DRAFT MINUTES OF THE SEPTEMBER 18, 2019
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
                     ANN WEISER
                     ROBERT WATERS-ALTERNATE

MEMBERS ABSENT:  STEPHANIE WASSER

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

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Local Laws G, H, I & J of 2019
Chairman Dupree: Good Evening everyone and welcome to the September 18th meeting of the Hyde Park Planning Board. Please take note of all the exits around the room in case of emergency and now join me as we reaffirm our fealty to the American Flag. Chairman Dupree commenced the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

CONTINUED PUBLIC HEARING:

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, left the Dais.

Chairman Dupree: Thank you. The first items on the agenda are continued public hearings for Taconic Realty and Hudson Valley Hospice. These are combined public hearings for Taconic Realty and Hudson Valley Hospice. There is currently an existing shopping center at 374, 378, 382 and 386 Violet Avenue. Applicants are seeking approval to divide that into 4 separate lots. Once the subdivision is undertaken and filed, they are also looking for site plan approval for the 4 lots. The first representative, Ms. Libolt is representing the owners of lots 2, 3 & 4. Afterward we'll have representatives from Hudson Valley Hospice and lot 1. May I get a motion to re-open the public hearings?

MOTION: Ms. DiNapoli
SECOND: Vice-Chair Dexter

To re-open the public hearing for Taconic Realty Violet Avenue Subdivision and Site Plan Approvals and Hudson Valley Hospice Site Plan and Special Use Permit Approvals.

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

VOICE VOTE 6-0 1-Absent 0-Nay Motion Carried
The Chairman thanked the applicants, consultants and staff for their patience and diligence in working through the complex scale calculations and final conditions for approval. There was nothing additional from the applicants. Ms. Polidoro reminded the Board that they’re doing a coordinated SEQR review of Taconic Realty and Hudson Valley Hospice because it’s currently one large site that is being broken up into 4 sites. The Chairman confirmed that the Board Members had reviewed the draft Part II & III EAF and were in agreement that the proposed project will have no significant adverse impacts to the environment.

RESOLUTION TO ADOPT A NEGATIVE DECLARATION

Taconic Realty & Hudson Valley Hospice

Date: September, 18, 2019 Moved By: Ms. Weiser

Resolution: #2018-29A Seconded By: Vice-Chair Dexter

WHEREAS, the applicants, Taconic Realty Associates and Hudson Valley Hospice, have submitted applications for site plan and subdivision approval to subdivide an existing shopping center into four lots, each with its own site plan, at property located at 374, 378, 382, and 386 Violet Avenue (the “Project”), identified as tax parcel no. 6163-04-600353-0000, -0001, -0002, and -0003 in the Neighborhood Business Zoning District (the “Site”); and

WHEREAS, Hudson Valley Hospice further proposes to expand an existing building and make improvements to the parking lot, drainage and landscaping; and

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

WHEREAS, the Project is depicted on a site plan entitled “Site Plan Submission Set for Taconic Realty Associates,” sheets CV-1, OV-1, SU-2, SU-3, SU-4, and EA-1, dated September 4, 2018, last revised September 4, 2019 (the “Taconic Site Plans”), and on a subdivision plan entitled “Subdivision Submission Set for Taconic Realty Associates,” sheets CV-1, and SB-1, dated September 4, 2018, last revised September 4, 2019 (the “Site Plan”), both prepared by LRC Group and each with a Decker Surveying Boundary and Topographic Survey, last revised July 2, 2019, and a site plan entitled, “Hudson Valley Hospice” sheets 1-6 dated March 5, 2019, last revised September 6, 2019, prepared by Berger Engineering and Surveying with a Decker Surveying Boundary and Topographic Survey, last revised July 2, 2019; Landscape Plan prepared by Lehigh Lawn and Landscaping, dated April 29, 2019, last revised August 29, 2019; and elevations prepared by Liscum
VanVoorhis McCormack LLP, dated August 15, 2018, last revised August 29, 2019 (the “Hospice Site Plan”); and

WHEREAS, the Taconic Site Plans, Sketch Plan and Hospice Site Plan are being considered together for purposes of review under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form Part 1 (“EAF”) dated September 4, 2018, revised March 7, 2019; and

WHEREAS, pursuant to 6 NYCRR 617.2(al), any action not identified as a Type I or Type II action is an unlisted action under SEQRA; and

WHEREAS, on June 5, 2019, the Planning Board classified the action as an unlisted action and declared its intent to serve as lead agency in a coordinated SEQRA review, to which no other agency has objected; and

WHEREAS, the Planning Board has reviewed Part 1 of the EAF provided by the applicant, Parts 2 and 3 of the EAF prepared by the Board’s consultants, and all available information concerning the potential impacts of the Project and finds 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.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby adopts a negative declaration, finding 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 Clerk is hereby authorized and directed to send a copy of this resolution to all Involved and Interested Agencies.

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

VOICE VOTE 6-Aye 1-Absent 0-Nay Motion Carried
Involved and Interested Agencies
New York State Department of Transportation
Dutchess County Water and Wastewater Authority
Dutchess County Department of Behavioral and Community Health
Town of Hyde Park Zoning Board of Appeals
Town of Hyde Park Town Board
Town of Poughkeepsie Town Board
Town of Poughkeepsie Sewer Department
Fairview Fire District

There was no public comment.

MOTION: Ms. DiNapoli
SECOND: Vice-Chair Dexter

To close the public hearing for Taconic Realty Violet Avenue Subdivision and Site Plan Approvals and Hudson Valley Hospice Site Plan and Special Use Permit Approvals.

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

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

RESOLUTION TO GRANT CONDITIONAL FINAL SUBDIVISION APPROVAL AND CONDITIONAL SITE PLAN APPROVAL TO LOTS 2-4

Taconic Realty

Date: September 18, 2019 Moved By: Vice-Chair Dexter
Resolution: #2018-29B Seconded By: Ms. Weiser

WHEREAS, the applicant, Taconic Realty Associates, has submitted applications for site plan and subdivision approval to subdivide an existing shopping center into four lots, each with its own site plan, at property located at 374, 378, 382, and 386 Violet Avenue (the “Project”), identified as tax parcel...
WHEREAS, Hudson Valley Hospice further proposes to expand an existing building and make improvements to the parking lot, drainage and landscaping on proposed Lot 1 which is being reviewed in conjunction with the Project but as a separate application; and

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

WHEREAS, the Project is depicted on a site plan entitled “Site Plan Submission Set for Taconic Realty Associates,” sheets CV-1, Boundary and Topographical Survey, OV-1, SU-2, SU-3, SU-4, EA-1 dated September 4, 2018, last revised September 4, 2019 (the “Taconic Site Plan Set”), and on a subdivision sketch plan entitled “Subdivision Submission Set for Taconic Realty Associates,” sheets CV-1, Boundary and Topographical Survey and SB-1, dated September 4, 2018, last revised September 4, 2019 (the “Subdivision Plat”), both prepared by LRC Group and Decker Surveying; and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form Part 1 (“EAF”) dated September 4, 2018, revised March 7, 2019; and

WHEREAS, on September 18, 2019, the Planning Board adopted a negative declaration, finding that the Project would not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement would not be prepared; and

WHEREAS, on June 5, 2019 the Planning Board classified the Project as a Minor Subdivision and accepted the sketch plan as adequate for further review by the Planning Board; and

WHEREAS, the Project is located within 500 feet of New York State Route 9G, also known as Violet Avenue; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, the Project was referred to the Dutchess County Department of Planning and Development, which responded on June 27, 2019 that it was a matter of local concern and commented on landscaping, lighting, parking and circulation issues; and

WHEREAS, the Property is currently nonconforming as to scale and as part of the subdivision the applicant is allocating potential future scale expansions available pursuant to Section 108-6.4B of the Zoning Law; and
WHEREAS, such future increases in scale are subject to special use permit approval by the Planning Board and any future changes to the zoning law and are being allocated for planning purposes only; and

WHEREAS, a duly noticed public hearing was opened on August 21, 2019 and closed on September 18, 2019, during which all those who wished to speak were heard.

NOW THEREFORE BE IT RESOLVED, that the Planning Board determines the number of spaces proposed on Lots 2-4 are the minimum necessary to serve the Project, pursuant to Section 108-5.10F of the Zoning Law.

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

1. Payment of all fees and escrow.

2. Revision of Sheet SB-1 to show and label the reciprocal cross-access easements, water line easements, sewer line easements and other easements for the continued use of shared parking, lighting, snow storage and other site improvements.

3. Revision of Sheet SB-1 to clearly show and label the proposed snow storage easement area as follows:
   a. Revise the label for “Proposed 30’ Snow Storage Easement” to read “Proposed 30’ Snow Storage Easement for Lots 2, 3 and 4”;
   b. Label the northern and southern ends of the “Proposed 30’ Snow Storage Easement for Lots 2, 3 and 4”;
   c. Delete the hash marked/shaded area at the eastern end of Lot 4; and behind the building on Lot 2; and
   d. Delete the dashed lined area labeled “Snow Storage Area for All Lots 2, 3 and 4” at the eastern end of Lot 4; and behind the building on Lot 2; and delete the corresponding label.

4. Revision of the Summary Chart of Zoning Information on the Subdivision Plat as follows:
   a. Revise Sheet SB-1 so that the total proposed site values are consistent with the sum of the individual lot proposed values for maximum impervious coverage parking in square feet (SF), including proposed Lot 1.
b. Revise Sheet SB-1 so that the total proposed site values are consistent with the sum of the individual lot proposed values for green to asphalt ratio, including proposed Lot 1 with the Lot 1 value stated as for the other lots with “SF REQ”; “SF”; and “% PRO”.

c. Revise Sheet SB-1 so that a new row is added to be labeled “Existing Scale (GSF)” with values in SF showing the required scale value of 7,500 SF/lot; an existing scale value for the entire site, which is 73,105 SF; and existing scale values for each of the proposed lots that add up to the value for the entire site, including 18,006 SF for Lot 1; 37,695 SF for Lot 2; 3,626 SF for Lot 3; and 13,778 SF for Lot 4.

d. Revise Sheet SB-1 so that a new row is added to be labeled “Scale 50% Expansion (GSF) and Allocation” with values in SF showing how 50% of the existing scale for entire site of 73,105 SF, which is approximately 36,552.5 SF, is allocated to each of the proposed lots as follows: 9,358 SF would be allocated to Lot 1; 27,194.5 SF would be allocated to Lot 2 for future development; and 0 (zero) SF would be allocated to each of Lots 3 and 4.

e. Revise Sheet SB-1 so that the row labeled “Scale (GSF)” is revised to be labeled “Proposed Scale (GSF)” with a proposed resulting scale value for the entire site; and proposed scale values for each lot noting whether the allocated portion of the 50% expansion is currently proposed or allocated for future use. Accordingly, the proposed scale for Lot 1 would be 27,364 SF. The proposed scale values must be consistent with the corresponding values for Lot 1 as presented on the Hospice site plans.

5. Approval of water and septic system details by the Dutchess County Water and Wastewater Authority, including formation of a part-county district by the Dutchess County Legislature, as evidenced by fully executed Memorandums of Understanding for water and sewer service.

6. Revision of Sheet SB-1 as follows:

   a. Add metes and bounds to the snow storage easement for lots 2, 3 and 4;
   b. Add a note referring to the legal instruments for the snow storage easement and a maintenance agreement for its use;
   c. Delineate proposed easements for water and sewer facilities for access by the DCWWA or other municipal agencies; and
   d. Show any existing rights-of-way and/or easements; and add notation about each or confirm there are no existing rights-of-way and/or easements.

7. Approval by the Planning Board Attorney of a Declaration of Easements, Covenants and Restrictions establishing cross-access easements for
vehicular and pedestrian access, parking, snow storage, water lines, sewer lines, electricity, light poles and any other common elements.

8. Approval by the Town Attorney of a Sidewalk Easement across Lots 1-4 providing the Town with the right, but not the obligation, to maintain the easement area.

9. Proof of recordation with the Dutchess County Clerk of all required easements including the Declaration of Easements, Covenants and Restrictions and Sidewalk Easement.

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

1. Payment of all fees and escrow.

2. Filing of the approved Subdivision Plat with the Dutchess County Clerk.

3. Revision of Site Plan Sheets OV-1, SU-2 SU-3 and EA-1 to show and label the reciprocal cross-access easements, water line easements, sewer line easements and other easements for the continued use of shared parking, lighting, snow storage and other site improvements.

4. Revision of Site Plan Sheets OV-1; SU-2; and EA-1 to clearly show and label the proposed snow storage easement and area as follows:
   a. Revise the label for “Proposed 30’ Snow Storage Easement” to read “Proposed 30’ Snow Storage Easement for Lots 2, 3 and 4”;
   b. Label the northern and southern ends of the “Proposed 30’ Snow Storage Easement for Lots 2, 3 and 4”;
   c. Delete the hash marked/shaded area at the eastern end of Lot 4; and behind the building on Lot 2; and
   d. Delete the dashed lined area labeled “Snow Storage Area for All Lots 2, 3 and 4” at the eastern end of Lot 4; and behind the building on Lot 2; and delete the corresponding label.

5. Revision of the Summary Chart of Zoning Information on the overall and individual site plans as follows:
   a. Revise Site Plan Sheets OV-1; SU-2; SU-3; SU-4 that the total proposed site values are consistent with the sum of the individual lot proposed values for maximum impervious coverage parking in square feet (SF), including proposed Lot 1.
   b. Revise Site Plan Sheets OV-1; SU-2; SU-3; SU-4 so that the total proposed site values are consistent with the sum of the individual lot proposed values for green to asphalt ratio, including proposed
Lot 1 with the Lot 1 value stated as for the other lots with “SF REQ”; “SF”; and “% PRO”.

c. Revise Site Plan Sheets OV-1; SU-2; SU-3; SU-4 so that a new row is added to be labeled “Existing Scale (GSF)” with values in SF showing the required scale value of 7,500 SF/lot; an existing scale value for the entire site, which is 73,105 SF; and existing scale values for each of the proposed lots that add up to the value for the entire site, including 18,006 SF for Lot 1; 37,695 SF for Lot 2; 3,626 SF for Lot 3; and 13,778 SF for Lot 4.

d. Revise Site Plan Sheets OV-1; SU-2; SU-3; SU-4 so that a new row is added to be labeled “Scale 50% Expansion (GSF) and Allocation” with values in SF showing how 50% of the existing scale for entire site of 73,105 SF, which is approximately 36,552.5 SF, is allocated to each of the proposed lots as follows: 9,358 SF would be allocated to Lot 1; 27,194.5 SF would be allocated to Lot 2 for future development; and 0 (zero) SF would be allocated to each of Lots 3 and 4.

e. Revise Site Plan Sheets OV-1; SU-2; SU-3; SU-4 so that the row labeled “Scale (GSF)” is revised to be labeled “Proposed Scale (GSF)” with a proposed resulting scale value for the entire site; and proposed scale values for each lot noting whether the allocated portion of the 50% expansion is currently proposed or allocated for future use. Accordingly, the proposed scale for Lot 1 would be 27,364 SF. The proposed scale values must be consistent with the corresponding values for Lot 1 as presented on the Hospice site plans.

6. Revision of Site Plan Sheet EA-1 as follows:
   a. Add metes and bounds to the snow storage easement for lots 2, 3 and 4;
   b. Add a note referring to the legal instruments for the snow storage easement and a maintenance agreement for its use;
   c. Delineate proposed easements for water and sewer facilities for access by the DCWWA or other municipal agencies; and
   d. Show any existing rights-of-way and/or easements; and add notation about each or confirm there are no existing rights-of-way and/or easements.

7. Revision of Site Plan Sheets SU-2; SU-3; and SU-4 to provide the following note: Freestanding sign locations are shown in close proximity to where new or replacement signs will be erected. Sign details will be reviewed upon application for a sign permit. If visibility is an issue based on sign design, the sign structure location may be adjusted slightly without the necessity of a site plan amendment.
8. Revision of Site Plan Sheets OV-1; SU-2; SU-3; SU-4 to add notation stating that any future change to any lighting fixtures, including pole-mounted lighting, shall comply with current zoning requirements and standards for lighting and shall require site plan amendment approval.

9. Revision of the Site Plan Set to label to highway boundary and show any utility connections within the highway right of way, and call out item numbers for all work to be done within the state right of way (i.e., curbing, sidewalks, signs, striping, etc.)

10. Revision of the Site Plan Set to label the roadway across the street (Elks Lane).

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

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

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

In Attendance: Michelle Zerfas, Berger Engineering
              Michael Kaminski, Hudson Valley Hospice

RESOLUTION GRANTING SITE PLAN AND SPECIAL USE PERMIT APPROVAL

Hudson Valley Hospice

Date:  September 18, 2019  Moved By:  Vice-Chair Dexter
Resolution: #2019-10  Seconded By:  Ms. DiNapoli

WHEREAS, the applicant, Hudson Valley Hospice, has submitted applications for site plan and special use permit approval to expand an existing building and make improvements to the parking lot, drainage and landscaping on a portion of an existing shopping center located at 374, 378,
WHEREAS, the owner of the shopping center, Taconic Realty Associates, has applied for and received conditional final plat approval to subdivide the Site into four lots, as shown on the conditionally approved subdivision plat entitled, “Subdivision Submission Set for Taconic Realty Associates” prepared by LRC Group dated September 4, 2018, last revised September 4, 2019 (the “Subdivision Plat”); and

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

WHEREAS a site plan entitled, “Hudson Valley Hospice” sheets 1-6 dated March 5, 2019, last revised September 6, 2019, prepared by Berger Engineering and Surveying with a Decker Surveying Boundary and Topographic Survey, last revised July 2, 2019; Landscape Plan prepared by Lehigh Lawn and Landscaping, dated April 29, 2019, last revised August 29, 2019; and elevations prepared by Liscum VanVoorhis McCormack LLP, dated August 15, 2018, last revised August 29, 2019 (the “Hospice Site Plan Set”); and

WHEREAS, on September 18, 2019, the Planning Board adopted a negative declaration, finding that the Project would not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement would not be prepared; and

WHEREAS, the Project is located within 500 feet of New York State Route 9G, also known as Violet Avenue; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, the Project was referred to the Dutchess County Department of Planning and Development, which responded on June 27, 2019 that it was a matter of local concern and commented on landscaping, lighting, parking and circulation issues; and

WHEREAS, the Property is currently nonconforming as to scale and the Subdivision Plat allocates potential future scale expansions available pursuant to Section 108-6.4B of the Zoning Law; and

WHEREAS, the applicant has applied for a special use permit to increase the permitted scale of the Site by 9,358 square feet; and
WHEREAS, a duly noticed public hearing was opened on August 21, 2019 and closed on September 18, 2019, during which all those who wished to speak were heard.

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

1. The Project will comply with the applicable requirements contained in Articles 4 and 5 of the Zoning Law, will be consistent with the purposes of the Neighborhood Business Zoning District, and has been given due consideration by the Planning Board. The hospice use is an existing use and the expanded building is consistent with the scale of other buildings in the area.

2. The Project is 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.

4. The Project will not cause significant traffic congestion, impair pedestrian safety or overload existing roads, considering their current width, surfacing, condition and any proposed improvements made to them by the applicant. The Project will improve pedestrian circulation on and across the Site.

5. The Project is suitable for the Site considering the Site’s size, location, topography, vegetation, soils, natural habitat, hydrology, hydrogeology and, if appropriate, its ability to be buffered or screened from neighboring properties and public roads. The Project Site is an existing shopping center which has been previously disturbed.

6. The Project will be subject to such conditions on operation, design and layout of structures and provision of buffer areas as may be necessary to ensure compatibility with surrounding uses and to protect the natural, historic and scenic resources of the Town.

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

1. Payment of all fees and escrow.

2. Filing of the Subdivision Plat with the Dutchess County Clerk.
3. Revision of site plan sheets 3 of 6, Site and Grading Plan; and 4 of 6 Erosion & Sediment Control Plan to show and label the reciprocal cross-access easements and other easements for continued use of existing shared access; parking; lighting; water and sewer facilities; and other site improvements.

4. Revision of the Title Sheet (plan sheet 1), Summary Chart, to be consistent with the Taconic site plan sheets OV-1; and Subdivision Plat sheet SB-1 as follows:
   a. Confirm that the proposed value for “Total Impervious Surface for All Parking Stalls and Aisles”, 27,107 square feet (SF), is consistent with the corresponding value on Taconic sheet OV-1 for “Maximum Impervious Coverage Parking”; or revise the Title Sheet, Summary Chart accordingly.
   b. Revise the rows for “Green to Asphalt Ratio” to be one row; and to include information consistent with the “Green to Asphalt Ratio” row for other lots on Taconic site plan sheet OV-1; and subdivision plan sheet SB-1, including “SF REQ”; “SF”; and “% PRO”; and so that the total proposed site values are consistent with the sum of the Lot 1 proposed values for green to asphalt ratio.
   c. Add a new row to be labeled “Existing Scale (GSF)” showing the required scale value of 7,500 SF/lot; and with an existing scale value of 18,006 SF.
   d. Add a new row to be labeled “Scale 50% Expansion (GSF) and Allocation” with a value of 9,358 SF.
   e. Add a new row to be labeled “Proposed Scale (GSF)” with a proposed resulting scale value of 27,364 SF.
   f. Delete rows regarding scale that are not consistent with the above added rows; and are not consistent with the Summary Chart/Zoning Summary and scale values on the Taconic site plan sheet OV-1; and subdivision plan sheet SB-1.
   g. Add notation to the bottom of the Summary Chart indicating that the Hospice 1.939-acre site results from the Taconic Subdivision in which 50% of the existing scale for entire Taconic Subdivision site of 73,105 SF, which is approximately 36,552.5 SF, was allocated to each of the proposed lots, including 9,358 SF of the allocated scale to the 1.939-acre site as Lot 1. The note should indicate that although this represents a 52% increase in scale on the Hospice site (Lot 1), the overall increase in scale on the entire Taconic subdivision site is 50%, which scale increase is allocated as set forth on the Taconic subdivision and site plans.

5. Revision of the Title Sheet (plan sheet 1), Summary Chart to add a row for a second front yard setback of twenty feet (20’) along School Street, which would require relocation of the proposed pergola.
6. Revision of sheet 3 of 6 Site and Grading Plan as follows:
   
a. Show a front yard setback along School Street; and
b. Relocate the proposed pergola to comply with the 20’ front yard setback.

7. Revision of sheet 3 of 6, Site and Grading Plan, to show and add notes about any deed restrictions or covenants.

8. Revision of site plan sheets 3 of 6, Site and Grading Plan, and 4 of 6, Erosion & Sediment Control Plan, to refer to the Taconic site plan Sheets EA-1 and Subdivision Plat sheet SB-1.

9. Revision of site plan sheets 3 of 6, Site and Grading Plan, and 4 of 6, Erosion & Sediment Control Plan as follows:
   
a. Delineate proposed easements for water and sewer facilities for access by the DCWWA or other municipal agencies.
b. Label metes and bounds for proposed easements.

10. Revision of site plan sheets 3 of 6, Site and Grading Plan, and 4 of 6, Erosion & Sediment Control Plan, to show any existing rights-of-way and/or easements and add notation about each.

11. Revision of site plan sheets 3 of 6, Site and Grading Plan, to add a notation stating that any future change to any lighting fixtures, including pole-mounted lighting, shall comply with current zoning requirements and standards for lighting and require site plan amendment approval.

12. Revision of the Site Plan Set to label the highway boundary and show any utility connections within the highway right of way, and call out item numbers for all work to be done within the state right of way (i.e., curbing, sidewalks, signs, striping, etc.).

13. Revision of the Site Plan Set to label the roadway across the street (Elks Lane).

14. Approval from the Dutchess County Department of Health and Dutchess County Water and Wastewater Authority for methods of water supply and wastewater disposal.

15. Revision of the Site Plan Set to remove the third proposed wall sign above the employee entrance or reduce to 2 square feet, the
maximum for a directional sign and revision of the Site Plan Set to relocate the existing freestanding sign onto the Site.

BE IT FURTHER RESOLVED, that prior to the Zoning Administrator authorizing the issuance of a building permit for the Site, the applicant shall provide plans showing the design of all retaining walls stamped by a licensed professional engineer.

BE IT FURTHER RESOLVED, that the applicant shall apply for a sign permit for any proposed changes to existing signs or new signs.

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

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

Alternate Board Member, Mr. Waters stepped down from the Dais and was replaced by Mr. Oliver.

WORKSHOP:

SAKE' BREWERY
Site Plan Approval (#2018-25)
Location: 5 St. Andrews Road
Grid#: 6164-03-021198

In attendance: Michael Zarin, Zarin & Steinmetz
Kate Roberts, Zarin & Steinmetz
Stuart Mesinger, AICP, The Chazen Companies
Mark McDonnell, AIA, Pelli Clarke Pelli

Chairman Dupree: The next item on the agenda is a workshop item. This is the Asahi Shuzo Sake Brewery, the applicants are seeking an amendment for a slightly enlarged Wastewater Treatment Facility. It’s being moved a little further out from the stream and 43 feet north. Mr. Zarin welcome back.

Mr. Zarin indicated that construction has begun on the interior of the main building and work outside should follow in 2 weeks.

Mr. Zarin: As you all know, when we received the original Site Plan Approval, the WWTF was still under design. It was extremely complex and complicated
taking the Japanese design specifications and converting them to US Building Code Standards. Hats off to Chazen as the US representative engaged in that exercise, let alone the time differences. You'll recall we had a place-holder footprint for the original WWTF and as part of our approvals presented the exterior materials and material board. For all practical purposes, it hasn’t changed much from that design. The original was an approximately 5,364 sq. ft. building, located 45' east of the main brewery, approximately 120' from the closest residence with about 2500' [sic] of encroachment into the stream corridor with a variance. The final design has increased the building by about 956 sq. ft. to 6,320 sq. ft., primarily due to fitting and changing some of the equipment to US Building Code Standards. When we designed the building, the interior design work had not occurred and we were dealing with hypothetical equipment with Japanese sizing. Now we have the final size. It’s being moved closer to the property line because of the size and we wanted to avoid further encroachment into the stream corridor. It’s moved from 120’ to the nearest residence to 80’, approximately 40’ closer to the property line, but still outside the 50’ setback. We’ve proposed an additional 17 mature trees be planted as well as the original landscape plan, for further screening. It’s already a vegetated area. The SWPPP has not changed, Stu will address that. One of the advantages of this is that we’ve reduced encroachment into the stream corridor. The variance that we received was for a 23’ encroachment for the WWTF and 14.5’ for the generator, totaling 2,546 sq. ft. We’re reducing the encroachment to 15.5’, reduced by 8’. We are adding a small roof overhang, which looks nice and breaks up the length of the building in the same materials. With the overhang we have about an 11% reduction, with just the building footprint we have a 46% reduction of the encroachment. The Chair of the ZBA was kind enough to add us to the next ZBA meeting on September 25th. I guess it’s a practice of the Town, that even though our encroachment is less, the building is in a different location, so it still requires a variance. Hopefully, we can schedule a public hearing as appropriate.

**Chairman Dupree:** I was going to recommend that we do a public hearing at the second meeting of October. That way we could reaffirm SEQR before the ZBA could take action. I would hope that they’ll set a public hearing next week for November. We’re going to refer to County Planning tonight and they have a month, so it would make more sense to have the public hearing past that time.

**Mr. Mesinger:** We’ve moved the WWTF 43’ to the north, still within the setbacks. The primary reason was to get it off the slope as much as possible. It also moves us further away from the stream and has less tree clearing involved. All good things. The building is about 956’ larger, primarily due to our Code requirements. The Japanese designers gave us a shell and we started to talk to them about clearances and walkways and fire requirements. We added a turning template on the plan for the Town’s firetruck to demonstrate that we can negotiate back there in the new location. As Mr. Zarin mentioned we added screening to the top of the berm. Between the berm and the
screening we do a pretty good job of keeping out of view of the houses behind there. We submitted an amended SWPPP. There is almost no difference in the amount of stormwater runoff because one of the advantages of where we’ve moved it is that we’re now using existing pavement that is behind the building. I think the increase in impervious area is less than the increase in building sq. ft. Stormwater is being managed in two ways. From the eastern side of the building and part of the northern side goes into a stone-lined ditch that runs along the back of the building and then connects to our underground system which goes into a retention pond. The stormwater for the rest of the building goes into drywells. The amendments are small. We mentioned odor control. The building has a fan and duct system, so that all the air gets drawn in and out through a discharge structure with an activated charcoal filter, which gets changed about every 6 months. When we submitted the first application, on our EAF we said it was possible we would need an ACOE permit for the outfall. We no longer need that. We designed the outfall to be outside of the tiny fringe of ACOE wetland along the stream. We go down the hill and then there’s an energy dislocation structure, because we don’t want to send out the wastewater product at a high velocity, so it settles in there and then comes out before the wetlands. This is the lighting plan. With the new location we removed a couple of parking lot lights in the back corner of the building, so there is less lighting back there. All of the fixtures on the building are pack lights which are shielded, so there won’t be any light spillover. We have a photometric plan that shows we’re zero overspill in all but 1 tiny little corner.

**Chairman Dupree:** It’s only .1.

**Mr. Mesinger:** You obviously looked at this plan.

**Chairman Dupree:** I did.

**Mr. Mesinger:** I think we’ve done a pretty good job there, in fact there is less light.

**Mr. McDonnell:** If you recall the previous version of this was basically 2 boxes. This one about a foot and a half taller than this one extending roughly just about 100 feet. The southerly portion is more or less as it was. The middle portion is 85’ and the elevated portion here, with 2 levels, is 20-22’. It’s broken up. It does have an overhang, similar to those in the Rice Polishing Building (RPB), with similar finishes, vertical wood panels. There are more openings. Typically due to the maneuvering required to exhaust the conditions inside the building. Overhead coiling doors will be painted similarly to that at the RPB. It’s not identical but it’s in the same family. The center lines of the roofs are aligned, the ridgelines are identical, so the building basically steps up. It’s an inside-out building: the building serves the machinery on the inside. It required a little bit of growing to allow safe egress and passage adjacent to the machinery. There is a fall off on the back side. Where it meets
the ground it’s level. On the west side, the parking lot side there is also a granite stone base like the RPB because we figured salt and snow and ice would prevail. The scale is broken down. It’s a building primarily that visitors will see from the parking lot, so they’ll see the small end. We do have dry wells. The roof is insulated sheet metal, like the RPB.

**Chairman Dupree:** First, I wanted to say that this is probably the most attractive Wastewater Treatment Plant that I’ve seen in a long time. When we saw it with the perspective of all of the setbacks in the rooflines, we thought that was really gorgeous. I need to also remind everyone that Ms. Moss opined that this is a part of the principal use after Mr. Zarin argued successfully that this will be shown as part of the tourist element. There will be a video camera showing what goes on in here. A reminder also that when you hear odor control, that this is process waste and only the water that’s being used for the manufacture of the Sake. There is a separate wastewater system that already exists that will be utilized for bathrooms, etc. Given that you’re moving closer to the residential buildings, I think I said you’ll need to add more landscaping, which they’ve done. I also want to point out that even though you can’t see it…the houses that are over here, because they’re on sort of a half-moon, the houses that are closest are actually pretty far and all of them have extensive woods in between. Adding that much landscaping as a buffer really is a sort of extra. To me, this seems fairly simple. It’s great news that you’ve pulled the Demo Permit.

**Mr. Mesinger:** I wanted to mention also that we’ve submitted the plans and engineering reports to both DEC and DOH so that process is underway.

**Mr. Zarin:** I wanted to mention that the trees are relatively mature, so they’re 6-8’ trees. They’ll immediately kick in.

**Ms. Axelson:** The letter that Mr. Zarin did in the project assessment, impact comparison was very helpful to be able to go right through and pinpoint a couple of things. At an agenda meeting we discussed the screening because of the building height and it seemed that the proposed plantings were adequate. I’m sure Pete will look at the SWPPP. I don’t have any concerns.

**Ms. Polidoro:** The question I was having, which needs to be discussed with Tad, is does this change the scale.

**Chairman Dupree:** Because some of this is on top of impervious pavement and some of that was used for parking and some for drive aisles, so it will be complicated. The applicants did reduce impervious coverage, if not scale by getting rid of some of the parking area.

**Ms. Polidoro:** So we’ll talk through that. Tonight if the Board wishes it could refer this to Dutchess County Planning for review.
Ms. Weiser: I love the final design. You were able to take a wonderful building and make it even more handsome from every angle.

Mr. Pickett: Ditto what Ann said. Only one small item, you’re going to have 2 of the EV parking places there? They are on the site plan but on the EAF, page 7, J 7, it references that you don’t have any, so it’s just a correction.

Mr. Mesinger: At the time we did the original EAF we didn’t have them yet, so maybe when you do SEQRA we can all mark that out for the record.

Ms. Polidoro: He used the original EAF and then he highlighted the changes and forgot to highlight that, something that had already been changed. It’s noted for the record.

Ms. Dexter: I want to echo Ms. Weiser’s comments. It’s a nice looking building. I love that end with the stacking. I’m happy that you were able to translate everything that sounds like it was monumental.

Mr. Mesinger: 29 submissions from the Japanese.

Mr. Oliver: I think you guys did a phenomenal job with the design of the building and I’m very much looking forward to the start of construction and seeing the site change. Thank you.

Ms. DiNapoli: Kudos across the board. It will be interesting to see that with such a different type of design, how well it functions and if it inspires the American Engineers. Just a curiosity.

Mr. Mesinger: The Japanese company that designed the plant is sending their people over to operate it, so I don’t know if the American Engineers will learn anything.

Ms. Polidoro: How does it get to the plant, is there an underground pipe?

Mr. Mesinger: In goes into a pump and tanks and you don’t want to know, but I can show you.

Chairman Dupree: If you recall, Mr. Mesinger explained that one of the reasons for the height of the building is that the nature of their design, the tanks have to be taken up and moved around.

Mr. Mesinger: Remember the tanks, we sunk them as low as we could, but we’re limited by the ground water level and then in turn, they’re partly under the existing grade. We also need to be able to get them out and service them so there’s a crane lifting system overhead and that’s really what drove the height of the building.
Chairman Dupree: I don’t have any other comments to add. I think that you’re done a typically stellar job. Your narrative was clean and easy to follow. I don’t want to keep sounding like I’m heaping praises on you, but just go polish your halos tonight when you leave. Everything looks good and clean. I had not caught the EV stations, I forgot about that, but Brent had picked that up...that’s our electronic vehicle guy. It’s something about that seat. May I get a motion to review this to Dutchess County Planning under 239m?

MOTION: Ms. DiNapoli
SECOND: Ms. Weiser

To refer the Sake’ Brewery Site Plan Amendment for the Wastewater Treatment Facility to Dutchess County Department of Planning and Development for their review under 239m.

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

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

MOTION: Ms. DiNapoli
SECOND: Vice-Chair Dexter

To set a Public Hearing for the Sake’ Brewery Site Plan Amendment for the Wastewater Treatment Facility for October 16, 2019.

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

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

The Board restated their excitement about the construction progress and thanked the applicants for their excellent property maintenance. Mr. Zarin shared details about his visit to the Japanese Sake’ plant.
OTHER BUSINESS:

Chairman Dupree: I wrote responses and heard from most of you regarding responses to local laws G, H and J. ‘G’ is the definition of family, changing that, ‘H’ is the Deputy Building Inspector’s duties, ‘J’ is the telecommunications Law. No one had any comments other than to say “great, thank you”. Which was nice...speaking of polishing my halo. Any comments?

Ms. Dexter: No, just thank you so much. They are so specific and helpful to the Town Board. You catch things that will make it a better Law. Just thank you.

MOTION: Vice-Chair Dexter
SECOND: Mr. Oliver

To authorize the Chairman to send response letters to the Town Board regarding the proposed Local Laws G, H and J of 2019.

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

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

Chairman Dupree: I wanted to discuss the Videotaping Law with you guys. I don’t really believe that it’s required for them to send this to us. It does involve actions by Ms. Moss as the Zoning Administrator and the Building Inspector and that if someone disagrees with their interpretation of what the fee would be...because it’s flexible.

Ms. Dexter: It’s interpretive.

Chairman Dupree: It’s very interpretive. One of the things that struck me and Victoria feel free to weigh in if you’ve looked at it...They use the term commercial photography and they include under filming, ‘still photography.’ This is not to include the coverage of news, political, cultural, local or school events, but I think that...

Ms. Polidoro: Does that mean all of the Instagramers will have to get a permit?

Chairman Dupree: That’s not commercial.
Ms. Polidoro: It is commercial if they have advertisers. So many people make a living.

Chairman Dupree: Oh Influencers! I was thinking more like a photographer hired to do shots for weddings. It talks about public land. What if you wanted to do shots at the Vanderbilt Estate? It refers to public property and that’s still public. I think I’m going to write a letter and send it to you all.

Ms. Polidoro: Public Property is defined as any realty or personal property owned by the Town of Hyde Park.

Chairman Dupree: Right, so if you wanted to take a picture in front of Riverfront Park does that mean you need to get a permit? I think I’m just going to raise some issues and say, just think about these.

The Board continued to discuss Local Law I further and the Chairman indicated that he would send them a draft response for their review and additional comments.

MOTION: Vice-Chair Dexter
SECOND: Mr. Oliver

To adjourn.

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

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