DRAFT MINUTES OF THE AUGUST 7, 2019
PUBLIC HEARING/WORKSHOP/REGULAR MEETING
OF THE HYDE PARK PLANNING BOARD

MEMBERS PRESENT:  MICHAEL DUPREE, CHAIRMAN
                    ANNE DEXTER - VICE CHAIR
                    DIANE DI NAPOLI
                    BRENT PICKETT
                    STEPHANIE WASSER
                    ANN WEISER
                    ROBERT WATERS-ALTERNATE

MEMBERS ABSENT:   CHRISTOPHER OLIVER

OTHERS PRESENT:   VICTORIA POLIDORO, PB CONSULTING ATTORNEY
                  PETER SETARO, PB ENGINEERING CONSULTANT
                  LIZ AXELSON, PB CONSULTING PLANNER
                  CYNTHIA WITMAN, PLANNING BOARD SECRETARY

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| TACONIC REALTY VIOLET AVENUE |
| HUDSON VALLEY HOSPICE |
| INN AT BELLEFIELD/ST ANDREWS PROPERTY |
| STAATSBURG LIBRARY |
| RIVER RIDGE (F/K/A MAPLE RIDGE) |
| BROOKSIDE ESTATES SUBDIVISION |
| CARINO SUBDIVISION |
| CARINO SUBDIVISION |
Chairman Dupree: Good Evening everyone and welcome to the August 7th meeting of the Hyde Park Planning Board. Please take note of all the exits around the room in case of emergency and now join us as we pledge allegiance to the American Flag. *Chairman Dupree commenced the Pledge of Allegiance.*

CONTINUED PUBLIC HEARING:

THE LOCUSTS RURAL EVENT VENUE
Site Plan and Special Use Permit Approval- Rural Events Venue (#2018-10)
Location: 83 Penny Ln., 135 Old Post Rd., 34 Strawberry Fields Staatsburg 12580
Grid#:  6067-02-996864, 6167-01-117843, -168935

In Attendance: Jennifer Van Tuyl, Cuddy & Feder

*The Chairman noted that this application to hold events has been before the Board for some time and has been working to demonstrate that there is a secondary emergency access.*

**MOTION:** Vice-Chair Dexter
**SECOND:** Ms. Wasser

To re-open the public hearing for The Locusts Rural Event Venue.

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

There was no public comment.

**MOTION:** Ms. DiNapoli
**SECOND:** Vice-Chair Dexter

To adjourn the public hearing for The Locusts Rural Event Venue to August 21, 2019.

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PLT STORAGE YARD RECONSTRUCTION
Site Plan Amendment & Special Use Permit Approvals (#2019-19)
501-503 Salt Point Turnpike, Poughkeepsie, NY 12601
Grid#s: 6263-03-221319, -260384

In Attendance: Joe Berger, Berger Engineering and Surveying
                 Michelle Zerfas, Berger Engineering and Surveying
                 Patrick Gleason, PLT Storage Reconstruction
                 Laura Gleason Knall, PLT Storage Reconstruction

Chairman Dupree: The applicants are seeking a site plan amendment as well as a special use permit to expand what was previously approved. This is basically an attempt by the applicants to reconstruct a warehouse that burned down which contained multiple businesses and to add a new building and landscaping. Welcome back and thank you for responding to the NYS DOT and all of the prior comments. We do have a resolution prepared for tonight.

MOTION: Ms. DiNapoli
SECOND: Vice-Chair Dexter

To re-open the public hearing for PLT Storage Yard Reconstruction.

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

VOICE VOTE          6-0  1-Absent  Motion Carried

There was no public comment.

MOTION: Ms. DiNapoli
SECOND: Ms. Weiser

To close the public hearing for PLT Storage Yard Reconstruction.
Aye Chairman Dupree
Aye Vice-Chair Dexter
Aye Ms. DiNapoli
Absent Mr. Oliver
Aye Mr. Pickett
Aye Ms. Wasser
Aye Ms. Weiser

VOICE VOTE 6-0 1-Absent Motion Carried

Ms. Polidoro confirmed with the Board Members that they had reviewed Part II of the DEC’s short Environmental Assessment Form and concluded that the proposed action will not result in any significant adverse impacts.

RESOLUTION ADOPTING A SEQRA DETERMINATION OF NON-SIGNIFICANCE AND GRANTING CONDITIONAL SITE PLAN AND SPECIAL USE PERMIT APPROVAL

PLT Storage Yard Reconstruction

Date: August 7, 2019 Moved By: Vice-Chair Dexter

Resolution: #2019-19A Seconded By: Ms. DiNapoli

WHEREAS, the applicant, PLT Associates LLC, has submitted an application for site plan and special use permit approval to reconstruct and expand a construction yard and recycling center warehouse located at 501-503 Salt Point Turnpike, tax parcel nos. 6263-03-221319, in the Neighborhood Business District (the “Project”); and

WHEREAS, the Project also proposes to construct a temporary staging area on an adjacent lot at 517 Salt Point Turnpike, identified as tax parcel no. 6263-03-260384 (together with tax parcel nos. 6263-03-221319, the “Property”); and

WHEREAS, the Project is depicted on: a site plan entitled “PLT-Storage Yard Reconstruction, Site Plan Amendment” SP-1, prepared by Berger Engineering and Surveying, dated April 30, 2019, last revised July 19, 2019; renderings prepared by American Buildings, a NUCOR Company, last revised May 23, 2019; elevations entitled “Gleason Phase 2” sheets RS1, WS5, WS6, WS7, WS8, WS11, and WS12, prepared by the American Buildings, a NUCOR Company, dated May 23, 2019; and elevations entitled “Gleason Annex SSR” sheets RS1, WS5, WS6, WS7, and WS8, prepared by the American Buildings, a NUCOR Company, dated June 10, 2019 (collectively, the “Site Plan Set”); and
WHEREAS, the existing light industrial use is a nonconforming use in the Neighborhood Business District, which may be expanded by up to 50% of its area in gross square feet subject to issuance of a special use permit; and

WHEREAS, by Hyde Park Planning Board Resolution No. 15-12A, the applicant has previously received a special use permit to expand the nonconforming use from 135,464 square feet to 152,464 square feet, an increase of the nonconforming use by 12.55%; and

WHEREAS, the Project proposes an increase in scale of 40,042 square feet, which brings the total expansion of the nonconforming use to 42.11%; and

WHEREAS, on June 5, 2019, the Planning Board referred the application materials to the Dutchess County Department of Planning and Development for its review pursuant to section 239-m of the General Municipal Law, which responded on June 27, 2019, that it was a matter of local concern; and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form Part 1 (“EAF”) dated May 20, 2019, last revised July 15, 2019, pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, on June 5, 2019, the Planning Board classified the Project as an Unlisted action under SEQRA and declared its intent to serve as lead agency, to which no other agency has objected; and

WHEREAS, the Planning Board has reviewed the EAF and all available information concerning the potential impacts of the Project and found that the Planning Board has sufficient information on which to base a determination of significance; and

WHEREAS, the Planning Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern; and

WHEREAS, a duly noticed public hearing for the Project was opened on July 17, 2019 and closed on August 7, 2019, during which all who wished to speak were heard.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby determines 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.

BE IT FURTHER RESOLVED, that the Board makes the following findings pursuant to Section 108-8.4 of the Zoning Law:
1. The Project will comply with the applicable requirements of Articles 4 and 5 of the Zoning Law and will be consistent with the principles of the Neighborhood Business District. Nonconforming uses may, subject to special permit, expand by up to 50%.

2. The Project will be consistent with the purposes of the Zoning Law.

3. The Project will not result in excessive off-premises noise, dust, odors, solid waste or glare or create any public or private nuisances. The Project is the reconstruction and expansion of an existing use. The expansion has been designed to not result in excessive noise, dust or odors.

4. The Project will not cause significant traffic congestion, impair pedestrian safety or overload existing roads. The Project is a reconstruction and expansion of an existing use which was damaged by fire, and will have approximately the same impact on roads and traffic as it has historically had.

5. The Project will be suitable for the proposed action considering the Property’s size, location, topography, vegetation, soils, natural habitat and its ability to be screened from neighboring properties and public roads. The Project is an existing use at the site and will expand into an area that is screened from the road by existing trees and buildings, as well as new plantings of white pines.

6. The Project has been designed 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 approves the Site Plan Set and grants a special use permit for the Project as shown on the Site Plan Set, and authorizes the Chairperson or his authorized designee to sign the Site Plan after compliance with the following conditions:

1. Payment of all fees and escrow.

2. Revision of the Site Plan Phasing Scope of Work notes to move the planting of white pine trees along the southwestern property boundary to Phase 2 instead of Phase 3.

3. Revision of the Site Plan Set to number the existing and proposed buildings for identification such that the existing 1,800 sq. ft. building is
labeled building 1, the existing 1200 sq. ft. building is labeled building 2, the proposed 4800 sq. ft. steel building labeled as building 3 and the existing damaged/proposed 33,200 sq. ft. building is labeled as building 4. The Phasing Scope of Work notes shall be revised to incorporate the building labels.

4. Proof of recordation with the Dutchess County Clerk of an access easement for the temporary staging area on 517 Salt Point Turnpike, identified as tax parcel no. 6263-03-260384, subject to approval in form and substance approved by the Planning Board’s Attorney and Engineer. The temporary staging area shall be restored by scarifying and reseeding and the easement shall terminate upon the issuance of a certificate of occupancy for Building 4 or two years from the date the Chairperson signed the site plan, whichever is sooner.

5. Proof of recordation with the Dutchess County Clerk of an easement for the planting and maintenance of 19 trees on 0.15 acres 37 Bennett Road, identified as tax parcel no. 6263-03-100410, subject to approval in form and substance approved by the Planning Board’s Attorney and Engineer.

6. Issuance of an Erosion and Sediment Control permit by the Stormwater Management Officer.

7. Revision of the Site Plan to note that use of the temporary staging area on 517 Salt Point Turnpike, identified as tax parcel no. 6263-03-260384 shall terminate upon the earlier of issuance of a Certificate of Occupancy for Building 4 or two years from the date the Chairperson signed the site plan.

8. Written or oral confirmation, as presented to the Zoning Administrator, from the Town Building Inspector that the relocated fuel tanks meet NYS Fire Code requirements.

BE IT FURTHER RESOLVED, that prior to the issuance of a Certificate of Occupancy for the Building 4 the applicant shall remove any temporary bathroom-facilities from the Property.

BE IT FURTHER RESOLVED, that if the method of water supply is changed from private wells to a public water supply, the applicant shall apply to the Planning Board for site plan amendment approval.
BE IT FURTHER RESOLVED, that if a building permit cannot be issued for the relocated fuel tanks at the location proposed in the applicant shall apply to the Planning Board for site plan amendment approval.

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

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

NEW PUBLIC HEARING:

DCWWA GREENFIELDS WASTEWATER TREATMENT FACILITY
Site Plan Approval (#2019-34)
Location: 9 Windmill Rd, Poughkeepsie, NY 12601
Grid#: 6264-03-373480

In attendance: Bridget Barclay, Executive Director DCWWA

Chairman Dupree: The next item on the agenda is a new public hearing for Dutchess County Water and Wastewater Authority Greenfields Water and Wastewater Facility. The applicant is seeking approval to significantly upgrade the WWTF located at 9 Windmill Road, which serves the Greenfields neighborhood.

MOTION: Ms. DiNapoli
SECOND: Vice-Chair Dexter

To open the public hearing for DCWWA Greenfields Wastewater Treatment Facility.

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

VOICE VOTE 6-0 1-Absent Motion Carried
Chairman Dupree noted that there are no scheduled interruptions in service to water or sewer during this upgrade.

Ms. Barclay: It is a constrained site in part because of the obligation to continue to receive and treat wastewater throughout the process, so we will be working around existing equipment and buildings as the various components are rehabilitated and replaced. We really appreciate the assistance and cooperation of the Board in working through those small issues that did arise and hope we can move forward.

Chairman Dupree: They were very minor and I believe we are going to move forward. I'll also take this opportunity to say that it's always a pleasure to work with your agency. It one of my favorites in the County to work with.

During the Public Hearing, Mr. David Schwartz of 176 Cream Street inquired about the reasons for and extent of the overall project and any potential impacts to the visual environment, odor or noise. Ms. Barclay explained that the system was thoroughly evaluated during the transfer of ownership from the Town to DCWWA which identified many components were at the end of their useful lifespan. She then gave an overview of the upgrades to the aging system and indicated that there should be less odor and noise and more efficiency once the work is complete. Visually, they are replacing several old components and an old building, while adding a new electrical building and working around the existing system in order to prevent any loss of service.

MOTION: Ms. DiNapoli
SECOND: Vice-Chair Dexter

To close the public hearing for DCWWA Greenfields Wastewater Treatment Facility.

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

VOICE VOTE 6-0 1-Absent Motion Carried

RESOLUTION GRANTING CONDITIONAL SITE PLAN APPROVAL

DCWWA – Greenfields
WHEREAS, the applicant, the Dutchess County Water and Wastewater Authority ("DCWWA") has submitted an application for site plan approval for rehabilitation of an existing sewage treatment plant located at 9 Windmill Drive, tax parcel no. 6264-03-373480, in the Neighborhood Zoning District (the "Project"); and

WHEREAS, the Project is depicted on a site plan entitled “Greenfields Wastewater Treatment Plant, Hyde Park, New York, Dutchess County Water and Wastewater Authority,” prepared by Tighe & Bond, dated June 11, 2019, Sheets G-002, G-003, C-101-104, S-102-106, S-200, M-101, M-104, and M-105 (the "Site Plan"); and

WHEREAS, on July 17, 2019, the Planning Board classified the Project as a Type II action under the State Environmental Quality Review Act; and

WHEREAS, on July 17, 2019, Planning Board referred the application materials to the Dutchess County Department of Planning and Development for its review pursuant to section 239-m of the General Municipal Law, which responded on July 24, 2019, that it was a matter of local concern; and

WHEREAS, a duly noticed public hearing for the Project was held on August 7, 2019, during which all who wished to speak were heard.

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

1. Payment of all fees and escrow.

2. Issuance of an Erosion and Sediment Control Permit by the Stormwater Management Officer.

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

VOICE VOTE   6-Aye 1-Absent 0-Nay    Motion Carried
BARRY BED AND BREAKFAST
Site Plan Extension of all Deadlines (#16-38)
Location: 4331 Albany Post Road
Grid #: 6065-20-857136

MOTION: Ms. DiNapoli
SECOND: Vice-Chair Dexter

To open the public hearing for Barry Bed & Breakfast.

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VOICE VOTE 6-0 1-Absent Motion Carried

There was no public comment.

MOTION: Ms. DiNapoli
SECOND: Vice-Chair Dexter

To close the public hearing for Barry Bed & Breakfast.

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VOICE VOTE 6-0 1-Absent Motion Carried

RESOLUTION TO GRANT REQUEST FOR EXTENSION OF TIME TO START SUBSTANTIAL CONSTRUCTION FOR AN APPROVED SITE PLAN

Barry Bed & Breakfast
WHEREAS, the applicant, Patrick Barry, submitted an application for site plan approval to construct and establish a bed and breakfast on property located at 4331 Albany Post Road, tax parcel no.6065-20-857136, in the Neighborhood District (the “Project”); and

WHEREAS, the Project is depicted on a site plan entitled “Bed and Breakfast, Site Plan for New Business, Mr. Patrick Barry” prepared by Paul Tirums, P.E., dated September 19, 2016, and last revised March 06, 2017 (the “Site Plan”); and

WHEREAS, a bed and breakfast is a permitted use subject to site plan approval in the Neighborhood District; and

WHEREAS, pursuant to Section 108-2.2 of the Zoning Law, a bed and breakfast is a one-family dwelling where up to four bedrooms are offered for lodging; and

WHEREAS, the applicant has been granted the following variances by the Zoning Board of Appeals:

1. A variance from Section 108-5.15 of the Zoning Law to decrease the minimum front yard setback from 50 feet to 15 feet.

2. A variance from Section 108-5.15 of the Zoning Law to decrease the minimum side yard setback from 20 feet to 10 feet.

3. A variance from Section 108-2.2 to permit five guests bedrooms where four are allowed.

4. A variance from Section 108-4.6B to reduce the requirement for 100 feet of open space along the common boundary line of a lot designated as a historic place to allow parking within 9 feet, a new garage within 24 feet and a new primary structure within 40 feet of the common boundary line; and

WHEREAS, the applicant submitted a revised Full Environmental Assessment Form (“EAF”) dated November 7, 2016, pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the application was referred to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the
General Municipal Law, which responded on November 15, 2016, that the application was a matter of local concern; and

WHEREAS, by letter dated December 8, 2016, the New York State Parks, Recreation and History Preservation Commission commented that no historic properties would be affected by this application; and

WHEREAS, on March 1, 2017 the Planning Board adopted a negative declaration, finding that the project as proposed would not result in any significant adverse impacts and that a Draft Environmental Impact Statement would not be prepared; and

WHEREAS, a duly noticed public hearing was opened on November 16, 2016 and closed on March 15, 2017, during which all those who wished to speak were heard, and the Planning Board conditionally approved the Project on the same date; and

WHEREAS, the Chairman signed the plan set on June 22, 2017, but substantial construction has not begun, and the applicant has one year to commence construction and two years to complete it; and

WHEREAS, in the interim, the property was sold, and the new owner, Mr. Ralph Smith has requested an extension of the time to begin construction in a letter dated July 11, 2019; and

WHEREAS, a duly noticed public hearing was opened on August 7, 2019 and closed on August 7, 2019, during which all those who wished to speak were heard.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants the request for an extension of time to begin substantial construction, and the two years to complete, through August 7, 2020 and August 7, 2021 respectively.

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

Voice Vote 6-Aye 1-Absent 0-Nay Motion Carried
OTHER BUSINESS:

The Chairman amended the order of applications at the Dais, inserting the Inn at Bellefield and the Staatsburg Library before the Board went into Workshop.

INN AT BELLEFIELD/ST ANDREWS PROPERTY
Consider amending the Resolution for Site Plan Approval-Hotel (#2017-04)
Consider Setting a Road Bond
Location: Albany Post Road
Grid#: 6163-01-131849

In Attendance: Jennifer Van Tuyl, Cuddy & Feder

Chairman Dupree: In our original approval we did not contemplate necessarily that West Dorsey would be used as a construction access. The applicants requested that because of their inability to get NYS DOT to give a permit at the main entrance. The Board granted it and in the interim there has been some discussion about damage to the road and that they would also like to use this not just for the site preparation, but also the construction of the hotel. There were many offline meetings and back and forth. We seem to have an agreement now. We had a recommendation for a bond surety amount for the restoration of the road. The resolution was looked over by Ms. Van Tuyl, Mr. Replansky, Ms. Polidoro, me...many times today, over and over again. Ultimately what this involves and the language to explain it, Mr. Setaro and our Highway Superintendent, Mr. Fisher, sort of did a worst case scenario. Because this involves road going all the way down to Route 9, there are induction loops that DOT has and so there was a question as to whether those might need to be replaced. DOT wasn’t really forthcoming as to much other than the location and how thick the pavement is about it. The reason why we changed some of the language to maybe more arcane wording in because we didn’t want to have to say that they have to do all of the work at the end of this because it won’t be determined until the construction is over...by the Town Engineer, the Highway Superintendent, the applicant’s engineers, the extent of the work that needs to be done. It references the letter and refers them not to do all of the work, but to do as much of the work in the future as needs to be done.

RESOLUTION TO AMEND THE CONDITIONS OF SITE PLAN APPROVAL

The Inn at Bellefield

August 7, 2019
Resolution: # 2017-04H

Moved By: Ms. Wasser
Seconded By: Ms. Weiser
WHEREAS, on January 3, 2018, by resolution #2017-04D (the “Resolution”), the Planning Board granted the applicant, T-Rex Hyde Park Owner LLC, conditional site plan approval for Sub-Phase 1-A of the approved Concept Plan for the St. Andrew’s Planned Unit Development, consisting of a 5-story, 133 guest room hotel located near the intersection of Albany Post Road and West Dorsey Road, tax parcel no. 6163-01-131849, together with the first phase of a proposed wastewater treatment plant and other infrastructure improvements to serve the hotel, as depicted on a site plan entitled "Inn at Bellefield" prepared by Chazen Engineering, dated June 30, 2017, last revised December 15, 2017, and architectural elevations prepared by Z.H. Architects, dated September 6, 2017 (the “Conditionally Approved Site Plan”); and

WHEREAS, on June 20, 2018, by Resolution #2017-04F, the Planning Board modified the Resolution regarding work performed under the SWPPP and requirements for issuance of a building permit and certificate of occupancy; and

WHEREAS, on June 20, 2018, condition three under the third resolved clause in the Resolution was amended to read as follows:

3. A building permit for a WWTP may be issued upon receipt by the Zoning Administrator of a NYSDOT PERM 33 for Temporary Construction Access for the northerly Route 9 entrance drive. A building permit for the hotel may be issued upon receipt by the Zoning Administrator of a NYSDOT PERM 33 for Temporary Construction Access for the southerly Route 9 entrance.

WHEREAS, on April 17, 2019, the Planning Board modified the Resolution to permit the use of the West Dorsey Lane access (“Construction Access” or “WDCA”) for hotel construction in lieu of the southerly Route 9 entrance as previously proposed; and

WHEREAS, the applicant has been using the WDCA since July of 2018 and did not complete an existing conditions assessment until April 24, 2019; and

WHEREAS, the Town Highway Superintendent has advised the Planning Board that West Dorsey Lane has already been damaged from use of the WDCA; and

WHEREAS, the Town Engineer and Town Highway Superintendent have inspected the WDCA and have determined that the continued use of the WDCA by the applicant will result in additional damage to West Dorsey Lane; and

WHEREAS, by memorandum dated June 17, 2019, the Town Engineer recommended that the Planning Board modify the conditions of the Resolution to require that the applicant seal existing cracks and install a 2 inch asphalt overlay on West Dorsey Lane, among other things, as a condition precedent to receiving a Certificate of Occupancy for the hotel.

NOW THEREFORE BE IT FURTHER RESOLVED, that two new Whereas clauses are added to the end of the recitations in the Resolution to read as follows:
WHEREAS, the Applicant has proposed to use the existing access from West Dorsey Lane for construction access, and the Planning Board, the Highway Superintendent, and the Town’s consultants have discussed appropriate limitations on the use of West Dorsey Lane for construction access to avoid the use of West Dorsey Lane east of the Property construction access point (the “West Dorsey Construction Access” or “WDCA”) and to protect the condition of West Dorsey Lane between the WDCA and US Route 9, and have further discussed appropriate methods to require restoration of West Dorsey Lane after completion of the hotel and prior to the issuance of a Certificate of Occupancy; and

WHEREAS, a site meeting was held between the applicant and its contractors with the Town Engineer, Highway Superintendent and Zoning Administrator to visually inspect and photograph that section of West Dorsey Lane from US Route 9 to the WDCA, approximately 400 feet east of the intersection with US Route 9, to document the existing conditions of that section of West Dorsey Lane, and a report of such conditions has been submitted to the Town and reviewed.

BE IT FURTHER RESOLVED, that condition 3 under the Third Resolved Clause is deleted and replaced with the following new condition:

3. Approval by the Town Board of a performance guaranty in an amount approved by the Town Engineer and Planning Board in form, substance and manner of execution acceptable to the Town Attorney to secure the obligation to complete so much of the work listed in the estimate included in the July 26, 2019 memorandum from Town Engineer Peter Setaro, as determined necessary by the Town Highway Superintendent and NYS Department of Transportation, including a 2” compacted overlay, replacement of signal loops, sealing of existing cracks and other associated work listed in the estimate, on that portion of West Dorsey Lane between the WDCA and US Route 9 to the satisfaction of the Highway Superintendent and Department of Transportation, and posting of such bond.

BE IT FURTHER RESOLVED, that the Fifth Resolved Clause is Amended to Read as Follows:

BE IT FURTHER RESOLVED [DELETED]

BE IT FURTHER RESOLVED, that condition 5 under the Sixth Resolved Clause is amended to read as follows:

5. The present authorization for use of the WDCA is limited to construction of the Project only, and use for construction of any future phases or sub-
phases shall be considered as part of site plan review for such future phases or subphases by the Planning Board in consultation with the Highway Superintendent.

BE IT FURTHER RESOLVED, that conditions 10, 12 and 13 under the Sixth Resolved Clause of the Resolution are hereby amended to read as follows:

10. Deleted
12. Deleted.

BE IT FURTHER RESOLVED, that condition 11 under the Sixth Resolved Clause is amended to replace “one year” with “18 months”.

BE IT FURTHER RESOLVED, that a new condition 6 under the Seventh Resolved clause is added to the Resolution read as follows:

6. Completion of the work listed in the estimate included in the July 26, 2019 memorandum from Town Engineer Peter Setaro, as determined necessary by the Town Highway Superintendent and NYS Department of Transportation, including a 2” compacted overlay, replacement of signal loops, sealing of existing cracks and other associated work listed in the estimate, on that portion of West Dorsey Lane between the WDCA and US Route 9, to the satisfaction of the Highway Superintendent. In the event that completion of any portion of the work described in this paragraph is not possible solely because of seasonal closure of the asphalt plant, and the Applicant has satisfied all other conditions of CO Issuance, the CO shall be issued based on the previously filed performance security, and the Applicant shall complete such work as soon as the asphalt plant reopens. The extended time for performance based on closure of the asphalt plants shall in no event exceed six months from the issuance of the CO. The performance guaranty shall not be released until the Highway Superintendent and the Town Engineer have advised that the required work described herein has been satisfactorily completed.

BE IT FURTHER RESOLVED, that an annotated version of the resolution of approval is attached hereto for reference only.

Aye Chairman Dupree
Aye Vice-Chair Dexter
Aye Ms. DiNapoli
Absent Mr. Oliver
Aye Mr. Pickett
Aye Ms. Wasser
Aye Ms. Weiser
RESOLUTION TO ACCEPT ESTIMATE FOR PERFORMANCE BOND FOR WEST DORSEY CONSTRUCTION ACCESS

The Inn at Bellefield

Date: August 7, 2019

Moved By: Ms. DiNapoli

Resolution: # 2017-04I

Seconded By: Vice-Chair Dexter

WHEREAS, the applicant, T-Rex Hyde Park Owner LLC, has received conditional site plan approval for Sub-Phase 1-A of the approved Concept Plan for the St. Andrew's Planned Unit Development, consisting of a 5-story, 133 guest room hotel located near the intersection of Albany Post Road and West Dorsey Road, tax parcel no. 6163-01-131849, together with the first phase of a proposed wastewater treatment plant and other infrastructure improvements to serve the hotel (the "Project"); and

WHEREAS, as a condition of using West Dorsey Lane for construction access to the Project, the Planning Board required:

Approval by the Town Board of a performance guaranty in an amount approved by the Town Engineer and Planning Board in form, substance and manner of execution acceptable to the Town Attorney to secure the obligation to complete so much of the work listed in the estimate included in the July 26, 2019 memorandum from Town Engineer Peter Setaro, as determined necessary by the Town Highway Superintendent and NYS Department of Transportation, including a 2” compacted overlay, replacement of signal loops, sealing of existing cracks and other associated work listed in the estimate, on that portion of West Dorsey Lane between the WDCA and US Route 9 to the satisfaction of the Highway Superintendent and Department of Transportation, and posting of such bond.

WHEREAS, the applicant provided the Planning Board with a bond estimate prepared by Chazen Associates dated July 22, 2019, which recommended a bond amount of $54,200.80 to cover the restoration of West Dorsey Lane as described above; and

WHEREAS, the Town Engineer has reviewed the applicant’s estimate and by memorandum dated July 26, 2019, has recommended to the Planning Board that the bond be set at $60,000.00

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby accepts the road bond estimate of $60,000.00 and recommends to the Town
Board that it accept a performance bond or other financial guaranty in said amount, subject to approval as to form and substance by the Attorney to the Town.

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

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

STAATSBURG LIBRARY
Site Plan Waiver Approval-Gazebo and Shed (#2019-28)
Location: 70 Old Post Road, Staatsburg, NY 12580
Grid#: 6167-03-035429

In Attendance: David Lund, Staatsburg Library Trustee

TOWN OF HYDE PARK PLANNING BOARD

Staatsburg Library
6167-03-035429
70-72 Old Post Road, Staatsburg
SITE PLAN Waiver
Town Code Section 108-9.4 C2

August 7, 2019    Moved By: Ms. Weiser
Resolution #: 2019-28    Seconded By: Vice-Chair Dexter

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Staatsburg Library, to construct a shed and gazebo, and;

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

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

Whereas, Section 108-9.4 C 2, allows the Planning Board to waive the site plan procedures for minor changes, and;

Whereas, no other changes have been requested at this time and whereas the applicant is required to return to the Planning Board for all other changes to the approved plans, now
THEREFORE BE IT RESOLVED, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the construction of a shed and gazebo.

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

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

WORKSHOP:

BRIGHT DAYS CHILDCARE CENTER
Site Plan Approval (#2019-35)
Location: 4236 Albany Post Road
Grid#: 6064-02-958898

In Attendance: Sarah Sullivan, Bright Days, LLC

The Consultants and Board Members discussed the applicant’s proposal.

TACONIC REALTY VIOLET AVENUE
Minor Subdivision 4 lots & Site Plan Approval (#2018-29)
Location: 374, 378, 382, 386 Violet Avenue
Grid#: 6163-04-600353

In Attendance: Kelly Libolt, Page Park Associates

Alternate Planning Board Member Robert Waters joined the other Board Members on the Dais for this application. Mr. Oliver who is recused from this application was absent this evening.

MOTION: Vice-Chair Dexter
SECOND: Ms. Weiser

To set a public hearing for Taconic realty Violet Avenue for August 21, 2019.

Aye Chairman Dupree
Aye Vice-Chair Dexter
Aye Ms. DiNapoli
Aye Mr. Waters-Alternate
Aye Mr. Pickett
Aye     Ms. Wasser
Aye     Ms. Weiser

VOICE VOTE    7-0    Motion Carried

HUDSON VALLEY HOSPICE
Site Plan & Special Use Permit Approval (#2019-10)
Location: 374 Violet Avenue
Grid#: 6163-04-600353

In Attendance: Joe Berger, Berger Engineering and Surveying
                Michelle Zerfas, Berger Engineering and Surveying
                Michael Kaminski, Hudson Valley Hospice
                Kimberly Ryan, Lischum, McCormack, VanVoorhis LLP

Alternate Planning Board Member Robert Waters joined the other Board Members on the Dais for this application. Mr. Oliver who is recused from this application was absent this evening.

MOTION: Vice-Chair Dexter
SECOND: Ms. Wasser

To set a public hearing for Hudson Valley Hospice for August 21, 2019.

Aye     Chairman Dupree
Aye     Vice-Chair Dexter
Aye     Ms. DiNapoli
Aye     Mr. Waters-Alernate
Aye     Mr. Pickett
Aye     Ms. Wasser
Aye     Ms. Weiser

VOICE VOTE    7-0    Motion Carried

OTHER BUSINESS:

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

MOTION: Vice-Chair Dexter
SECOND: Ms. Weiser
To set a public hearing for River Ridge at Hyde Park (f.k.a. Maple Ridge) for August 21, 2019.

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<tr>
<th>Vote</th>
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<td>Aye</td>
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<tr>
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<td>Vice-Chair Dexter</td>
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<tr>
<td>Aye</td>
<td>Ms. DiNapoli</td>
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<tr>
<td>Absent</td>
<td>Mr. Oliver</td>
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<tr>
<td>Aye</td>
<td>Mr. Pickett</td>
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<tr>
<td>Aye</td>
<td>Ms. Wasser</td>
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<td>Aye</td>
<td>Ms. Weiser</td>
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**VOICE VOTE**  6-0  1-Absent  Motion Carried

**BROOKSIDE ESTATES SUBDIVISION**

Abandonment of Subdivision Application (#16-42)
Location: 19 South Cross Rd & 6 Thompson Drive
Grid#s: 6166-01-104952, -104952

**RESOLUTION DECLARING CERTAIN SITE PLAN AND SUBDIVISION APPLICATIONS ABANDONED PURSUANT TO SECTION 96-15(F) OF THE TOWN CODE**

Date: August 7, 2019  Moved By: Ms. Wasser
Resolution: #16-42  Seconded By: Vice-Chair Dexter

WHEREAS, in October 2016, the Town Board of the Town of Hyde Park adopted Section 96-15(F) of the Town Code, the purpose of which was to allow the Town’s Planning Board to better manage its calendar and ensure that all applications under review would continue to submit timely information until the review process was completed; and

WHEREAS, the Secretary to the Planning Board and the Chairman of the Planning Board met in January 2019 and July 2019 to review a series of applications where no information had been submitted in the past calendar 12 months or longer; and

WHEREAS, an application for Brookside Estates, Major Subdivision was initially submitted on September 16, 2016, an annual renewal fee of $862.50 was paid on November 20, 2017 and then on December 1, 2017 a meeting was held with the Planning Board Chairman, the Zoning Administrator and Planning/Engineering Consultant to discuss the application; and

WHEREAS, there has been no activity on this application since that meeting which was over 20 months ago; and
WHEREAS, the Secretary to the Planning Board sent a letter to Stephen Burns, Inacio Gomes (project sponsor) and Fred Tavares on January 7, 2019 requesting either a formal withdrawal of the subdivision application, or to appear before the Board within 60 days with new materials, the annual renewal fee and a plan to move forward with the application; and

WHEREAS, failing to receive a formal response nor new materials since then, a certified letter was sent to the project sponsor, dated July 23, 2019, informing him that the application would be declared abandoned at the meeting of August 7, 2019.

NOW THEREFORE BE IT RESOLVED that the Planning Board hereby deems the subdivision, “Brookside Estates Major Subdivision” abandoned, and any and all escrow accounts for it shall be closed, and all remaining balances returned to the project sponsor. In deeming the application abandoned, it is expressly intended that should the project be revived in the future, new applications will be submitted, fees shall be paid, and new escrow accounts be established.

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

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

CARINO SUBDIVISION
Abandonment of Subdivision Application (#40-07)
Location: 245 Cardinal Road
Grid#: 6265-02-573600

RESOLUTION DECLARING CERTAIN SITE PLAN AND SUBDIVISION APPLICATIONS ABANDONED PURSUANT TO SECTION 96-15(F) OF THE TOWN CODE

Date: August 7, 2019 Moved By: Mr. Pickett
Resolution: #40-07 Seconded By: Ms. DiNapoli

WHEREAS, in October 2016, the Town Board of the Town of Hyde Park adopted Section 96-15(F) of the Town Code, the purpose of which was to allow
the Town’s Planning Board to better manage its calendar and ensure that all applications under review would continue to submit timely information until the review process was completed; and

WHEREAS, the Secretary to the Planning Board and the Chairman of the Planning Board met in January 2019 and July 2019 to review a series of applications where no information had been submitted in the past calendar 12 months or longer; and

WHEREAS, the Secretary to the Planning Board sent a letter to Aurora Carino (Carino 2 Lot Subdivision, HP PB File #40-07) in January 2019 requesting either a formal withdrawal of her two-lot subdivision application, originally submitted in 2007, or to appear before the Board within 60 days with new materials, the annual renewal fee and a plan to move forward with the application, since no new information had been received in the prior 12 months; and

WHEREAS, failing to receive a formal response nor new materials since then, a certified letter was sent to the project sponsor, Aurora Carino, dated July 23, 2019, informing her that the application would be declared abandoned at the meeting of August 7, 2019.

NOW THEREFORE BE IT RESOLVED that the Planning Board hereby deems the subdivision, “Carino 2 Lot Subdivision” abandoned, and any and all escrow accounts for it shall be closed, and all remaining balances returned to the project sponsor. In deeming the applications abandoned, it is expressly intended that should the projects be revived in the future, new applications will be submitted, fees shall be paid, and new escrow accounts be established.

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

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

LOUISE MAY
Site Plan Waiver Generator (#2019-38)
Location: 33 Hudson Drive
Grid#: 6165-03-036481
TOWN OF HYDE PARK PLANNING BOARD

Louise May
33 Hudson Drive
Stand-by generator
6165-03-036481

SITE PLAN WAIVER
Town Code Section 108-9.4 C 2

August 7, 2019
Resolution#: 2019-38

Moved By: Ms. DiNapoli
Seconded By: Vice-Chair Dexter

Whereas, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by Louise May, on August 5, 2019 for property located 33 Hudson Drive in the Town of Hyde Park, and

Whereas, the application is to install a new stand-by generator, 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 May - Generator, regarding the specific request as submitted August 5, 2019, and in the building permit application dated July 25, 2019.

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

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

RELEASE OF ESCROW

Date: August 7, 2019
Resolution #: 19-C

Moved by: Chairman Michael Dupree
Seconded by: Vice-Chair Dexter
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Aye Ms. DiNapoli
Aye Ms. Dexter
Aye Mr. Dupree
Aye Mr. Pickett
Aye Ms. Wasser
Aye Ms. Weiser
Absent Mr. Oliver

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

MOTION: Ms. Wasser
SECOND: Vice-Chair Dexter

To adjourn.

Aye Mr. Dupree
Aye Ms. DiNapoli
Aye Ms. Dexter
Aye Ms. Weiser
Absent Mr. Oliver
Aye Mr. Pickett
Aye Ms. Wasser

VOICE VOTE 6-0 1-absent Motion Carried