

Town of Hyde Park  
**Zoning Board of Appeals**  
4383 Albany Post Road  
Hyde Park, New York 12538

**MINUTES FOR REGULAR MEETING**

**June 23, 2021 7:00 PM**

**Present:** David McNary, Chairman  
James Agrawal  
Paul Donnelly  
Richard Perkins  
John Scileppi

**Absent:**

**Others Present:** Kathleen Moss, Zoning Administrator  
Patrick Logan, Attorney to the Board  
Sarina Teuschler, Secretary to the Board

The meeting began at 7:00pm. The Chairman, David McNary, asked that each member of the Board confirm that they are alone and no one present would influence their vote. All members confirmed.

Chairman McNary lead the Pledge of Allegiance.

**James Agrawal motioned to accept the minutes of May 26 and June 9, 2021; and John Scileppi seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5**  
**ALL OPPOSED: 0**                      **CARRIED**

**New Public Hearings:**

**#21-09Z**                      Courtney St. Germain  
6 Birchwood Terrace  
Poughkeepsie, NY 12601  
Tax Grid No. 6163-03-405378  
**Variance – Section 108-5.15**  
Change setbacks in the Neighborhood District of the front yard from 50 feet to 33 feet, side yard from 20 feet to 19.75 feet, and rear yard from 30 feet to 17.25 feet for the expansion of an existing garage and renovation of an existing porch to a mudroom.

**Richard Perkins motioned to open the public hearing; and Paul Donnelly seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5**

**ALL OPPOSED: 0                      CARRIED**

Property owner Courtney St. Germain was present, as well as her husband, Michael Kraus. Additionally, architect for the applicant Scott Roeber was present.

There were no members of the public present to comment.

Architect Scott Roeber clarified that they will be demolishing the breezeway and one-car garage; and constructing from scratch the mudroom and two-car garage. The garage will be 4 feet deeper and 12 feet wider. The new building includes second-story living space – the new master bedroom. There will be no additional impervious surface area added, as the new garage will only be covering what is currently asphalt driveway.

The side yard setback variance is very minimal (0.25 inch); the rear yard setback will be minimal (3 feet, 0.75 inch); and the front yard will be more substantial (17 feet), but this aligns with the current garage.

**James Agrawal motioned to close the public hearing; and Richard Perkins seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5  
ALL OPPOSED: 0                      CARRIED**

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**#21-11Z**                      Mary & David Newberry  
1019 Violet Avenue  
Hyde Park, NY 12538  
Tax Grid No. 6164-01-433943  
**Variance – Section 108-5.15**  
Change setbacks in the Neighborhood District of the second front yard of a corner lot from 50 feet to 26 feet for the construction of a garage.

**James Agrawal motioned to open the public hearing; and Paul Donnelly seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5  
ALL OPPOSED: 0                      CARRIED**

Property owner David Newberry was present to explain the application. He explained where it would be located. The only variance needed is for the second front yard setback (as it is a corner lot). If the lot were not on a corner, he would not need the variance at all as the location would conform to side yard setbacks.

The garage is oriented to face Route 9G, and that will be the main way to enter; but it will also be accessible via the driveway entrance from White Oaks.

Mr. Perkins asked if Mr. Newberry would be using the garage for any commercial mechanical purposes. Mr. Newberry is only using it for personal vehicles and storage.

There were no members of the public present to comment.

**John Scileppi motioned to close the public hearing; and Paul Donnelly seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5**

**ALL OPPOSED: 0**

**CARRIED**

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**New Applications:**

**#21-10Z**

Gloede Neon Signs, for Chestnut Mobil Gas Station in East Park  
1110 Violet Avenue  
Hyde Park, NY 12538  
East Park Business District  
Tax Grid No. 6165-03-424184

**Variance – Section 108-24.2 F (2)(a)**

Change maximum logo dimensions on two wall signs up to 19.2 inches for logo height and up to 24 inches for logo width.

**Variance – Section 108-24.2 F (2)(b)**

Change maximum letter height on two wall signs up to 17 inches on the letters “C,” “h,” and “t” in the word “Chestnut.”

Representative for the applicant Nancy Forrest, of Gloede Signs, was present to explain the application. The applicant originally went to the Planning Board for relaxation of standard, which they received.

The Planning Board relaxed standards to improve visibility due to distance from the road to the signs. They granted a relaxation of letter height from the standard 10 inches to 13 inches; and a relaxation of logo height from the standard 10 inches to 10.1 inches, and logo width from the standard 10 inches to 13 inches. The applicant is now seeking a variance to reach their desired dimensions of 17-inch letters, and logos that are 19.2 inches tall by 24 inches wide. These are significant variances.

Attorney to the Board, Patrick Logan, explained that as a commercial application, this would be subject to SEQRA review. The ZBA will be performing an environmental review. Additionally, as this property is within 500 feet of a State road (Route 9G), the application must be referred to Dutchess County Department of Planning and Development. He also suggested to request comment from the Planning Board.

**James Agrawal motioned to set the public hearing for July 28, 2021, and also to refer the application to the Planning Board for its comment; and Richard Perkins seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5**

**ALL OPPOSED: 0**

**CARRIED**

Town of Hyde Park  
**ZONING BOARD OF APPEALS**  
4383 Albany Post Road  
Hyde Park, NY 12538  
845-229-5111 ext. 2

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

**Chestnut Market Signage**

1110 Violet Avenue

**Date: June 23, 2021**

**Motion: David McNary**

**Resolution #: 21-10Z-1**

**Second: Richard Perkins**

WHEREAS, the applicant, GTY NY Leasing, Inc., has submitted an application for area variances to increase the maximum permissible graphic and letter height for two wall signs proposed for an existing gas station (the “Project”) at property located at 1110 Violet Avenue, identified as tax parcel no. 6165-03-424184, in the East Park Business District (the “Site”); and

WHEREAS, the proposed signage is depicted on a site plan entitled “Chestnut Markets,” Sheets 1.3 and 2.3, prepared by GNS Group Ltd., dated May 18, 2020, last revised June 8, 2021 (the “Site Plan”); and

WHEREAS, on June 16, 2021, by Resolution # 2021-20A, the Hyde Park Planning Board granted the applicant a discretionary bonus to increase the maximum permitted height and width of the “squirrel” logo on the proposed signage to 10.1 and 13 inches, respectively, and to increase the maximum permitted height of the letters, “C,” “h,” and “t” in the word “Chestnut” on the proposed signage to 13 inches; and

WHEREAS, the applicant seeks the following area variances:

1. To permit a height of 19.2 inches and a width of 24 inches for the “squirrel” logo on the proposed signage, where a maximum height and width of 10.1 and 13 inches, respectively, is permitted for said logo pursuant to Zoning Law Section 108-24.2(F)(2)(a) and Planning Board Resolution #2021-20A; and

2. To permit a height of 17 inches for the aforementioned letters on the proposed signage, where a maximum height of 13 inches is permitted for said lettering pursuant to Zoning Law Section 108-24.2(F)(2)(b) and Planning Board Resolution #2021-20A; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form Part 1 (“EAF”) dated June 8, 2021; and

WHEREAS, in accordance with the State Environmental Quality Review Act (“SEQRA”), the Planning Board is required to determine the classification of the proposed Project; and

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

WHEREAS, the Project Site 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 Zoning Board of Appeals hereby:

1. Classifies the Project as an Unlisted action under SEQRA; and
2. 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.

Adopted:

VOICE VOTE

ALL IN FAVOR: 5

ALL OPPOSED: 0

CARRIED

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**#21-12Z**

George & Susan Utter  
83 Reservoir Road  
Staatsburg, NY 12580  
Tax Grid No. 6167-04-685398

**Variance – Section 108-5.15**

Change side yard setbacks in the Greenbelt District from 25 feet to 10 feet for the relocation and renovation of an existing garage (current garage is 2.5 feet from property line).

**John Scileppi motioned to set the public hearing for July 28, 2021; and Paul Donnelly seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 4  
ALL OPPOSED: 0                      CARRIED**

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There was no other business.

**James Agrawal motioned to adjourn, and Richard Perkins seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5  
ALL OPPOSED: 0                      CARRIED**

The meeting adjourned at 7:34 pm.