



Historic Town of Hyde Park

Planning Board
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“Working with you for a better Hyde Park”

MINUTES OF THE AUGUST 4, 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

MEMBERS ABSENT: 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

TABLE OF CONTENTS	PAGE
RIVER RIDGE (F/K/A MAPLE RIDGE)	2-4
GLEASON FAMILY PROPERTIES	5-9
64 FALLKILL ROAD/HIGHBURY 2 LOT SUBDIVISION & SITE PLAN	10-13
DOLLAR GENERAL 1 EAST DORSEY	13-16
HUDSON VALLEY CHIMNEY SIGN	16
PALMER, JOHN	17
EXECUTIVE SESSION	18

Chairman Dupree: Good evening everyone and welcome to the August 4th meeting of the Hyde Park Planning Board. Please take notice of the exits around the room in case of mishap and now join me as we repledge our fealty to the *American Flag*.

PLEDGE OF ALLEGIANCE

The Chairman led the pledge of allegiance.

NEW PUBLIC HEARING:

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

In Attendance: Jeffrey Rothschild, Cappillino, Rothschild and Egan LLP

Chairman Dupree: Thank you. The first item on the agenda is a new public hearing for River Ridge. The applicants are seeking an extension of Site Plan Approval so they can complete construction for the townhouses. This has been extended numerous times. We extend it every time for 2 years. We had letters from the owners of the site explaining why they needed to have it extended. We obviously see that the building there is on fire right now. Congratulations to the applicant - the project sponsor - because construction is booming over there and having walked through it recently with some candidates, it's nice to see it's becoming more and more of a real community over there. May I get a motion to open the public hearing?

MOTION: Mr. Pickett

SECOND: Ms. Wasser

To open the public hearing for River Ridge at Hyde Park.

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

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

Chairman Dupree: Any comments from the consultants or the Board? I didn't think so. Any comments from the public? If you'd like to come and speak, please come up.

Ms. Cosgrove: Karen Cosgrove, 42 Rolling Ridge Road. I would like to congratulate the developer for being able to move forward. I just have one comment. I think he

should take care of what is already there. We have so many dead trees and the driveway was torn up by the plow about 4 years ago and it's never been repaired. I just think, if you want to sell, then you should make a nice presentation, because the place had so much potential in the beginning. The other thing, I hope the Building Inspector holds them to a high value in the building, because we've had so many building errors, so many leaks to great expense to the homeowners.

Chairman Dupree: I'm sorry to hear the latter. As far as I know our Building Inspector does maintain high standards for everybody.

Ms. Cosgrove: I guess. I have faith that he will.

Chairman Dupree: Thank you and the applicant's representative is here tonight and has probably heard. And Pete...

Mr. Setaro: As part of when the new developer came in, we got an upgraded road performance bond, because most of the blacktop that's there now is only a binder course. It's not the finish course and it will have to be taken up and redone and some of the structures lowered. So that whole road is going to be completely new. We're working with them to try and figure out whether the Town might want to take the roads in phases and not wait until the rest of the loop is done. But to answer your question, there is enough money and he realizes and wants to make it a really nice development and finish it out. So what you're concerned about, we've got covered. And the trees will be a part of that. If there are any dead trees, they'll have to be replaced before the Town will take it over. We realize that and that will be addressed. We're very happy with the current developer. They do what they say and they've been working with us.

Ms. Cosgrove: And it's been moving along with construction.

Mr. Setaro: Yes, we're very happy with them.

Chairman Dupree: Nice to see you, Karen. Would anyone else like to speak about this application? There being no more - any comments Ms. Moss? - then, may I get a motion to close the public hearing?

MOTION: Ms. Wasser

SECOND: Mr. Pickett

To close the public hearing for River Ridge at Hyde Park.

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

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

RESOLUTION TO EXTEND SITE PLAN APPROVAL

River Ridge at Hyde Park (f/k/a Maple Ridge)

Date: August 4, 2021

Moved By: Vice-Chair Dexter

Resolution: # 57-02T

Seconded By: Mr. Oliver

WHEREAS, on October 1, 2014, by Resolution #57-02K, the Planning Board granted the applicant, River Ridge Associates, LLC, amended site plan approval to make minor modifications to the remaining unbuilt dwelling units including updated facades and minor changes in footprints at the River Ridge development project (the “Project”), located at 45 Rolling Ridge Road, Hyde Park on the west side of US Route 9; and

WHEREAS, pursuant to Section 108-9.6A of the Zoning Law, an approved site plan shall be void if the entire project or approved phase is not completed within two years of the date the plans were signed by the Chair; and

WHEREAS, the Chair signed the approved amended site plan on September 25, 2015; and

WHEREAS, the Planning Board may, in its discretion, grant an extension to an approved site plan; and

WHEREAS, on August 16, 2017, the Planning Board granted the applicant a two-year extension of time to complete the Project to and including September 25, 2019; and

WHEREAS, on October 2, 2019, the Planning Board granted the applicant a two-year extension of time to complete the Project to and including September 25, 2021; and

WHEREAS, by letter dated July 1, 2021, the applicant requested an additional two-year extension of the time to complete the Project.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants the applicant a two-year extension of the time to complete construction of the Project, as shown on the site plan approved by Resolution #57-02K, to and including September 25, 2023, subject to the following conditions:

- 1. Payment of all fees and escrow.**
- 2. Confirmation that the performance guarantee of \$760,000.00 for the road is in full force and effect through September 25, 2023.**

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

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

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
Catherine and Thomas Gleason, Gleason Family Properties LLC*

Chairman Dupree: The next item on the agenda is Gleason Family Properties. The applicants are seeking Site Plan Approval to renovate 2 historic structures. They're represented tonight by John Andrews of Rohde, Soyka and Andrews. May I get a motion to open the public hearing?

MOTION: Mr. Oliver
SECOND: Vice-Chair Dexter

To open the public hearing for Gleason Family Properties.

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

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

Mr. Andrews: Thank you. Not to repeat things, but my name is John Andrews. I'm with the firm Rohde, Soyka and Andrews in Poughkeepsie. I'm a licensed professional engineer and I'm representing Gleason Family Properties, LLC, the applicant. Representatives of the applicant are also here with me this evening. As you may recall, we're developing 517 Salt Point Turnpike, the old Rymph Feeds Store. It's directly opposite Marshall Drive. There are 2 existing buildings on the site. Our plan is to refurbish those buildings and essentially the smaller of the 2 would be an office building and the larger would be a storage building. We're rehabbing the site, which basically has uncontrolled entry today and we're actually moving the entry and establishing a new driveway. We've added parking to the rear and some maneuvering area for the storage building. The proposal is to renovate the office, add a bathroom and water facilities. It will be a small general office. The use hasn't been determined at this point in time. The storage building is going to be general storage. We added 2 doors to the rear that'll match the door that's on the front, which is a swing away with a slider inside. That will allow access into the interior of the building. Other than that, we plan on rehabilitating the site. There's a couple of things I want to bring to your attention. The last time we spoke to you folks, there were some issues about lighting and what we did was add a couple of residential style pole lights along the walkway from the parking lot to the building and some old farm style lights to the 2 entry doors, one on each side and black in color. I have a sample for you. On the

latch side of the doors at about a 5 or 6 foot mounting height. 2 lights mounted on direct-buried poles at about 6 foot above grade when they're all done. They come in LED and the manufacturer doesn't make a foot-candle printout.

The other thing you were concerned with was more landscaping. The client went back to the drawing board. If you remember we had a small fence along the front and what we've done now is add 3 Red Maples, two on the east and 1 near the handicap space. Then, we've tried to dress up the road side of that building. Looking at it, it kind of sits above the ground, so we've proposed a boxwood hedge at about 3-3 ½ feet, a couple white Viburnum and some Holly to give some contrast with the building. We've added some Viburnum down by the storage building. If you remember there were some concerns about the front-loading dock, which is elevated, so we added a couple there at the end of the parking lot. We tried to dress up the road side. Other than that, the remainder will be grass.

There were other concerns about access up to the septic area because of the force main. Realizing it was a force main, what I had shown you on the drawings was a 5-foot-wide disturbance for the trench, but the reality is, I'm going to get a machine up there and it's going to be 10 feet wide. We changed that on the drawings and labeled that. Since it is a force main, I'll have some latitude. I don't have to draw a straight line and remove every tree that's intervening. We put some notes on there, that we'll adjust the force main as necessary to try to save as many trees as we can. The other concern that everybody had expressed - there aren't a lot of big trees on this site. If you've been there, most of them are either small saplings which are quite honestly garbage.

Chairman Dupree: Successive growth.

Mr. Andrews: Yeah. Or they're in the 4-6-inch range, so rather than try to preserve the 3, 4-to-8-inch tress, we lowered that to 4 inch. My client thinks he can accomplish what he wishes, leaving most of those trees. Our goal, is not to take any out unless we have to and we try to convey that on the drawings. The intent is still to clean up and restore the understory to give it more of a farm look. We're going to try to save as many trees as we can. The last thing, the Board offered us the opportunity and we thought it made sense to land bank 2 parking spaces. We picked one on either end, so the parking would hide behind the building. That's now shown and incorporated on the drawings. We added a note that if we can't re-use the buildings, we'd have to return for an amended approval. We also received comments from Dutchess County Planning and I wanted to address them. Her first comment was about the driveway and wanting it across from West Marshall. Believe it or not, we tried that. We couldn't preserve the storage barn if we did that and we couldn't a get a line of sight. There's a little hill and even with moving the driveway to the top of the hill, we have to peel off some of our neighbor's property. Good thought but it didn't work with our plan. Landscaping we took our cues from you. If you need more, obviously we can adjust it.

With the lighting, it's the same thing. I think we made a good choice with the old-fashioned barn light. Parking - she had suggested, the County Planner, that we re-orientate the parking facing the road. We intentionally did that for a couple of reasons. Right now the light trespass hits a hill that goes up and they're not bothering anybody. What's more important is that the site is kind of tight, the cleared portion. The office building is small and if you rotate it and flip the parking to the other side, so

it's up against the office, it destroys the ambience that does exist around that office, so we thought that by pushing it to the other side and facing it away, it gave us an opportunity to create a better space around the office and make it look like a more traditional farm house. Again, it was a nice idea and we considered it, but we think we chose the better of the two. I understand her concerns about pedestrian car conflict, but this isn't the Walmart parking lot and I don't think that's going to be an issue. Quite honestly, we felt that the advantages of keeping the lights pointed away from the highway and a few other things, actually made better sense.

Lastly, you had asked about colors. My client diligently picked swatches of paint from the existing building, which you may look at if you wish. Her intent is to go with a barn red and there are several types. Believe it or not, it's not paint, these buildings are more traditionally stained. She has picked 2 stains; one is a semi-solid and one is more solid and it will depend on how well the buildings take the stain. It's our intent to use as much of the existing wood as possible. Other than that, I'm here to take questions, Mr. Chairman.

Chairman Dupree: Mr. Andrews that was very thorough and because I'd sent you an email, I personally already knew that the applicants made these changes and I'll just say that I think they're fantastic. I think the light looks great, but we'll hear from the rest of the Board. Let me move quickly first over to consultants, Ms. Franson?

Ms. Franson: It sounds like the application and site plan are going in the direction that the Planning Board was looking for, aesthetically and otherwise and we look forward to seeing the revised plans and moving it forward.

Mr. Setaro, Ms. Moss and Ms. Polidoro had no comments at this time.

Mr. Pickett: I'm pleased with what I've seen, thank you.

Ms. Wasser: Thank you for responding to all of our comments and the DC Planning comments. I wanted to clarify something, how many of the building lights did you say? Because there's a front and a back, where are you putting them?

Mr. Andrews: We're putting one light on what will be the new front entry next to the door and then we're putting one on the back side next to the door. It's shown as a double door, but my client is only going to have one door open and one will be a fixed panel. There's going to be 2 building mounted lights on the porch and directed down, as you can see. Then there'll be 2 lights. One set about 5 feet off the edge of the pavement and the other one is about 20 foot down, which puts it about 15 feet off the porch. That kind of gives you uniformity of light as you walk from the porch out to the parking lot and the reverse.

Ms. Wasser: Very good. Thank you and personally, I'd rather not see the parking from the road.

Chairman Dupree: I do understand what Ms. LaVarnway was saying about pedestrian and vehicle conflicts, but we're going to landbank 2 spaces, there's not going to be too many cars there and most people are used to paying attention in a parking lot to see if anyone's coming.

Vice-Chair Dexter: I have nothing to add. I agree with my colleagues' comments. I'm very excited about this project and it speaks well to the kind of project that will fit well on that road.

Mr. Oliver: Thank you very much for listening to our comments. I'm excited to see it progress and have a successful business there, thank you.

Ms. DiNapoli: I'd also like to add my thanks for listening to the Board and incorporating the suggestions. I hope that you're happy with them also and it will hopefully make a better project. Thank you so much.

Chairman Dupree: We haven't seen the plans yet that you described, but what you've described all sounds fantastic to me. Adding the landscaping additions are thoughtful. The combinations of Red Maples and the red color you're using has a visual echo. The Viburnums, the Holly, these are going to make this look fantastic. These are responses to our comments and also some echoed by Ms. LaVarnway at DC Planning. I feel like we're pretty much where we need to be. We don't have anything new from DOT, do we John?

Mr. Andrews: We do not. I've tried to get answers but they're not forthcoming.

Chairman Dupree: Okay, maybe I can make a phone call or two and see what's happening. We'd like to see this move forward. That can be a condition but I don't want them to make major changes and then you have to come back to amend.

Mr. Andrews: That's my greatest fear too sir, but I don't think they will. There isn't much else.

Chairman Dupree: Well, you've already looked carefully at the entrance and the exit where it's ideally located in terms of your sight lines. The applicants already recognize that you're going to have to have some trimming of the shrubs next door, which you've gotten permission for, so we know where you're going to wind up. I guess there might be some stuff with stormwater for them.

Mr. Andrews: If you look at our plan, we can reasonably accommodate some stormwater management on there. I was not naive enough to think the DOT was going to let me float through without requiring something, but we've got some grading in the front, intentionally in case we have to add a small feature, a bio-retention area or something of that nature. It would actually work with the landscaping. It would be an enhancement and break things up. We could reasonably accommodate it.

The Chairman and Mr. Setaro offered some thoughts and suggestions on the new DOT process and volunteered to assist with phone calls.

There was no public comment offered.

Chairman Dupree: What we planned to do was adjourn this to September 1st to give you time to keep working through the DOT. Does that seem reasonable to you?

Mr. Andrews: We're prepared to submit the new plans, they've been modified.

Chairman Dupree: It looks like to me, once our consultants and the Board have had a chance to review the new set, it looks like we'll be in the position to close the public hearing and consider taking action. Verbally, you've answered all of our concerns, so as soon as we can see the plans and make sure. When are you going to submit the plans? If you submit them, say tomorrow, then we could adjourn this to August the 18th.

Mr. Andrews: I could probably get them here tomorrow. They're all done.

Ms. Polidoro: It would be with the understanding, that if we don't hear back from the DOT and if this is conditioned on DOT approval, then you may have to come back to the Board to amend the plan, down the road.

Mr. Andrews: Understood. That goes with the territory.

Mr. Setaro: Did you submit to the Health Department yet, John?

Mr. Andrews: Not yet, we don't have anything from the Town yet. They want some indication from the Town that you're moving ahead.

Chairman Dupree: Should I contact Jason tomorrow?

Mr. Andrews: No, they're easy. I have no issues with them.

MOTION: Vice-Chair Dexter

SECOND: Mr. Oliver

To adjourn the public hearing Gleason Family Properties to August 18, 2021.

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

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

Chairman Dupree: We're getting there guys - shortly, shortly. John a pleasure to work with you. You really were thorough.

Mr. Andrews: Thank you. It's been nice working with the Board.

CONTINUED 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

Chairman Dupree: The next item on the agenda is a continued public hearing for 64 Fallkill Road. This is a 2-lot subdivision and also a site plan because there'll be 2 single family homes created on the new lot, once that's created. May I get a motion to re-open the public hearing?

MOTION: Ms. DiNapoli

SECOND: Ms. Wasser

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

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

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

Chairman Dupree: I told the applicants that they didn't need to be here tonight, but just to update everyone. I had an email letter today from Mr. Scott, the applicant's engineer. If you recall, we couldn't take action on this because the owner of the current larger lot, Mr. Beligni had several Building Permit violations and under our code the Board can take action if it helps cure a violation, but if it has nothing to do with it, then we can't take action until the violations are cured. Mr. Scott believes that Mr. Kokkinos the potential new owner has hired an engineer to help Mr. Beligni solve those problems. As of today, they set up a meeting with Mr. Westermeyer for Friday. They believe they have everything Mr. Westermeyer needs. In the letter, Mr. Scott asked us to close the public hearing on both subdivision and site plan. I was able to respond in time to say, that we could consider closing for subdivision and take action in 2 weeks, because they need that before we can actually do the site plan, but they've still not given us renderings yet. That's required under our Code. When Vice-Chair Dexter and I took the walk, Mr. Scott showed us renderings and I said that looks like what you should submit. Because this is not a commercial site, we're not looking to nail you down to know exactly what it's going to look like. It has to just look like it fits into the environment, etc. Mr. Kokkinos, he and his partner conferenced-called in with us and said they're not making exterior changes, they're just moving around the interior layout. So I said if you can submit those, then I can send them around digitally and if we're all okay, then that can be submitted. That's what we're waiting for, but we have to keep the public hearing open so the public can have a chance to

comment on the elevations as well. If the Board wants to, we can close the public hearing on the subdivision. Importantly, I did make certain that the new owner and Mr. Scott were aware that if it takes longer to cure the violations than 60 days, once we close the public hearing, we have 60 days to take action. If they haven't cured them, then we would not be able to approve the subdivision and they would have to start all over again. They agreed to take the risk. I'm just pointing that out. We got a letter today from Mr. Teed at the Department of Behavioral and Community Health, that there are some issues still lingering there with the septic for both of the single-family homes. Otherwise, it looks those were not major, some impermeable clay barriers and some call outs that were technical. I think they're interested in moving forward with the subdivision so they can actually purchase the parcel as well. Of course they'll be able to hear that the Board is generally speaking considering doing what we're supposed to do, which is mitigate any of the negative impacts on there. In other words, it's an allowed right and allow them to move forward.

Ms. Polidoro: Will subdivision approval be conditioned on them roughing in the road?

Chairman Dupree: So Pete the road is roughed in, as we've all driving it, but it's not a binder course.

Mr. Setaro: No, I think the way we left it is that it would be done as a part of the first building permit and then it would be rough graded - well it's already rough graded, but there are parts of it that have to be cut back to meet the 15% grade and then we were going to take a bond for the paving because they don't want to have to pave it until the rest of the construction is done and they don't need to bring heavy equipment over it.

Chairman Dupree: Who would blame them. We just heard about River Ridge and the problem there. I mean it's not fully done, but the construction vehicles are causing the damage that Ms. Cosgrove was talking about.

Ms. Polidoro: So the only risk to that, is if Mr. Kokkinos decides not to build and the lot is sold again, then there's not an access point over there.

Chairman Dupree: True and the Site Plan would have been voided, because he would have sold and moved on, but someone could build a single-family house. But you're saying there would not be a requirement that the driveway be built?

Ms. Polidoro: Right, it's just a future issue.

Chairman Dupree: Can they pull a building permit without a better driveway than just a roughed out one? Tad is saying yes, but they can't get a CO. Okay, so at some point it would be addressed.

Ms. Polidoro: I think what Pete tries to get at by requiring it now, is that we avoid neighbor fights down the road. We can talk about the conditions.

Chairman Dupree: Neighbor disputes are never pleasant. Any comments from the consultants on this? We did get a full plan set, so we'll all be reviewing the full plan set before our next agenda meeting next Wednesday to see about moving forward.

Peder thinks he's solved everything except for the elevations and I should be getting those digitally tonight and forwarding them on to the Board to see what you think. This is a residence and we did bring up visual impacts, but they presented to show that it will only be visible from certain spots and not really from a lot of public ones and if it is, it's going to look really tiny. I said you must show colors, paints, materials - if they were going to paint it chartreuse that might make a bit of difference in terms of visibility, but otherwise, I think we're pretty close on this one too. Any comments from Tad? Any comments from the Board? Any one from the public who would like to speak about this application? There being no other public comment, may I get a motion to close the portion of the public hearing that deals with the subdivision only?

MOTION: Ms. Wasser

SECOND: Ms. DiNapoli

To close the public hearing for the subdivision portion only for 64 Fallkill/Highbury and to adjourn the public hearing for the site plan portion of 64 Fallkill Road/Highbury to August 18th, 2021.

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

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

Ms. Polidoro: Just for future reference, because we're unsure because of the Covid crisis, we do want to note that people should be checking in with the Planning Office to confirm the location of the hearing in case there's authorization for meeting to go remote.

Chairman Dupree: Let me restate that without a mask. What our attorney is stating, is that because of the current spike in the Delta Variant and the Delta + variant, which there are more cases in Rockland County now and we're pretty close to Rockland County. So we're not certain whether we'll be meeting in person in 2 weeks. Please check the Town Website if you want to attend a public hearing or if we'll be allowed Zoom meetings again. I'll note that so far there doesn't seem to be any movement by the Governor to reinstitute Executive Orders. He probably has other things on his mind. This would require the Governor to reinstate the Executive Orders to allow public officers to meet remotely. I don't believe that the Town can overrule that, or can we?

Ms. Polidoro: It's unlikely the Governor would do that as his emergency powers are gone, but the Legislature is considering a bill.

Chairman Dupree: Do you mean the assembly; the State Senate is what you're talking about.

Ms. Polidoro: Yes, when they come back in session.

Chairman Dupree: Senator Peter Harckham is one of the ones who's actually sponsoring the bill that would allow municipalities to continue to have Zoom meetings for public officers, but it kind of died at the last session. So it will be revisited, so we'll see. Of course that applies to Planning Board Members as well.

WORKSHOP:

DOLLAR GENERAL 1 EAST DORSEY

Site Plan Approval (#2019-04)

Location: 1 East Dorsey Lane, Poughkeepsie, NY 12601

Grid#: 6163-02-504633

Chairman Dupree: We're in workshop. This is Dollar General; this is the application that I believe you heard I mentioned that a site plan had expired. Normally, we allow 6 months in which to complete conditions of approval. We also are able to grant two 90-day extensions; those were granted. In addition, we also granted Tolling of 244 days, but the applicants were unable to move forward with all conditions. This was a long meeting with the applicant's representatives. Obviously, the applicants were not happy that it expired, but understand that there is really nothing we can do legally. This is not a discretionary issue, so they've resubmitted. Over the week, we've confirmed that it's mostly the exact same. The minor changes that they made since the last approved plan to what they submitted were just ones where they met conditions, that's all. So I asked Ms. Mlodzianowski and Mr. Albanese - in case no one knew, he was here 10 years ago or so, representing Quick Chek and he's now with Hix Snedeker. He was here, but didn't need to stay here either. In essence, the 2 conditions that took them the longest to meet, one was DC DPW, there were various sight-line issues that were discovered after they dug down into more details. That took about 6 months to resolve. In the interim, they also had assumed there was an approval from the Department of Health, but we confirmed with Mr. Teed, who reviews DOH for Hyde Park, that it was not an approval. The reason that it was not an approval was because they had a preliminary tentative, conceptual approval. The well that they need to drill is below the existing building and they just closed on it, so they couldn't pull a demo permit, so they couldn't drill the well. Until they drill the well and do the test, the DOH can't approve it because there's actually no system designed. And as Mr. Setaro explained to the layman, me, part of the problem is they may need to do some purification, some backwash and if they need to backwash, then their stormwater systems may need some changes and redesign, because it would change the septic and the stormwater. So this is why, once we got done talking to the applicant's representatives, they realized that if further changes are made, they may need this extra extension that we're able to give them by restarting the process. Does anyone have any questions? Comments? Okay, we have a resolution that will reaffirm our SEQRA Negative Declaration because they haven't changed the application much, except to meet conditions. And we'll set a public hearing. This will be introduced by Stephanie.

RESOLUTION TO REAFFIRM SEQRA NEGATIVE DECLARATION

**Dollar General
1 East Dorsey Lane**

Date: August 4, 2021

Moved By: Ms. Wasser

Resolution: #2019-04G

Seconded By: Vice-Chair Dexter

WHEREAS, on December 4, 2019, by Resolution # 2019-04B, the Planning Board granted conditional site plan approval to HSC Hyde Park, LLC to demolish an existing building and construct a new 7,500 sq. ft. retail building along with new access, parking, landscaping, lighting, utilities, and stormwater management at property located at 1 East Dorsey Lane, tax parcel no. 6163-02-504633, 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, on June 5, 2019, the Planning Board classified the Project as an unlisted action under the State Environmental Quality Review Act ("SEQRA") and declared its intent to serve as lead agency in a coordinated review, to which no other agency has objected; and

WHEREAS, on October 2, 2019, by Resolution #2019-04A, the Planning Board determined that the Project as proposed will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared; and

WHEREAS, on April 7, 2021, by Resolution #2019-04F, the Planning Board accepted a modified site plan and revised the conditions of approval set forth in Resolution # 2019-04B; and

WHEREAS, pursuant to § 108-9.3E(4)(c) of the Zoning Law, conditional approval of a site plan shall expire 180 days after the date of the resolution granting conditional approval, unless such requirements have been certified as completed; and

WHEREAS, the Planning Board granted the applicant two 90-day extensions of the time to satisfy the conditions of approval and applied the tolling period permitted by Executive Order 202.8 from March 20, 2020 through November 3, 2020 but the applicant was unable to timely complete the conditions of site plan approval before expiration of approval on July 15, 2021; and

WHEREAS, the applicant has reapplied for site plan approval as shown on plans entitled, "Site Development Plans for HSC Hyde Park, LLC" prepared by Bohler Engineering, dated 1/05/2019, last revised 07/21/2021, Sheets 1-14 and Alta Survey and Lighting Plans by Adam Stewarts Architects, LLC last revised 12/03/19 ES1 and ES2 (the "Site Plan Set"); and

WHEREAS, the Planning Board has reviewed the Site Plan Set and has determined that there are no significant changes which would result in a significant adverse environmental impact.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby reaffirms its prior SEQRA determination of significance, a negative declaration, issued on October 2, 2019.

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

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

Mr. Setaro: Mr. Chairman, I went over the plans today with Liz, which she reviewed and there are two very, very minor items on there that I would like Caryn to update on the plans, so I'm going to send her an email and copy the Planning Office, so we have it in the file. Minor stuff.

Chairman Dupree: If we all recall, I asked Ms. Axelson, who'd been reviewing this all the way through the approval to do a side-by-side comparison and as you saw, she did little bubbles to show what had changed. They seemed to be minor. May I get a motion to set the public hearing?

MOTION: Vice-Chair Dexter
SECOND: Mr. Oliver

To set a public hearing for Dollar General 1 East Dorsey for October 6, 2021.

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

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

Chairman Dupree: Again, Ms. LaVarnway confirmed that we do not have to send it over to DC Planning and we don't have to refer this out because it's the same plan they've seen before.

OTHER BUSINESS:

HUDSON VALLEY CHIMNEY

Sign Permit Recommendation Free Standing Sign (#2021-37)
 Location: 3647 Albany Post Road, Poughkeepsie, NY 12601
 Grid#: 6063-04-968350

**RESOLUTION RECOMMENDATION for ISSUANCE OF SIGN PERMIT
 PURSUANT TO TOWN CODE SECTION 108-24.3 A (4) (d)
 Hudson Valley Chimney replacement free-standing sign**

**3647 Albany Post Road - Parcel 6063-04-968350
Replace Free Standing**

**Date: August 4, 2021
Resolution: #2021-37**

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

WHEREAS, Nancy Forest of GNS Group Ltd., on June 8, 2021 submitted and on July 22, completed the application for replacement of the free-standing signage for Hudson Valley Chimney located at 3647 Albany Post Road, Grid Number 6063-04-968350, in the Neighborhood Business District; and

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

WHEREAS, the proposed lighting of the new sign is by a shielded bar light at the bottom of the sign, and

WHEREAS, the replacement sign will be in compliance with the sign area, height, location and aesthetic standards, now therefore,

BE IT RESOLVED, that the Board finds that the up-lighting is fully shielded and will not cause glare and will create a uniform illumination of the free-standing sign, and

BE IT FURTHER RESOLVED, the Board hereby recommends the Zoning Administrator issue the sign permit for Hudson Valley Chimney based on the sign permit application submitted by Nancy Forest for the property owner, Hudson Valley Properties LLC.

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

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

PALMER, JOHN
Site Plan Waiver Approval Rear Deck (#2021-37)
Location: 14 Newbold Drive
Grid#: 6164-04-506402

**TOWN OF HYDE PARK PLANNING BOARD
John Palmer
14 Newbold Drive
6164-04-506402
SITE PLAN Waiver
Town Code Section 108-9.4 C 2**

Date: August 4, 2021
Resolution #: 2021-30

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 John Palmer for his existing rear deck to his single-family home, and,

Whereas, the application is for his existing rear deck on an existing single-family home which backs up to a property on the national register of historic places, and

Whereas, the Planning Board has reviewed the request for this change, 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 rear deck as described in the request for a waiver of site plan received by the Planning Department on July 21, 2021

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

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

EXECUTIVE SESSION:

MOTION: Vice-Chair Dexter
SECOND: Ms. Wasser

To enter Executive Session to discuss potential hiring of consulting personnel.

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

Aye Chairman Dupree

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

MOTION: Ms. Wasser

SECOND: Mr. Pickett

To leave Executive Session and return to Regular Meeting.

Absent Ms. Weiser

Aye Ms. Wasser

Aye Mr. Pickett

Aye Mr. Oliver

Aye Ms. DiNapoli

Aye Vice-Chair Dexter

Aye Chairman Dupree

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

The Board entered into Executive session at 6:47 pm and exited Executive Session at 8:53 pm.

The Chairman verified that no actions were taken during executive session only discussion.

ADJOURNMENT:

MOTION: Mr. Oliver

SECOND: Ms. Di Napoli

To adjourn.

Absent Ms. Weiser

Aye Ms. Wasser

Aye Mr. Pickett

Aye Mr. Oliver

Aye Ms. DiNapoli

Aye Vice-Chair Dexter

Aye Chairman Dupree

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

Chairman Dupree: Thank you Tony, for your patience staying down there while we were in executive session. Thank you, audience and thank you Supervisor Rohr and Councilman Krupnick for providing these resources to televise us.

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

Approve Planning Board Meeting Minutes for August 4, 2021.

Ann Weiser was absent.

MOTION: Mr. Pickett

SECOND: Vice-Chair Dexter

To approve the minutes of the August 4, 2021 Planning Board Meeting.

Abstain

Aye

Aye

Aye

Aye

Aye

Aye

Ms. Weiser

Ms. Wasser

Mr. Pickett

Mr. Oliver

Ms. DiNapoli

Vice-Chair Dexter

Chairman Dupree

VOICE VOTE

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