



## **Historic Town of Hyde Park**

**Planning Board**

**4383 Albany Post Road**

**Hyde Park, NY 12538**

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*“Working with you for a better Hyde Park”*

### **MINUTES OF THE JULY 7, 2021, 6:00 PM PUBLIC HEARING/WORKSHOP/REGULAR MEETING OF THE HYDE PARK PLANNING BOARD**

#### **MEMBERS PRESENT:**

**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  
PETER SETARO, CPL, PB CONSULTING ENGINEER  
BONNIE FRANSON, NPV, PB CONSULTING PLANNER  
KATHLEEN MOSS, ZONING ADMINISTRATOR  
CYNTHIA WITMAN, PB SECRETARY**

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**Chairman Dupree:** Good evening, everyone. Thank you for joining us at our July 7<sup>th</sup> Planning Board Meeting and we want to welcome all members of the public. It's nice to see faces in real life again instead of in Zoom boxes. We consider this to be a great thing. Before I start, let me ask everyone to take note of the exits around the room. And I haven't said that in a year and a half either. If I'm rusty tonight, please forgive me. Now please join us as we pledge our allegiance to the American Flag.

## **PLEDGE OF ALLEGIANCE**

### **NEW PUBLIC HEARING:**

#### **64 FALLKILL ROAD 2 LOT SUBDIVISION & SITE PLAN**

Minor Subdivision 2 Lots & Site Plan 2 Single Family (#2021-08)

Location: 64 Fallkill Road

Grid #: 6266-03-176450

*In Attendance:*

*Peder Scott, PW Scott Architecture & Engineering*

**Chairman Dupree:** The first item on the agenda tonight is at 64 Fallkill Road. This is a 2-lot subdivision, as well as a site plan. The applicants are seeking the approval to erect 2 structures on a new lot. One would be a conventional single-family home. The other would be a guest house, but it would be where the applicants will live while the other's constructed. Mr. Scott welcome back. It's nice to see you in person again. As a reminder the Board has been reviewing this and reviewing this and reviewing this, so we're all quite familiar, but this is the first time the public will have the opportunity to see the application, so I'm just going to turn it over to Mr. Scott.

**Mr. Scott:** Good evening. My name is Peder Scott. I'm an engineer and architect and I'll be presenting the application tonight. 64 Fallkill Road is a parcel 28.5 acres in size. It was the 4<sup>th</sup> lot of a subdivision for Paul Beligni and before you now is a proposal to take that 28.5 acre parcel and subdivide it into 2 parcels, 8.75 acres in the front and 19.75 acres in the rear. The property basically has frontage on Fallkill Road and there currently is a driveway that extends onto the property itself and services an existing house, which is located on the parcel at this point in time. The intent is to utilize the existing roadway and subdivide the property just past the existing home site. Beyond that, currently, is vacant land to the top of the hill, which has been sculptured and excavated over time, in such a manner that there is a drive area, which would be upgraded with our proposal. The project basically is 2 parts. We're talking about a subdivision at this point in time and is again the creation of these 2 lots. Once the subdivision is approved, the next stage of the project would be a site plan approval and that would constitute the review of the 2 dwellings proposed on top of the hill side. Frontage for the new lot is technically through a strip, 25 feet wide extending down to Fallkill. But there will be granted an easement for the new Lot 1B, over the existing driveway for Lot 1A and they'll have a shared driveway for a distance of approximately 1400 feet. The proposed driveway is 2,200 feet to the top of the hillside. We have a couple of elements on the existing site. We have a pond and we're

going to propose a gravel driveway around the upper pond, referred to in this presentation. We have a lower pond, again, which will be remaining intact. The overall principle of the design is to minimize disturbances as much as possible and that's why we're using the common driveway. But the common driveway has some issues. The driveway was approved and the slope was supposed to be less than 15%, but when we surveyed the property, it became apparent that we'd have to regrade some of the driveway to meet the current driveway standards of the Town of Hyde Park. So the subdivision includes various elements of improvement of this driveway segment. Not only will we file a plat map for the subdivision of the land, but we also have to file drawings on how to bring the driveway that exists to the regulations of the Town of Hyde Park. In such a manner, the drawings that we submitted constituted a driveway plan, a grading plan, an erosion control plan, details and a couple of other items that were requested by the Planning Board during their review.

To mitigate this grading and alignments of this new driveway, we're also adding a buffer of evergreens on the eastern side of the property to provide a buffer between our driveway and the lands or houses to the east. Now remember, the driveway is there at this current time and all we're going to do is bring the grade up at this one corner so that we meet 15% grade. So it's a taper of no fill added, then there's a maximum fill at about 700 feet onto the property. Then that grade tapers out again, the existing grade itself. We couldn't cut into the hillside. We had to fill to make the driveway work, because the rest of the hillside, where the driveway is located, is rock. We felt it was most efficient to add material to make the grade of the driveway work versus cutting into the hillside, because once we reach the grades of our property line, the driveway pretty much follows existing grade as well. Again, mitigating disturbance. We had to add some treatment devices. We have a rain garden proposed at the base of the hillside, which just handles the driveway drainage. Then, we have other elements in the site plan which consists of bio retention basins at three different locations to control our runoff. We've completed drainage analysis where we have clearly indicated that we've mitigated the amount of runoff coming down the hillside to less than existed prior to our commencement of the work. We've mitigated the storm events. With our proposed treatment plan we meet the DEC criteria for treatment and so we've addressed those items.

A couple of different agencies have also been involved with the project. The first one is the Roosevelt Fire Department and they have been contacted. And because we have these water sources, consisting of ponds on the properties, they requested that we put in dry hydrants. We received an approval from them for fire safety and access by putting in these dry hydrants into the ponds, including a pond at the entrance to the site, which we'll be installing for the project itself. We also have turnoffs and pull offs to mitigate the length of the driveway that we have, so that we can have emergency vehicles entering up the hill side. The second agency is the Dutchess County Department of Health and they have approved septic at the top of the hillside to service our proposed buildings. They have also given us a ruling that indicates that because this is the 5<sup>th</sup> lot of a subdivision, it does not meet realty subdivision requirements and so they've asked us on the Plat Map to add a note which indicates that we are exempt from their requirements. Both because of the size of the lot and the number of lots proposed. Nevertheless, we've also submitted full septic plans to them for review, but for the Plat to be filed they've asked to have a note included on

that, which basically they'll sign off on indicating they we're exempt from the subdivision regulations. I have the letter with me.

The last item we have on the project is - the Planning Board has walked the site independently to review the project itself and we were asked to put in some exfoliating bark trees on the site. These are good for propagating bats, because we're in an area of NYS where the DEC wants you to mitigate bats which are endangered in the area itself. So we can't clear any trees unless we do it in the winter time, between October and March and the rest of the time we can't cut trees down because the bats could be in them. And also, we've added additional trees which would be conducive of the summer nesting of bats. I'm going to locate it in the upper portion of the property. One more thing that took place. We have open land criteria and we've proposed open lands on our property, basically keeping areas on the perimeter of the property isolated from any tree clearing unless permitted by the zoning regulations under *Open Space* by the Town of Hyde Park. So we have an open space buffer on the north side, a very small one on the west side and a larger buffer going on the south side and additionally another buffer going on the east side. So we've kept about a 100-foot wide buffer on our property, around the perimeter, which will be for perpetuity remaining open space. All we can do in that area is plant trees and maintain trees if they die, etc. So we have a buffer along those boundaries of the site. There is no buffer proposed facing Mr. Beligni's property, because there is a forest area there already. Our intent was to add the open space to open lands which surround our property and we felt that was the best way to accomplish that.

We did a view shed analysis of the property looking at various components of the property itself. We've isolated our impacts visually to our development of this hillside to many different areas throughout Hyde Park, including the Hudson River. Our basic findings are that we're so isolated distance-wise from view sheds except for Fawn Crest, that the azimuth angle, that is the angle that you can actually see our property would be less than one degree. If you look at the sky at 180 degrees, our impacts are less than 1 degree from any view shed rendering it pretty much unable to distinguish this from afar. That's kind of what we did for our view shed analysis.

We also have some basic plans for what we propose on the property itself. And again, we're using earth tone materials. We're building a post-modern colonial home with a pitched roof at a height of only 35 feet. That keeps our visibility to a minimum. There is visibility from Fallkill Road, but we're so far away from it and you're looking up at a very steep angle to see our disturbed site and that renders it again, pretty much insignificant from Fallkill Road. We've also expressed to the Planning Board that we're going to put a '*Night Sky*' initiative on this property. That means that our lights have to shine downward. We will have no spillage off the property, with our lights and therefore you will not see glaring lights from the top of this hillside once we develop it. Everything faces downward for this project and that prevents glare from emanating from the top of this hillside. I can answer any questions at this point in time.

**Chairman Dupree:** First, I need to get a motion to open the public hearing.

**MOTION: Vice-Chair Dexter**

**SECOND: Ms. Weiser**

**To open the public hearing for 64 Fallkill Road/Highbury.**

**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:** Before we open it up to public comment, let me start with our consultants. We had memos from Ms. Franson and from Mr. Setaro, so let me start with Bonnie.

**Ms. Franson:** So Pete shared a draft memo with me, so I was just going to add to what he already expressed. So just some items to check, my recollection was, is that they were going to put these exfoliating bark trees down at the base of the hill, by the stream corridor to provide some benefit there, because I think that area might have been in the conservation easement. But it wasn't clear what benefit was being provided, so we did talk about that. I think we need to follow up with the wetlands, just to ensure that there is an opinion that they are not regulated by Army Corps, which I think may still be outstanding. You were going to, at some point to provide the architecture, simply to make sure that it's of a color and tone that fits into the landscape. You did touch upon the hydrant and the need for the multiple hydrants, especially the one at the base and if one is provided an easement is required, but there is a question of whether it's necessary. The Town Engineer will touch upon that. With regard to the house, what's very important is for it not to be as visible. Right now it's based on a layout that presumes that a certain amount of vegetation is going to be retained, not just within the conservation easement that's proposed, but also in and around the house. We would recommend that ultimately there be notes, sort of a limits of disturbance line and map notes, so it's clear to the applicant that in order to keep it within the landscape, that tree cutting be limited to what's shown. So pick a reasonable limit of disturbance that the applicant wants around their home and then try and preserve what remains, again for some screening. Related to that, before any kind of clear cutting is done, before people start to build the home, that there be some kind of stake out that can be checked to ensure that when it's being constructed that people aren't getting into that area. Ultimately, between Pete and in general, we need to sort out what sheets go with what plan set and make sure we're all clear about what gets filed as the subdivision versus the site plan. Thank you.

**Chairman Dupree:** Just as a reminder, the subdivision would need to be approved first because the site plan is hinged upon that new lot. And as a reminder, the public hearing is on both the site plan as well as the subdivision. Mr. Setaro, comments?

**Mr. Setaro:** One of my comments was that we should try to coordinate the submissions. We've been getting a lot of different submissions and honestly, I can't keep track of them all when they come in. I think in the future that we should get full

submissions of all the drawings. It's just kind of hard to keep track of which drawings are which and the latest. We keep our comments general at this point. Bonnie had mentioned getting a handle on the subdivision and the site plan drawings and which would be included in each set. I see there are a couple of drawings that are from the surveyor, are those going to be the plat drawings that are going to be filed? One of the things that you clarified here tonight, but I haven't seen it, is the Health Department determining that this is a permission to file project. Did you submit that previously with your package? Or maybe I missed it?

**Mr. Scott:** We just got a letter from them dated this last Friday and so we'll push that to you.

**Mr. Setaro:** Okay, because it was weird, because the hard copies of the surveyor's drawing that you submitted in May, did not have the permission to file note. Then there was an email set that came, I think it was last week that all the sudden had the permission to file note and I wasn't sure if I was going crazy or not.

**Mr. Scott:** DCDOH had to review it because of the number of buildings we have and so in that review, Mr. Hall put together what he could and at the last minute we got this letter.

**Mr. Setaro:** Okay. That's fine. That will cut down on the number of drawings that are going to be in the subdivision set because if this wasn't a permission to file, you would have to go file all the details for the septic for their approval. We can figure that out. We have to clarify the monuments. I believe that they were the square shown on this map, but they weren't labeled and such. We typically require the monuments to be set as a condition of approval, just to make sure that they do get installed. Otherwise, they get lost.

**Mr. Scott:** We usually defer to the Town Engineer to figure out where he wants the monuments.

**Mr. Setaro:** Yeah, you had enough on there. That's fine. You talked about the dry hydrant in the lower pond. That's fine. One of the things that you had put in your letter was in regard to the paving of the driveway and that you wanted to post a bond for that as a condition of the CO for the first house; the guest house, is that correct? We'll have to talk about that. I understand why you want to do it, because it will get trashed once they work on the other structures.

Then I just want to clarify the phasing. You did a really good job in terms of everything that's on there, but I want it to be clear that we know that the guest house is going to be built first, but in the event that nothing else gets built after the guest house, we want to make sure that all the stormwater management facilities that have to be there to at least support the guest house are put in as part of the guest house approval. That's why I said if we could say, for the first structure to be built on Lot 1B, but we could go figure that out. It's just coming up with the right wording. As far as the SWPPP goes, we had someone look through it and you did a really good job on that but we had a few comments, nothing major. You had a separate book that was labeled stormwater management report and I was thinking that really is a part of the

SWPPP, so maybe you could call it appendix A, so it is referenced in the SWPPP. Other than that, we had a few minor comments on the drainage. I think it's just a matter of having a discussion on a couple of things, in terms of the drawings and then we'll be fine. That's it, Mr. Chairman, thank you.

**Chairman Dupree:** Thank you. Ms. Moss, do you want to make any comments?

**Ms. Moss:** The applicant is aware and the Board needs to be aware that there is an existing violation on the property and that an approval can't be authorized or granted. A decision can't be made until that violation has cleared. I understand the existing owner is working to do that with an engineer to close out an old building permit.

**Chairman Dupree:** Thank you. Just a reminder for the Board, there are certain times we can take action if there's a notice of violation, but only when the action that we take would cure the violation or make it less egregious. In this case, this one having to do with an open building violation that's on the Lot 1A property and what we're doing wouldn't make any difference, so that's why we can't take action to improve this. Ms. Polidoro, any comments?

**Ms. Polidoro:** We're still waiting on the legal documents and I'm available to speak to the attorney to assist with the preparation of the easements and driveway maintenance agreement.

**Mr. Scott:** Our attorney is working on a list. The cross-access easement for the driveway. We have an easement for maintaining the stormwater management systems. We have an easement for the Roosevelt Fire Department. I think there's one more.

**Chairman Dupree:** For the pond at the bottom with the hydrant.

**Mr. Scott:** That's correct. We are working on an easement for the Tierney property as well.

**Ms. Polidoro:** And the open space restriction.

**Mr. Scott:** Oh, the conservation open land. We were hoping that Mr. Beligni is closing out his building permit issues and we'll be filing all our easements with the Town Attorney and then whatever it takes we'll work with the Town Board. There are actually two attorneys working with you now on this. The two are working at the same time, the Lot 1B buyer's attorney and Mr. Beligni's attorney, so we've got a lot of horse power to solve that issue.

**Chairman Dupree:** Thank you.

**Mr. Setaro:** Michael, I just had one more thing. Who is Alexander Kokkinos?

**Mr. Scott:** I can introduce him to you. What's happening here is...

**Mr. Setaro:** The only reason I'm asking is because on the Stormwater Permit, he was listed as the owner and I assume he's the contract vendee.

**Mr. Scott:** That's correct.

**Mr. Setaro:** Okay, so I think on the MS4 form, I don't think he can be listed as the owner operator until he formally owns the property. I think it's going to have to be the current owner and then the permit may have to be transferred after that.

**Mr. Scott:** Yes, that'll be fine. I'll take care of that.

**Chairman Dupree:** Vice-Chair Dexter and I already welcomed Mr. Kokkinos into Town when we met up there for a site walk. Before I call on the Board, I want to first tell the audience that when Mr. Scott pointed out that there'd been requests from the Planning Board, you probably heard the majority of our concerns initially were visibility, drainage, impacts to wetlands and natural resources, fire access, so all of these have been kind of worked out and that's the process before the Planning Board. We do as much pre-work as we can because we know sometimes what the public is going to be worried about. We'll do that so that by the time you get to talk about it, it's kind of been worked along and improved a little bit more. So that's been the process. I'm going to call first on the Board members for comments and then I'm going to call on any members of the audience. The way the process works is if you have questions or comments, please aim them to me and the Board and not to the applicant's representative. To the extent that we can answer, we'll answer first. If I can't, then Mr. Scott will then answer. If we can't get any answers at all, we'll come back and answer then later on, I promise, because we won't be closing the public hearing tonight. Let me start to my left, Ms. Weiser any additional comments?

**Ms. Weiser:** No, I think our consultants thoroughly covered all of the pertinent issues and I have nothing to add.

**Mr. Pickett:** I think there's a lot of organization that needs to be done to get the process going for the approval. The only question I have is under the wetland evaluation report, under the regulatory review it was done that there was one residential dwelling, is that the big house, the guest house?

**Mr. Scott:** I think in his report, he's referring to the dwelling that currently exists on the 28.5 acre parcel.

**Mr. Pickett:** So will it be affected by the additional dwellings or not?

**Mr. Scott:** In terms of our analysis, any water that enters the ponds will be treated by bioretention structures and we meet the DEC criteria for treatment prior to discharge into the pond. All we're doing with the ponds is putting a stabilized outlet structure on the pond itself. Currently, in a storm event the water just meanders off across the land causing a lot of erosion. We're taking care of that. Each pond will have its own outlet structure, pipes in compliance with the DEC dam regulations. They're required at outlets and we're adding them.



**Mr. Pickett:** I'm good, thank you.

**Ms. Wasser:** Yes, thank you. I believe the consultants also covered my questions and concerns, but I would like to just add emphasis to the issues surrounding the clear cutting of trees and protecting the perimeter and the comments relating to those issues. Thank you.

**Vice-Chair Dexter:** It was a pleasure to go up and see the site. It is beautiful. I do appreciate all of the technical details that are going to have to be taken care of, but most of my concerns have been addressed.

**Mr. Oliver:** I have nothing new to add. My colleagues have summed it up quite well, so thank you.

**Ms. DiNapoli:** For a year and a half we've been saying, "Please unmute yourself" and now we have to get used to saying, "Speak into the microphone". *Laughter.* I agree with basically everything that the consultants have said. I am very appreciative of the type of lighting, that it's all downward lighting. Light pollution is a big issue, particularly with a home so high up. We don't want to do anything to interfere with the beauty of the night sky. At this moment, that's all I have to say. Thank you.

**Chairman Dupree:** Actually, I don't have any additional comments either. As I said, we've been reviewing this often enough that most of our concerns have been allayed. The two people that signed up to speak about this. One I hope is Charlette Kopp. Would you like to speak Ms. Kopp? Please come up and speak into the microphone.

*Public comments were given from Charlotte Kopp of 90 Partridge Hill Road and Jordan Roschwald of 91 Partridge Hill Road.*

**Ms. Kopp:** My concern is that I have property right below this cap, which is where this property is. Already the water flow has changed. It used to run all the way down to a pond at the base of Partridge Hill Road, or the top and then down to the Federal wetlands. I now have a swamp area that I never had. I have 20 some odd acres and I am concerned that this guest house is pretty close to what you call the open space. I don't want to look up from my house, in any way shape or form and see anything but Mother Nature. And I am concerned about that. We have gone through great lengths to protect the area. And I'm even here with neighbors that don't border on the property that have similar concerns. We don't want to look up and see anything and we don't want to hear anything and we definitely want darkness. We don't want to have the night sky interfered with. That's my concern, thank you.

**Chairman Dupree:** Thank you. I'm going to guess - I've been looking at Mr. Setaro - her address is 90 Partridge Hill Road, which is directly below here. I'm going to guess that some of the water changes that you experienced were done by the current owner by his clear cutting up above because that would change the nature of the water. But the Board cannot approve any kind of plan that would outflow water onto someone else's property. That's the purpose of - I think Mr. Scott may have mentioned it, but

all of the stormwater basins, all of the bio-retention basins, they're all meant to now keep water on the property itself, so we would reduce, what you call the swamp, having to come back. In other words, we didn't review all of the clear cutting that was up there or we would have made it known that there would have to be stormwater practices. The SWPPP stands for Stormwater Pollution Prevention Plan and that's required for all projects of this size. Essentially, what that does is keep the water on site, so when you remove trees, it doesn't just sheet flow and go onto your property. Those are great concerns, thank you.

**Mr. Roschwald:** My concerns have been addressed. I'm new to the community so I just wanted to introduce myself.

**Chairman Dupree:** Welcome.

**Mr. Roschwald:** Thank you very much. Just adding to what Charlotte was saying, I know she's been through a lot in the last couple of years and we're her new neighbors so I'm here for support but also understanding that the eastern border of the plan is going to have the same boundary reservations as everything else. I think that that is just the major thing.

**Chairman Dupree:** So all of the setbacks are correct in terms of side yard, front yard and rear yard. In addition, the applicant has proposed devoting an open space conservation easement, so that nothing can ever be developed past the guest house, all that will be permanently conserved. The Town holds the easement. I think all it can be used for is passive recreation, so walking in through it. They can only remove diseased trees and invasives, that's about it. Otherwise, your views should stay protected when you look up. When you look up you shouldn't be seeing anything. In addition, our Code does not require screening between residential uses, so if someone puts up a house, I can't say that you're not going to see it because there is nothing in the Code that would prevent that. What we do though in these cases is ask for the use of darker or natural materials, such as browns. Things that will blend into the environment. During leaf-off, you still shouldn't see anything, because as Mr. Scott noted, he did a visual analysis from various viewpoints and literally, it's because of the height, angle and the topography rolling around, that will prevent most views. The most you're going to see it is from Fallkill Road, right in front where you're looking down. If you're driving, you're going to have to do this pretty long before you notice, because it's going to look small to you. The residences on Fallkill, some of the homes may actually see it on leaf-off, but that's about it. I'm not really sure it's going to be seen that much because he's tucked it away into a little knob and there are trees around it. I think they're going to remove some of the smaller trees that are in it, but otherwise, are going to keep most of them. Part of the reason for that, is not so much visibility as when you're on a top of a mountain, if you cut down everything, it's going to be really cold in the winter with the wind sweeping up, so they're keeping that as a wind break. In addition, the best views from the property are really from where the pool house is going to be. The pool-house: that's your sweet spot, because it's already cleared. You have the most magnificent views there and that's not going to be used in any way during the winter unless they can figure out that James Bond sort of way of closing off one portion of the pool and using it to keep it warm, which that's what

they're aiming for right now. Even then, that would be blocked and not subject to all the wind. That's why the best views are only going to be experienced by leaving the house and walking around.

**Mr. Roschwald:** That's cool. That sounds great. I hope you invite me to the house warming. *Laughter.*

**Chairman Dupree:** By the way, we meant that, we're always happy to have new residents join us in Hyde Park.

**Mr. Roschwald:** Definitely. I'm really happy to be here. Obviously, the Hudson Valley is blowing up, but I've been coming up here for the past 10 years and I'm really happy to be a part of a community, so it's nice.

**Chairman Dupree:** We love it too. I've only lived here 28 years and in the 28 years that I've been here, I've seen it explode as well; a lot. But more recently than ever. Would anyone else like to speak about this application? You're welcome to. Then, I guess the question is when do we adjourn this public hearing to? Is August 4<sup>th</sup> enough time for Mr. Beligni to handle his...?

**Mr. Scott:** We basically have been in contact with his attorney and he said it's pretty straight forward to address, so we could get it done even earlier. Can we do it 2 weeks from now?

**Chairman Dupree:** We haven't heard back from all of the agencies we referred it to, just the fire department so far, so I think August 4<sup>th</sup> seems the most logical. Plus, one of the things Mr. Setaro is alluding to, lately because everyone is in a rush, we keep getting partial submissions and for someone like me who spends an inordinate amount of time on this and just for this Town, I can handle that and so can my colleagues. But our consultants don't just work for this Town, they work for many towns and many other private applicants as well, so it's hard to keep track of everything when we're getting partials. That's what I think Pete meant, so they need to go through and take a look at the most recent, and they figure out, as Pete noted in his comment memo, which you'll need to respond to, there are sheets that are right now in site plan that may need to be with the plat, so we need to just need to sort that through. If we adjourn this, then we can probably close the hearing on the subdivision on that night. We're not having to take 10 days anymore, Victoria, right? Once we close, we can take action?

**Ms. Polidoro:** Yes.

**Chairman Dupree:** May I get a motion to adjourn this to August 4<sup>th</sup>?

**MOTION: Ms. Weiser**

**SECOND: Vice-Chair Dexter**

**To adjourn the public hearing for 64 Fallkill Road/Highbury to August 4, 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**

**Mr. Stretz:** Ray Stretz, Assistant Chief Roosevelt Fire Department.

**Chairman Dupree:** Hi, nice to meet you finally. We like your responses, thank you.

**Mr. Stretz:** Unfortunately, I had some technology issues and I couldn't respond as quickly as I'd like to, that's why I'm here tonight. I heard you mention that you didn't have the sign off from the Fire Department so I have a copy for you here.

**Chairman Dupree:** No, we do, we have it.

**Mr. Stretz:** Because the last one was dated, 6/27 or something like that. I got a new update with the 3<sup>rd</sup> dry hydrant, which meets our needs and he's been a pleasure to work with.

**Chairman Dupree:** I was going to say that the last comment was, "the most recent plans don't show the dray hydrant by the lower pond?". That's why he responded that way.

**Ms. Polidoro:** I don't think we have that letter.

*Mr. Stretz handed the letter to Ms. Witman for the file.*

**Chairman Dupree:** Thank you for coming all the way over here to do this.

**Mr. Stretz:** No problem. It took me 15-20 minutes. I had to go all the way around 9G.

**Chairman Dupree:** Because 9G's still closed. Mr. Kokkinos, this shows you the level of service that your public servants are willing to go through to help. I'm not joking. It's very nice to meet you, Raymond. Thank you. Okay, so we'll see you on August 4<sup>th</sup> and if you guys need to consult offline just do so.

**Mr. Setaro:** Yeah, why don't we just get together, maybe next week, on a Teams call with Bonnie or if Michael wanted to join in.

## **WORKSHOP:**

### **GLEASON FAMILY PROPERTIES**

Site Plan Approval (#2021-14)

Location: 517 Salt Point Turnpike, Poughkeepsie, NY 12601

Grid #: 6263-03-327395

*In Attendance:*

*John Andrews, Rohde, Soyka, & Andrews*

*Tom & Katie Gleason, Gleason Family Properties, LLC*

**Chairman Dupree:** The next item on the agenda is know as Gleason Family Properties. This is still in workshop, although we're going to start the referral process tonight. For long timers, these are 2 old farm buildings located at 517 Salt Point Turnpike. The applicants are seeking site plan approval to refurbish and renovate the buildings. One building will be used for a generic office space. The other building will be used for storage. The applicants and their representative, Mr. Andrews, have been very responsive to the Planning Board's comments as well as comments from Ms. Moss. As I said, we're prepared to take action tonight and start referring it. We had a new submission and I will turn that over to Mr. Andrews. Welcome. Good to see you in person.

**Mr. Andrews:** Nice to see you and I apologize if I'm rusty. This has been along time coming. We had a very productive meeting the last time we were in front of the Board. It was back on April 7<sup>th</sup>. We received comments from Mr. Franson and Mr. Setaro. We made a resubmittal. We thought we had done a fairly good job of addressing all of their issues. I note that they still have a few items open, but none of them are insurmountable. I think there are a couple that require discussion. One would be the parking issues. Whether you can see your way clear to a reduction in parking, which my client would not be adverse to. The other is the issue of landscaping. Landscaping this site. My client is kind of firm that they'd like to maintain the appearance and are not sure trees would add that much, but it's a topic for discussion.

I must thank the Chairman for weighing in and breaking a log jam with my friends at DOT. I've had several attempts to solicit information from them, but it's only with your good graces that he deemed it appropriate to respond. Now that that's happened, we'll try to get this train moving better. We did make a submission to them over 3 weeks ago and heard nothing. They didn't even tell us to start the application process. We are prepared to do that and as I said, we've got the comments from these folks and I don't think there's anything out of the ordinary.

Just to refresh the Board, this is 517 Salt Point Turnpike. For those of you who are old timers, like me, it used to be known as the Rymph Feeds Store. Again, if you're an old timer like me, some of us probably bought our Christmas trees there. The desire of my client is to maintain those 2 buildings. As you face the site, there is a larger building on the left. It used to be the storage barn. It has light and power, but no heat, no water, so septic, no anything. It's my client's intent to maintain it in that same manner and use it as storage. Storage for what exactly has not yet been determined. The other, smaller building, at various times was an office. It was also a small retail store associated with the feed operation. It's where you paid for your

Christmas trees. It has heat and light, but doesn't have a septic that we can tell. It doesn't have water that we can determine. Our proposal is to convert that to an office, a general use office. Add a bathroom, sink and add a water supply. Basically, that will complete the site development. We're proposing a new entry off Salt Point Turnpike. We've moved it to kind of the extreme north end because the center of the site didn't have the necessary lines of sight. In this particular location, what we're able to do, and we have a letter of authorization from our neighbor to speak for him, is shave back the hill which gives us a pretty good line of sight almost all the way down to Cream Street and beyond. We're pretty confident that would be an improved intersection. We have the parking to the rear. We believe we complied with the Code, but as most Codes go it's probably over parked for this particular use. My client would love to reduce parking, which is fine. There was a couple of concerns, the existing barn for instance has a door on the front, which is elevated to about pick-up truck height. My client would like to retain that. Some of the concerns were that it looked like a parking space with too much room. We kind of shrunk it to the bare minimum and reduced the access so people would not be inclined to park there. It's just someplace you can pull in and load your truck from the barn and go. We are proposing 2 additional overhead doors that would enter at grade at the rear that makes it a little more accessible. The reason for 2 is that there's a series of center posts which run down that old barn. One door in the middle kind of compromises it, so we're proposing 2 doors. Since the last time we were there, the doors were originally indicated as overhead, but they are not in fact overhead. They actually open up and on the inside there's a sliding barn type door. My client proposes to do the same thing, so the doors at the back will not be overhead. They will be hinged to match the front. He proposes to match the front door exactly in terms of style, configuration and color. I know there's a lot of concerns about architecture. I am not an architect; I push dirt for a living. My client has some fairly specific desires, but their basic desire is to restore these buildings in kind. To patch and repair the siding and to patch and repair or replace as necessary the roof. To improve the structural supports underneath and perhaps add a foundation where it's appropriate. Other than that, these buildings will look like it did when it was the old Rymph Feeds Store. I know people are looking for detail. There is nothing thrilling about replacing clapboard siding, same color, texture and shape. Replacing the windows. He's not even looking at replacing the windows, he's looking at reusing what's there and most of those windows appear to be salvageable. Thankfully, through the years, vandals have not reduced the glass to shards and a lot of the glass is still usable. In essence, what we're looking to do is restore this site.

The other issue that was raised last time was about access to the neighbor to the south or east. In removing some of the underbrush and debris, there's a fence already existing and what my client proposes to do is extend that fence to the road. It's a 4 foot high, board and batten, like a split rail design. Then he proposes to turn that fence and continue it all the way along the frontage of the road right of way, but at a lower height. To give it that country look. So it would be 4 foot along the side yard and then 3 foot all the way along the frontage of the property, in an effort to dress it up. Other than that, we have had the Board of Health out there. They've done their deep tests. We do not require fill. We've started the perc test process. The lovely weather we've been having has not been conducive to finishing that. We will complete that, but it looks like the system size that we have on there will be right on target. I

know there are concerns about accessing the hill for the force main. We actually got a machine up the hill, snaked in between the trees using a mini. The trees are not as extensive as it looks on an aerial photograph. Most of them are small samplings and in fact if you get in the area of the septic system, most of them are nonexistent to begin with. We will make some adjustments on that and put some notations on there to minimize clearing. I think the beauty of a force main is that you can kind of snake it where you need to be without removing too many trees. Again, that's my client's intent and we believe that can be accommodated. Other than that, I think we've covered what you need, sir.

**Chairman Dupree:** Mr. Andrews that was very thorough. It was a pleasure to weigh in with DOT and see them respond within 30 minutes. Sometimes that's what it takes, for the Chair to weigh in instead of the 'lowly' consultants who are actually paid to do this. Sorry about that. *Laughter.* Let me start with Ms. Franson, comments?

**Ms. Franson:** You did touch upon some of our comments and essentially the Planning Board needs to determine the extent to which you want the landscaping to remain as is. And I think we need a little more definition as to what's being removed. The representation is that there's a lot of saplings, etc. The concern is mostly that it's going to be essentially cleared. I think there was some narrative about keeping trees and the tree stumps and then you don't have to consider that as part of the SWPPP, but again, I think it's really defining what is going to be removed. Many of our comments just confirm that prior comments were addressed. We did talk about the architecture a bit. I don't know the extent to which the details on the sheet actually talk about materials so maybe a little bit more detail to make sure that in fact it is consistent with what's there and that you're really just repair and salvaging. I think we also wanted to have a discussion, the Planning Board, with regard to the lighting. The lighting that is proposed is a motion detector light. And I think the one behind the barn that's not going to be visible, I can understand that one. I think the one that's in question, is it sufficient, what's proposed to get from the parking area to the office, because if you don't know what the tenant is or who the tenant is, will they possibly have operations in the winter past 5 and is a motion detector that comes on/off, on/off sufficient? So I think that's a question for the Board. Those are the primary comments. Otherwise, you have our other details.

**Chairman Dupree:** Mr. Setaro?

**Mr. Setaro:** The drainage is going to be handled by the Department of Transportation, because it's basically sheet flow to the highway. John answered the question in regard to the clearing around the sewage disposal system. Our comments are limited on this.

**Chairman Dupree:** Ms. Moss?

**Ms. Moss:** The concern I think we're looking towards is when you're clearing the existing vegetation, even though you're leaving stumps, it sounds like the area is going to be disturbed and then seeded. Then, to be maintained, possibly mowed. You're going to have to mow around the stumps. We just want to make sure where that edge will occur.

**Chairman Dupree:** Ms. Polidoro?

**Ms. Polidoro:** Under the new SEQR regulations, reuse of an existing commercial is a Type II action under SEQR, as long it's under certain thresholds. The project is located on a State Highway so it needs to be referred to County Planning. We've prepared a resolution for the Board to consider tonight, to make that referral.

**Chairman Dupree:** Thank you. Before I start getting comments from the Board, Mr. Andrews and since you're clients are here - so the property that's to the west of the site, behind it, is zoned residential and there's a requirement in our Code for screening between residential and non-residential uses. That's the concern that you're hearing tonight about tree removal up at the top. There needs to be some sort of buffer there. Or if you take them all down, then we're required to have you replant something that will be a natural or vegetative screen or to put up fencing. The fencing that you're proposing wouldn't screen along the rear.

**Mr. Andrews:** This parcel here? That's the solar farm.

**Chairman Dupree:** It's the Baxter property that wraps around. Is the site residential?

**Ms. Moss:** It's zoned residential, yes.

**Chairman Dupree:** Is that all solar farm there, that wraps around all three sides? I thought that he kept part of the property. Yeah, there are 2 lots. The solar array is to the other side. That's where the solar array is, up the hill. That section back there, that's separate parcel. Actually the solar farm thought they could use that too, when they first contracted with him. In other words, that's where he theoretically could put in residences, so we need to keep some sort of buffer there between the commercial use.

**Mr. Andrews:** Thank you. I'll take a look at that.

**Chairman Dupree:** Thank you. Let me start to my right, Ms. DiNapoli?

**Ms. DiNapoli:** Good evening. Nice to see you in person. With regard to the repairing of the buildings, does that mean there's not going to be any painting or staining of the exterior?

**Mr. Andrews:** The current buildings are red with white trim. That's a barn paint and we plan on restoring the paint. We're going to replace the barn boards and then repaint the entire structure. I believe. Matching what's there.

**Ms. DiNapoli:** Same thing with the roof? What happened to the blue?

**Mr. Andrews:** That was a tarp. I think nature took care of it for you. We're going to try and restore them as much as possible. I think the original color on both was a



darker slate grey, if I'm not mistaken. Before the rust hit it, so we're going to try to maintain that.

**Ms. DiNapoli:** The lighting by the office from the parking lot really should be reconsidered from a motion sensor to something that's outside, some farm-like fixture. That should be considered. I agree with our Planner, that we do need to define the removal of the trees because you want to have some type of barrier. I also am concerned that it's going to be clear cut. You may say 'no' now, but as one starts, there's always the 'oops', so we have to do something to make sure that that does not happen.

**Mr. Andrews:** We'll try to do a better definition and then consider some notes on the plan.

**Mr. Oliver:** I really like the idea that your restoring the barns that are on the site and keeping the character of that site, that's been there since as long as I can remember. I'm sure others here can remember longer than me.

**Chairman Dupree:** You being the youngest. *Laughter.*

**Mr. Oliver:** I really appreciate that and you trying to keep the building character the same and restoring as much as you can and utilizing the windows, etc. So thank you for that.

**Chairman Dupree:** Do either one of you have any concerns about additional landscaping. I'm guessing the reason why they want less landscaping is to keep it more like a farm look.

**Mr. Andrews:** To keep it the old traditional look, yes.

**Mr. Oliver:** I think without. Maybe just some small shrubbery along the front of the office building. Very small and simple. Other than that, I think the buildings themselves will be the focal point. Thank you.

**Vice-Chair Dexter:** I too agree that I really like the approach to this, that you don't always have to change something. It fits where it is. I love the idea that you're matching the windows and the doors and it's probably going to look fantastic. I can tell. That was an excellent question though, so we would need, not a paint swatch, but a color something.

**Mr. Andrews:** We can provide you with something, even if I have to hack off a corner of the building. We'll get you something. *Laughter.*

**Vice-Chair Dexter:** No hacking please. Were you asking about the landscaping between this property and the residential parcel?

**Chairman Dupree:** No, I'm sorry. What I was asking for was, Ms. Franson's comments were basically that the place could be softened up by the judicious use of

some trees, maybe around the buildings, in between the buildings, something along the way.

**Vice-Chair Dexter:** Okay, understood. I'm not a big landscaper, but if they are going to fill in the area where you traditionally parked, I can see that that will automatically soften it because you're going to have green where there once was pavement. If you wanted to put in some light shrubs, because they are going to be using it as a working barn and running back, so I wouldn't want to put too much.

**Mr. Andrews:** We've had some discussion about putting in some seasonal gardens in spots along the fence and then filling in with some foundation plantings, evergreen shrubs with some other things around strategic corners of the buildings. Just to give them a softer view. Let us play with it. But we'd like to discourage putting major trees in because the overhead wires are there.

**Chairman Dupree:** I'm just asking the Board to weigh in, that's all. I just read through the minutes and you responded already that if we put anything along there's a section of the Code that requires trees to be put along the front and as you pointed out, because of the overhead wires they're going to look like yews after a while. Because-no offense to the great Central Hudson for giving me power back after 7 hours last night, but when they prune, they don't prune with aesthetic standards in mind. You can take a look at some of the trees around here.

**Mr. Andrews:** They prune like an engineer.

**Vice-Chair Dexter:** Diane brings up a good point about the lighting. You have to think about the lighting long term. Although that might work well for what you're envisioning now, if you take the longer view of maybe needing to have something more permanent that blends in, now is the time to do it because you're in site plan. And it's simple. We're not asking for anything major, just something that fits in nicely. I love this project. Thank you.

**Mr. Andrews:** Understood.

**Ms. Wasser:** Thank you. I agree with some of the comments already about how much I enjoy the fact that you're trying to preserve the structures. I'm just struggling a little bit between maintaining the visual landscape with out clearing the hillside. I'm not so much focused on adding trees, as much as not removing the trees. If you're going to all this trouble to maintain the structures and the look of the structures historically. I'd really like to see the site preserved, absolutely as much as possible. Even if it's tall hay-grass in the back or whatever you might envision, but not removing the trees up the hillside. Thank you.

**Mr. Andrews:** Got it.

**Chairman Dupree:** Those are excellent comments. I like the way you paired the preservation of the structures with the preservation of the existing landscape. Mr. Pickett?

**Mr. Pickett:** I like what you're doing with regard to the restoration. I think it's great. A whole lot of us go by on the way to Adams and on the way back you're sitting at that light just looking going, 'I wish'. And it's happening. So I like what you're doing and I think just the landscape definition and the (*inaudible*) would be much appreciated.

**Chairman Dupree:** Thank you. What I think you've heard from at least the first 5 is no big trees in the area but maybe some of the pocket gardens that you're talking about or low shrubbery to soften the look of everything.

**Ms. Weiser:** I agree that the shrubbery can soften. I think that's a good idea. I love hearing that the rear doors of the storage barn are going to match the front door. I think that's a handsome solution. And I do agree also, that the you should have some lighting for the office building, so that when it does get dark at 4:30 in the afternoon, whoever is renting that can safely return to their cars.

**Chairman Dupree:** My comments really are the same thing. We need to have a better definition of what trees will be kept in the rear. Mainly because of the need for screening with the future residential uses. I agree that on the main building, because your entrance is on the back side, if you had something like a single gooseneck downlight or something, that could be turned on. In your narrative you said they could be working until 7 or maybe even 9 o'clock. They could have a way to walk out and see.

**Mr. Andrews:** We may wind up with some type of residential pole light.

**Chairman Dupree:** I was just saying anything that could attach to the building, so you don't have to run electricity out. What ever is easiest for you.

**Mr. Andrews:** We'll take a look at it.

**Chairman Dupree:** I agree also with my colleagues, that some landscaping additions within the site, really would improve it, soften it up without making it appear as though it's not an original farm. Where I grew up, we had farms that look just like nothing and then we had the prettier farms that people in the city would think, that's the farm I want to go visit. And I think you're trying to draw people here, ultimately because of the uses that you're proposing. Anything that will add more curb appeal, that's not going to break your budget would be great. Anne, I have to say, you're the one who hates beige buildings and likes to see red, so when he said we're going to keep it red, I thought, "whoop hoo". Barns are typically red. You can just pick out a color that matches and just bring it up to us, so we can say yes.

**Mr. Andrews:** I'm sure the Gleasons have a color already.

**Chairman Dupree:** At any rate, we are prepared to both set a public hearing for this as well as type the action and refer it. Mr. Oliver, I believe will introduce this resolution.

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

**GLEASON FAMILY PROPERTIES, LLC**

**Date: July 7, 2021**

**Moved By: Mr. Oliver**

**Resolution: #2021-14**

**Seconded By: Ms. Di Napoli**

WHEREAS, the applicant, Gleason Family Properties, LLC, has submitted an application for site plan approval to redevelop an existing 1.406 acre lot with two existing structures located at 517 Salt Point Turnpike (the "Property") into a professional office and storage facility with associated site improvements (the "Project"); and

WHEREAS, the Property is further identified as Tax Grid No. 6263-03-327395 in the Neighborhood Business Zoning District; and

WHEREAS, pursuant to Section 108-5.14 of the Zoning Law, general commercial uses are permitted with site plan approval in the Neighborhood Business District; and

WHEREAS, the Project is depicted on a site plan entitled "Gleason Family Properties, LLC" prepared by Rohde, Soyka & Andrews Consulting Engineers PC, dated November, 2020, last revised April 27, 2021, Sheets EX-1, C100, D100, D101, D101 and PE-1 (the "Site Plan Set"); and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form ("EAF") dated June 2, 2021; and

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

WHEREAS, pursuant to 6 NYCRR 617.5(c)(18), reuse of a commercial structure, where the commercial use is a permitted use under the zoning law and the action does not exceed any threshold in 617.4, is a Type II action under SEQRA; and

WHEREAS, the Project is located on 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 a Type II action under SEQRA.**

2. Directs its Secretary to refer the application to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.
3. Directs its Secretary to refer the application and a copy of this resolution to the NYS Department of Transportation, Dutchess County Department of Behavioral and Community Health, Roosevelt Fire District and the Dutchess County Department of Public Works for a report and recommendation thereon to be provided within 30 days of said referral.

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

**MOTION: Ms. DiNapoli**  
**SECOND: Mr. Oliver**

**To set a public hearing for Gleason Family Properties for August 4, 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**

**KEY CONSTRUCTION OFFICE/STORAGE UNITS**

Site Plan Approval (#2020-30)  
 Location: 1234 Route 9G  
 Grid #: 6165-04-524481

*In Attendance:*

*Kelly Libolt, KARC Planning and Consulting  
 Keith Schofield, Liscum, McCormack & Van Voorhis  
 Amy Argyrakis, KARC Planning and Consulting  
 Alfred Torreggiani, JASA Properties, LLC*

**Chairman Dupree:** The next item on the agenda is Key Construction. This is a matter of first impression for most of the Board. We had a pre-application meeting with the applicants and all the consultants a few months ago to discuss this. They're basically seeking approval to create a new construction office for Key Construction and Key Interiors as well as some storage units to the rear, or to the side. This site is the location of the old 9G Drive-in. There is no sign anymore that says 9G Drive-in, because when I was early on this Board, we had them remove it because it was falling apart. You wouldn't necessarily know the location, but it is located at 1234 Route 9G. Ms. Libolt I will turn this over to you now. Welcome.

**Ms. Libolt:** Good Evening. Thank you. Kelly Libolt.

**Mr. Schofield:** Keith Schofield.

**Ms. Libolt:** I'm here representing the applicant and please forgive us because we are very rusty. I echo what John had said. I just got in the routine of doing Zoom meetings and then, boom, we're back.

**Chairman Dupree:** Just as we we're learning to share screens easily, we had to navigate off of them. I do want to point out that I didn't get to even see the webinar yet, but did mention that's there's a proposal for towns to continue to do virtual meetings?

**Ms. Polidoro:** It's been pending in the legislature. They went home without adopting it.

**Vice-Chair Dexter:** It does have some restrictions that are kind of strange.

**Chairman Dupree:** Okay, but it's possible that in the future we can maybe try this again.

**Ms. Libolt:** So what I did was print the PowerPoint presentation for you. We thought that was the easiest thing to do and maybe that's the new direction everyone goes in. I do have boards, which I can reference if you'd like me to, but this is a workshop, so I thought it was best to do it this way. Again, this is the former 9G Drive-in, which I spend a lot of time at. The property is about 17 acres, plus or minus. There were structures there, for those of you who may have been there. There was the movie theatre sign, an area where you could get food, the concession stand, there were bathrooms and then all of the stanchions. So there is some impervious area still throughout the middle of the site and we call this a redevelopment under stormwater regulations. This is an existing access, which you may not even know is there off of 9G. That brings you way into the back. It's tucked way in. There are wetlands around the perimeter of this site. We did have them validated with Mike Nowicki, but we will get DEC to validate those. We proposing to use the property as Commercial General, in your Code, so as far as the description of uses it's called Commercial General. What we're proposing to do is relocate the applicant's office. So he's going to be relocating all of his staff and his entire office from the City of Poughkeepsie to the Town of Hyde Park. So it's a new company that will come to Hyde Park. He has a

construction company, so it will be office and some storage for equipment and materials. In addition, the back of the site would be utilized for warehousing and also a small area for self-storage. That's sort of the traditional self-storage that you see, that the Redls have with one story and garage and so forth. So part of it is the traditional self-storage and part of it is what we would call industrial self-storage. What we see is there is a trend of companies that just need storage that don't fit into those smaller areas. So they either need stackable shelves, they have equipment and so forth. So that's the intent of these industrial storage areas. This property is located in the East Park Business District. We did a cover letter of what we submitted to you. We provided you with the applications and the EAF and a fairly complete set of drawings. This of course is the first time that you've seen it and we welcome the comments from the consultants. What we're proposing on the plan is an office at around 11,000 square feet, so there's about 15 employees that will use the office. This will be a well and a septic, isolated for the office, because the other uses have no water or wastewater uses. The self-storage area is around 12,000 square feet with the combination of the building.

The warehouses, they're each around 11,000 and change square feet, so 22,000 square feet. Those buildings are about 65 X 175 and are 24 feet tall in the back. We did provide you with a detailed site plan. We show 25 parking spaces. I know that there was a discrepancy that maybe 26 were required, but there's certainly plenty of room for that. We did not go over parking for the warehouse buildings and the self-storage buildings. I just wanted to talk to you about that. I know you have other self-storage facilities. Typically, I've seen that self-storage facilities don't require a parking space, because when you pull up to the garage door, that's typically your parking space. As we all know, not every storage unit occupant is there at the same time.

**Chairman Dupree:** That would be very unusual.

**Ms. Libolt:** It would be, yes. We did provide you with these plans in 2 different sheets. You have the site entrance and then the details of the plan in the back. We provided you with grading and drainage. As I had indicated, this is a re-development site under the stormwater regulations. We will provide you with a SWPPP; a stormwater pollution prevention plan, that will be reviewed by the consultants and of course the Town. We have provided what we think is sufficient drainage areas. We are proposing trying to minimize the amount of impervious area as we can. So you can see the gray areas and the non-gray areas on the plan. At the moment, we have not proposed curbs. I know that was one of the questions that had come up. This would be a sheet flow into some of these storm drainage areas. We certainly can discuss that, but this is what we're proposing at this point. The site will be gated, like most storage and warehouse facilities to ensure that the people who need to go back there can. We provided you with a utility plan showing the location of the septic system and the well. Obviously, both of these would need to be reviewed by the Dutchess County Department of Health. We will begin to prepare those reports and documents and send those to the Department of Health. Typically the town doesn't provide a lengthy review of those reports, but we always send those over to Pete's office so that you have copies of those for your records and any comments that you want to make on those. We provided you with an Erosion and Sediment Control Plan. Obviously, we're sensitive to the fact that there's wetlands in the area and tried to

provide as detailed a plan. But of course these will evolve as we proceed with the project and I think Pete's office had some comments regarding that.

We did provide a landscaping plan, trying to adhere to some of the native species that are there. We of course welcome the Board's comments on the plant species that we've suggested in some of the locations. They are predominantly wetland oriented because the perimeter of the property, where the development ends are the wetter areas. We also provided you with a lighting plan. I know there were some comments relative to the photometric size and we can certainly expand the font size so you can see the pole detail and the lights, of course. Everything was taken into consideration of dark-sky compliance. There would be some pole lights and some building lights on each of the different buildings. We did provide you with a floor plan. Keith Schofield is here and he can certainly go over the elevations for the property and different buildings. We did try to take into consideration, earth tone colors, the tans and the greys. We added stone to the base of the building because we know that's something this Board likes to see. I think we used a Hardie material.

**Mr. Schofield:** We did stick with a pre-engineered building material and roofing material above the stone band that we're implementing on the lower level. Again, earth tone colors, a fieldstone kind of greyish-beige would be the siding color. A bronze for the roof color. The window treatments and store front would be a dark bronze anodized. The basic storage units are going to follow the same pre-engineered siding. Following the beige color, the darker roof color with the bronze. Basically, we would probably follow along with a matching or similar color roll up door. Anywhere we have units that are 65 feet deep, we have an egress man door to go off the rear. We would have those in an accent color of dark bronze to match the roof colors. Sticking with that, as we go from the industrial size to the residential size, we're basically following the same flavor of color schemes all the way through.

**Ms. Libolt:** All of these have pitched roofs, so you don't have any flat roofs. So, that's really our presentation. We did get the comments from the consultants. I'm happy to go through those if you want to. I know they're lengthy and you have other applications behind us. There were a few questions that I had to ask you about and certainly welcome to any comments that the Board has.

**Chairman Dupree:** Ask the questions first before I even call on the consultants.

**Ms. Libolt:** Okay. On Pete's I understood everything and I didn't have any questions. On Bonnie's I was just questioning how you wanted to deal with the parking on the self-storage facility.

**Ms., Franson:** So the applicant had done a calculation for the self-storage facility as to how many parking spaces would be needed, but it's really not shown. It's a question for the Board in terms of what you think is needed. I totally understand the drive up, so you don't really have the conventional parking spaces like you do with an office or employees, but it's more just how do you want to theoretically show it. Does it need to be shown? It's a general question.



**Chairman Dupree:** I'll let the Board weigh in on this, but since Mr. Hutchins is here, with storage units as well, we're going to treat this probably the same way we did with him, which is to show that there is enough width in your drive aisles that someone could park there, parallel or however. That's what's sufficient. We know from experience that people who go to these - actually, I'm learning that a lot of people get storage and then forget to go to these. They put them on their credit cards and just pay forever. It seems to be a lucrative business that way. When they're here, they're really only there for a short amount of time. Even if they're going through something, it's a temporary parking area. We just want to make sure that there's enough room for a couple of other people at a time. The bigger question for the Board is for the industrial storage, do we need to have parking spaces there. Is that something that people would be parking at for a longer time period. For example, there's a landscaper, young man who needs to store equipment, when his drivers come in that morning, they'll need a place to park their own cars all day because they're going to be taking the trucks, cherry pickers, etc. out for the day. I've already mentioned this site to him and he knows the owner, Mr. Torreggiani. It would be a perfect fit for him because he can't find a place and he needs something like this. The question would be, do we need to find parking there because there may be people coming in to actually pick up equipment and leaving their personal vehicles there that day. That was what struck me when you were talking about that.

**Ms. Polidoro:** Do you drive into the industrial parking or walk in?

**Ms. Libolt:** Both. There's an overhead door if you wanted to pull in and then there's also a pedestrian door.

**Ms., Franson:** So you have different components of the site. You have the self-storage and I can see that's definitely the drive up and then there's the 2 warehouses in the back and I think that was my general comment about having a narrative about what is attached to what. Are those going to be leased and if that's the case, will there be employees parking there and do you need to show parking? It depends on whether that's attached to the office and the overall use. So I think a little bit more definition as to how many tenants do you envision, because that speaks to the parking.

**Ms. Libolt:** The intention is that the office has its own warehouse which is immediately behind the office space and we've shown the parking and some of the outdoor storage for that. The warehouse would be individually leased, so perhaps what we should do is show some parking in front of the each of the units or on the side of the units and just show you what we could provide. Again, I'm not sure if each unit would be leased to someone that would have the type of setting where they have staff that are coming in and leaving their cars. So we'll show you the parking that we could provide and there's some mixture or maybe some have no parking and others have an average we'll provide parking there.

**Chairman Dupree:** The industrial storage is that divided inside, so you would lease a portion of it or is it leasing the whole thing?

**Ms., Libolt:** So we're setting that up now. It's so hard to determine the tenant needs.

**Chairman Dupree:** I know. In the case of Mr. Lehan, he has a lot of trucks and they depart at 5 am and they're not back until 9:30 pm. Obviously, during the winter, they're not landscaping, they're doing more snow plowing, which would be different hours. He would probably need a third or maybe even a half. I don't know. I haven't seen what his equipment looks like lately. I know it's hard for you to figure that out, but I think we need to figure out somehow to have parking in case there would be people coming in and leaving their own vehicles.

**Ms. Libolt:** Okay, we'll look into that and see if maybe we can maybe find some planning trends or something.

**Ms. Franson:** I mean a warehouse, we're thinking some sort of contractor, but it could be distribution, so employees could come in and that speaks to whether the space is going to be conditioned. I think it's almost as if you should plan for, I don't know, maybe more intense and if it turns out to be just a warehouse, non-conditioned, don't have a lot of employees, it's just contractor storage, that might be different.

**Ms. Libolt:** I think the latter is what we intend. We don't intend to condition the space. It's all industrial storage.

**Chairman Dupree:** That's what I thought. You made that clear at the first meeting. These changed from the first meeting, you have the 2 bigger ones back there, rather than a series of them. But if you're not going to condition them, then that would argue against having a distribution center there because there's no bathroom, no office.

**Ms. Libolt:** Correct.

**Ms. Franson:** So I think if that's a note, that you're not conditioning it, that it's purely a warehouse, then what that is, is different than... it could be more intensive.

**Chairman Dupree:** Do you have other questions for Bonnie?

**Ms. Libolt:** Yes, I'm sorry. The scale, my favorite thing. Perhaps Tad and Bonnie and I can go through how to calculate it.

**Ms. Franson:** On how to calculate it, yeah.

**Ms. Libolt:** Because it will be predicated on the parking, so we'll have to identify what that is. We'll just kind of put a placeholder that we know that we have to address scale.

**Chairman Dupree:** Scale in East Park Business District is 45,000 square feet and that includes the parking spaces, so they're going to have to go for a variance, obviously. This is the time I can interject that I think this is a really good use for the site. No one knows that drive-in is there. It's surrounded by a lot of rock and landscaping. This is a really... if you're going to put anything back there, this would

be what to put, to me, because it's not really visible. I appreciate that you guys were sensitive to the Board's normal requests for better architecture, but this isn't going to be seen much by regular people. I think it's nice. I saw that there was an attorney's office within the building and I think that Mr. Torreggiani is going to be having clients come up there, so that's going to be nice for him and they can see that he's capable of doing something great. These are usually pretty utilitarian and you've done a nice job. At any rate, the next question.

**Ms. Libolt:** Yes, kudos to Keith. And I agree, I echo that I think that with the front of the property we intended as you come in it will be the client's office, so it would be nicer. And then as you go back it would be industrial space, so I agree with you. Electric and cable aren't shown, so we can just show a general path. We don't know at this point what we're doing. Then, the last question I have was on SHPO, I haven't traditionally referred a project back to SHPO with sort of de minimus changes, so have you done that in the past? I just don't want to frustrate them with the fact that we already submitted it and got a no impact letter on a more intensive development.

**Ms. Franson:** I think it was more because of the building changes, but didn't we, Cynthia get some clarification on that from SHPO?

**Ms. Witman:** I think he wants us to look at what we'll be sending compared to what he reviewed.

**Ms. Franson:** Okay. Because I think you had a different configuration, different number of buildings, so they looked at something different. I don't know that from their perspective, it's going to change much if it was already disturbed, but technically they looked at a different project.

**Ms. Libolt:** So we'll resubmit it and if they get frustrated then we'll tell them that it's less intense. The last was just the DEC Natural Heritage Program, the request is needed. We did submit a summary of all of the permits that are required, but you're looking to do a request on the current habitat and the species.

**Ms. Franson:** Natural Heritage usually comes back with a more detailed list of potential species. I understand that most of the property is disturbed. It has more to do with the wetland habitat. Just making sure that nothing else pops up. Fish and Wildlife Service is pretty general, what comes back. I do have a quick question for you. You have one of the buildings showing a building overhang, what is being proposed there? What's your thought as far as storage, etc.

**Mr. Schofield:** That was more for somebody that might have a boat or a camper and wanted to pull it straight through and it was protected from any loads from snow and anything over the top.

**Ms. Franson:** Okay, from the elements. And kind of related to that, you sometimes have the self-storage facilities around the perimeter and locations have storage of mobile homes, other things and I didn't know if there was any intent to have more than just simple storage of things in the self-storage units.

**Ms. Libolt:** We weren't necessarily intending on having the storage outside of the buildings. Only because we have limited area there where you bump up next to the wetlands and the edge of the pavement is the edge of that buffer. One of the things I wanted to do was speak to the Fire Chief about access and circulation. So maybe we'll hold on responding to that until we're able to speak to him and see what his feeling is as far as the circulation around the building. I think that's what we intended for that overhang and possible equipment storage for the owner. If he wanted to put any type of construction equipment and just store it underneath so it was accessible and then then easily pulled out, but it didn't need to be enclosed. That was the intension of that. Again, this more industrial stuff tucked into the back and the less industrial up front. Thank you.

**Chairman Dupree:** Let me segue to you Ms. Franson, any other comments? Do you want to highlight anything from your memo that you think is especially important?

**Ms. Franson:** I think we covered the highlights. Again, I think a detailed narrative is always useful. A lot of them were just more detail, there are some general notes on there, I don't know if they're necessary. We talked about the building overhang. The DEC I think is important, just getting their verification, their validation. I think that we can move on. The applicant has the comments and this is going to evolve a little bit more. Thank you.

**Mr. Setaro:** At this point, most of the engineering information is preliminary. As Kelly said, they'll be providing a SWPPP. We'll need some more information on the grading, the spot grades on the site to see how it's going to drain. That was pretty much it. There'll be some more information coming. The one thing that I thought about sitting here was that if it's going to be industrial storage and possibly a landscape firm, we'll probably want to have some kind of notes on there in regard to the storage of any hazardous materials. I'll look and see. I had another application or 2 in another town with a similar thing and we had some notes so I'll dig those out and get them to you. Other than that it's preliminary. I also think it's a good use for the site.

**Ms. Moss:** One of the concerns that I would have is where snow storage is going to be handled. And just talking this evening, I thought I saw a note that there's to be no maintenance of equipment on site.

**Ms. Libolt:** There might have been. I'll look and see.

**Ms. Moss:** I think it's important to know if there's going to be maintenance of the equipment.

**Vice-Chair Dexter:** Excellent use for the site. We've heard some other proposals that made eyebrows go up. Nothing pops out at me of major concern. Again, the scale is always fun around here. I do agree that we would need to know where other parking would be. Otherwise, I don't have too many comments. Nice architecture and good use. I did notice on your overall site plan that you did say proposed buildings as 7, but I count 8.

**Ms. Libolt:** Okay, I'll check it.

**Mr. Oliver:** I would agree that it's an excellent use of the site. I'm fine with the parking being relaxed around the commercial storage buildings, because as you noted, there's very seldom many people there at once. It may be a bit premature, but going to the proposed warehouse storage buildings in what I'll call the back of the site or the north of the site, just an idea to help with the parking use issue-I don't know if it violates any setbacks, but if you take the building to the east and the building to the west and move them both to the line of the curb there. Then, just have a 65-foot deep bay and put the parking in the center between the two, so they can share, utilize between themselves, to move if they have to. Because with that narrow drive lane in the back, if you have a door there, if it's industrial use, I don't see trailers or large trucks being able to maneuver.

**Ms. Libolt:** If the guy right there, says that's ok. That was our issue, trying to get the fire truck around, so if they're okay, then I totally agree with you that would solve the issue. Hopefully we can make that change.

**Mr. Oliver:** Or even have a mountable curb or grass area in the back. Something in the back.

**Ms. Libolt:** Yeah, that they could go around.

**Mr. Oliver:** That would solve a lot of the confusion. Those are my comments.

**Chairman Dupree:** Very good comment, as always, Chris. Ms. DiNapoli?

**Ms. DiNapoli:** First off, welcome to Hyde Park. Poughkeepsie's loss is our gain. I have to admit, this is a great use for the property. I do have a few questions. Are houses around the perimeter and could they be put on the map, so we can see?

**Ms. Libolt:** We can do that. We did an aerial photo. They're actually pretty far away. It is like Jurassic Park back there. When you go in, it is so thick. It's heavily wooded. We'll show you where they are. It was one of the questions that came up when we had our meeting. It was a good question.

**Ms. DiNapoli:** The hours of operation were stated as 7 days a week, 24 hours a day. I know that's all encompassing. The concern would be more for when people would have to come in early and trucks backing up with "beep, beep". I don't know in terms of noise, how close that is to the neighbors? Are they that far away that is, you know? That's it for now.

**Ms. Libolt:** We'll show you that so you can see it.

**Chairman Dupree:** Those were great. Ms. Wasser?

**Ms. Wasser:** Yeah, that was a comment that I had, in terms of the hours of operation and why it would need to be 24/7. Some clarification on that would be, not during construction, but during operation it showed that it was 24/7.

**Ms. Libolt:** It's essentially the self-storage, because I didn't know how to quantify it, because there's a code that people can come in with.

**Ms. Wasser:** I'm more concerned with the industrial uses. When we're talking about parking for the industrial warehouses, do you envision equipment that has to be loaded onto a flatbed in the morning and then taken out? That's just something to think about because that's a different kind of parking issue.

**Ms. Libolt:** I don't... I think that's a more intensive warehouse type of thing that you would see on a larger parcel. So I don't believe that we would see this facility being used for construction equipment outside for those tenants. That they would have to come and load something on a lowboy and bring it in and out. We see it more as - a lot of times in these industrial buildings it's more for contractors, smaller contractors that need a place to store smaller equipment. Not necessarily industrial contractors that would be in a bigger warehouse.

**Ms. Wasser:** Okay, because that's what I was envisioning. Okay, great. I love the use and delighted that you're coming to Hyde Park.

**Mr. Pickett:** I think it's a great use of the property. The only question or concern I have is about the entrance/exit. You're on 9G and I don't know if it's 45 or 55 MPH but everybody's doing 55-60 and my concern is the line of site on the entrance /exit because you're got growth right up to the edge of the road there. So if you're coming in with cars, big heavy equipment, flatbeds or whatever, that's my concern.

**Ms. Libolt:** We can address that. We do have to go to DOT to get a permit, so they'll require us on the permit drawings to show the line of sight. We'll certainly have to do some clearing there to make sure that there's better sight distance. Whatever improvements that they have us do on that intersection, probably some channelization or some curbing or something like that.

**Mr. Pickett:** Mine is mostly line of sight because I did drive by and it's like a wall.

**Ms. Libolt:** I agree. I think once you clear the vegetation out and you can see up and down 9G, it might be easier. I'm sure they'll ask us to do that.

**Mr. Pickett:** But I like it thank you.

**Ms. Weiser:** It seems like it would be a good idea to show parking at the warehouse buildings. I agree to relax the standards for the parking at the self-storage. I appreciate that you made these good-looking buildings. I think the people who work there will be very happy that you've done it, even if no one else sees it. That's it.

**Chairman Dupree:** Okay, so you've heard 6 very positive comments about this business coming here and I've just recognized Mr. Torreggiani in the back. I didn't know that was you. My only big comment was that the adjacent area to the DEC wetlands is really close in through there. I want to make sure that there's a way that we don't - when Tad mentioned snow storage, my first thought was we don't want to see the snow dumped into the adjacent area for the wetlands. So you need to show a snow storage area or a note saying it's going to be carted off. One of the two. I'm just wondering what you propose to do, ultimately to make sure that it's not invaded, because I don't want the DEC screaming at the Town or the applicant once they're in business. The other comment that I had was just really covered. Having gone by this recently, I'm going to guess that the DOT will want the entrance/exit upgraded. I don't see how they wouldn't. Last, I also will weigh in and say that I think we need to consider parking for the industrial storage in the rear. Again, if you can show that there's room for cars to park around the individual self-storage and there would also be a way for a fire truck to be able to get in too. That's all we would be worried about. These are lower buildings, so it may be that when we get to the fire department, they may say, 'We can stand on either side and cover all of the building.' We don't know. I know there are different ways that the fire departments approach these processes. Otherwise, I mostly agree with my colleagues. I think it's a wonderful use for the area. I'm delighted to see the business come here. I did have a question about signs. Are you going to ultimately propose signage for the front?

**Ms. Libolt:** Yes. I think what we did was show a location. It was too preliminary to propose a sign.

**Chairman Dupree:** That's what I figured. I know you submitted this to get feedback. I appreciate the fact that Bonnie and Pete did thorough reviews. There's a lot of stuff that's missing from Pete's more thorough review, but Bonnie went through a lot of detail, so we could get everything up front and not have to go through and have things brought back later on. We're always trying to streamline the process here. If that's possible. Now, that we're here, I'm actually enjoying meeting in person again. Even though I was creaky like the Tin-Man at first, when we got here. You'll have a chance to respond to the memo and make any changes based on that. Mr. Schofield, it's our first time to work with you. It's a pleasure. I really did mean it when I said I'm really appreciative that the building looks as nice as it did. I also love the fact that you're going to keep the colors for even the overhead doors. That's going to really blend in nicely for anyone who's back there. Thank you. Good to see you. We'll see you shortly.

### **HYDE PARK TOWN CENTER-PARK PLAZA**

Site Plan Amendment Approval Exterior Modification Playground and Phase II (#2020-15)

Location: 4240-4260 Albany Post Road

Grid #: 6064-02-965956

**Chairman Dupree:** The next item on the agenda, oh Kelly, before you leave, that was very short that we're seeing you. A different application. Hyde Park Town Center. I emailed everyone that Tad and I went out and met with Amy and Kelly to take a look

at what had been done. It looked as though the 18 inches of leaf compost is only 12 inches. Tad put an auger down. I had to go back and look - the Board did not require that, it was actually an agreement with Joe Berger and Pete's sign off that that would be compensatory for some stormwater that wasn't done in the rear. So I asked Kelly to see if Joe would sign off to say 12 inches is fine and then have Pete's agreement. The other issue is that when we did the resolution, the screening for the refuse, or the enclosure was supposed to be wood stockade and it's actually composite. I invited other colleagues to go and take a look. Those are really the only 2 big changes. They also in addition, relocated all of the dumpsters further north along the angle and they actually have been staying there now that there's a fence. They don't want to damage the fence.

**Ms. Libolt:** I have to say. I didn't really think the fence was going to do anything when it was asked for, but it did. It really did.

**Chairman Dupree:** At any rate, I spoke to Kelly earlier today and she didn't have a response back from Joe. You still don't.

**Ms. Libolt:** We still don't. I know they're working on it. We did hear back from Michele later that they are working on it, to check that calculation. I'm sorry.

**Chairman Dupree:** We'll need to have Pete weigh in to make sure he thinks it's okay too. Otherwise, is the Board okay going to composite? It looked really nice to me. *The Board consented.* That was easy. One more time, I had friends from out of town and when they drove by, they went, "what happened there?". It really drew their eye. It looks wonderful.

**Ms. Libolt:** All the pain we went through on the architectural, it's better than I thought it was. Thank you. So we'll come back in 2 weeks. Thank you everyone.

## **OTHER BUSINESS:**

### **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:*

*Scott Hutchins, 4920 LLC*

**Chairman Dupree:** The next item on the agenda - and Mr. Hutchins has been very patient. Nice to see you guys back there. Welcome in advance. This is just an extension of time to begin and complete construction. In addition, Victoria has written the resolution so this grants Tolling time. That's a legal term. Do you want to explain that?



**Ms. Polidoro:** It's a pause. So like a statue of limitations, the Governor paused it. It tolls while or during the pause.

**Ms. Wasser:** Like a bell tolling, not a fee to pass.

**Vice-Chair Dexter:** It freezes it.

**Chairman Dupree:** So what this means is that you get more time, 2 more months extra, I believe it is. Or a little over 2 months. And Scott, do you want to add anything? We had a letter that outlined what you wanted to do and why, and no one has any issues. I feel bad that you stayed here all this time just to hear a resolution.

**Mr. Hutchins:** That's the way the agenda works.

**Chairman Dupree:** You didn't have to be here.

**Mr. Hutchins:** I know, but it's nice to see all of you.

**Chairman Dupree:** We always enjoy seeing you. It's nice to see you again. Any other comments or questions? Ms. Wasser is going to introduce this resolution.

## **RESOLUTION TO GRANT EXTENSION OF TIME TO COMMENCE CONSTRUCTION**

### **Hutchins-Staatsburg Storage LLC**

**Date: July 7, 2021**

**Moved By: Ms. Wasser**

**Resolution: # 2019-20C**

**Seconded By: Mr. Pickett**

WHEREAS, on July 15, 2020, by Resolution #2019-20B, the Planning Board granted the applicant, Tinkelman Architecture PLLC on behalf of 4920 LLC, site plan amendment approval to install additional exterior storage units and make other associated site improvements including drainage, parking and landscaping at an existing self-storage facility located at 4920 Albany Post Road, identified as Tax Grid No. 6066-02-891661 (the "Site"), in the Neighborhood Business District (the "Project"); and

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

WHEREAS, the Project is depicted on an amended site plan entitled "Additional Storage Units - Site Plan Amendment, Staatsburg Storage LLC," prepared by Tinkelman Architecture PLLC, which was signed by the Planning Board Chairperson on August 17, 2020 (the "Approved Site Plan"); and

WHEREAS, pursuant to Section 108-9.6A of the Zoning Law, an approved site plan shall be void and the building permits, if any, revoked, if substantial construction is not started within one year and the entire project or approved phase is not completed within two years of the signing of the site plan; and

WHEREAS, pursuant to Section 108-9.6B of the Zoning Law, the Planning Board may, at its discretion, after conducting a public hearing, grant an extension to an approved site plan; and

WHEREAS, by letter dated May 3, 2021, the applicant requested a one-year extension of the time to commence substantial construction; and

WHEREAS, on March 7, 2020, by Executive Order 202, the Governor of the State of New York State declared the outbreak of the novel coronavirus, COVID-19, an emergency in the State; and

WHEREAS, by Executive Order 202.8 issued on March 20, 2020, and by extensions thereof up to and including 202.67, the time limit for the filing of any process or proceeding as prescribed by any statute, local law, ordinance, order, rule, or regulation, or part thereof, was tolled until November 3, 2020; and

WHEREAS, a duly noticed public hearing was held on June 16, 2021 during which time all those who wished to speak were heard and the Board accepted written comments on the application until June 24, 2021; and

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

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby applies the tolling period to the Project (78 days from August 17 to November 3) and grants the applicant a one-year extension of time to commence substantial construction of the Project as shown on the Approved Site Plan to November 3, 2022 to complete construction to November 3, 2023.**

- 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**

**SCOTT, SEAN**  
Site Plan Waiver Approval (#2021-29)  
Location: 25 Rogers Pl  
Grid #: 6064-08-832925

**Chairman Dupree:** The next item on the agenda is a site plan waiver for an above ground pool at 25 Rogers Place which is in the Scenic Area of Statewide Significance.

We have the recommendation from Ms. Moss and this isn't directly visible from the river or the two historic sites.

**TOWN OF HYDE PARK PLANNING BOARD**

**Sean Scott**

**6064-08-832925**

**25 Rogers Place**

**SITE PLAN Waiver**

***Town Code Section 108-9.4 C 2***

**Date: July 7, 2021**  
**Resolution #: 2021-29**

**Moved By: Mr. Pickett**  
**Seconded By: Ms. Wasser**

***Whereas***, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Sean Scott, for installation of an above ground pool 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 construct a 16' diameter round by 48" high above ground pool in the rear of the home, and

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

***Whereas***, Section 108-9.4 C2, 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, and

***Whereas***, the Planning Board has reviewed the request submitted by the applicant, and has received a recommendation from the Zoning Administrator, 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 8, 2021, and per the request to the Planning Board dated June 15, 2021.

- 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**

**DIAMONTE, JANET**

Site Plan Waiver Approval (#2021-35)

Location: 116 Roosevelt Road

Grid #: 6264-03-070444

**Chairman Dupree:** The next item on the agenda is another site plan waiver. This one is located at 116 Roosevelt Road. The reason why this is required is because there's a little portion of the property that abuts the Valkill site. Just a tiny bit.

**Town of Hyde Park Planning Board**

**SITE PLAN WAIVER**

Diamante – 116 Roosevelt Road

6264-03-070444

*Town Code Section 108-9.4 C 2*

**Date: July 7, 2021**

**Resolution #: 2021-35**

**Moved By: Vice-Chair Dexter**

**Seconded By: Ms. Weiser**

**Whereas, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by Ms. Diamante, on July 6, 2021, for property located at 116 Roosevelt Road; and**

**Whereas, the application is to obtain approval for the installation of an 40' by 18' trex rear deck associated with an existing single family home in the Historic Overlay District; and**

**Whereas, the construction will not be visible from the historic structures at Valkill and is consistent with the residential character of the area, and**

**Whereas, the applicant is required to return to the Planning Board for all other changes to the property; and**

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

**NOW THEREFORE BE IT RESOLVED, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the file entitled Diamante regarding the specific request as submitted in the building permit application dated June 15, 2021.**

**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**

**RIVER RIDGE (F/K/A MAPLE RIDGE)**

Extension of site plan approval to complete construction for the townhouses (#57-02)

Location: Hudson View Terrace

Grid #s: Available upon request

**Chairman Dupree:** The next item on the agenda, River Ridge has made a request for extension of the time to complete construction of their townhouses. One thing I can tell you, is it's really nice to see how much activity there is. This was on pause for a long time and now they're going gangbusters. Which was really great to see. This may finally be finished out sooner than we thought. We just need to set a public hearing because that's required for extension of time to complete construction. May I get a motion to set the public hearing for August 4<sup>th</sup>?

**MOTION: Ms. Weiser**

**SECOND: Vice-Chair Dexter**

**To set a public hearing for River Ridge for August 4, 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**

Consider authorizing the Chairman to send a response letter to the Hyde Park ZBA regarding the area variance for the Mobil Chestnut Market wall signs.

**Chairman Dupree:** The next item-I just read the minutes from our first Chestnut Market discussion with Ms. Forrest and I believe what you all would like me to do is recommend - what they did when they applied to the ZBA was ask for no bigger than what we last, sort of agreed to. When I say sort of agreed to, it's the smaller size. Not the big size that they first came in on. In reviewing the minutes, everyone seemed fine to make that recommendation in favor of the variance request, so they can get the larger letters and larger size, yes?

**Vice-Chair Dexter:** Yes, but I think what we said was that we made the letters as big as we could and we left the image to the ZBA. So I think the ZBA needs to know what our recommendation is.

**Chairman Dupree:** It's letters and image. They'd like to have the letters larger than what we could give them. We only could give them 14 and they want to go to 17 and 15.

**Vice-Chair Dexter:** Right, right.

**Chairman Dupree:** The next item on this should be a positive recommendation.

**Vice-Chair Dexter:** Correct.

**Chairman Dupree:** Then, I'll write it up and send it out.

**MOTION: Mr. Oliver**

**SECOND: Ms. Di Napoli**

**To authorize the Chairman to send a comment letter to the ZBA in support of the Mobil Chestnut Market wall mounted sign area variance application.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Aye</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

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

**EXECUTIVE SESSION**

**MOTION: Vice-Chair Dexter**

**SECOND: Ms. Wasser**

**To enter Executive Session to discuss a personnel issues.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Aye</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

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

**Chairman Dupree:** In this executive session we're going to invite our consultants because we need to have their advice on some of these personnel issues. Thank you. We'll be back.

**MOTION: Ms. Wasser**  
**SECOND: Mr. Pickett**

**To leave Executive Session.**

**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**

*The Chairman verified that no actions were taken during executive session*

**ADJOURNMENT:**

**MOTION: Mr. Oliver**  
**SECOND: Ms. Di Napoli**

**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**

**\*\*\*Motion from the September 1, 2021 Hyde Park Planning Board Meeting\*\*\***

**MOTION: Mr. Oliver**  
**SECOND: Ms. Wasser**

**To approve the minutes of the July 7, 2021 Planning Board Meeting.**

**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**