



Historic Town of Hyde Park
Planning Board
4383 Albany Post Road
Hyde Park, NY 12538
(845) 229-5111, Ext. 2

“Working with you for a better Hyde Park”

**DRAFT MINUTES OF THE June 21, 2023, 6:00 PM
PUBLIC HEARING/WORKSHOP/REGULAR MEETING
OF THE HYDE PARK PLANNING BOARD**

**MEMBERS PRESENT: ANNE DEXTER - VICE CHAIR
MICHAEL DUPREE – CHAIRMAN
CHRISTOPHER OLIVER – VICE CHAIR
JOHN GUERCIO, JR
DON VEITH, JR
STEPHANIE WASSER
ROBERT WATERS**

**OTHERS PRESENT: VICTORIA POLIDORO, PB ATTORNEY
PETE SETARO, PB ENGINEER
BONNIE FRANSON, PB PLANNER
KATHLEEN MOSS, HP ZONING ADMINISTRATOR
CYNTHIA WITMAN, PB SECRETARY**

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PLEDGE OF ALLEGIANCE

CONTINUED PUBLIC HEARINGS:

CAMP VICTORY LAKE MASTER PLAN & PHASE 1 CHURCH

Site Plan & Special Use Permit Approvals (#2018-66)

Location: 277 Crum Elbow Road, 232 & 262 Cardinal Road, Hyde Park, NY 12538

Grid #s: 6265-04-630350, -539445, 6265-02-721505, 6265-04-672479, -681487, -712479

In Attendance:

Peter Sander, Rennia Design

Deanna Lambert, Northeastern Conference

MOTION: Vice-Chair Dexter

SECOND: Vice-Chair Oliver

To re-open the public hearing for Camp Victory Lake Master Plan & Phase 1 Church.

- Aye** **Mr. Waters**
- Aye** **Ms. Wasser**
- Aye** **Mr. Veith**
- Aye** **Vice-Chair Oliver**
- Aye** **Mr. Guercio**
- Aye** **Vice-Chair Dexter**
- Aye** **Chairman Dupree**

VOICE VOTE Aye-7 Absent-0 Nay-0

Motion Carried

There was no public comment.

MOTION: Vice-Chair Dexter

SECOND: Vice-Chair Oliver

To close the public hearing for Camp Victory Lake Master Plan & Phase 1 Church.

- Aye** **Mr. Waters**
- Aye** **Ms. Wasser**
- Aye** **Mr. Veith**
- Aye** **Vice-Chair Oliver**
- Aye** **Mr. Guercio**
- Aye** **Vice-Chair Dexter**
- Aye** **Chairman Dupree**

VOICE VOTE Aye-7 Absent-0 Nay-0

Motion Carried

HYDE PARK TOWN CENTER NORTH-READY COFFEE

Site Plan Amendment Approval (#2021-15)

Location: 4272-4288 Albany Post Road, Hyde Park, NY 12538

Grid #: 6065-04-933017

In Attendance:

*Michael Berta, Berta Architecture
Kelly Libolt & Amy Argyrakis, KARC
Joe Berger, Berger Engineering
Nick Citera, N & N Hyde Park LLC*

MOTION: Vice-Chair Dexter

SECOND: Vice-Chair Oliver

To re-open the public hearing for Hyde Park Town Center North-Ready Coffee.

**Aye Mr. Waters
Aye Ms. Wasser
Aye Mr. Veith
Aye Vice-Chair Oliver
Aye Mr. Guercio
Aye Vice-Chair Dexter
Aye Chairman Dupree**

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

There were no public comments. At 6:40 PM, the public hearing was tabled temporarily so the applicant and their consultants could confer. The Board proceeded to the next application.

OTHER BUSINESS:

BELLEFIELD PUD PHASE II FINAL DEVELOPMENT PLAN

Final Development Plan Approval (#2022-27)

Location: 15 West Dorsey Lane, Hyde Park, NY 12538

Grid#: 6163-01-131849

In Attendance:

*Larry Boudreau, T-Rex Capital Group
Kelly Libolt & Amy Argyrakis, KARC
Grace Ruseskas, GNS Group Ltd.*

**Town of Hyde Park Planning Board
4383 Albany Post Road
Hyde Park NY 12538
(845) 229-5111 Ext. 2**

RESOLUTION TO APPROVE THE SIGN MANUAL AND UTILITY PLAN

Bellefield – Final Development Plan Phase 2

Date: June 21, 2023

Moved By: Mr. Guercio

Resolution#: 2023-27C

Seconded By: Vice-Chair Oliver

WHEREAS, on March 15, 2023, by Resolution 2023-27B (the “Approval Resolution”), the Planning Board granted the applicant, T-Rex Hyde Park Owner LLC and its related entities (“Applicant”), conditional Final Development Plan (“FDP”) approval for Phase 2 of the Bellefield Planned Unit Development, an approximately 40-acre area (“the Phase 2 FDP”) located in the southwest corner of the overall Bellefield Property (tax lot 6163-01-131849 (335.55 ac.)) (the “Property” or “Site”); and

WHEREAS, conditional FDP was subject to 18 conditions of approval; and

WHEREAS, Condition 2 of the Approval Resolution required “[a]pproval by the Planning Board of the Sign Design Manual, including, without limitation maximum dimensional standards for letters, symbols and sign area”; and

WHEREAS, Condition 4 of the Approval Resolution required “[a]pproval by the Planning Board of an overall utility plan for all of Phase 2 as shown on the FDP”; and

WHEREAS, the Applicant has prepared and submitted a Sign Design Manual for Phases 1 and 2 of the FDP, dated June 21, 2023, a copy of which is attached to this resolution (the “Sign Design Manual”); and

WHEREAS, the Applicant has submitted an overall utility plan entitled, “Utility Plan, Bellefield Phase II” prepared by Passero Associates, dated January 2023, last revised 5/10/23, Sheets C160 and C161 has been reviewed by the Planning Board.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby approves the Overall Utility Plan and acknowledges that Condition 4 of the Approval Resolution has been satisfied.

BE IT FURTHER RESOLVED, that the Planning Board hereby approves the Sign Design Manual and acknowledges that Conditions 2 of the Approval Resolution has been satisfied once the following changes to the Sign Design Manual are made:

- 1. Pg 2, under “Eligibility”, change “assist” to “regulate”.**
- 2. Pg 2, under “Procedure for Permits”, provide a maximum dimension of 24 inches for letters and logos, after which the request would go to the Zoning Board of Appeals.**
- 3. Pg. 3, Pad Site Business Guidelines, clarify the definition of Pad Site to be single-tenant buildings not connected to others in the neighborhood and identify the pad site by building number.**
- 4. Change maximum sign and logo height throughout the Sign Design Manual to 12 inches in all directions for all signs, with the exception of the Barn Sign.**

5. Pg 15, change heading to “Street/Trail Wayfinding Sign”.

- Aye Chairman Dupree
- Aye Vice-Chair Dexter
- Aye Mr. Guercio
- Aye Vice-Chair Oliver
- Aye Mr. Veith
- Aye Ms. Wasser
- Aye Mr. Waters

Voice Vote Aye-7 Absent-0 Abstain-0 Nay-0 Motion Carried

CONTINUED PUBLIC HEARINGS:

HYDE PARK TOWN CENTER NORTH-READY COFFEE

Site Plan Amendment Approval (#2021-15)
 Location: 4272-4288 Albany Post Road, Hyde Park, NY 12538
 Grid #: 6065-04-933017

In Attendance:

Michael Berta, Berta Architecture
Kelly Libolt & Amy Argyrakis, KARC
Joe Berger, Berger Engineering
Nick Citera, N & N Hyde Park LLC

The public hearing for HPTCN Ready Coffee resumed at 7:15 pm with no public comment.

MOTION: Vice-Chair Dexter
SECOND: Vice-Chair Oliver

To close the public hearing for Hyde Park Town Center North-Ready Coffee.

- Aye Mr. Waters
- Aye Ms. Wasser
- Aye Mr. Veith
- Aye Vice-Chair Oliver
- Aye Mr. Guercio
- Aye Vice-Chair Dexter
- Aye Chairman Dupree

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

Town of Hyde Park Planning Board
 4383 Albany Post Road
 Hyde Park NY 12538
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RESOLUTION TO GRANT CONDITIONAL SITE PLAN APPROVAL

Ready Coffee

Date: June 21, 2023

Moved By: Vice-Chair Oliver

Resolution #: 2021-15A

Seconded By: Mr. Veith

WHEREAS, the applicant, N&N Hyde Park LLC, has submitted an application for amended site plan approval to construct a new 512 sq. ft. single-story, drive-thru retail facility at property located at 4272-4288 Albany Post Road, tax parcel no. 6065-04-933017, in the Town Core District, Pine Woods Priority Redevelopment Subarea 1 (“PW-1) (the “Project”); and

WHEREAS, the Project is depicted on a site plan entitled “Hyde Park Town Center North – Amended Site Plan – Ready Coffee” prepared by Berger Engineering and Surveying, dated June 11, 2022, Sheets No. T-1 (last revised 6/9/23), EX-1 (last revised 6/9/23), SP-1 (last revised 6/9/23), SP-2 (last revised 6/2/23) and SP-3 (last revised 6/2/23), and Sheets L-1 (last revised 3/25/23), L-2 (last revised 3/25/23) and L-3 (last revised 5/22/23) prepared by the Michael Boice Collaboration; Elevations prepared by Michael Berta, AIA Sheets AP-1, -2 -3, dated June 19, 2023 and AP-4 (LT 1), and -5 (LT-2), dated June 12, 2023 (together, the “Site Plan Set”); and

WHEREAS, a one-story shopfront is permitted in PW-1 subject to Planning Board approval; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form (“SEAF”) dated January 4, 2022, pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, on August 3, 2022, the Planning Board classified the Project as a Type II SEQRA action pursuant to 6 NYCRR § 617.5(c)(9), the construction or expansion of a non-residential structure or facility involving less than 4,000 square feet of gross floor area, and 6 NYCRR § 617.5(c)(18), reuse of a residential or commercial structure, where the residential or commercial use is a permitted use in the district; and

WHEREAS, the Dutchess County Department of Community and Behavioral Health has advised the Planning Board by email dated May 31, 2023 that up to 20 outdoor seats would be permitted for the Project without the need for a public restroom; and

WHEREAS, by letter dated June 16, 2023, the Zoning Administrator advised that the Project did not require any area variances; and

WHEREAS, the Planning Board has determined that the off-street parking, which is shared between several uses within the Property, is reasonable and appropriate; and

WHEREAS, the Project was referred to the Dutchess County Department of Planning and Development (“DCDPD”), which responded on June 7, 2023 that the board should not grant site approval unless their conditions have been met; and

WHEREAS, DCDPD comments have been previously addressed and discussed at length by the Board; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, a supermajority vote of the Planning Board is required to approve an action contrary to the recommendation of the DCDPD; and

WHEREAS, a duly noticed public hearing was opened on May 3, 2023, and closed on June 21, 2023 during which all who wish to speak were heard.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby waives the requirement for a 6-ft wide sidewalk for the utility path from the proposed new building to the dumpster as it is an interior sidewalk which is intended to be used by staff and a compliant pathway is provided elsewhere on the Project site; and

BE IT FURTHER RESOLVED, that the Planning Board hereby approves 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. Approval by the Dutchess County Department of Behavioral and Community Health for the methods of water supply and wastewater disposal.**
- 3. Approval of the Site Plan Set by TEG Credit Union, as evidenced by an authorized representative of TEG Credit Union signing the Site Plan Set.**
- 4. Approval by the Attorney to the Planning Board of a cross-access easement with TEG Credit Union and recordation of same with the Dutchess County Clerk.**
- 5. Revision of the Site Plan Set to remove the western most parking space in the grouping of four spaces at the northern end of the Project site and to recenter the remaining three spaces.**
- 6. Revision of Note 6 on Sheet T-1 to read as follows: This Site Plan is for a drive-thru serving beverages and commercially prepackaged items, including snacks, food and grab-n-go items, or items that require no or minimal assembly, but no cooking at the time of customer order. Made to order food or meals, or meals cooked on premises at the time of order, are**

not proposed nor permitted as part of this approval and would require a site plan amendment.

7. Revision of Sheet T-1 to include a Note 7 to read as follows: Any changes to the use, function or appearance of the building shall require a site plan amendment.
8. Revision of the Site Plan Set to include a note that Kelvin values will not exceed 3,000K.
9. Revision of the Site Plan Set to include a note that lightpole bases will be painted black.
10. Revision of Sheet AP-1 to note that the opaque glass will be light gray.

Nay Chairman Dupree
Aye Vice-Chair Dexter
Aye Mr. Guercio
Aye Vice-Chair Oliver
Aye Mr. Veith
Nay Ms. Wasser
Nay Mr. Waters

Roll Call Vote (Supermajority) Aye-4 Absent-0 Nay-3 Motion Denied

The approval resolution was denied because a supermajority of at least 5 ayes was required per the Department of Dutchess County Planning & Development.

WORKSHOP:

CIA HOTEL & VILLAS

Site Plan Approval Hotel & Villas (#2019-39)

Location: 1995-2066 Campus Road, 483-487 & 3957 Albany Post Road, Hyde Park, NY 12538

Grid #s: 6064-04-965164, -932144, 6063-02-889857

In attendance:

*Michael Zarin, Esq. Zarin-Steinmetz
Brent Reynolds, NRI Hyde Park LLC
Chris Lapine, Civil Engineer, LaBella
Samantha Urban, Civil Engineer, LaBella
Tom Johnson, Senior Transportation Engineer, LaBella
Michael Gatti, Principal, Gensler
Lou Dorso, NR International , Chief Construction Officer
Michael Barnicle, Principal, MPFP, Gensler*

The applicants presented the revised layout and design for the proposed resort, which includes a hotel with villas rentals and transient leasehold lodging villas and townhouses. The resort is also proposed to include a sales center, pool, spa and fitness center, tennis and pickleball courts, hiking trails, an event barn, restaurant and bar.

WINNAKEE LAND TRUST LOT-LINE ALTERATION

Minor Subdivision Approval 2 lots (#2023-19)

Location: 991-995 N. Quaker Lane, Staatsburg, NY 12580

Grid #: 6267-03-444254, -485178

In Attendance:

Warren Rosenthal, Winnakee Land Trust

MOTION: Mr. Veith

SECOND: Vice-Chair Oliver

To set a public hearing for Winnakee Land Trust Lot-Line Alteration for July 19, 2023.

Aye Mr. Waters
Aye Ms. Wasser
Aye Mr. Veith
Aye Vice-Chair Oliver
Aye Mr. Guercio
Aye Vice-Chair Dexter
Aye Chairman Dupree

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

OTHER BUSINESS:

SMAJDA, JOHN & DAWN

Site Plan Waiver replacement windows(#2023-36)

Location: 69 Garden Street, Hyde Park, NY 12538

Grid #: 6064-08-851815

TOWN OF HYDE PARK PLANNING BOARD

John and Dawn Smajda

6064-08-851815

69 Garden Steet

SITE PLAN Waiver

Town Code Section 108-9.4 C

June 14, 2023
Resolution #: 2023-36

Moved By: Mr. Veith
Seconded By: Vice-Chair Dexter

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by John and Dawn Smajda, for replacing thirteen windows of the same size on the property associated with a single-family home requiring a building permit; and

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

Whereas, the applicant is proposing to replace thirteen windows of the same size; and

Whereas, the proposed changes meet the zoning code setback requirements; and

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

Whereas, the proposed changes are minor in nature and in character with the neighborhood; and

Whereas, Section 108-9.4 C, allows the Planning Board to waive the site plan procedures for minor changes requiring a building permit; 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 June 5, 2023, and per the request to the Planning Board dated June 14, 2023.

**Aye Chairman Dupree
Aye Vice-Chair Dexter
Aye Mr. John Guercio
Aye Vice-Chair Oliver
Aye Mr. Don Veith
Aye Ms. Wasser
Aye Mr. Waters**

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

PICARD, ERIK & MICHELLE

Site Plan Waiver roof mounted photovoltaic panels(#2023-37)

Location: 12 Terwilliger Road, Hyde Park, NY 12538

Grid #: 6164-01-019658

TOWN OF HYDE PARK PLANNING BOARD
Erik and Michelle Picard
12 Terwilliger Road
6164-01-019658
SITE PLAN Waiver
Town Code Section 108-9.4 C 2

Date: June 21, 2023
Resolution #: 2023-37

Moved By: Ms. Wasser
Seconded By: Vice-Chair Oliver

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

Whereas, the proposed change is declared a Type II action under SEQRA; 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 change is not significant in nature and is in character with the neighborhood; and

Whereas, the property is adjacent to National Park Service property; and

Whereas, the construction will not be visible from the Historic Site; 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 June 12, 2023 and in the building permit application dated May 22, 2023.**

Aye Chairman Dupree
Aye Vice-Chair Dexter
Aye Mr. John Guercio
Aye Vice-Chair Oliver
Aye Mr. Don Veith
Aye Ms. Wasser
Aye Mr. Waters

VOICE VOTE

Aye-7 Absent- 0 Nay-0 Motion Carried

KOCH, STEPHEN

Site Plan Waiver above ground pool (#2023-38)
Location: 26 Huyler Drive, Hyde Park, NY 12538
Grid #: 6066-04-744119

TOWN OF HYDE PARK PLANNING BOARD

Stephen Koch
26 Huyler Drive, Hyde Park, NY
6066-04-744119
SITE PLAN WAIVER
Town Code Section 108-9.4 C 2

Date: June 21, 2023
Resolution #: 2023-38

Moved By: Mr. Waters
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 Stephen Koch for property located at 26 Huyler Drive, Hyde Park, NY; and

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

Whereas, the application is to add an 8’ x 20’ above ground pool, interior changes, exterior alterations and new rear decks and stairs to grade in the rear of the single-family home which is in an historic overlay district; and

Whereas, the deck is negligibly 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 Koch, Stephen**, regarding the specific request received June 15, 2023, and as identified in the building permit application dated April 24, 2023.

- Aye Chairman Dupree**
- Aye Vice-Chair Dexter**
- Aye Mr. John Guercio**
- Aye Vice-Chair Oliver**
- Aye Mr. Don Veith**
- Aye Ms. Wasser**
- Aye Mr. Waters**

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

EAST PARK DELI AND GROCERY

Site Plan Approval Exterior Modification (#2022-07)
Location: 1106 Violet Avenue, Hyde Park, NY 12538
Grid #: 6165-03-424169

MOTION: Mr. Veith
SECOND: Vice-Chair Oliver

To set a public hearing for East Park Deli and Grocery for July 19, 2023.

Aye Mr. Waters
Aye Ms. Wasser
Aye Mr. Veith
Aye Vice-Chair Oliver
Aye Mr. Guercio
Aye Vice-Chair Dexter
Aye Chairman Dupree

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

ADJOURNMENT :

MOTION: Ms. Wasser
SECOND: Vice-Chair Dexter

To adjourn.

Aye Mr. Waters
Aye Ms. Wasser
Aye Mr. Veith
Aye Vice-Chair Oliver
Aye Mr. Guercio
Aye Vice-Chair Dexter
Aye Chairman Dupree

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