



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”

**MINUTES OF THE JUNE 16, 2021, 6:00 PM
PUBLIC HEARING/WORKSHOP/REGULAR MEETING OF
THE HYDE PARK PLANNING BOARD**

MEMBERS PRESENT VIA LIVE STREAMED MEETING:

MICHAEL DUPREE, CHAIRMAN

ANNE DEXTER - VICE CHAIR

DIANE DI NAPOLI

CHRISTOPHER OLIVER

BRENT PICKETT

STEPHANIE WASSER

ANN WEISER

OTHERS PRESENT:

VICTORIA POLIDORO, PB CONSULTING ATTORNEY

KATHLEEN MOSS, ZONING ADMINISTRATOR

CYNTHIA WITMAN, PB SECRETARY

COUNCILMAN KRUPNICK, TOWN WEBMASTER

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Chairman Dupree: Good evening, everyone. Thank you for joining us at the June 16th meeting of the Hyde Park Planning Board. Please note that this meeting is being conducted as authorized by Governor Andrew Cuomo under Executive Order 202.1, last extended as 202.110, which allows for virtual meetings by public officials. Let me first confirm that each Board Member is alone or not with someone who's going to try to change the way you would vote.

Ms. Weiser: I'm alone.

Ms. Wasser: I'm alone.

Mr. Pickett: I'm alone.

Mr. Oliver: I'm alone.

Ms. DiNapoli: I'm alone.

Vice-Chair Dexter: I'm alone.

Chairman Dupree: Please join me as we offer our fealty to the American Flag

The Chairman led the Pledge.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING:

HUTCHINS STAATSBURG STORAGE ADDITIONAL UNITS

Consider Site Plan Extension Approval (#2019-20)

Location: 4920 Albany Post Road, Staatsburg, NY 12580

Grid#: 6066-02-891661

In Attendance via Zoom:

Scott Hutchins, 4920 LLC

Chairman Dupree: Thank you. The first item on the agenda is a new public hearing for Hutchins Staatsburg Storage. These are additional units that were approved back, I believe in 2019. The applicant has asked for an extension of a time in which to start construction and commence it. May I get a motion to open the public hearing?

MOTION: Ms. DiNapoli

SECOND: Mr. Pickett

To open the public hearing for Hutchins Staatsburg Storage Additional Units Extension.

Aye Ms. Weiser

Aye Ms. Wasser

Aye Mr. Pickett

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

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

Chairman Dupree: Thank you. Mr. Hutchins, welcome back. Good to see you.

Vice-Chair Dexter: Michael, we need to vote.

Chairman Dupree: Oh! All in favor. Aye. Thank you. Scott. Do you want to add anything?

Mr. Hutchins: No. I'm just very anxious to get started, but I'm also anxious for the construction industry to try to settle down just a wee bit.

Chairman Dupree: Yeah, contractors have been telling us that in six months, supply chain issues should be resolved, so the costs come down. Because it's a little crazy right now.

Mr. Hutchins: Yeah, just a little .

Chairman Dupree: Councilman, I don't believe that there were any members of the public that signed up to speak tonight.

Councilman Krupnick: That's correct.

Chairman Dupree: There being none, would anybody from the Board like to add anything tonight? Thank you. Then, may I get a motion to close the public hearing?

MOTION: Mr. Pickett

SECOND: Mr. Oliver

To close the public hearing for Hutchins Staatsburg Storage Additional Units Extension with the exception of written comments for 7 days.

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

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

Chairman Dupree: Thank you. All in favor., please raise your hand and say aye. Aye. So, we're closing the public hearing with the proviso that we're allowing seven days of written notice or written comment to be sent to the Board. And Scott, we will put you on the agenda for July 7th, because that will have the elapsed time. I mean, we're not expecting anybody, but it's been our policy all along. So we'll have you on the 7th to do the extension. Okie doke.

Mr. Hutchins: All right. Excellent. Nice seeing everybody. Bye.

Chairman Dupree: Thank you. Have a nice night.

OTHER BUSINESS:

HUDSON VALLEY HOSPICE HOUSE

Site Plan & Special Use Permit Approvals (#2020-17)

Location: 31 E. Dorsey Ln. & 542 Violet Ave.

Grid #: 6163-02-570735, -552748

In Attendance:

Joe Berger, Berger Engineering

Michele Zerfas, Berger Engineering

Michael Kaminski, Hudson Valley Hospice

Chairman Dupree: The next item on the agenda is Hudson Valley Hospice House. I'm happy to say that, we are finally at the point where we we're considering a final approval. If everyone will recall, we approved a minor subdivision to combine the lots earlier. In the interim, the SWPPP has been reviewed. There are three minor corrections that Mr. Setaro wanted. And Mr. Setaro did speak with a geologist at the Department of Behavioral and Community Health. As it turns out, the geologist there, was not only not worried about impacts to neighboring wells from rock blasting, but as I told Mr. Kaminski, they were actually more worried about what it might do to the well onsite for Hospice House itself, because it's going to be fairly close to where the drilling is going on, but they weren't as worried about it as what we thought they might be, even for that site. So everything else was resolved. Michele, Mr. Kaminski, Mr. Berger, anything you guys want to add?

Ms. Zerfas: No.

Chairman Dupree: Anything from the Board? Victoria or Tad? Okay, we're ready to go. I believe Ms. Dexter is going to introduce this resolution.

**RESOLUTION TO GRANT CONDITIONAL SITE PLAN AND SPECIAL USE PERMIT
APPROVAL**

HUDSON VALLEY HOSPICE HOUSE

Date: June 16, 2021

Moved By: Vice-Chair Dexter

Resolution: #2020-17C

Seconded By: Ms. Weiser

WHEREAS, the applicant, Hudson Valley Hospice, Inc., has submitted an application for site plan and special permit and subdivision approval to establish a residential care facility (the "Project") on property identified as 31 E. Dorsey Lane and 542 Violet Avenue, Tax Grid Nos. 6163-02-570735 and -552748 (the "Property"), in the Neighborhood Core Zoning District; and

WHEREAS, residential care facilities are permitted in the Neighborhood Core District subject to site plan and special use permit approval; and

WHEREAS, the Project is depicted on a site plan entitled "Site Plan Prepared for Hudson Valley Hospice," prepared by Joseph Berger, PE, Berger Engineering and Surveying PLLC and MAG Designs dated October 28, 2020, last revised May 18, 2021, Sheet T-00, SE-01, SP-02, SP-03, SP-04, SP-05, SP-06 (last revised 5/06/2021), SP-07, Exterior Elevations dated March 18, 2021, and sign elevations prepared by Timely Signs received March 3, 2021, revision 3(the "Site Plan Set"); and

WHEREAS, the Project includes approval of associated signage; and

WHEREAS, on June 9, 2021, the Town of Hyde Park Zoning Board of Appeals granted an area variance for the starburst symbol on the sign; and

WHEREAS, by letter dated June 15, 2021, the Zoning Administrator recommended approval of the signs; and

WHEREAS, the proposed Project will exceed the maximum permitted scale of 6,000 gross square feet; and

WHEREAS, on February 24, 2021, the Town of Hyde Park Zoning Board of Appeals granted the applicant a variance to permit a scale of 30,000 square feet where 6000 square feet is required; and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form ("EAF") dated August 17, 2020; and

WHEREAS, on October 7, 2020, 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 November 05, 2020 that it was a matter of local concern; and

WHEREAS, on December 16, 2020, the Planning Board adopted a negative declaration for the Project, determining that the Project as proposed would not result in any significant adverse environmental impacts; and

WHEREAS, by letter dated June 3, 2021, the New York State Department of Transportation granted conceptual approval to the Project; and

WHEREAS, on April 17, 2021, by Resolution # 2020-17B, the Planning Board granted condition final plat approval to consolidate the lots, as shown on a plat entitled, "Consolidation Map for Hudson Valley Hospice" prepared by Carney Rhinevault, LS, dated 9/12/2020, last revised 03/18/2021 (the "Subdivision Plat"); and

WHEREAS, a duly noticed public hearing on the Project was opened on December 02, 2020 and closed on May 05, 2021, with written comments accepted until May 12, 2021, during which all those who wished to comment were able to do so; and

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

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

- 1. 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 involves the construction of a residential care facility. The applicant has provided screening and fencing to minimize any off-site glare and noise from headlights and the facility. Solid waste will be disposed of in screened commercial dumpsters.**

- 2. The Project will not cause significant traffic congestion, impair pedestrian safety, or overload existing roads. The Project is located on NYS Route 9G, which has an annual average daily traffic of 9464 vehicles in 2015 along this portion of the highway. The Project is anticipated to add an additional 43 vehicle trips daily during a 24-hour period.**

- 3. The Project is suitable given the property's size, location, topography, vegetation, soils, natural habitat, hydrology, hydrogeology, and its ability to be screened from neighboring properties and public roads. The proposed building is set back from the road and has attractive architecture. Although there will be blasting, the applicant and Town have consulted with the Dutchess County Department of Behavioral and Community Health, which has indicated that it has no concerns about the impact of the blasting on neighboring wells. The Planning Board and its engineer have also investigated stormwater issues on neighboring lots and have determined that the Project will not exacerbate existing conditions.**

- 4. The Project will be subject to such conditions on operation, design, and layout of structures and provision of buffer areas as may be necessary 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 grants conditional site plan and special use permit approval to the Project as depicted on the Site Plan Set and authorizes the Chair or his authorized designee to sign the Site Plan Set after compliance with the following conditions:

1. **Payment of all fees and escrow.**
2. **Proof of filing of the approved Subdivision Plat with the Dutchess County Clerk and submission of a .pdf of the filed approved Subdivision Plat to the Zoning Administrator.**
3. **Revision of Sheet SP-06 to specify that the two “up/down” wall fixtures shall be used as downlighting only.**
4. **Revision of the Site Plan Set to include color exterior elevation plans and for all sheets to have the same final revision date.**
5. **Approval by the Dutchess County Department of Behavioral and Community Health for the methods of water supply and sewage disposal.**
6. **Approval by the Town Attorney of a Stormwater Easement and Maintenance Agreement.**
7. **Approval by the Town Attorney of an easement giving the Town of Hyde Park and the public the right of passage over the sidewalk, but not the obligation to maintain it.**
8. **Approval of the Stormwater Pollution Prevention Plan and Stormwater Management Permit by the Town Engineer and Stormwater Management Officer.**

BE IT FURTHER RESOLVED, that the Planning Board recommends that the Zoning Administrator issue permits for the signs as shown on the Site Plan Set; and

IT FURTHER RESOLVED, that prior to the Zoning Administrator authorizing the issuance of a Building Permit for the Project, the applicant shall provide the Zoning Administrator with the following:

1. **A .pdf of the signed Site Plan Set.**
2. **Proof of recordation of the approved sidewalk and stormwater easements with the Dutchess County Clerk.**
3. **Four paper copies of the filed plat in accordance with 96-15 of the Town Code.**

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

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

Chairman Dupree: Thank you. Any further discussion? All in favor, please raise your hand and say aye. Aye. Nays or abstentions? There being none, the motion passes unanimously. Congratulations to you all. Can't wait to see this getting up and underway?

Mr. Kaminski: Thank you very much. Appreciate it, everybody. It took a long time didn't it. *Laughter.*

Chairman Dupree: It seemed to, yes, but the good news is that there's very few conditions actually. And they're easily met.

Mr. Kaminski: We appreciate that.

CHESTNUT MOBIL

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

Location: 1110 Violet Avenue

Grid #: 6165-03-424184

In Attendance via Zoom:

Grace Ruseskas, GNS Group Ltd

Chairman Dupree: The next item on the agenda is a consideration to relax or to grant dimensional bonuses to letter and symbol heights for signs proposed for Chestnut Mobil. This is a fueling station and convenience store located at the corner of 9G and Crum Elbow Road. So before we sort of get into this, at the last meeting...and we did have two members absent, at the last meeting, as I understood it, everyone wanted to grant the relaxation of the letter heights under the distance from the road or the size of the building, but that we would give special aesthetic merit for the squirrel logo, at 24 inches wide and 19.2 inches high. Because remember the maximum we can give in any direction is 24 inches. I measured the distance from the primary access roadways to the building. They were roughly 65 and 70 feet, so the max we can give is three inches, because it's one inch for every 20 feet a building is set back from its primary access roadway. Being on a corner, it has two primaries, both 9G and Crum Elbow. So the resolution you see, grants it that way. Then, early this morning, Ms. DiNapoli said

I'm a little confused, "I thought we were only doing just the sizes, no aesthetic merit." So, I believe that this resolution is prepared correctly, but this is open for discussion if someone thinks that we should not be granting anything under aesthetic merit, there is a second resolution prepared that only grants the additional size for the logo based on the distance from the road and the size of the building. If that made any sense. Comments?

Ms. DiNapoli: Well, since I was the one that started the inquiry, I really don't see the aesthetic merit to this sign. I'm not saying that we cannot grant a certain amount, but I'm concerned that to grant it based on that, are we opening up a Pandora's Box going down the road. Yet, the aesthetics are the letters and what's special about that? Anne Dexter is shaking her head no. And the squirrel, it just does not seem to balance out in my mind.

Ms. Weiser: I find that...I'm looking at the balance of the whole thing, the whole logo. The typeface and the squirrel and the size of those combined versus the white space that's left. The leftover space makes it an evenly balanced, aesthetically pleasing sign.

Chairman Dupree: Anyone else?

Vice-Chair Dexter: Yeah, I just wanted to hop in and say that what we're doing is we're trying to...All we can do here is give what we are allowed to do under our Zoning. So the letters can only go up to 13 inches, based on what the law says that we can do for the letters, so that's one thing. But that now has to go to the ZBA to get the full amount for the letters to make it more balanced, because that's how I remembered it. We can't give any more than 13 inches for the letter height, but we do have the ability to do some extra with the squirrel. I don't know. You know, a squirrel is, or is not aesthetically pleasing, but I think what we're trying to do here is give the maximum what we can, but that's still not what the client wants. They're going to need to go to the ZBA. So all we're doing here is giving the maximum of what we can.

Ms. DiNapoli: But it's not 13 inches that we're giving.

Chairman Dupree: For letters, it is.

Ms. DiNapoli: I read that wrong, then my apologies.

Chairman Dupree: A maximum of 17. So remember, the ZBA must grant the minimum variance that it can. So if the Planning Board has the ability to make a finding and say, based on the distance from the road or the size of the building or the design speed of the road, one of those three, we can increase the letter height. We can increase the symbol size, as it's called, based on all those three qualities, or we can find special Aesthetic merit for a logo. Chris?

Mr. Oliver: I'm also a little bit confused, because I thought after the last meeting, we all kind of agreed that after seeing the sign on the building, that we all liked how the larger sign kind of laid out on the facade, but that we didn't want to get involved with the legality part of it, of being able to change the Sign Code, so we were going to kind

of leave it up to the Zoning Board to make that correction. That's what we're still doing, right?

Chairman Dupree: Except that I thought...you're kind of the one who introduced it. I thought you wanted to split the difference as I'm calling it. In other words, do the dimensional increase based on size of the building and distance from the road, for the letters, which we can grant. But then do something separate, do the special aesthetic merit for the logo.

Mr. Oliver: But it's still going to the ZBA?

Chairman Dupree: It's still going to the ZBA. So that was kind of where my confusion was.

Chairman Dupree: They want 17-inch letters.

Mr. Oliver: I just wanted to make sure we weren't going to the next level with it. Very good. Thank you.

Chairman Dupree: Stephanie?

Ms. Wasser: Yeah. So I was not at the last meeting. My concern is setting a precedent on that logo where I cannot justify the logo in and of itself as having aesthetic merit. I do agree that the way it's laid out in relationship to the letters, seems to work fine. But we're not asking to look at it as a whole. The aesthetic merit is about the logo, not the letters. So, I just don't want to set a precedent when I cannot find a justification on aesthetic merit just for that logo, if I'm making myself clear. So I would be comfortable approving the letters and let them make their whole case to the Zoning Board, because I'm just not comfortable with setting the precedent.

Vice-Chair Dexter: If I could, I believe we've set the precedent. We have done this at least once before. The Hudson Valley Hospice sign had a big round sun.

Chairman Dupree: Starburst.

Vice-Chair Dexter: Starburst, and we gave that aesthetic. We allowed that to go up, so this is not setting precedent. This is following what we are allowed to do underneath our Zoning.

Ms. Wasser: I would just comment on that, since I did vote for that aesthetic merit on Hospice House. I felt that, the aesthetics, I felt like the sun linked with their mission and what they're doing there, all was very integrated and attractive. I just don't find anything particularly attractive or important about the squirrel. So that's how I differentiated that in my head.

Chairman Dupree: I should add that even though I was present at the last meeting, I weighed in more or less saying that I gave the example of why we included this, and that was the kite tail. And Victoria also discussed with you, because we were on the

same committee, rewriting the Sign Code. I don't plan to vote yes on this, because I don't think that we should be giving it special aesthetic merit. But I understand what people were saying and that's why I wrote the resolution the way I wrote it, because I thought there was a majority that wanted to support it this way. So everyone can just vote, 'Yes or No', however, they feel most comfortable.

Ms. Wasser: And if I could clarify, if we are voting 'No', we are voting 'No' on the aesthetic merit of the logo only.

Chairman Dupree: Well you'd be voting no for the whole resolution.

Ms. Wasser: Alright, and then we...I got it. I know what you're saying.

Chairman Dupree: That's why I have an alternate prepared, in case this one fails. I have an alternate one that would still give them some increase, but only the size that we're allowed to based on the distance rather than aesthetic merit.

Ms. Wasser: Okay. Thank you. I'm good.

Chairman Dupree: I'm sorry I'm laughing, but this is one of those conundrums, that the more we got into it, the more confusing it was for everybody. I could tell. Anyway, let's go ahead and introduce the resolution. I believe this will be done by Ann Weiser.

**RESOLUTION GRANTING DISCRETIONARY BONUS TO
INCREASE MAXIMUM SIZE OF LETTER, SYMBOL OR GRAPHIC
PURSUANT TO TOWN CODE SECTION 108-24.2.F(2)**

**Chestnut Market
1110 Violet Avenue
Hyde Park, NY 12538
Grid # 6165-03-424184**

**Date: June 16, 2021
Resolution: #2021-20**

**Moved By: Ms. Weiser
Seconded By: Vice-Chair Dexter**

WHEREAS, the applicant, Chestnut Market, has submitted an application for new signage, for its retail business located at 1110 Violet Avenue, in the East Park Business District; and

WHEREAS, the proposal is detailed on sample illustrations for two wall signs originally submitted to the Zoning Administrator on November 20, 2020 by GNS Group, last revision date October 1, 2020, where the letters forming the word "Chestnut" exceed the permitted maximum height of 10 inches, and a graphic logo described as 24 inches wide and 19.2 inches tall, also exceeds the maximum size of 10 inches in any direction, and the letters forming the word "Market" are code compliant at 10 inches, a copy of which is attached; and

WHEREAS, the Zoning Board of Appeals must, by law, grant the minimum variances necessary to an applicant, and the Planning Board can exercise its authority under Section 108-24.2F(2) of the Town

Code to grant discretionary bonuses to increase the maximum permitted letter and symbol size of one proposed wall sign located 65 feet from Violet Avenue, a primary access roadway, and a second located 70 feet from the Crum Elbow Road, a second primary access roadway; and

WHEREAS, pursuant to Section 108-24.2F(2)(a), the Planning Board may grant an increase in the maximum size of any symbol or graphic by 1 inch for every 20 feet a wall sign for a business or structure is set back from its primary access roadway to a maximum of 24 inches, if it finds that 1) the additional size is necessary or appropriate due to the sign’s distance from the road, the design speed of the road or the size of the building on which the sign is placed; or 2) the symbol or graphic is of special aesthetic merit; and

WHEREAS, pursuant to Section 108-24.2F(2)(b), the Planning Board may grant an increase in the maximum height of any letter by 1 inch for every 20 feet a wall sign for a business or structure is set back from its primary access roadway to a maximum of 24 inches, if it finds that the additional size is necessary or appropriate due to the sign’s distance from the road, the design speed of the road or the size of the building on which the sign is placed;

NOW THEREFORE BE IT RESOLVED, that the Board makes the following findings to permit a maximum symbol size of 19.2 inches in height and 24 inches in width, and maximum letter heights as cited below for the proposed Chestnut Market wall signs:

- 1. The additional size of the symbols is appropriate given their relationship to the size of the building and a corresponding aesthetic merit.**
- 2. The increase in size for the letter height is appropriate due to the size of the building upon which the wall signs are being placed.**

BE IT FURTHER RESOLVED, that the Board hereby grants the applicant the requested sign bonus to permit a maximum letter height of 13 inches for the letters forming the word “Chestnut”; and

BE IT FURTHER RESOLVED, that the Planning Board recommends issuance of a sign permit for the wall signs by the Zoning Administrator if the variance for the remaining four-inch increase in height up to a maximum of 17 inches for the “C”, “h” and two “t”s is granted.

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

ROLL CALL VOTE Aye-3 Absent-0 Nay-4 Motion Denied

Ms. Witman called the roll and recorded each Board Member’s vote.

Chairman Dupree: Thank you. Any further discussion? Let's call the roll, Cynthia.

Chairman Dupree: Does that mean it failed?

Ms. Witman: 4 Nays and 3 Ayes, yes, it did fail.

Chairman Dupree: Okay. So, Councilman Krupnick, now would be the time for you to put up the second resolution. So what this does is this then only grants, the dimensional increase that we were allowed to based on distance from the road and size of the building, to the logo and the letters. And it's been changed accordingly. Ms. Dexter, do you want to read this one in, you'd have to read this from the screen. Is that okay?

Vice-Chair Dexter: Yes, that's fine.

**RESOLUTION GRANTING DISCRETIONARY BONUS TO
INCREASE MAXIMUM SIZE OF LETTER, SYMBOL OR GRAPHIC
PURSUANT TO TOWN CODE SECTION 108-24.2.F(2)**

**Chestnut Market
1110 Violet Avenue
Hyde Park, NY 12538
Grid # 6165-03-424184**

**Date: June 16, 2021
Resolution: #2021-20A**

**Moved By: Vice-Chair Dexter
Seconded By: Chairman Dupree**

WHEREAS, the applicant, Chestnut Market, has submitted an application for new signage, for its retail business located at 1110 Violet Avenue, in the East Park Business District; and

WHEREAS, the proposal is detailed on sample illustrations for two wall signs originally submitted to the Zoning Administrator on November 20, 2020 by GNS Group, last revision date October 1, 2020, where the letters forming the word "Chestnut" exceed the permitted maximum height of 10 inches, and a graphic logo described as 24 inches wide and 19.2 inches tall, also exceeds the maximum size of 10 inches in any direction, and the letters forming the word "Market" are code compliant at 10 inches, a copy of which is attached; and

WHEREAS, the Zoning Board of Appeals must, by law, grant the minimum variances necessary to an applicant, and the Planning Board can exercise its authority under Section 108-24.2F(2) of the Town Code to grant discretionary bonuses to increase the maximum permitted letter and symbol size of one proposed wall sign located 65 feet from Violet Avenue, a primary access roadway, and a second located 70 feet from the Crum Elbow Road, a second primary access roadway; and

WHEREAS, pursuant to Section 108-24.2F(2)(a), the Planning Board may grant an increase in the maximum size of any symbol or graphic by 1 inch for every 20 feet a wall sign for a business or structure is set back from its primary access roadway to a maximum of 24 inches, if it finds that 1) the additional size

is necessary or appropriate due to the sign's distance from the road, the design speed of the road or the size of the building on which the sign is placed; or 2) the symbol or graphic is of special aesthetic merit; and

WHEREAS, pursuant to Section 108-24.2F(2)(b), the Planning Board may grant an increase in the maximum height of any letter by 1 inch for every 20 feet a wall sign for a business or structure is set back from its primary access roadway to a maximum of 24 inches, if it finds that the additional size is necessary or appropriate due to the sign's distance from the road, the design speed of the road or the size of the building on which the sign is placed;

NOW THEREFORE BE IT RESOLVED, that the Board makes the following findings to permit a maximum symbol size of 10.1 inches in height and 13 inches in width; and, maximum letter heights as cited below for the proposed Chestnut Market wall signs:

- 1. The additional size of the symbols is appropriate given their relationship to the size of the building and the distances from the primary access roadway. The Board denies the request for an increase in size based on special aesthetic merit for the 'squirrel with acorn' logo.**
- 2. The increase in size for the letter height is appropriate due to the size of the building upon which the wall signs are being placed.**

BE IT FURTHER RESOLVED, that the Board hereby grants the applicant the requested sign bonus to permit a maximum letter height of 13 inches for the letters forming the word "Chestnut"; and

BE IT FURTHER RESOLVED, that the Planning Board recommends issuance of a sign permit for the wall signs by the Zoning Administrator if the variance for the remaining four inch increase in height up to a maximum of 17 inches for the "C", "h" and two "t"s is granted.

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

ROLL CALL VOTE Aye-7 Absent-0 Nay-0 Motion Carried

Chairman Dupree: And is there a second? I'll second, that one. Any further discussion?

Vice-Chair Dexter: I have a question. So are we recommending that...as I'm reading it, I'm like, but are we setting this up just for the letters?

Chairman Dupree: No, they will now go to ask the ZBA for any size they want, for the...I assume they're going to want a 19.2 inch height and 24 inch width for the logo, but they are free this way to ask for something bigger if they want.

Vice-Chair Dexter: Oh, okay. I wasn't quite sure. Thanks.

Chairman Dupree: Because I wasn't sure whether, Ms. Forrest or Grace here, whether they wanted to go and try to still submit for a bigger logo, like they first wanted. If you recall, the 17-inch letters originally had a 24-inch-high logo, which made it wider, than what we could even authorize ourselves, so Nancy reduced it to the 24-inch width. This way, if the ZBA wants to give them the original size they wanted, the 24 inches higher, they can, it still grants the permit. I didn't want to have to make them come back to us for the permit, depending on how the ZBA actually goes. Because again, we were only going to authorize the 19.2 inches in height and this way we can grant the maximum we can grant, the three inches, as described, but they can still ask for a bigger logo. I hope that made sense.

Vice-Chair Dexter: No, that makes sense to me, but just for my clarification. On the earlier one, if we had passed the one where we had given the maximum, due to aesthetic, would that have basically frozen that? Yes. So now they can get whatever size they want. Gotcha.

Chairman Dupree: Tad says they're going to be coming to us for recommendation for the size. So I assume that we would then weigh in on what we think the appropriate size is, when the ZBA asks us.

Vice-Chair Dexter: They can still get the five foot by six-foot squirrel if...

Ms. Wasser: Well, they can request it.

Chairman Dupree: Correct.

Vice-Chair Dexter: No, I'm just saying, if we had passed the earlier one, it would have been frozen in.

Chairman Dupree: Yeah, I mean, it froze it in, except that if the ZBA had given them a bigger logo, that just means they'd have to come back to us for a recommendation for the sign permit. I made it so that if they stuck with what they showed us, then it would be automatic, they'd just get through without having to come back to us. This way, they have to come back to us, if anything else changes besides and if they want bigger letters, if that changes, they come back to us as well.

Vice-Chair Dexter: Gotcha. You dangled the proverbial Chestnut?

Chairman Dupree: Let's call the roll again this time.

Ms. Witman: Okay, are we ready? Ms. Weiser?

Ms. Weiser: So I just want to be clear, if I say yes, it's just going to Zoning Board?

Chairman Dupree: Yes.

Ms. Weiser: Then Aye.

Ms. Witman continued to call the roll and record each Board Member's vote.

Ms. DiNapoli:

Can I just add that I just found this one so confusing and I am sorry if I made it even more confusing.

NUVANCE HEALTH

Sign Permit Recommendation Free-Standing, Wall and Window (#2021-27)

Location: 4068 Albany Post Road

Grid #s: 6164-03-006457

In Attendance via Zoom:

Tracy Diehl, Expedite the Diehl

Chairman Dupree: No. This will tee us up for the next one, because it makes it easy, because it was all Code compliant. Everyone's had a chance to see it. Oh, I get it, your company is your last name. Now I get it.

Ms. Wasser: It's a great name.

Chairman Dupree: It is. Expedite the DIEHL.

Ms. Diehl: Thank you.

Chairman Dupree: Anybody have any questions of Tracey, while she's here? I didn't think so. The signs are pretty much straight forward. So thank you, Tracey, for making these Code compliant in the first place. I believe this resolution is going to be introduced by Ms. Wasser.

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

**Nuvance Health
4068 Albany Post Road
Parcel 6164-03-006457**

Replace Tenant panel in free standing sign, Replace wall sign and window signs

Date: June 16, 2021

Moved By: Ms. Wasser

Resolution: #2021-27

Seconded By: Ms. DiNapoli

WHEREAS, Amber Smith of Expedite the Diehl, on April 30, 2021 submitted and on May 26, completed application for replacement signage from HealthQuest to Nuvance Health located at 4068 Albany Post Road at the Springwood View building, Grid Number 6164-03-006457, in the Corridor Business District; and

WHEREAS, the applicant has provided signage that is code compliant and needs no relaxation of the standard letter height and symbol size, and

BE IT RESOLVED, the Board hereby recommends the Zoning Administrator issue the sign permits for Nuvance Health and Springwood View, based on the sign permit application submitted by Amber Smith for owner David Opstad.

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

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

Chairman Dupree: Thank you. Any further discussion? All in favor, please raise your hand and say aye. Aye. Motion carries unanimously. Thank you, Ms. Diehl. Sorry we're not getting a chance to meet you more, but I appreciate the fact that you came.

Ms. Diehl: That's okay. Thank you all. Have a good evening.

Chairman Dupree: You too. Thank you.

GATTERER & ALTBACH

Site Plan Waiver Roof Mounted PV Panels(#2021-28)
Location: 14 Scenic Drive
Grid #s: 6065-02-721979

Chairman Dupree: The next item on the agenda is a site plan waiver for roof mounted solar panels located at 14 Scenic Drive for the owners Gatterer and Altbach. Tad's made the recommendation. They would be visible, sort of, but they're not going to be very obtrusive because they'd kind of blend in with the existing roof line that's there anyway. Does anyone have any questions? There being none, I believe Ms. DiNapoli will introduce this one.

TOWN OF HYDE PARK PLANNING BOARD

**Andreas Gatterer
14 Scenic Drive
6065-02-721979**

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

**Date: June 16, 2021
Resolution: #2021-28**

**Moved By: Ms. DiNapoli
Seconded By: Ms. Wasser**

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Andreas Gatterer to install roof mounted photo voltaic panels on the existing single-family home, and,

Whereas, the application is to install roof mounted solar panels on an existing single-family home, and

Whereas, the panels are mounted at the same angle as the roof, 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 clearly 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 request for a waiver of site plan received by the Planning Department on May 28, 2021.

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

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

Chairman Dupree: Thank you. All in favor, please raise your hand and say, aye. Aye. Motion carries unanimously. And those 'Scenics,' they're all getting out here with the solar panels. It's great. Some new energy.

BELLEFIELD PUD Concept Plan Amendment Approval

Location: 3834 & 3760 Albany Post Road, 15 West Dorsey Lane
Grid #s: 6163-01-000897, -010622, -131849

Chairman Dupree: And the last item on the agenda is to make a motion to set a special meeting in conjunction with the Town Board to workshop a proposed

amendment to the Bellefield Planned Unit Development Concept Plan. This meeting will be at 6:00 PM on Monday, June 28th, 2021. And I will make that motion.

Vice-Chair Dexter: Second that motion, Anne Dexter.

Chairman Dupree: Thank you. I believe I've heard back from most everybody, that you can make that meeting. I haven't heard back from Chris, I think. Chris, is that okay with you?

Mr. Oliver: Yup.

MOTION: Chairman Dupree
SECOND: Vice-Chair Dexter

To set a special meeting in conjunction with the Town Board to workshop a proposed amendment to the Bellefield Planned Unit Development Concept Plan for 6:00 P.M. on Monday, June 28, 2021.

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

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

Chairman Dupree: There you go. All in favor, please raise your hand and say aye. Aye. Just so everybody knows, at this point, this will of course be done by Zoom, because it's still authorized. The Governor, I believe the last day that the remote meetings, like this, would be held authorized by the Governor's Executive Order ends on, I think July 5th. So we're not sure what our next meeting is going to be. Cynthia has been biting her nails over it. So we don't know if it'll be live or by Zoom still, but we'll keep everybody posted. And in the meantime, paper copies are available for the proposed amended concept plan, as well as a link to it, digitally. So please review as much as you can before June 28th. They originally wanted to be on the agenda for June 21st and I said, no, we need more time, because Ann Weiser and I have been seeing this as part of that small working group, but with the rest of you, there's a lot of material to go through on this. There are many changes. The biggest one probably is the percentage of residential to non-residential. Originally it was approved at 53% residential to 47% non-residential. They're looking for more like a 65% to 35%, blend here. Of course, we all know that brick and mortar retail has changed, not just from the pandemic, but that kind of sped it up, along with online ordering. At any rate, I appreciate you all being available. If there's no other business, I can entertain a motion to adjourn.

ADJOURNMENT:

MOTION: Mr. Oliver
SECOND: Ms. Weiser

To adjourn.

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

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

Chairman Dupree: All in favor, please raise your hand and say aye. Aye. Motion carries. Thank you, Tad, for sticking with us the whole time. We'll see everybody at the July meeting. Thanks all. Thanks Councilman Krupnick.

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

MOTION: Ms. Wasser
SECOND: Mr. Pickett

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

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

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