



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

“Working with you for a better Hyde Park”

July 19, 2023, 6:00 PM
PUBLIC HEARING/WORKSHOP/REGULAR MEETING
OF THE HYDE PARK PLANNING BOARD

PLEDGE OF ALLEGIANCE

OTHER BUSINESS:

HYDE PARK TOWN CENTER NORTH-READY COFFEE

Site Plan Amendment Approval (#2021-15)

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

Grid #: 6065-04-933017

In Attendance:

Kelly Libolt, KARC

Nick Citerra, N&N Hyde Park LLC

John Furst, Esquire

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

RESOLUTION TO GRANT CONDITIONAL SITE PLAN APPROVAL

Ready Coffee

Date: July 19, 2023

Moved By: Chairman Dupree

Resolution: # 2021-15A-Amended

Seconded By: Vice-Chair Dexter

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

WHEREAS, the Project is depicted on a site plan entitled “Hyde Park Town Center North – Amended Site Plan – Ready Coffee” prepared by Berger Engineering and Surveying, dated June 11, 2022, Sheets No. T-1 (last revised 6/9/23), EX-1 (last revised 6/9/23), SP-1 (last revised 6/9/23), SP-2 (last revised 6/2/23) and SP-3 (last revised 6/2/23), and Sheets L-1 (last revised 3/25/23), L-2 (last revised 2/13/23) and L-3 (last revised 2/13/23) prepared by the Michael Boice Collaboration; Elevations prepared by Michael Berta, AIA Sheets AP-1, -2 -3, dated June 19, 2023 and AP-4, and -5, dated June 12, 2023 (together, the “Site Plan Set”); and

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

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

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

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

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

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

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

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

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

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

WHEREAS, on June 21, 2023, a motion was made to adopt a resolution granting conditional site plan approval for the Site Plan Set, which was seconded, but which failed to obtain the affirmative vote of a supermajority of the Planning Board (the “June Resolution”); and

WHEREAS, one of the conditions of the June Resolution was the elimination of the westernmost parking space; and

WHEREAS, Board members expressed concern about conflicts between the drive aisle and the spaces; and

WHEREAS, the applicant has proposed minor revisions the Site Plan Set to reduce the number of parking spaces and channelize traffic to avoid conflicts, consistent with recommendations from the Planning Board’s consulting traffic engineer, a copy of which was provided to the Planning Board’s consulting Engineer and is attached hereto as Exhibit A; and

WHEREAS, by letter dated July 18, 2023, the Planning Board’s consulting traffic engineer advised that the changes shown in Exhibit A will “improve the safety of the proposed parking in this area and adequately address concerns raised.”; and

WHEREAS, the Planning Board has determined that the Planning Board can revote on the application as 62 days have not elapsed since the public hearing was closed and the first vote can be considered a “non-action”.

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

BE IT FURTHER RESOLVED, that the Planning Board hereby approves the Site Plan Set and authorizes the Chair, or his authorized designee, to sign the Site Plan Set after compliance with the following conditions:

- 1. Payment of all fees and escrow.**
- 2. Approval by the Dutchess County Department of Behavioral and Community Health for the methods of water supply and wastewater disposal.**
- 3. Approval of the Site Plan Set by TEG Credit Union, as evidenced by an authorized representative of TEG Credit Union signing the Site Plan Set.**
- 4. Approval by the Attorney to the Planning Board of a cross-access easement with TEG Credit Union and recordation of same with the Dutchess County Clerk.**

5. Revision of each sheet of the Site Plan Set to be consistent with Exhibit A, including but not limited to the installation of a speed hump, channelization and the elimination of one parking space.
6. Revision of Note 6 on Sheet T-1 to read as follows: This Site Plan is for a drive-thru serving beverages and commercially prepackaged items, including snacks, food and grab-n-go items, or items that require no or minimal assembly, but no cooking at the time of customer order. Made to order food or meals, or meals cooked on premises at the time of order, are not proposed nor permitted as part of this approval and would require a site plan amendment.
7. Revision of Sheet T-1 to include a Note 7 to read as follows: Any changes to the use, function or appearance of the building shall require a site plan amendment.
8. Revision of the Site Plan Set to include a note that Kelvin values will not exceed 3,000K.
9. Revision of the Site Plan Set to include a note that lightpole bases will be painted black.
10. Revision of Sheet AP-1 to note that the opaque glass will be light gray.
11. Revision of the Site Plan Set so the northwest curb line of the three proposed parking spaces is shifted to encompass the existing drainage basin.

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

Roll Call (Supermajority) Aye-6 Absent-1 Nay-0 Motion Carried

MOTION: Ms. Wasser
SECOND: Vice-Chair Oliver

To enter Executive Session to discuss an applicant's request to enter a legal agreement.

Aye	Mr. Waters
Aye	Ms. Wasser

Aye **Mr. Veith**
Aye **Vice-Chair Oliver**
Absent **Mr. Guercio**
Aye **Vice-Chair Dexter**
Aye **Chairman Dupree**

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

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

To exit Executive Session and return to the regular meeting.

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

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

The Chairman noted, that as always, no decisions were made in Executive Session.

NEW PUBLIC HEARING:

WINNAKEE LAND TRUST LOT-LINE ALTERATION

Minor Subdivision Approval 2 lots (#2023-19)
Location: 991-995 N. Quaker Lane, Staatsburg, NY 12580
Grid #s: 6267-03-444254, -485178

In Attendance: *Warren Rosenthal, Winnakee Land Trust*
John Heidecker, Heidecker Land & Surveying

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

To open the public hearing for Winnakee Land Trust Lot-Line Alteration.

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

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

There was no public comment.

MOTION: Vice-Chair Dexter

SECOND: Vice-Chair Oliver

To close the public hearing for Winnakee Land Trust Lot-Line Alteration.

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

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

**Town of Hyde Park Planning Board
RESOLUTION TO GRANT FINAL SUBDIVISION APPROVAL**

Winnakee Line Alteration

Date: July 19, 2023

Moved By: Vice-Chair Dexter

Resolution #: 2023-19A

Seconded By: Mr. Veith

WHEREAS, the applicant, Winnakee Land Trust, Inc., has submitted a minor subdivision application to alter the lot lines between a 69.096 acre lot (6267-03-444254) and a 90.51 acre lot (6267-03-485178) to create a new 154.17 acre parcel and a new 5-acre parcel located at 991-995 N. Quaker Lane in the Town of Hyde Park (“Property”), in the Greenbelt Zoning District (the “Project”); and

WHEREAS, the Project is depicted on a final subdivision plat entitled, “Minor Subdivision, Lot Line Alteration, Final Plat Prepared for Winnakee Land Trust, Inc.” prepared by Heidecker Land Surveying, dated July 13, 2023 (the “Subdivision Plat”); and

WHEREAS, on June 7, 2023, the Planning Board classified the Project as a Type II action pursuant to 6 NYCRR 617.5(c)(16), the granting of individual setback and lot line variances and adjustments; and

WHEREAS, on June 7, 2023, the Planning Board classified the Project as a Minor Subdivision and accepted the sketch plan; and

WHEREAS, a duly noticed public hearing was held on July 19, 2023, during which all those who wished to speak were heard.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants final subdivision approval to the Subdivision Plat and authorizes the Chair or his authorized designee to sign the Subdivision Plat after compliance with the following conditions:

- 1. Payment of all fees and escrow.**
- 2. Permission to file from the Dutchess County Department of Behavioral and Community Health.**
- 3. Signing of the Final Plat by the Town of Clinton Planning Board Chair or authorized designee.**
- 4. Add a note stating that future use of the driveway may require a Dutchess County Department of Public Works permit depending on the intensity of the use. Before the driveway is opened for any use, it is the applicant’s responsibility to contact DCDPW to determine if a permit and or any improvements are required.**

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

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

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

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

To open the public hearing for East Park Deli & Grocery a.k.a. Krauszer’s.

Aye	Mr. Waters
Aye	Ms. Wasser
Aye	Mr. Veith
Aye	Vice-Chair Oliver

Absent **Mr. Guercio**
Aye **Vice-Chair Dexter**
Aye **Chairman Dupree**

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

There was no public comment.

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

To close the public hearing for East Park Deli & Grocery a.k.a. Krauszer's.

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

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

Town of Hyde Park Planning Board

RESOLUTION TO GRANT AN EXTENSION OF TIME TO COMMENCE CONSTRUCTION

East Park Deli and Grocery

Date: July 19, 2023

Moved By: Mr. Veith

Resolution: #2022-07B

Seconded By: Vice-Chair Oliver

WHEREAS, on April 20, 2022, by Resolution #2022-07A, the Planning Board granted conditional site plan approval for exterior modifications to an existing commercial structure, including signage, on a 0.39 acre property located at 1106 Violet Avenue, Hyde Park, tax no. 6165-03-424169 (the "Site"), in the East Park Business District (the "Project"); and

WHEREAS, the approved site plan for the Project was signed by the Planning Board Chairperson on July 18, 2022; 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, in its discretion, and after conducting a public hearing, grant an extension to an approved site plan if the applicant submits a written request 30 days prior to the expiration of the site plan; and

WHEREAS, by letters dated April 14, 2023 and June 20, 2023, the Applicant timely requested an extension of time to commence construction of the Project; and

WHEREAS, the Planning Board held a duly noticed public hearing on July 19, 2023 during which all those who wished to speak were heard; and

WHEREAS, the Planning Board has considered this request and the particular circumstances of this Project which warrant the extension of time.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants the applicant a one-year extension of time to commence substantial construction of the Project as shown on the approved site plan to July 18, 2024 and to complete construction to July 18, 2025.

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

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

CONTINUED PUBLIC HEARING:

BELLEFIELD PUD PHASE II SUBDIVISION

Major Subdivision Approval 8 lots (#2022-28)

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

Grid#: 6163-01-131849

In Attendance:

Larry Boudreau, T-Rex Capital Group

Jared O'Connor, T-Rex Capital Group

MOTION: Vice-Chair Dexter

SECOND: Vice-Chair Oliver

To re-open the public hearing for Bellefield PUD Phase II Subdivision.

Aye	Mr. Waters
Aye	Ms. Wasser

Aye **Mr. Veith**
Aye **Vice-Chair Oliver**
Absent **Mr. Guercio**
Aye **Vice-Chair Dexter**
Aye **Chairman Dupree**

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

There was no public comment.

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

To adjourn the public hearing for Bellefield PUD Phase II Subdivision to August 2, 2023.

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

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

CARRIAGE TRAILS (a.k.a. Crofton Mews)

Extension of Site Plan Deadlines for Construction (#16-96)

Location: 1269 Route 9G, Hyde Park, NY 12538

Grid #: 6165-01-340743

In Attendance:

Louis Kaufman, One Key LLC

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

To re-open the public hearing for Carriage Trails, a.k.a. Crofton Mew or Town Center.

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

Camp Victory Lake Phase 1 Religious Sanctuary

Date: July 19, 2023

Moved By: Vice-Chair Oliver

Resolution: #2018-66B

Seconded By: Vice-Chair Dexter

WHEREAS, the applicant, Northeast Conference Corporation, has submitted an application for site plan and special use permit approval for Phase 1 of their master plan for the redevelopment of an existing recreational facility, camp and conference center for the construction of a new 47,130 sq. ft. sanctuary with associated site improvements, located at 277 Crum Elbow Road and 232 & 262 Cardinal Road Parcel tax Nos. 6265-04-630350, - 539445, 6265-02-721505, 6265-04-672479, -681487, 712479, in the Greenbelt District (the "Project"); and

WHEREAS, camps and religious uses are permitted in the GB District with site plan and special use permit approval by the Planning Board; and

WHEREAS, the Master Plan is shown on a plan entitled, "Camp Victory Lake Master Development Plan" prepared by Rennia Engineering Design PLLC, dated May 21, 2019, last revised June 15, 2023, Sheets 0-4 (the "Master Plan Set") and the proposed sanctuary building and Phase 1 improvements are shown on a plan entitled, "Camp Victory Lake, Phase 1 Site Plan" prepared by Rennia Engineering Design PLLC, dated May 23, 2019, last revised June 15, 2023, Sheets 0-24; and Renderings entitled, "The Lodge at Camp Victory Lake" prepared by SMA Architecture Planning Interiors PC Sheets SK-10, SK-01, SK-02, SK-03, SK-04A, SK-05A and SK-06A as well as the Building Elevations SK-05A dated May 26, 2021 (the "Site Plan Set"); and

WHEREAS, pursuant to 6 NYCRR § 617.5(b)(6)(i), a nonresidential project that involves the physical alteration of 10 or more acres is a Type 1 SEQRA action; and

WHEREAS, the Project was referred to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law, which responded on December 28, 2021 that it was a matter of local concern with comments; and

WHEREAS, on December 7, 2022, the Planning Board, serving as lead agency in a coordinated review of the Project, adopted a negative declaration, determining that the Project as proposed at full build-out as shown on the Master Plan would not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement would not be prepared; and

WHEREAS, on February 22, 2023, the Zoning Board of Appeals granted the applicant a variance from § 108-5.15 of the Zoning Law to permit a building height of 47.5 feet and a variance from § 108-4.3G(2)(a) to permit a Stream Corridor of 0 feet where 100 feet is required; and

WHEREAS, by letter dated April 5, 2023, the Town Zoning Administrator advised that alterations to the auditorium and the addition of pavilions would need to be added to the plans for the Project; and

WHEREAS, the applicant shall return to the Planning Board for approval of future phases of work shown on the Master Plan or for any alterations to the Project site; and

WHEREAS, a duly noticed public hearing was opened on December 1, 2021 and closed on June 21, 2023, during which all those who wished to speak were heard and all written comments were considered.

NOW THEREFORE BE IT RESOLVED, that the Planning Board has considered the special use permit standards set forth in 108-8.4A of the Zoning Law and makes the following findings:

- 1. The Project will comply with the applicable requirements contained in Article 4 and 5 of the Zoning Law and is consistent with the purposes of the Greenbelt District.**
- 2. The Project will be consistent with the purposes of the Zoning Law as set forth in 108-1.4.**
- 3. The Project will not result in excessive off-premises noise, dust, odors, solid waste or glare, or create any public or private nuisances.**
- 4. The Project will not cause significant traffic congestion, impair pedestrian safety, or overload existing roads, considering their current width, surfacing, condition and any proposed improvements made to them by the applicant.**
- 5. The Project will be suitable for the proposed action, considering the Property's size, location, topography, vegetation, soils, natural habitat, hydrology, hydrogeology and, if appropriate, its ability to be buffered or screened from neighboring properties and public roads.**
- 6. The Project will be subject to such conditions on operation, design and layout of structures and provision of buffer areas as may be necessary to ensure compatibility with surrounding uses and to protect the natural, historic and scenic resources of the Town.**

BE IT FURTHER RESOLVED, that the Planning Board hereby grants the applicant a special use permit for a camp and religious use as shown on the Site Plan Set and approves the Site Plan Set for Phase 1 and authorizes the Chair or his authorized designee to sign the Site Plan Set after compliance with the following conditions:

- 1. Payment of all fees and escrow.**

2. Approval of the SWPPP by the Town Engineer and Town Stormwater Officer.
3. Approval by the Dutchess County Department of Behavioral and Community Health for the methods of water supply and sewage disposal.
4. Approval by the Dutchess County Department of Public Works for the curb cut.
5. Revision of Site Plan Sheet 6 of 24 to include a note stating that installation of the dry hydrant shall be coordinated with, and inspected by, the Roosevelt Fire Department.
6. Revision of Sheet 8 of 24 to depict all roof leaders and approval by the Town Engineer of the drainage shown on this sheet.
7. Revision of the Site Plan Set to include a 12 ft wide footpath to the new cabins.
8. Revision of Site Plan Sheet 14 of 24 to correct the Norway Spruce/White Spruce inconsistency.
9. Revision of Site Plan Sheet 14 of 24 to include the following note: A “No-Mow Zone” is established extending 30 feet from the lake. The “No-Mow Zone” shall be protected during and after construction by the placement of boulders to demarcate the Zone.
10. Revision of Site Plan Sheet 0 to include the SMA Sheets

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

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

APDE PROPERTIES, LLC f.k.a. Village Antiques Center
 Site Plan Waiver HVAC Mini Splits (2023-42)
 Location: 4321 Albany Post Road, Hyde Park, NY 12538
 Grid# : 6065-20-860113

TOWN OF HYDE PARK PLANNING BOARD
APDE Properties LLC 4321 Albany Post Road
 6065-20-860113
SITE PLAN WAIVER

Town Code Section 108-9.4 C 2

Date: July 19, 2023
Resolution #: 2023-42

Moved By: Ms. Wasser
Seconded By: Mr. Veith

Whereas, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by owners Andre Pimienta and Deborah Eckwall, for the addition of three mini-split heat pumps, and

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

Whereas, the Planning Board has received a recommendation for a waiver of site plan from the Zoning Administrator, and

Whereas, the change associated with the installation of the mini splits is partially screened by existing landscaping, and

Whereas, the use requires Site Plan review because the property adjoins an historic site Hyde Park Elementary School and is within the historic overlay district, and

Whereas, Site Plan approval had previously been granted in 1989 for an addition to the Village Antiques Center, and

Whereas, the applicant is required to return to the Planning Board for all other changes to the buildings, use or property,

***NOW THEREFORE BE IT RESOLVED*, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the file entitled APDE Properties, LLC for installation of heat pumps regarding the specific waiver request dated February 9, 2023, associated with the building permit application dated January 13, 2023.**

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

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

APDE PROPERTIES, LLC f.k.a. Village Antiques Center
Site Plan Waiver Change of Use (2023-43)
Location: 4321 Albany Post Road, Hyde Park, NY 12538
Grid# : 6065-20-860113

TOWN OF HYDE PARK PLANNING BOARD
APDE Properties LLC 4321 Albany Post Road
6065-20-860113

SITE PLAN WAIVER
Town Code Section 108-9.4 C 2

Date: July 19, 2023
Resolution #: 2023-43

Moved By: Ms. Wasser
Seconded By: Mr. Veith

***Whereas*, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by owners Andre Pimienta and Deborah Eckwall, for a change of use from retail Antique sales and storage to 1) returning the front building, a former residence, to a one bedroom Air BnB rental, 2) converting the large two story central building, formerly storage, into two offices each with a maximum of two employees on site at any time and 3) converting the rear building from garage storage to a one seat/one sink hair salon, and**

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

***Whereas*, the dumpster will be relocated to the southern property line by the hair salon, formerly the garage and will be screened by a white vinyl 8 ft by 6 ft swinging gate, and**

***Whereas*, the landscaping will be enhanced as shown on plan submitted June 16, 2023, and**

***Whereas*, on March 29, 2023 the DC DBCH established the maximum use based on the engineer's septic system assessment, and**

***Whereas*, the shed to the rear of the hair salon is under 140 square feet and is at least 5 feet from the side and rear property lines, and**

***Whereas*, the existing eleven parking spaces are adequate for the change of use, and,**

***Whereas*, the owner has withdrawn the sign permit application and will return at a later date with a complete application, and**

***Whereas*, the use requires Site Plan review because the property adjoins an historic site, Hyde Park Elementary School and is within the historic overlay district, and**

***Whereas*, Site Plan approval had previously been granted in 1989 for an addition to the Village Antiques Center, and**

***Whereas*, the applicant is required to return to the Planning Board for all other changes to the buildings, use or property,**

***Whereas*, the Planning Board has received a recommendation for a waiver of site plan from the Zoning Administrator, and**

***Whereas*, this site plan waiver is only related to Zoning and Planning Code requirements for the building permit application that was submitted January 13, 2023 and this site plan waiver approval does not imply compliance with any applicable NYS Building Code associated with this change of use. Any additional interior or exterior changes required to meet building codes must undergo additional zoning review, and**

NOW THEREFORE BE IT RESOLVED, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the file entitled APDE Properties, LLC for changes in use from Retail sales of Antiques and storage to a one chair/one sink hair salon, two offices with a maximum number employees as established by the DC DBCH and a one bedroom Air B n B regarding the specific waiver request dated February 10, 2023, as revised April 21, 2023 and July 11, 2023, associated with the building permit application dated January 13, 2023.

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

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

WISE, DAVID & ELIZABETH

Site Plan Waiver RM PV Panels (2023-40)

Location: 41 Horseshoe Drive, Hyde Park, NY 12538

Grid# : 6064-12-838697

TOWN OF HYDE PARK PLANNING BOARD

David and Elizabeth Wise

41 Horseshoe Drive

6064-12-838697

SITE PLAN Waiver

Town Code Section 108-9.4 C 2

Date: July 19, 2023

Resolution #: 2023-40

Moved By: Mr. Waters

Seconded By: Vice-Chair Dexter

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

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

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

Whereas, the panels are mounted at the same angle as the roof; and

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

Whereas, the construction will not be visible from the Historic Site; and

Whereas, no other changes have been requested at this time and whereas the applicant is required to return to the Planning Board for all other changes to the approved plans, and

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

THEREFORE BE IT RESOLVED, that the **Town of Hyde Park Planning Board** hereby waives site plan requirements for the proposed changes as described in the request for a waiver of site plan received by the Planning Department on June 27, 2023 and in the building permit application dated June 8, 2023.

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

Voice Vote Aye-5 Absent-1 Abstain-1 Nay-0 Motion Carried

CULINARY INSTITUTE OF AMERICA

Site Plan Amendment Approval North & South Entry Gates (#2023-23)
Location: 3745 Albany Post Road, 1946 Campus Drive & 11 Chive Court, Hyde Park, NY 12538
Grid #s: 6063-02-966578, -906630, -940557

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

To set a public hearing for the Culinary Institute of America Entry Gates for August 2, 2023.

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

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

SEGAL, BENJAMIN

Site Plan Waiver Garage Expansion SASS (2023-31)
Location: 20 Parker Avenue, Hyde Park, NY 12538
Grid# : 6065-20-845041

TOWN OF HYDE PARK PLANNING BOARD

Benjamin and Jennifer Segal
20 Parker Avenue
6065-20-845041
SITE PLAN WAIVER
Town Code Section 108-9.4 C 2

Date: July 19, 2023
Resolution #: 2023-31

Moved By: Ms. Wasser
Seconded By: Mr. Waters

Whereas, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by Benjamin and Jennifer Segal on April 11, 2023, for property located at 20 Parker Avenue in the Town of Hyde Park, and

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

Whereas, the application is to construct a 27' x 27' detached garage in the rear of the existing single-family home in an historic overlay district, and

Whereas, the Zoning Board of Appeals, by resolution 23-07z, have granted area variances, and

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

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

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

NOW THEREFORE BE IT RESOLVED, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the file entitled Segal, regarding the specific request as submitted April 11, 2023, and in the building permit application file dated January 24, 2023.

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

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

SALMON OF KNOWLEDGE BOOKS

Sign Permit Recommendation Free-Standing Sign (2023-39)
Location: 4158 Albany Post Road, Hyde Park, NY 12538
Grid# : 6064-02-978693

**TOWN OF HYDE PARK PLANNING BOARD
RESOLUTION RECOMMENDING GRANTING OF SIGN PERMIT**

**Salmon of Knowledge Books
4158 Albany Post Road
Grid# 6064-02-978693**

**Date: July 19, 2023
Resolution #: 2023-39**

**Moved By: Mr. Veith
Seconded By: Vice-Chair Oliver**

WHEREAS, a sign permit application was submitted to the Town of Hyde Park Zoning Administrator on June 20, 2023, for a proposed change in signage for Salmon of Knowledge Books in the building at 4158 Albany Post Road, a copy of which is attached hereto, and

WHEREAS, the Zoning Administrator has reviewed the request for changes to the free-standing sign and has determined that the change is in conformance with Article 24 of the Code and Greenway Connections, and

WHEREAS, the building is fronting on Route 9 where the speed of traffic is 45 mph, and

WHEREAS, pursuant to Section 108-24.3 of the Code, applications for sign permits for signs that will be visible from Route 9 must be forwarded to the Planning Board for its recommendation; and

NOW THEREFORE BE IT RESOLVED that the Town of Hyde Park Planning Board, recommends approval of the sign permits for Salmon of Knowledge Books free standing sign be granted.

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

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

DUTCHESS COUNTY SPCA

Site Plan Waiver Kennel Replacement (2023-41)
Location: 634-363 Violet Avenue, Hyde Park, NY 12538
Grid# : 6164-04-655006

TOWN OF HYDE PARK PLANNING BOARD

**Dutchess County SPCA
634-636 Violet Avenue
6164-04-655006
SITE PLAN WAIVER
*Town Code Section 108-9.4 C 2***

**Date: July 19, 2023
Resolution #: 2023-41**

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

***Whereas*, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by the Executive Director, Lynne Meloccaro granting authorization for Tony Pagano and John Storyk and George Slainovich to represent the DCSPCA for all permits, applications and any other process required for the demolition and construction of kennels and renovation of the clinic space at the facility.**

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

***Whereas*, the application is to demolish existing kennel space and reconstruct kennels on the same footprint, and**

***Whereas*, the kennel use requires and received a Special Use Permit and Site Plan approval from the Planning Board, and**

***Whereas*, the change is to occur within the existing foot print of the existing dog kennel portion of the building, and**

***Whereas*, the change will reduce the number of dogs housed in this area while improving the care conditions, and**

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

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

***NOW THEREFORE BE IT RESOLVED*, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the file entitled DCSPCA changes to the kennel portion of the intake facility, regarding the specific request dated June 10, 2023, and plans by John M Storyk, RA last amended 7/14/2023 with an update to lighting that is now dark sky compliant, and**

***BE IT FURTHER RESOLVED*, that any changes to the plans approved herein as a result of the Building Permit Review will be required to return to the Planning Board for a revision.**

Aye Chairman Dupree

Aye Vice Chair Dexter
Absent Mr. Guercio
Aye Vice Chair Oliver
Aye Mr. Veith
Aye Ms. Wasser
Aye Mr. Waters

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

DEGROAT/TEED

Site Plan Waiver Approval Replacement Windows (#2023-45)
Location: 20 Rogers Place, Hyde Park, NY 12538
Grid #: 6064-08-856906

TOWN OF HYDE PARK PLANNING BOARD

DeGroat-Teed
20 Rogers Place
6064-08-856906

SITE PLAN Waiver
Town Code Section 108-9.4 C 2

Date: July 18, 2023
Resolution #: 2023-45

Moved By: Mr. Waters
Seconded By: Mr. Veith

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Kerri DeGroat-Teed to replace two second story windows of the same size on the existing single family home, and,

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

Whereas, the application is to replace two second story windows of the same size on an existing single family home, and

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

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

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

Whereas, no other changes have been requested at this time and whereas the applicant is required to return to the Planning Board for all other changes to the approved plans, and

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

THEREFORE BE IT RESOLVED, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the proposed changes as described in the request for a waiver of site

plan received by the Planning Department on July 18, 2023 and in the building permit application dated July 6, 2023.

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

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

ADJOURNMENT :

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

To adjourn.

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

VOICE VOTE Aye- Absent- Nay- Motion Carried/Denied