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**PLANNING BOARD REPORT AND RECOMMENDATIONS TO TOWN BOARD  
PROPOSED AMENDED CONCEPT PLAN  
BELLEFIELD PLANNED UNIT DEVELOPMENT  
BELLEFIELD AT HISTORIC HYDE PARK  
(formerly known as ST. ANDREW'S AT HISTORIC HYDE PARK)**

This Report, containing the Planning Board's findings and recommendations regarding the amended PUD Concept Plan referenced above, is respectfully submitted to the Town Board pursuant to the provisions of Article 7 of the Town Zoning Law (§108-7.3 C). As provided in that section, the Report is accompanied by the Planning Board's completed SEQR review of the proposed amended Concept Plan.

In making this Report, we have been especially mindful of our assigned role in the PUD review process. Our Zoning Law defines a Planned Unit Development (PUD) as:

“An overlay district for the mixed-use development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements, uses and structures that exceed the permitted density and scale (where applicable) of use in the district, as well as uses not otherwise allowed by the underlying zoning.”

The Town Board has the ultimate authority in approving a PUD development based on its Concept Plan, and your decisions in designating the permitted development in a PUD appear to be in the nature of legislative zoning determinations. The Planning Board's role in the process is to review and make recommendations on the Concept Plan to the Town Board, pursuant to our Zoning Law §108-7.3.C. For this project, we are also serving as Lead Agency for SEQR purposes, charged with evaluating the amended Concept Plan to determine whether the proposed changes therein create any potentially significant adverse environmental impacts that were not addressed or inadequately addressed in the previous environmental impact statement. The results of our analysis are set forth in the separate SEQR Determination, as attached.

In performing our review under Article 7 of the Zoning Law, the Planning Board has considered potential SEQR issues, the general requirements in Article 7, Article 4, and the specific standards of the underlying district (Bellefield PDD) in Article 5. We have also considered whether the alteration of one or more of those standards in the context of the PUD would better protect the public health, safety and general welfare while carrying out the purposes of the Comprehensive Plan of the Town and Greenway Connections (Town Zoning Law §108-7.5 A).

The Planning Board has reviewed the entire record of the project, including the 2007 SEQR Findings, the Approved Concept Plan from 2007, the Final Development approvals for the Inn at

Bellefield and our associated 2017 amended SEQR Findings, the Applicant’s Amended Concept Plan submissions and accompanying SEQR materials, the Town Comprehensive Plan, Zoning Law provisions, and Greenway Guidelines in preparing this Report. The Board would have also considered public comment at our November 17, 2021 public hearing but none were offered nor in the 10 days following when members of the public were invited to submit written statements.

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## **SECTION I: PROJECT REVIEW HISTORY**

### **THE PROPERTY:**

The subject property is large tract of land consisting of approximately 339.62 acres, bounded on the north by St. Andrews Road, on the west by NYS Route 9, and on the south by West Dorsey Lane - Tax grid#s: 6163-01-010622; 6163-01-000897; 6163-01-131849 - (collectively, “The Property”). The Property is located within the Bellefield Planned Development District (BPDD). The Town Zoning Law identifies the BPDD as the largest area of potential development in the southern end of Town, with excellent access from Routes 9 and 9G and St. Andrews Road, and also notes that the District abuts Route 9, is virtually unbroken green space, and is located along Teller Hill, which serves as the southern gateway to the Town Center. (§108-3.1.1 K)

### **2007 APPROVALS:**

The Applicant has submitted an amended PUD Concept Plan differing from the original adopted by the Town Board on August 29, 2007 under the name “St. Andrew’s at Historic Hyde Park” (hereafter, “the 2007 Plan”). The Town Board’s approval followed a full environmental review in which the Town Board served as Lead Agency. The environmental review included preparation of Draft and Final Environmental Impact Statements, and the adoption of SEQR Findings on August 29, 2007. The 2007 Plan provided for the creation of a Village mixed-use core, a large hotel and conference center, commercial uses including high-end retail and office uses, and a variety of single-family, duplex and townhouse uses surrounding the mixed-use core. The 2007 approvals authorized a development ratio of 53% residential and 47% non-residential/commercial. The Town Board adopted amended SEQR Findings on Jun 13, 2017 regarding mitigative measures relating to the project’s private wastewater collection system.

Thereafter, in the fall of 2017, a Lead Agency redesignation process was conducted, and, with the consent of the Town Board, the Planning Board became Lead Agency for the St. Andrew’s/Bellefield Project, and proceeded with Final Development Plan review for the Inn at Bellefield sub-phase.

### **AMENDED CONCEPT PLAN REVIEW:**

During the review of the Final Development Plan application for the Inn at Bellefield, the Board and its consultants considered site characteristics of the overall Bellefield Property and reviewed appropriate timing for implementation of the mitigation measures incorporated in the 2007 Plan approvals (traffic improvements, public easements, and the like). We note that two current members of the Board – Vice-chair Anne Dexter and chair Michael Dupree - served on the Planning Board that participated in the review of the 2007 Project and provided historical background.

In the fall of 2020, the Applicant submitted descriptive and visual materials relating to an updated vision for the Property. These materials were informally discussed with representatives of the Town Board and Planning Board, with their respective consultants and counsel, over the ensuing months.

On June 14, 2021, the Applicant made a formal submission for the amendment of the 2007 approved Concept Plan and requested a pre-application meeting pursuant to Article 7 of the Town Zoning Law. All members of the Planning Board were invited to, and attended, the pre-application

conference held at an ‘in person’ Town Board workshop at the Town Hall on June 28, 2021. An agenda listing the topic of the meeting was posted in advance of the meeting.

At the pre-application conference, Hart Howerton, on behalf of the Applicant, presented the proposed vision for the property as an amendment to the approved 2007 Concept Plan. The discussion centered on the suitability of the proposed amendments to the 2007 Concept Plan in the context of the Bellefield property’s natural features and its gateway setting, along with existing and proposed land uses in the vicinity.

At this initial meeting, members of both our Boards had the opportunity to comment on the revisions. Positive comments included the smaller scale of the Village center and commercial program, and the character of the neighborhoods within the plan. Initial concerns included the increased residential density, building heights and massing, visual impacts of the proposed placement of planted fields along the Route 9 frontage, and the adequacy of the methodology used in the updated fiscal impact analysis.

At the close of the meeting, the Town Board passed a Resolution referring the matter to the Planning Board for review under the provisions of Town Zoning Law §108-7.3, and consenting that the Planning Board assume and continue to serve as Lead Agency for the review of the amended Concept Plan.

**Zoning Administrator review for administrative completeness:**

Our Zoning Administrator reviewed the application materials for administrative completeness under §108-7.4 and §108-30. Copies of these application materials had been provided to Planning Board members in mid-June to allow them to begin their own review while the administrative completeness review was ongoing. After several supplemental submissions, the Zoning Administrator found the application administratively complete on August 17, 2021, and forwarded the application documents simultaneously to the Town Board and the Planning Board, pursuant to the provisions of Town Zoning Law §108-7.3.B. The matter was placed on the Planning Board agenda for Wednesday September 1, 2021.

**Planning Board review of the Amended Concept Plan for the revised project:**

Pursuant to the provisions of Town Zoning Law §108-7.3 C, the September 1, 2021 Planning Board discussion of the Bellefield proposed amended Concept Plan began with a presentation by the Applicant’s representatives. Substantive discussion of the proposed application focused particularly on several elements of the proposed Concept Plan amendment, and several areas of environmental concern, including treatment of the Route 9 setback areas as agricultural fields and orchards given the requirement for an “estate-like setting” and the gateway character of the southern entrance to the Town; height and massing of buildings in the village center; residential density, particularly in the village center; treatment of important geographic and other topographical features; and range of housing types.

At the September 1, 2021 meeting, we identified all involved agencies, circulated a notice to them referencing that this is an *amended* Concept Plan, and inviting any comments relating to environmental concerns to be considered during our SEQR review. No agency objected to the Planning Board continuing as lead agency, and the Planning Board’s status as lead agency became final at the beginning of October 2021.

During September 2021, nonquorum subsets of the Planning Board met on four occasions with the Applicant's representatives to discuss the details of the relevant areas of environmental concern, including traffic impacts, visual impacts, layouts of lots and buildings within neighborhoods, residential density and housing types.

On September 29, 2021, the Applicant made a major resubmission to our Board, which included responses to members' and consultants' comments, and an updated SEQR comparison document. On October 20, 2021, the Planning Board conducted an extensive site visit on the Property. Supervisor Aileen Rohr and Deputy Supervisor Neil Krupnick also attended. This Site Visit included inspection of the important neighborhoods on the property, including the potential new restaurant site off St. Andrews Road (site of the WWTP in the 2007 Plan); the Crescent (site of the second hotel); drone flights, to better understand potential visual impacts; the Ridge, where geologic features to be preserved were inspected; the two Terrace neighborhoods of townhouses; and the Village neighborhood and the location of a proposed covered parking garage near Route 9. At the latter, the Board observed that the garage location would not be directly visible from Route 9, due to differences in grade and existing vegetation along the Route 9 frontage. The Board spent substantial time at the Village Center, where drone flights reached the potential height of buildings, and proposed street widths, potential street plazas and pedestrian amenities were noted. At the Planning Board meeting later that evening, the Board and the Applicant publicly discussed our observations at the Site Visit.

Thereafter, upon considering the observations at the Site Visit, and all discussions to date, the Applicant presented a newly revised plan at our November 3, 2021 meeting that responded to concerns raised after the Site Visit:

- **150 foot setback along Route 9:** The Applicant withdrew the proposal to develop the setback area along Route 9 as agricultural fields and orchards, and reverted to something similar to that shown on the 2007 Plan. Existing healthy vegetation in the setback would generally remain, but allowing for the removal of invasive species, and dead or diseased trees, and select branches. Some areas in the setback will serve site-related functions such as the previously approved entrances, stormwater management, and pedestrian trails. Like the 2007 Plan, the latest amended Concept Plan will permit select views into the Property, which we believe to be consistent with the required "estate-like" setting. At the main signalized entrance from Route 9, a barn-like structure is proposed to demarcate the entrance, functioning as a "sign" to visitors.
- **Reduced ratio of residential to non-residential development:** At the Board's request, the Applicant eliminated one of the multi-family buildings in the Village neighborhood, and added 10,000 square feet of non-residential uses to reduce their initially requested ratio of residential to non-residential from 63% residential/37% non-residential to 60% residential/40% non-residential.
- **Reduced Maximum height of buildings in the Village Center:** At the Board's request, the Applicant has reduced the maximum height of the buildings in the Village Center from 59/51 feet to 46 feet. Building heights at Bellefield will be measured as all other buildings in Hyde Park. The Board has examined drone photos for each neighborhood. Given that the bulk of the building facades which face the external boundaries of the Property will be below existing tree lines - much of which is proposed to be maintained - we believe that there will be no significant visual impacts. As the Board was shown, the majority of off-site views will be limited, long distance ones.

On November 17, 2021, we held a public hearing on the proposed Concept Plan/CDP Amendment. No one spoke, and we left the comment period open for 7 days after the close of the hearing. No written comments were received.

## **SECTION II: SUMMARY OF PROPOSED AMENDED CONCEPT PLAN**

A complete description of the proposed Amended Concept Plan, including a detailed comparison with the 2007 Plan, is contained in the Applicant’s Project Narrative, Section 1.4 (pages 28 through 50) and illustrated in the latest Plan Set that accompanies the Application.

Briefly, the 2021 proposed Amended Concept Plan retains some of the fundamental characteristics of the 2007 Approved Plan. The basic form of the project is a Village Main Street surrounded by residential neighborhoods. Hospitality remains a key component of the project, with a second hotel proposed. The 2021 Plan has the same entry/exit points on the surrounding road systems, the same general internal road circulation system, and the same general overall area of disturbance. The Applicant has eliminated underground parking in this proposal. The 2021 Plan also retains extensive open space and publicly accessible trails/sidewalks, including 117.6 acres of permanently preserved conservation area and approximately 80 additional acres of parks, and natural and cultural resources within the Project. The Applicant proposes no change in the Conceptual Trail map dated December 28, 2006 which was incorporated in the 2007 approvals, and the Planning Board will designate trail locations during Final Development Plan reviews. Roads within the project remain privately owned, but accessible to the public. The property will continue to be managed by a Master Association and a series of Homeowner/Condominium owner associations. Public water/Sewer will continue to be available to serve the project: the project site is wholly within the Hyde Park Regional Water District owned and maintained by the Dutchess County Water and Wastewater Authority (DCWWA), and TR Sewer Works Corp. will provide sanitary sewer for the entire project with a potential full buildout of 342,000 gallons per day (gpd).

Overall, the size of the proposed development in the Amended Concept Plan has decreased slightly, by 55,539 SF. The Amended Plan proposes to increase the amount of residential development on the Property, thereby increasing the ratio of residential to non-residential uses from 53% residential/47% nonresidential to 60%residential/40% nonresidential.

	<b>2007</b>	<b>2021</b>	<b>Delta</b>
Residential SF	1,123,062	1,242,810	119,748
Commercial SF	1,005,895	830,578	(175,317)
<b>Total SF</b>	<b>2,128,957</b>	<b>2,073,388</b>	<b>(55,569)</b>
<b>Ratio</b>			
Residential	53%	60%	
Commercial	47%	40%	

The Proposed Amended Concept Plan consists of:

- 1,242,810 SF residential use, totaling 801 dwelling units:
  - 88 single-family units
    - 30 Estate homes (3-4 bedrooms)
    - 58 Cottage homes (2-3 bedrooms)
  - 129 multiple dwelling condominium units (3 bedrooms)
  - 80 two-family (duplex units: Patio homes) (2-3 bedrooms)
  - 160 townhouse-style condominium units (3-4 bedrooms)
  - 344 apartment units multiple dwelling (apartment) units (mixture of 1, 2, and 3-bedrooms)
    - 120 units above retail
    - 224 units in stand-alone buildings.
- 46,250 SF of accessory non-residential spaces which serve the residential uses
  - 15,000 SF sales office/miscellaneous use
  - 31,250 SF community building space for amenities: barn, fitness studio, pool(s), salon rooms, juice bar, clubhouse, children's play areas, game room, outdoor lounge area, courts, and cyclist services.
- 784,328 SF of non-residential commercial uses comprised of:
  - 192,000 SF of stand-alone and in-line retail, including retail in mixed-use buildings
  - 41,000 SF of restaurants
    - Craft Breweries with tasting room
    - Wineries with tasting room
    - Distilleries with tasting room
    - Artisanal food manufacturers
  - 25,000 SF of office use
  - 437 hotel (lodging facility) keys (340,728 SF)
    - Extended stay and all suite type hotels
    - This includes 106,328 SF for 137 rooms approved for the Inn at Bellefield on January 3, 2018
  - 25,600 SF for 32 hotel villas (considered part of the second lodging facility)
  - 15,000 SF spa
  - 15,000 SF event barn
  - 130,000 SF of community use/community facility (tax exempt uses)
    - Culinary and educational uses
- 244.73 acres of open space
  - 117.6 acres to be permanently preserved for conservation purposes
  - 127.13 acres of parks, natural and cultural resources areas
- Approximately 3,785 parking spaces comprised of the following
  - Surface parking lots
  - On-street parking
  - Two (2) parking garages

Five distinct neighborhoods will be connected by an internal road hierarchy which include appropriate pedestrian and bicycle routes, and Open Development Area road standards. The

Application Materials and Plan Set include a table describing the development program according to the five neighborhoods; Concept Plan Drawings, created by Chazen Engineering and Hart Howerton Architects; and detailed Design Guidelines which cover building, sign and landscaping standards for each neighborhood. The Design Guidelines were reviewed extensively by our Board and consultants.

The specific areas where the Amended Concept Plan differs from the previously approved plan are listed here. *They will all require review by the Town Board, and those designated with an asterisk (\*) will require a determination under §108-7.5A that the proposed method will more appropriately accomplish the purposes of the PUD and Town Planning objectives.* This Report includes our recommendations for each request.

**Uses:**

The Amended Concept Plan includes many of the same uses as were approved as part of the 2007 Plan: hospitality, general commercial, retail, restaurant, office, educational, community, with accessory utility, open space and other incidental uses in support of the overall development. The Amended Concept Plan proposes to add additional tourism, commercial, and agricultural uses including: craft brewery, winery, distillery and/or food manufacturing (the Board has been assured that production and manufacturing at these facilities would be limited to demonstrations, with an emphasis on retail sales); tasting rooms, mixed-use, commercial recreation, event barn, agriculture, roadside stand, animal husbandry, and membership club.

**Affordable Housing:**

The 2007 Approved Plan included 23 affordable townhouse units. The Amended Concept Plan does not.

**Height and Bulk of buildings:**

The Amended Concept Plan proposes taller buildings in the Village Center and Crescent neighborhoods, which will have a maximum of 46 feet, as measured by the Town's standards. The Application materials include a detailed bulk table which would govern development under the Concept Plan. The 2007 Plan did not include a full bulk table.

**Parking:**

The Amended Concept Plan eliminates the underground parking which was part of the 2007 Plan. The Amended Plan includes on-street parking, several parking fields which are screened from views from Route 9 by landscaping, two parking structures(\*), screened by buildings and landscaping, and provides parking for certain residential buildings which will be partially submerged and screened from views from the streets. The methods to screen the parking structures are illustrated in the Design Guidelines (pages 83-84).

**Signage (\*):**

The Amended Concept Plan proposes to govern signage by a Signage Manual for each neighborhood, to be developed prior to the approval of the first Final Development Plan in that neighborhood, and to be approved by the Planning Board. While these Manuals, rather than Article 24 of the Zoning Law, would govern signage, the Bellefield Design Guidelines require that

Signage Manuals shall incorporate the standards of Article 24 as to sign area, letter and graphic size, sign location and lighting, and other sign characteristics, unless otherwise specifically set forth in the Signage Manual. Additionally, the provisions in Article 24 governing “prohibited signs” will also apply in all Signage Manuals.

**Barn-type structure as permitted “sign” at main entrance within 150 foot setback (\*):**

The most recent Amended Concept Plan treats the 150 foot setback along Route 9 in a manner similar to the 2007 approvals. At the main entrance to the site, which is already constructed, the Applicant proposes to place a signature barn-type structure to function as signage demarcating the entry and the site. No directory sign has been proposed.

**St. Andrews Road - Setbacks:**

The character of the development and zoning immediately north of the Site has changed since 2007, including the relocation of the Stop & Shop grocery and the approval and construction of the Sake Brewery complex at the northwest corner of the Route 9-St. Andrews intersection. The zoning district has been renamed “Corridor Business” from “Town Center Historic District.” In light of these changes, the Amended Plan proposes that the Planning Board have the authority to decrease the applicable setback from Route 9 from 250 feet to 150 feet (the setback applicable to the remainder of the Route 9 frontage) as part of Final Development Plan approval, if, in our determination, the proposed plan provides positive support for pedestrian activities at the intersection, properly relates to other uses at the intersection, and provides appropriate screening.

**St. Andrews Road - Restaurant parking and protection of Maritje Kill:**

The Amended Concept Plan proposes a restaurant where the WWTP was approved in the 2007 Plan. The Applicant has requested that you grant the Planning Board discretion to approve parking located on the north side of the building(\*) which would place parking in front of the building line. This is contrary to code requirements, but would likely enhance protection of the Maritje Kill.

**Planning Board authority at Final Development Review:**

The 2007 approvals granted the Planning Board authority at Final Development review to adjust locations of buildings, roads, trails and other site elements to avoid or limit site disturbance and minimize adverse impacts on neighboring properties and transportation corridors. The Amended Concept Plan includes requests that the Planning Board’s authority be clarified and, if necessary, expanded to authorize the Planning Board to also make such decisions in order to avoid habitat or natural resource disturbance. The Amended Plan will also need to have the Planning Board’s authority clarified to include the authority to transfer types of units between neighborhoods (this cannot increase the total number of dwelling units and a maximum adjustment 15% of the total units per type is proposed), should you wish to.

**SECTION III: ANALYSIS OF APPLICABLE FACTORS (ZONING LAW 108-7.5)**

The Planning Board has considered all relevant factors in preparing its report and recommendations. Its findings are summarized in this section:

**CONSISTENCY WITH TOWN COMPREHENSIVE PLAN:**

We believe that the Amended Concept Plan is consistent with the Comprehensive Plan, as more fully explained in the sections below evaluating general PUD standards and specific Bellefield PDD standards. The Comprehensive Plan of July 11, 2005 was the basis for the designation of the subject Property as part of a newly created Zoning District, the Bellefield Planned Development District (BPDD). An important recommendation of the Comprehensive Plan was the creation of the Planned Unit Development (PUD) process, to allow innovative planned mixed-use development to carry out the purposes of the BPDD. The Comprehensive Plan recommended that:

The Bellefield Planned Development District should be actively promoted to the Town with the assistance of development consultants to assure that quality development proposals are generated. The Town should work closely with the County Department of Planning and Development on the sale and development of the property owned by the County in the Bellefield PDD. *[page 70]*

The Comprehensive Plan also designated the “Teller Hill Gateway,” approaching the top of Teller Hill along the frontage of the Culinary Institute on the west and Bellefield on the east, as the most important of the gateways into our Town. The Board evaluated the visual impacts on the gateway approach by several methods, including a visual analysis performed by the applicant’s engineers, and a Site Visit by the Planning Board to personally examine the visual context by viewing stakes showing the locations of the closest buildings, as well as observing drone flights indicating heights of buildings, and reviewing photos taken then to discern visual impacts. The Planning Board finds that the Amended Concept Plan furthers the Comprehensive Plan provisions relating to providing and maintaining an appropriate Gateway.

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**CONSISTENCY WITH LAND USE POLICIES, PRINCIPLES AND GUIDES IN THE GREENWAY CONNECTIONS:**

The Town of Hyde Park adopted Greenway Connections in 2002, and the 2005 Comprehensive Plan reiterated the commitment that the statement of principles in Greenway Connections be considered in all discretionary decisions under its zoning and subdivision laws *[page 84]*.

The Planning Board finds that the Amended Concept Plan is consistent with the land use policies, principles and guides in Greenway Connections. The Bellefield site was designated for Planned Development in cooperation with the County. PUD is a fitting designation for this property, as

the site contains elements of a “Center,” creating walkable connections to nearby shopping areas and historic sites to the north, while also containing elements of “Countryside” including ridges, slopes, and sensitive areas protected from development. The Amended Plan comports with the Greenway standards for both elements. The Village Center creates pedestrian-oriented spaces where buildings meet pedestrian walkways and gathering places. On street parking is supplemented by parking hidden behind and partially under buildings accessed from alleys, but the area is predominantly oriented to serve the pedestrian over the automobile. Similarly, pedestrian connections are provided into the Village from residential neighborhoods, such as the old logging road to be used as a pathway from the Terrace. The Plan features one primary road (“the Omega Road”). Other roads are narrower and designed to Open Development Area (ODA) standards.

The Site functions as a valued visual resource in the Town, with its majestic vegetated frontage forming the easterly side of the long gateway entrance for those entering the Town from the south and ascending Teller Hill. It also includes sensitive natural resources, including the Maritje Kill corridor, potential Blandings turtle habitat and several wetlands which must be preserved. The Amended Plan protects these as conserved open space. In appropriate contrast, the central areas in the Village include numerous gathering places for residents and visitors, including a Village Green and amphitheater.

In all neighborhoods, the Design Guidelines will control overall building and site element design, layout, landscaping, signage and lighting, in keeping with the standards of Greenway Connections.

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**CONFORMITY WITH THE PURPOSE AND OBJECTIVES OF A PUD (§108-7.1):**

- **Purpose.** The purpose of the PUD Overlay District is to allow the planned creation of new communities or expansion of existing communities. Residential and nonresidential uses are a required component of each PUD. The PUD process is intended to encourage and allow more creative and imaginative design of land development. The PUD process allows for substantial flexibility in planning and designing a proposal. While greater density than the underlying district may be allowed and more lenient site requirements may be granted, PUD proposals shall reflect the principles of development set forth in the Greenway Connections and the Comprehensive Plan.

The Amended Concept Plan appears to meet this purpose. It proposes a new community, combining residential and non-residential uses. It provides a creative design that is not possible under existing zoning. As earlier noted, the Plan reflects the development principles in Greenway Connections and the Comprehensive Plan.

- **Objectives.**
  - (1) **To allow for the design of new communities that are architecturally and environmentally innovative, and that achieve better utilization of land than is possible through strict application of standard zoning and subdivision controls;**

The amended Plan is architecturally innovative in incorporating Hudson Valley design elements, supported by detailed Design Guidelines. It is environmentally innovative in adapting areas of development to the wide range of existing natural conditions on the site, and preserving natural features. For example, the units on the Terrace adapt to site conditions, as do the open spaces along the Ridge that incorporate exposed rock features. The Amended Plan incorporates biophilic design, agriculture, and food into many aspects of the project. The range of uses and the arrangement of the structures on the site could not be accomplished through strict application of standard zoning and subdivision controls.

- (2) To encourage land development that, to the greatest extent possible, preserves natural vegetation, respects natural topographic and geologic conditions, and does not adversely affect flooding, soil, drainage and natural ecologic conditions;**

In addition to the features described above, the site has been designed with balanced cut and fill and will have a full SWPPP. Final Development Plans will continue to be subject to all Town standards and those of other agencies with jurisdiction.

- (3) To provide for abundant, accessible, and properly located public open and recreation space;**

The Amended Plan retains the 117.6 acres in conservation easement as well as parks, trails, agricultural fields and natural vegetated areas. No changes to the public access to recreational features in the 2007 Plan, or the Conceptual Trail map dated December 28, 2006 and adopted as part of the 2007 approvals, are proposed. Trails will be specifically located by the Planning Board as part of Final Development Plan approval.

- (4) To encourage uses of land that reduce transportation needs and conserve energy and natural resources to the maximum extent possible;**

The Applicant has installed the full movement intersection with pedestrian crossings at the Project main entrance, opposite the Culinary Institute. Bellefield will also provide pedestrian linkages to the Route 9-St. Andrews intersection. The area north of Bellefield has become more pedestrian oriented since the time of the 2007 approvals, with a Sake facility including a rice polishing building, at a 150-foot setback, directly across from Bellefield's frontage on St. Andrews Road. The area is served by County LOOP bus (route C) offering a northbound stop at US Route 9 and St. Andrews for midday northbound travel, and a southbound stop at Route 9 and West Dorsey Lane. The anticipated vehicular travel from Bellefield is less than generated by the 2007 Approved Plan. It is not certain when the shuttle service in the area previously proposed by the National Park Service will be developed, but the Applicant has confirmed a continued willingness to cooperate with such a venture if it is proposed.

- (5) To lower development and building costs by permitting smaller networks of utilities and streets and the use of more economical building types and shared facilities;**

The Amended Plan includes Open Development Area (ODA) road standards which will allow smaller roads in the more rural areas of the Site. Inclusion of smaller units in

multiple family units provides economies of scale in construction, although the Plan limits maximum building sizes to assure that they are compatible with the Town's planning objectives. Buildings in the Project share central water and sewer, with roads maintained by the Master Association and Homeowner and Property Owner Associations.

- (6) To promote the combining and coordinating of land uses, building types and building relationships within a planned development, which otherwise would not be provided under a conventional zoning district;**

The Amended Plan accommodates the site topography and varying site conditions in a way that would be impossible under conventional development restrictions.

- (7) To provide additional convenience and economy in the location of retail and other commercial enterprises and services, and to provide a wider range of housing costs and settings for Town residents;**

The Amended Plan is designed to support tourism and support existing commercial development within the Corridor Business District. It also proposes a focus on tourist and visitor-oriented businesses, including restaurants, breweries, and other facilities relating to food, to develop a niche that will support the substantial and growing food-oriented tourism in the Hudson Valley as a region. This reinforcement of existing services in the Town should add convenience and enhance the growth potential and marketability for existing and new businesses. The increased variety of housing types, and the inclusion of smaller units, including highly amenitized multi-family buildings (condominium and rental) in the Village will provide year-round support for the businesses on the Property, as well as businesses in the Town, and also provides a wider range of housing options for Town residents.

This objective has also been evaluated in the context of the objectives of the Bellefield PDDD set forth in section 108-5.12.B(1), particularly subsections (a) and (d). Viewed as a whole, the Amended Concept Plan provides an appropriate mix of housing types that appears to meet the goals of these sections, without the necessity of providing affordable housing units.

- (8) To promote sensitive development of land adjacent to already settled areas in order to provide orderly and organic transition from Neighborhoods to Hamlets, and to create new community centers;**

The Bellefield/St. Andrews (Culinary Institute) lands at the Town's southern gateway have been recognized in the Dutchess County Greenway Connections "Centers and Greenspaces Plan" as an "emerging center." The Bellefield Property forms a significant part of the Bellefield PDD zoning district, which was created specifically for the purpose of ensuring development of the lands as one or more Planned Unit Developments, guided both by Article 7 and the particular standards of the Bellefield PDD zoning. Both of these sections are designed to ensure two types of connectivity. First, the Bellefield Concept Plan, consisting of more than 330 acres, is required to focus on a central walkable core (the "Village") and surrounding neighborhoods that are linked to the core while respecting sensitive natural and environmental features. The Board finds that the Amended Concept Plan provides this connectivity. Second, the Bellefield Concept plan is required to provide connectivity, particularly pedestrian connectivity, to the Corridor Business area and

Historic Sites to the north. The Board finds that the Amended Concept Plan provides this connectivity as well. It has also provided full pedestrian connections with the main entrance to the Culinary Institute, directly across from the Bellefield main entrance. These connections appear to provide organic transition to all areas surrounding the Site.

**(9) To allow access by the general public to all streets and public facilities, without regard to whether such streets and public facilities are owned by the Town or a community association.**

The Amended Concept Plan makes no change in the provisions of the approved 2007 Concept Plan, which provided for public access to all streets and public facilities. The Planning Board will formalize this access as part of our Final Development Plan reviews.

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**THE PROPOSED PUD MUST CONFORM TO REQUIREMENTS IN §108-7.2 (ELIGIBILITY FOR CONSIDERATION FOR PUD DESIGNATION):**

- ***Minimum area and density:*** The Bellefield PUD site substantially exceeds the minimum 100-acre size required in this section. As part of its Concept Plan Approval, the Town Board is required to approve the permitted residential density in each PUD. Base densities in the underlying District, which is Greenbelt (but only for the purposes of calculating density), are the most restrictive zoning district in the Town, ..

Calculated under Greenbelt requirements of subtracting aquatic resources and floodplain areas, the Amended Concept Plan provides an overall residential density of 2.82 DU/acre. This density should be understood in the context that (a) the Site overall also preserves approximately 244.73 acres of Open Space, maintaining an estate-like setting along the Route 9 corridor, and (b) many of the residential units are multifamily units of varying, but smaller than single-family, sizes, and are located within the center of the Site (the Village) either above commercial spaces or in freestanding buildings. Accordingly, the increased density does not eliminate substantial open space or denigrate the visual character of views into the Site. As discussed in other sections of this Report, the increased density also serves to support the non-residential program in the Village on a year-round basis.

- ***Not less than 30% and not more than 50% of the gross square feet of the floor space of the proposed development shall be for nonresidential uses. All such nonresidential uses shall be clustered within a center:*** The Amended Concept Plan meets these standards. The proposed nonresidential use percentage is 40% of gross square feet of floor space.

Most nonresidential uses are clustered within a Center with the exceptions being the commercial buildings at the Route 9-St. Andrews Road intersection (unchanged in the Amended Concept Plan from the 2007 Plan) and the new restaurant proposed along St Andrews Road. The main Center generally aligns with the boundaries of the Center in the 2007 Plan and is now designated as the Village and Crescent neighborhoods in the Amended Concept Plan. 90% of the nonresidential square footage is located in this center.

- ***Open space. A minimum acreage of 30% of the total PUD acreage shall be designated as open space for all PUD proposals:*** The Amended Concept Plan

proposes a total of approximately 244.73 acres of open space, which is about 72% of the total PUD acreage. This acreage includes 117.6 acres to be preserved in permanent conservation easement, which is in addition to the public and pocket parks, trails, agricultural features and natural vegetated areas.

- **Configuration. The lot or lots for which the PUD proposal is made shall be contiguous and with sufficient width and depth to accommodate the proposed use:** The PUD site consists of 339.62 acres and has sufficient width and depth to accommodate the proposed uses.
- **Unified control/ownership:** The Site is under unified control and has been planned as an integrated whole, subject to the approved Concept Plan and subsequent Final Development Approvals and operated through a Master Association and Homeowners and Condominium/Property Owners Associations.
- **Phasing and assurance of balance of residential and non-residential square footage:** The Amended Site Plan proposes to follow the procedures approved by the Town Board for the 2007 approved Concept Plan, and described in the 2007 FEIS, section III-9. Adjusted to the 60% permitted residential ratio, the permission would be as follows: “Recognizing that there will be fluctuations in market demand and that the commercial space cannot be built in lockstep with the residential, no building permit for residential will be issued if the residential floor space built and requested would exceed 67% of the total floor space of the project for which building permits have been issued. If the Applicant wishes to exceed the 67% threshold for residential on a temporary basis, it must apply to the Town Board for temporary modification of the permitted limit and provide justification for such a temporary variance and assurance that within a reasonably short time the limit of 60% on residential floor space will again be achieved. In no case shall the temporary modification alter the final approved limit of 60% on residential floor space.”
- **Inclusion of Bicycle paths:** All nonresidential areas will include bike racks which will be specifically located during Final Development Plan reviews. The primary circulation routes accommodate bicycles within the roadway. These may provide for a more scenic route for bicycles than travelling along busy Route 9 heading up Teller Hill. “Share arrows” will be designated on the pavement if deemed appropriate by the Planning Board during Final Development Plan reviews.

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**SUITABILITY AND COMPATIBILITY WITH BELLEFIELD PDD STANDARDS, PARTICULARLY THOSE RELATING TO VISUAL, AESTHETIC, SAFETY AND TRAFFIC IMPACTS, AND COMPLIANCE/CONGRUENCE OF PROPOSED PHYSICAL IMPROVEMENTS WITH BELLEFIELD PDD DEVELOPMENT STANDARDS:**

A PUD project in the Bellefield BPDD district is subject to the Bellefield standards in addition to the Article 7 standards. The proposed Amended Concept Plan meets the requirements of §108-5.12A as to total acreage. The density of the proposed plan exceeds the underlying density (the standard in the Greenbelt District), and may be authorized by an approved PUD.

- **Bellefield Purposes:** The proposed uses further the purposes of the Bellefield PDD. The uses within the Village Center neighborhood, project elements emphasizing food and

agriculture, as well as the hospitality facilities will stimulate tourism business and build the commercial tax base. The latest modifications in the proposed treatment of the Route 9 frontage will maintain an estate-like setting along Route 9 which will complement the gateway location along Teller Hill and the nearby historic sites to the north. The amended Concept Plan provides trails and connections to the main intersection of Route 9 and St. Andrews, and provide linkage to trail systems and historic sites to the north. The residential element of the project will provide support to the existing commercial activity in the Town Core and Corridor Business Districts, and the trail systems will provide pedestrian linkages to supplement road connections that have already been established. The proposed treatment of the northwest corner of the Bellefield site (the St. Andrews Neighborhood) will complement the Sake facility now under construction, with similar setbacks, complementary scale of buildings, and pedestrian connections for visitors to Corridor Business sites. The landscaping plan and treatment of the setback along Route 9, which will retain substantial vegetation, will supplement the already installed entrance in developing and maintaining an attractive gateway entrance at Teller Hill. The Amended Concept Plan preserves important geographic natural features of the landscape in its proposed layout, as observed in our site visit on October 20, 2021. The Amended Concept Plan also preserves important views, as confirmed in the extensive visual analysis and drone photos, at key locations throughout the Property. The 2021 Plan will serve those throughout the Mid Hudson region by attracting visitors to the proposed non-residential and recreational/open space elements of the site. The pedestrian circulation system and trail system throughout the site supports and enhances safe and efficient pedestrian circulation and linkages to off-site locations.

- ***Density:*** The proposed bulk regulations and average density for proposed subdivision in the Amended Concept Plan are greater than the underlying density in the Bellefield PDD (which incorporates the Greenbelt standards as base density), but may be authorized by the Town Board as part of the PUD approvals. The proposed Amended Plan has 2.82 DU's per acre after deducting aquatic resources. The proposed bulk regulations are set forth in the Project Narrative (updated November 16, 2021 section 1.3.2). However, because the density creates a residential to commercial ratio that exceeds Bellefield standards, a determination under §108-7.5 A is required as to the standards of §108-5.12.B.3 below (\*).
- ***Mixed-Use:*** The project contains a mix of uses, including substantial resources serving the needs of tourists. The proposed percentage of gross floor area allocated to residential is 60%, exceeding the 50% standard within the Bellefield regulations (§108-5.12.B (3)), but within the 70% standard within the PUD regulations (§108-7.2 B). Because the proposed residential to commercial ratio exceeds Bellefield standards as set forth in §108-5.12.B.3, a determination under §108-7.5A is required(\*).
- ***Open space:*** The proposed layout preserves important geological and natural features. The plan contains approximately 244.73 acres of open space, including 117.6 acres of land protected in conservation easements. The contiguity of the open space is evident.
- ***Parking:*** The Amended Plan proposes a reasonable number of parking spaces for the uses therein. On-street parking is used throughout. The Plan generally avoids large expanses of surface paved parking. Surface parking is screened from Route 9 by architecturally contextual ancillary structures, and by landscaping. Parking is not the primary or visually dominant use of the site, and the parking is away from the site frontage. Access to those parking areas partially under multi-family buildings will be oriented away from the street-facing side of the building, and oriented to internal streets or alleys. The proposed Plan does not comply with

the parking standard that “Multilevel parking structures are inappropriate for this district.” per §108-5.12B.5(e). Because the Amended Plan proposes two parking garages, a determination under §108-7.5 A is required(\*). However, we note that design features have been incorporated to avoid any adverse visual effects from the garages. In addition, both of the two-story parking structures are proposed in locations where they are screened by surrounding buildings and landscaping. Neither will be visible from the exterior of the site. The Amended Plan eliminates a substantial amount of underground parking that was part of the 2007 Plan, and thus avoids associated disturbance to natural resources. The structured parking also appears to have reduced the need for more open parking fields.

- **Access:** The primary means of access are the corridors established by streets. Sidewalks at least 5 feet wide are provided in the Village, Crescent, and St. Andrews neighborhoods. In the residential Terrace and Ridge neighborhoods, main roads feature sidewalks meeting the 5-foot standard, but secondary streets, with low levels of traffic have walkway paths rather than sidewalks. The Planning Board believes that §108-5.12B.6(a) establishes a permissive standard, i.e. where sidewalks are appropriate, they shall be 5 feet wide, but more rural roads need not have sidewalks if they have routes for walking that are more fitting to the character of the roadway. As so viewed, the Amended Concept Plan meets this standard.

As to the remainder of §108-5.12.B.6(b), the amended Plan provides a dedicated pathway from the Terrace neighborhood to the Village Center. There is only one main entrance to the site on Route 9, and it is an estate-type entrance. The entrance to the WWTP site will be infrequently used and has been approved by the NYSDOT. .

The first portion of §108-5.12.B.6(b) appears to mandate access to buildings via rear alleys, irrespective of geographic conditions. Entrances via alleys or side streets are used in the Village neighborhood. However, rear alley access is not proposed throughout. The Applicant has explained that this is not appropriate for the residential neighborhoods on the Terrace and Ridge sections because of topography and their desire to minimize site disturbance. It is the Planning Board’s conclusion that the Amended Plan uses rear alley access whenever it is appropriate. However, because the Amended Concept Plan does not technically meet this standard, a determination under §108-7.5 A is required (\*).

The major roads in the site are designed at a width to accommodate cyclists.

- **Screening:** The standard does not appear to apply here because storage uses are not proposed.
- **Signage:** The Amended Concept Plan proposes to regulate signage by means of a Signage Manual for each neighborhood. However, regulation all signs are required to meet the standards detailed in Article 24. Because the Amended Plan does not fully comply with this section, a determination under §108-7.5 A is required (\*).
- **Landscaping of off-street parking and loading:** All parking areas are screened by topography, adjacent buildings, and landscaped areas.
- **Architectural Features:** The Planning Board has extensively reviewed the architecture and massing of buildings, as well as the design of streetscapes. The Plan includes extensive Design Guidelines to govern development of the Project and assure conformance with all standards of this section.

- **Building Location:** The Amended Plan conforms to subdivision 11(a) of this section. Buildings in the amended Plan establish the spatial definition of streets, and do not appear secondary to parking lots. The Amended Plan conforms to subdivision 11(b) of this section (no buildings or structures are allowed within the 150-foot setback along Route 9) with the exception of the barn “sign”. A prototype of the entrance feature is shown in the Design Guidelines, page 89. Because this feature does not technically comply with the standard of §108-5.12 B.11(b), a determination under §108-7.5A is required (\*).
- **Protection:** The Planning Board and its engineering consultant have reviewed the proposed grading plans and confirmed that the site will have balanced cut and fill, and that the development plan has been largely designed to suit the site’s topography. The development will also be subject to preparation of a full SWPPP. The plans include significant landscaping, and the plans have been revised during our review to retain more of the existing vegetation.

## **SECTION IV: SUMMARY OF FINDINGS AND RECOMMENDATIONS**

Based upon the above Findings, and the Board's SEQR Determination, the Planning Board recommends that the Town Board adopt the Amended Concept Plan as it has now been modified by the Applicant, to include the features summarized in Section II of this Report, discussed in this Recommendations section, and described in detail in the Application Materials; and that the Town Board grant the additional authorizations to the Planning Board as requested below in carrying out our Final Development Plan reviews.

The Amended Plan retains excellent elements of the 2007 plan, including extensive open space and publicly accessible walkways and privately maintained roads open to the public. The Project maintains its focus on enhancing tourism to the Town and the Hudson Valley. It will enhance the estate-like setting along the Gateway entrance along Route 9, ascending Teller Hill.

The Amended Concept Plan offers improvements in a number of areas:

- It enhances its tourism and hospitality base by providing for two hotels. The first hotel (already approved) is an extended-stay and all-suite hotel with 137 keys. The second hotel (332 keys) is larger with a conference center and related amenities which will support and expand the existing commercial uses within the Town. The Amended Plan also includes a number of restaurants and food-oriented businesses that will attract tourists, in addition to serving local residents.
- It incorporates elements of biophilic design, agriculture, and food into the appearance of all aspects of the project, resulting in strengths in culinary and agricultural tourism and a greater interaction with nature and the native landscape.
- Its design ethos now appears more appropriate to the Hudson Valley, and less European/Mediterranean than the 2007 Approved Plan.
- The amended Concept Plan includes Design Guidelines which are more extensive and detailed than the 2007 Design Guidelines. These will be applied by the Planning Board during Final Development Plan reviews.
- The Amended Plan adds variety to the range of residential housing options to include Loft apartments and highly amenitized free-standing multi-family buildings (some for ownership, some for rentals). The Amended Plan addresses demographic and economic changes in the retail markets since 2007 by reducing amounts of office and commercial uses, and by shifting the types of commercial uses to decrease destination retail. The change in mix, and the change in ratio to 60% residential and 40% nonresidential is more suitable to the real estate market and current housing needs. The proposed mix and ratio will also support the types of "place making" commercial uses proposed in the Village Center, including breweries, restaurants, and similar gathering places. The proposed mix substantially broadens the range of housing sizes and types being offered, and the range of uses is appropriate to this PUD site, and should help assure the success of the Project and the attainment of the goals of the PUD and Bellefield District.

- It incorporates a more traditional street layout in the Village. The Village is now a stronger mixed-use center for the project, where the residential element more directly supports the non-residential element. It includes “placemaking” design to support the center, providing a wider variety of housing types, including highly-amenitized rental and condominium buildings, in addition to loft apartments over retail. This addition of smaller, more varied units in the Village will provide year-round economic support of restaurant/winery/brewery/food businesses in the Village Center.
- The Planning Board finds that the proposed plan for the north-west corner of the site is suitable to the surrounding neighborhood, including the Sake Facility now under construction, and will provide better integration of the Bellefield site with the neighborhoods to the north. The proposed St. Andrews neighborhood consists of 12.75 acres and contains 10% of the proposed nonresidential square footage on the Property. This neighborhood is separated from the rest of the Site by the Maritje Kill gorge, but it will link with other uses at the Route 9/St. Andrews intersection, and interface with commercial neighborhood uses, historical sites and existing public trail systems to the north. In the 2007 plan, this area was designated as an area of high-end retail and office use. The Amended Concept Plan has re-visioned the northwest corner at a lower intensity intended for smaller scale commercial and restaurant space. The project increases the connectivity between the Corridor Business District and the northwest neighborhood of the Bellefield Site.
- The Planning Board finds that the site of the former WWTP appears to be an appropriate site for a restaurant, subject to completing full site analysis and design required for Final Development Plan review. The Planning Board visited this site on October 20, 2021 and confirmed its scenic potential. The Planning Board recommends inclusion of this element in the Amended Concept Plan.

The Planning Board also requests that the Town Board issue the following clarifications and extensions of the Planning Board’s authority in reviewing Final Development Plans under the Amended Concept Plan:

- Based on the changes in the neighborhood and new zoning (Core Business to the north), the Planning Board requests that the Town Board grant us the discretion to decrease setbacks along Route 9 from 250 feet to 150 feet, and to decrease the setback on St. Andrews Road to 150 feet, upon a determination that the Final Development Plan for this neighborhood provides positive support for pedestrian activities at the intersection, properly relates to other uses at the intersection, and provides appropriate screening along the Route 9 and St. Andrews corridors.
- The Planning Board further requests that the Town Board grant the Planning Board discretion to allow parking on the north side of any future restaurant at the location of the former WWTF, if it finds that the location of parking enhances environmental protection of the Maritje Kill, maintains visual character, and provides appropriate levels of landscape screening along St. Andrews Road so that parking does not dominate the site.
- The 2007 approvals granted the Planning Board authority at Final Development review to adjust locations of buildings, roads, trails and other site elements to avoid

or limit site disturbance and minimize adverse impacts on neighboring properties and transportation corridors. The Planning Board requests that the Town Board clarify the Planning Board's authority, and expand it to authorize the Planning Board to also make such decisions in order to avoid habitat or natural resource disturbance.

- The Planning Board is also willing to accept the discretionary authority, should the Town Board wish to grant it, to transfer types of units between neighborhoods (with no increase in total dwelling units and a maximum adjustment 15% of the total units per type).

**CHANGES IN THE AMENDED CONCEPT PLAN THAT REQUIRE A DETERMINATION UNDER §180-7.5 A:**

As part of the approval of the Concept Plan, the Planning Board concludes that a determination under section 180-7.5 A should also be made so as to authorize the proposed Amended Concept Plan features which are not in compliance with the following provisions. In each case, the Planning Board concludes that altering the standard in the Town zoning law so as to approve the proposed design solution set forth on the Amended Concept Plan, would be more in keeping with the purposes of these sections and would better protect the public health, safety and general welfare and carry out the purposes of the Comprehensive Plan and the Greenway Connections:

- Increasing the proposed ratio of residential to commercial set forth in §108-5.12.B.3 as no more than 50% residential and 50% nonresidential to authorize a ratio of 60% residential and 40% nonresidential.
- Modifying the provisions of §108-5.12.B.5(e) stating that “multilevel parking structures are inappropriate for this district,” to authorize the construction of two, two-story structured parking garages.
- Modifying the standards of §108-5.12.B.6(b), which appear to mandate rear alley access to buildings irrespective of topography, to authorize the Amended Concept Plan where such entry patterns are used in areas of flat topography, but does not use them in topographic situations where they would require extensive alteration of natural geologic features.
- Modifying the standards of §108-5.12.B.(8), which require signage in a PUD to be regulated by Article 24 of the Zoning Law and instead allow signage to be regulated by means of a Signage Manual adopted for each neighborhood, as described earlier.
- Modifying the standards of §108-5.12.B.11(b), which prohibits buildings or structures within the 150 foot setback from Route 9, to allow the Planning Board to approve the location of a barn-like structure at the main entrance to the site, to serve as a sign for the property, upon a finding by the Planning Board that the structure is suitably sized, appropriately designed to serve its function, and befits the estate-like setting of the entrance.