



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”

**DRAFT MINUTES OF THE AUGUST 17, 2022, 6:00 PM
PUBLIC HEARING/REGULAR MEETING
OF THE HYDE PARK PLANNING BOARD**

**MEMBERS PRESENT: MICHAEL DUPREE – CHAIRMAN
ANNE DEXTER - VICE CHAIR
JOHN GUERCIO, JR
CHRISTOPHER OLIVER – VICE CHAIR
STEPHANIE WASSER
ROBERT WATERS
ANN WEISER**

**OTHERS PRESENT: VICTORIA POLIDORO, PB CONSULTING ATTORNEY
PETER SETARO, PB CONSULTING ENGINEER
BONNIE FRANSON, PB CONSULTING PLANNER
KATHLEEN MOSS, ZONING ADMINISTRATOR
CYNTHIA WITMAN, PB SECRETARY**

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Chairman Dupree: Good evening, everyone and welcome to the August 17th meeting of the Hyde Park Planning Board. Please take note of all the exits in the room. And now join us as we repledge our fealty to the American Flag.

The Chairman led the pledge.

PLEDGE OF ALLEGIANCE

CONTINUED PUBLIC HEARING:

HYDE PARK QUICK STOP

Site Plan & Special Use Permit Approvals Convenience Store & Fuel Station (#2022-10)
Location: 4912 Albany Post Road, Staatsburg, NY 12580
Grid #: 6066-02-879622

In Attendance:

Brandon Petrella, RA, AIA, Mauri Architects

MOTION: Vice-Chair Dexter

SECOND: Vice-Chair Oliver

To re-open the public hearing for Hyde Park Quick Stop site plan and special use permit approvals.

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

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

There was no public comment.

MOTION: Vice-Chair Dexter

SECOND: Vice-Chair Oliver

To close the public hearing for Hyde Park Quick Stop site plan and special use permit approvals.

Aye	Ms. Weiser
Aye	Mr. Waters
Aye	Ms. Wasser
Aye	Vice-Chair Oliver
Aye	Mr. Guercio

Aye **Vice-Chair Dexter**
Aye **Chairman Dupree**

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

Town of Hyde Park Planning Board

RESOLUTION APPROVING SPECIAL USE PERMIT AND SITE PLAN

Hyde Park Quick Stop

Date: August 17, 2022

Moved By: Ms. Weiser

Resolution: #2022-10B

Seconded By: Mr. Waters

WHEREAS, the Applicant, Jatt Boys Properties LLC, has submitted an application for special use permit and site plan approval to demolish an existing gas station and construct a new 3,150 square foot gas station and convenience store, along with related site improvements, at property located at 4912 Albany Post Road, tax parcel no. 6066-02-879622, in the Neighborhood Business District (the "Project"); and

WHEREAS, the project is depicted on a site plan entitled "Hyde Park Quick Stop" prepared by Mauri Architects PC, dated June 22, 2021, last revised August 3, 2022, Sheets PB-1, PB-2, PB-3, PB-4, PB-5, PB-6, DOT-1, SP-1, SP-2, SD-1, SD-2, and SA-1 (the "Site Plan Set"); and

WHEREAS, gas station uses are permitted in the Neighborhood Business District subject to special use permit and site plan approval; and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form ("EAF") dated March 1, 2022, pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, on March 16, 2022, pursuant to Town of Hyde Park Environmental Quality Review Law § 54-6A(16), by Resolution #2022-10, the Planning Board classified the Project as a Type I action under SEQRA and declared its intent to serve as lead agency in a coordinated review, to which no other agency objected; and

WHEREAS, on June 15, 2022, by Resolution #2022-10A, in accordance with SEQRA, the Planning Board determined that the Project will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement (EIS) will not be prepared; 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 April 19, 2022 with comments and a recommendation that the site be redesigned to put the convenience store structure to the front or side, or trigger a supermajority voting requirement; and

WHEREAS, the Planning Board has considered the orientation of the proposed convenience store structure, which complies with the Town's Zoning Law, and has determined that the location is appropriate to keep the fuel tanks further away from water resources to the west and north; and

WHEREAS, on June 22, 2022, by Resolution #22-03Z, the Zoning Board of Appeals granted the Applicant three area variances to permit increased lot coverage of 81.1% where 70% is permitted, to permit a decreased front yard setback of 5 feet 7 inches where 20 feet is required and to permit a scale of 9,071 sq. ft. where 7,500 sq. ft. is allowed; and

WHEREAS, a duly noticed public hearing for the Project was opened on April 20, 2022 and closed on August 17, 2022, during which all those who wished to speak were heard.

NOW THEREFORE BE IT RESOLVED, that the Planning Board makes the following findings pursuant to § 108-8.4 of the Zoning Law:

- 1. The Project will comply with the applicable requirements in Articles 4 and 5 of the Zoning Law and be consistent with the purposes of the Chapter. The Zoning Administrator has determined that the gas canopy is a "structure" and that therefore all parking shown on the Site Plan Set is located to the rear of the structure. The Applicant has obtained variances for scale, lot coverage and setbacks.**
- 2. The Project is consistent with § 108-1.4 of the Zoning Law. The Project is a redevelopment of an existing gas station which will encourage economic development. Further, the layout of the Project will protect water resources.**
- 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 Applicant has revised the proposed lighting plan to avoid off-site glare and has proposed an average of 14.5 fc.**
- 4. The Project will not cause significant traffic congestion, impair pedestrian safety, or overload existing roads, considering their current width, surfacing and condition. The Project is located on US Route 9. The additional pumps will not result in any impact on traffic patterns.**

BE IT FURTHER RESOLVED, that the Planning Board hereby grants conditional site plan and special use permit approval to the Project as depicted on 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. Revision of the Site Plan Set to include a stipulation that any references to signage for the Project are for location purposes only and do not constitute design approval.**
- 3. Approval by the Attorney to the Planning Board of a signed easement agreement between the Applicant and Robert J. Delarm regarding the replacement of a pipe into the wetland and the resulting increase in discharge, and proof of recordation of same with the Dutchess County Clerk.**
- 4. Receipt of final permit approval from the Department of Environmental Conservation (DEC).**
- 5. Receipt of conceptual permit approval from the Department of Transportation (DOT).**
- 6. Approval from the Dutchess County Department of Behavioral and Community Health for the methods of water supply and sewage disposal.**
- 7. Receipt of a Stormwater Management and Erosion and Sediment Control permit from the Town of Hyde Park.**
- 8. Approval by the Attorney to the Planning Board of a signed Stormwater Easement and Maintenance Agreement allowing for periodic inspections by the Town of the stormwater management facility pursuant to § 93-8(B) of the Town Code, to include periodic inspection of the Jelly Fish Water Quality Treatment Unit, and proof of recordation of same with the Dutchess County Clerk.**

BE IT FURTHER RESOLVED, that the Applicant will need to reapply to the Planning Board to receive approval of any and all signage for the Project.

BE IT FURTHER RESOLVED, that prior to the Zoning Administrator authorizing issuance of a building permit, the Applicant shall provide the Planning Board with a .pdf of the fully signed Site Plan Set.

(supermajority requirement)

Aye Chair Dupree
Aye Vice-Chair Dexter
Aye Mr. Guercio
Aye Vice-Chair Oliver
Aye Mr. Waters
Aye Ms. Wasser
Aye Ms. Weiser

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

OTHER BUSINESS:

HYDE PARK TOWN CENTER NORTH BUILDING 3, 4 & 5

Extension of all deadlines of Site Plan Approval (#16-15)
Location: 4272-4288 Albany Post Road
Grid#: 6065-04-933017

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

To set a public hearing for Hyde Park Town Center North-Buildings 3, 4 & 5 Site Plan approval extension for September 7, 2022.

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

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

RITE AID SIGNAGE

Sign Permit recommendation (#2021-36)

Location: 1 Crum Elbow Rd.

Grid #: 6165-03-429214

In Attendance:

Nancy Forrest, GNS Group

**Town of Hyde Park Planning Board
RESOLUTION RECOMMENDING ISSUANCE OF SIGN PERMITS**

**Rite Aid Pharmacy
1 Crum Elbow Road
Hyde Park, NY 12538
Grid # 6165-03-429214**

Date: August 17, 2022

Resolution#: 2021-36A

Moved By: Vice-Chair Dexter

Seconded By: Vice-Chair Oliver

WHEREAS, the applicant, East Park Development LLC/Rite Aid Corporation, has submitted several applications for new signage, originally submitted to the Planning Board on May 25, 2021, for its retail business located at 1 Crum Elbow Road, in the East Park Business District, last revised on June 8, 2022 and submitted to the Zoning Board of Appeals (ZBA); and

WHEREAS, on November 3, 2021, pursuant to Town Code section 108-24.2.F(2), the Planning Board granted a discretionary bonus to increase maximum size of letter, symbol or graphic by Resolution #2021-36; and

WHEREAS, the Zoning Board of Appeals by Resolution 21-19Z on July 27, 2022, granted the variances as requested and shown in the June 8, 2022 Sign Plan;

NOW THEREFORE BE IT RESOLVED, that the Board recommends that the Zoning Administrator grant the applicant’s request and issue permits for the signs shown on the June 8, 2022 Sign Plan.

- Aye Chairman Dupree**
- Aye Vice-Chair Dexter**
- Aye Mr. Guercio, Jr.**
- Aye Vice-Chair Oliver**
- Aye Ms. Wasser**
- Aye Mr. Waters**
- Aye Ms. Weiser**

Voice Vote

Aye-7 Nay-0 Absent-0

Motion Carried

MULLER, KYLE

Sign Plan Waiver replacement decks front & rear (#2022-37)

Location: 5 Calmer Place

Grid #: 6064-08-935777

TOWN OF HYDE PARK PLANNING BOARD

Kyle Muller

5 Calmer Place

6064-08-935777

SITE PLAN Waiver

Town Code Section 108-9.4 C 2

Date: August 17, 2022

Resolution #: 2022-37

Moved By: Ms. Wasser

Seconded By: Mr. Guercio, Jr.

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Kyle Muller to replace rear and front decks on existing footprints to his 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 Building Permit Application dated July 15, 2022 and the request for a waiver of site plan received by the Planning Department on August 9, 2022.

Aye Chairman Dupree

Aye Vice-Chair Dexter

Aye Mr. Guercio, Jr.

Aye Vice-Chair Oliver

Aye Ms. Wasser

Aye Mr. Waters

Aye Ms. Weiser

Voice Vote

Aye-7 Nay-0 Absent-0

Motion Carried

SCHOLZ, CHISTOPHER

Sign Plan Waiver New Construction Barn & Deck (#2022-35)

Location: 71 Penny Lane, Staatsburg, NY 12580

Grid #: 6067-02-914788

TOWN OF HYDE PARK PLANNING BOARD

Christopher Scholz

6067-02-914788

71 Penny Lane

SITE PLAN Waiver

Town Code Section 108-9.4 C 2

Date: August 17, 2022

Resolution #: 2022-35

Moved By: Vice-Chair Oliver

Seconded By: Mr. Waters

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Christopher Scholz for construction of a 24' x 32' barn and attached, main level 16' x 32' deck on the property associated with a single-family home requiring a building permit, and,

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

Whereas, the applicant is proposing to construct a barn and deck and

Whereas, the applicant is not proposing any lighting on the river side of the structure and only shaded, motion sensor lighting on the east side, and

Whereas, the proposed addition meets the zoning code setback requirements, and

Whereas, the proposed changes 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 requiring a building permit, and

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

THEREFORE BE IT RESOLVED, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the proposed changes as described in the building permit received by the building department July 13, 2022, and per the request to the planning board dated July 13, 2022.

Aye Chairman Dupree
Aye Vice-Chair Dexter
Aye Mr. Guercio, Jr.
Aye Vice-Chair Oliver
Aye Ms. Wasser
Aye Mr. Waters
Aye Ms. Weiser

Voice Vote Aye-7 Nay-0 Absent-0 Motion Carried

HUDSON VALLEY HOSPICE DEPOT

Sign Permit Recommendations wall mounted & tenant panel signs (#2022-38)
Location: 473 Violet Avenue, Hyde Park, NY 12538
Grid #: 6163-01-496583

Town of Hyde Park Planning Board

**RESOLUTION RECOMMENDATION for ISSUANCE OF SIGN PERMIT
PURSUANT TO TOWN CODE SECTION 108-24.3 A (4) (d)**

**Hudson Valley Hospice Depot
Wall Sign
473 Violet Avenue, Hyde Park, NY
Parcel 6163-01-496583**

**Date: August 17, 2022
Resolution#: 2022-38**

**Moved By: Mr. Waters
Seconded By: Ms. Weiser**

WHEREAS, Paul Beichert of Timely Signs, representing Hudson Valley Hospice; a new tenant at 473 Violet Avenue, on July 18, 2022, submitted an application for a wall sign on the building at the 9G Plaza; and

WHEREAS, the sign is designed to be code compliant; and

WHEREAS, the sign demonstrates shopping center design unity with dark letters on a light background, now therefore

BE IT RESOLVED, the Board hereby recommends the Zoning Administrator issue the Wall Sign permit for Hudson Valley Hospice Depot submitted by Paul Beichert, on July 18, 2022.

Aye Chairman Dupree
Aye Vice-Chair Dexter
Aye Mr. Guercio, Jr.
Aye Vice-Chair Oliver

Aye Ms. Wasser
Aye Mr. Waters
Aye Ms. Weiser

Voice Vote

Aye-7 Nay-0 Absent-0

Motion Carried

Town of Hyde Park Planning Board

**RESOLUTION RECOMMENDATION for ISSUANCE OF SIGN PERMIT
PURSUANT TO TOWN CODE SECTION 108-24.3 A (4) (d)**

**Hudson Valley Hospice Depot
Tenant Panel in the Free Standing Sign
Parcel 6163-01-496583**

**Date: August 17, 2022
Resolution#: 2022-38A**

**Moved By: Mr. Guercio, Jr.
Seconded By: Vice-Chair Dexter**

WHEREAS, Paul Beichert of Timely Signs, representing Hudson Valley Hospice; a new tenant at 473 Violet Avenue, on July 18, 2022, submitted an application for a tenant panel replacement on the free-standing sign at 9G Plaza, and

WHEREAS, the sign is designed to be code compliant; and

WHEREAS, the sign demonstrates shopping center design unity with dark letters on a light background, now therefore

BE IT RESOLVED, the Board hereby recommends the Zoning Administrator issue the tenant panel sign permit for Hudson Valley Hospice Depot submitted by Paul Beichert, on July 18, 2022.

Aye Chairman Dupree
Aye Vice-Chair Dexter
Aye Mr. Guercio, Jr.
Aye Vice-Chair Oliver
Aye Ms. Wasser
Aye Mr. Waters
Aye Ms. Weiser

Voice Vote

Aye-7 Nay-0 Absent-0

Motion Carried

Respond to DCWWA SEQRA Lead Agency Notice

In Attendance:

Jonathan Churins, DCWWA Deputy Director

MOTION: Vice-Chair Dexter

SECOND: Vice-Chair Oliver

To authorize the Chairman to send a letter and SEQRA consent to DCWWA regarding the Greenfields Water Supply Alternative Source Interconnection.

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

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

17 August 2022

Jonathan Churins, Deputy Director
Dutchess County Water and Wastewater Authority
1 LaGrange Avenue
Poughkeepsie, New York 12603

Re: Request for Lead Agency status, Greenfields Water Supply Alternative Source Interconnection

Dear Jonathan:

The Planning Board of the Town of Hyde Park has no objections to DCWWA serving as Lead Agency for SEQRA purposes in its proposal to construct an interconnection from the existing Greenfields Water Supply to the existing Hyde Park Regional water supply.

Though the EAF indicated that a “Greenfields Project Area map” was attached, we only received the EAF. Without plans, it is difficult to fully express our concerns, but the existing “Hyde Park Water System at Madison Avenue” is a considerable distance from the Greenfields neighborhood. That noted, your response to question C.4.a. which assesses potential impacts to community services, “N/A not a development project, no population impact” is troubling.

We would expect, as part of our agreement to DCWWA serving as Lead Agency, the following:

- Any proper SEQRA analysis must include potential impacts from growth inducing actions. Providing water infrastructure to large swaths of the Town where all lots must be serviced now with individual wells will induce growth. An analysis of all properties, whether developed or not, that could be served by the water lines and an assessment of the kinds of development, especially residential, would be essential.

Please contact me if you need any additional information.

Sincerely,

Michael Dupree
Chairperson

ADJOURNMENT :

MOTION: Vice-Chair Dexter

SECOND: Vice-Chair Oliver

To adjourn.

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

VOICE VOTE Aye-7 Absent-0 Nay-0

Motion Carried