6064-02-941754

MOTION: Ms. Wasser
SECOND: Vice-Chair Dexter

To set the public hearing for Cire of Dutchess for June 19th.

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

VOICE VOTE 6-0 1-Absent Motion Carried

K & J AUTOMOTIVE
Sign Permit Approval-Free Standing (#2019-18)
1055 Violet Avenue
Grid#: 6165-03-422043

RESOLUTION RECOMMENDATION for ISSUANCE OF SIGN PERMIT
PURSUANT TO TOWN CODE SECTION 108-24.3 A (4) (d)

K & J Automotive
1055 Violet Avenue Free standing sign panel
Parcel 6165-03-422043
WHEREAS, Kate Hinz-Shaffer of Riverwood Signs, on April 24, 2019, submitted sign permit application for K & J Automotive; with revised signage dated May 23, 2019; and

WHEREAS, the sign is down-lit and to be installed in an existing free standing sign structure; and

WHEREAS, the sign is in compliance with the requirements established in Article 24 Signs in Chapter 108 Zoning of the Code of the Town of Hyde Park,

BE IT FURTHER RESOLVED, the Board hereby recommends the Zoning Administrator issue the sign permit for K & J Automotive.

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

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

MINUTEMAN PRESS
Sign Permit Approval-Tenant Panel (#2019-23)
473 Violet Avenue
Grid#: 6163-01-496593

RESOLUTION RECOMMENDATION for ISSUANCE OF SIGN PERMIT
PURSUANT TO TOWN CODE SECTION 108-24.3 A (4) (d)

Minuteman Press One tenant panel on free standing sign
473 Violet Avenue
Parcel 6163-01-496583

WHEREAS, David Meyerson of Minuteman Press on May 16, 2019, and revised May 31, 2019, submitted a sign permit application for the Minuteman Press tenant panel on the two free standing signs associated with Violet Avenue Plaza; and
WHEREAS, the applicant is required to follow the design unity established for this location on the free standing signs of dark lettering/symbols on a white panel background; and

WHEREAS, the sign meets the sign code standards; and

WHEREAS, the signage details are in accordance with the design unity established in the site plan approval process for the 9G Plaza, 6163-01-496583, in the Neighborhood Business District; and

WHEREAS, no wall sign is being proposed at this time, and

NOW THEREFORE BE IT RESOLVED, the Planning Board hereby recommends the Zoning Administrator issue the sign permit for Minuteman Press free standing sign tenant panel.

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

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

MOTION: Vice-Chair Dexter
SECOND: Mr. Oliver

To adjourn.

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

VOICE VOTE 6-0 1-Absent Motion Carried