



Historic Town of Hyde Park

Planning Board
4383 Albany Post Road
Hyde Park, NY 12538
(845) 229-5111, Ext. 2, (845) 229-0349 Fax

“Working with you for a better Hyde Park”

MINUTES OF THE **FEBRUARY 15, 2017** PUBLIC HEARING/REGULAR MEETING OF THE HYDE PARK PLANNING BOARD

MEMBERS PRESENT: MICHAEL DUPREE, CHAIRMAN
 ANNE DEXTER - VICE CHAIR
 CHRISTOPHER OLIVER
 DIANE DI NAPOLI
 VICTORIA KANE

MEMBERS ABSENT: CHAN MURPHEY
 BRENT PICKETT

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

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Chairman Dupree: Good evening everyone and welcome to the February 15th meeting of the Hyde Park Planning Board. Please take note of all the exits around the room in case of mishap and now join me as we salute the American Flag. *Chairman Dupree commenced the Pledge of Allegiance.*

First we have two Board Members missing, Mr. Murphey is at a funeral and Mr. Pickett is recovering from some surgery. We wish him well. And last, the Town Board appointed a new Planning Board Alternate. Ann is in the back today and you can all get a chance to meet her. Thank you for stepping up to the plate. She actually knows what she is getting involved in because we met today and she said she's watched all of the Planning Board meetings from about January of last year to about July. *Laughter.* That's a commitment. Anyway, the first item on the agenda is a public hearing for the Mintzer Veterinary Clinic. May I get a motion to reopen the public hearing?

CONTINUED PUBLIC HEARING:

MINTZER VETERINARY CLINIC

Site Plan Approval (#16-44)
Location: 4938 Albany Post Road
GRID#: 6066-02-878695

MOTION: Ms. Kane

SECOND: Mr. Oliver

To re-open the public hearing for Mintzer Veterinary Clinic.

Aye	Ms. Kane
Aye	Mr. Oliver
Absent	Mr. Murphey
Aye	Ms. DiNapoli
Aye	Ms. Dexter
Aye	Mr. Dupree
Absent	Mr. Pickett

VOICE VOTE: 5-0 Motion carried

Chairman Dupree: To remind everyone this application has been moving forward. I saw Dr. Mintzer, you're here, come on up. And Mr. Lombardi, you're representing as well tonight. You're looking to build a new structure at 4938 Albany Post Road. That's at the corner of South Cross Road and Albany Post. We've had a lot of dialog back and forth and it appears we're now really close, but we're still missing a few items. And before we get started on the application, I know Mr. Lombardi tonight, had done some work there initially and he needs to do a little bit more. It looks like a small matter. Do you want to address that first?

Mr. Lombardi: Sure. We met with the Health Department when Howard bought the piece of property there was of course a lot of restraints to meet the Health Department approval. There is a substantial amount of rock on the site, so they asked us to dig some exploratory test holes and make sure the design will work and the concept will

work. We did that for them and then they came back with a fairly large design in which we had to put a lot of material in the fill section area which was like 6 feet of run of the bank gravel, which is about 2500 cubic yards of material. Basically, what the material has to do is sit there for a period of time, until they deem that it's good enough to put the septic on. And we had just on the north side of South Cross Rd., there is a berm area that we didn't get a chance to put in because we thought that we were going to be far enough along where we could just keep going with the site work and Tad asked us to stop until we got our SWPPP permits and everything like that, which we did. We didn't get an opportunity to finish that and it's important that we finish that days' worth of work so that we can keep all the water from coming down South Cross Road and basically go out to the DOT structure that is out in front. Right now all the water is running down and going into our gravel and saturating it and since that's happening the Health Department will not start the clock as far as coming out and looking at our inspections and making sure that we're good to go, so that when Howard starts building we can get the approval to finish the system.

Chairman Dupree: So as I understand it, you spoke to Mr. Setaro and they conferred with Ms. Moss our Zoning Administrator and she appeared to agree that as long as it was discussed here and the Planning Board was okay with kind of allowing one day's worth of work to build this small berm and that you would notify Pete in advance just so...

Mr. Setaro: Yeah, if we needed to make an inspection, but when I talked to Tad today she felt that as long as it was brought up and discussed at the Planning Board meeting tonight and as long as Board Members were aware of it, that she didn't have a problem with it. She just asked that I send her an email tomorrow letting her know, assuming that the Board is okay with it.

Chairman Dupree: I just want to air that. It seems fair to me because they were stopped and if it's just a minor amount of work to be done. The Department of Health I think needs 30 days to observe or monitor this or something.

Mr. Lombardi: Yeah, we have a pipe in there and they're looking at the water level in there, so they said when we got the system complete then they would start the monitoring. We really haven't got it complete to really start the monitoring process. That's why it's important that we get this one day.

Chairman Dupree: I'm certainly fine with this and I don't...unless I hear objections.

Ms. DiNapoli: The weather doesn't hamper you in any way?

Mr. Lombardi: No.

Chairman Dupree: Thanks. Then consider this officially a go from the Planning Board. Okay.

Ms. Polidoro: Do you want to memorialize that by a motion to authorize one day's work.

Chairman Dupree: If you would prefer that I do so. May I get a motion to authorize one day's work in advance of approval at the site for the Mintzer Veterinary Clinic at 4938 Albany Post Road?

MOTION: Ms. DiNapoli

SECOND: Ms. Dexter

To allow one day's work in advance of approval at the Mintzer Veterinary Clinic site location, 4938 Albany Post Road to move a berm.

Aye	Ms. Kane
Aye	Mr. Oliver
Absent	Mr. Murphey
Aye	Ms. DiNapoli
Aye	Ms. Dexter
Aye	Mr. Dupree
Absent	Mr. Pickett

VOICE VOTE: 5-0 Motion carried

Chairman Dupree: In the interim we received new plans. There are still some issues including scale. It appears as though because you're now vaulted or making sort of an atrium, the second floor won't extend all the way to the reception area, that that gives you a lot of wiggle room so you should hit scale. Part of the problem was that the plans that were submitted last time, none of us could read clearly, they were blurry for some reason. Because we couldn't actually verify scale, that's why we're not prepared to do a conditioned approval tonight, but I anticipate that we will upon receipt of the new plans. If Mr. Tirums can get them in with some time for us to review.

Dr. Mintzer: Believe me, he's going to get them in. *Laughter.*

Chairman Dupree: Ms. Axelson let me turn the floor over to you.

Ms. Axelson: I don't want to reiterate. The remaining comments are housekeeping. I had enough information to get a basic sense that scale will most likely be met. One of the questions we had, was there going to be a light over the kennel on the north side?

Dr. Mintzer: No. Well there'll be a light over that back door. There is a door on the back, there will be a light there, yes.

Ms. Axelson: You might want to just show...because you have a wall mount on the front and we'd figured you'd want a wall mount back there because staff might be out there after dark.

Dr. Mintzer: You're right.

Ms. Axelson: These are just little things. And then...

Dr. Mintzer: Do you have a prescribed wattage? Are we limited to a certain amount of watts?

Ms. Axelson: I know that the pole lights were going to be reduced to 175, so that needs to be done. I assume the wall mounts would be less because they're right over a doorway. So I would look at whatever specifications you guys are looking at on wall mount. I didn't see those yet, so...

Dr. Mintzer: I just wanted to make sure there wasn't any particular demands.

Ms. Axelson: Well, pointed down and shielded.

Chairman Dupree: As long as they're shielded. There is a residence across South Cross from you. There's a fence but the fence is, stockade, you proposed 6 feet high. The light will be above that, so as long as it's not glaring in across the way, also maybe creating a traffic hazard, that's all.

Dr. Mintzer: Okay.

Ms. Axelson: And then the only other item was, we weren't sure how the medical treatment area with the doors going to the outside with the enclosure would work. For example are there partitions in there so that animals are kept in their own interior compartment and then they're allowed out through a door at some point?

Dr. Mintzer: Yes.

Ms. Axelson: So if you guys could show that on the plans also, that would be helpful. In the fenced enclosure we assumed the animals would be kept apart also, when they go out.

Dr. Mintzer: Yeah.

Ms. Axelson: So if you could show us those partitions.

Chairman Dupree: In other words, in the dog run, there would be just one dog allowed at a time?

Dr. Mintzer: Yeah, yeah.

Chairman Dupree: That's what we thought. Thank you, anything else?

Ms. Axelson: No, that's it.

Ms. Polidoro: I think the only other item was clarification of whether the fence enclosure included the human door or whether it only went around the dog doors.

Dr. Mintzer: The dog's... basically it's going to be a trap door which you raise a trap door and the dogs can go out to get a little sun. The other door is just for people to go out if they want to walk them outside if we have to go outside for any reason from the back. That's a human entrance.

Ms. Polidoro: That's not within the fence?

Dr. Mintzer: It's not within the fenced area.

Ms. Polidoro: Okay.

Chairman Dupree: I should add, I think that it's in Ms. Axelson's memo, but in that dog run, the door, the site plan shows it in one area and the elevation shows it in another. If you look on the site plan it's shifted down in one direction, west I believe and then in the elevation, it's shown more centrally. That's one of the reasons we couldn't figure out if that door opened into the fenced area or not. That should just be reconciled.

Dr. Mintzer: Ms. Axelson, can you make sure I get these memorandums as well and not just Paul.

Ms. Witman: I can do that.

Dr. Mintzer: Because I want to sort of expedite things.

Ms. Dexter: I just wanted to clarify, I was not clear on what I heard. You have the guillotine doors for the dogs to go out, is there a partition for them on the outside? The way it's shown is there's the five doors or four doors and then just one enclosure.

Dr. Mintzer: That enclosure's partitioned off to four separate areas.

Ms. Dexter: Oh, it is. Okay.

Ms. DiNapoli: Where on the building are you going to put your sign?

Dr. Mintzer: I don't want to put a sign on the building.

Ms. DiNapoli: So you're going to do one on the property? Have we seen that yet?

Dr. Mintzer: No, we haven't done that. I have too much else to think about.

Chairman Dupree: They have the location, so he'll be coming back for a sign permit. My comments are all covered, I believe. Mr. Tirums is good about responding to memos point by point by point and these are pretty small. When would you like us to adjourn the public hearing to? Do you think Mr. Tirums could get...the deadline tentatively for the March 1st meeting would be tomorrow, but I understand he is away.

Dr. Mintzer: You will be getting it by March 1st. We talked about that already. Expect to have it.

Chairman Dupree: They are supposed to be in two weeks prior so March 1st, the day of the meeting, it's doubtful that the consultants and all of us would have the time to review everything. So do you think you could get them to us a week before March 1st, February 22nd? That would be a week from today.

Dr. Mintzer: Yeah, he's only going away for the weekend.

MOTION: Ms. DiNapoli

SECOND: Ms. Kane

To adjourn the public hearing for Mintzer Veterinary Clinic to March 1, 2017.

Aye	Ms. Kane
Aye	Mr. Oliver
Absent	Mr. Murphey
Aye	Ms. DiNapoli
Aye	Ms. Dexter
Aye	Mr. Dupree
Absent	Mr. Pickett

VOICE VOTE: 5-0 Motion carried

PUBLIC HEARING:

EMERGENCY ONE-4200 APR

Site Plan Approval (#16-48)

Location: 4200 Albany Post Road

GRID#: 6064-02-968804, -986803, -984818

Chairman Dupree: The next item on the agenda is a new public hearing for Emergency One. The applicants are seeking approval to relocate an emergency health care clinic from its current location within the Park Plaza site to 4200 Albany Post Road, which locals will know as the site of the former Pete's Famous. We've been work-shopping this application for quite some time. This will be the first opportunity for any members of the public to speak and I'll turn it over to the applicant's representatives to make your own presentation.

The applicant's architect, Mr. Brinnier addressed some of the review items noted on the most recent Morris Associates memo. He stated that he intends to correct the location of the septic system on the map, to properly show the zoning setbacks, correct the topography and continue to work with DCWWA and DOH for proper approvals. Mr. Setaro remarked that he was okay with current roof leaders draining into the existing run-off pipe.

Mr. Brinnier: I had a question relative to the permission letter be obtained for the work from the south property owner.

Mr. Setaro: Basically, the only way that a permission letter comes into play...I guess I should just ask the question, have you guys investigated the pipe?

Mr. Brinnier: We have not. We spoke to the contractor who did the replacement of that section that goes from the building down to the drive of the antique center. He said when he looked in it didn't look bad, but there was a possibility that there might be something so we are going to go in and investigate.

Mr. Setaro: So whatever you come up with, if you feel after your investigation that the pipe needs to be replaced. Which I don't think you would replace it, my guess is that you would slip-line it because you're probably not going to excavate it. It by some chance you were going to excavate it, well even if you were going to slip-line the pipe, you're going to have to do some kind of temporary bypass of the water that's coming through if we get rain. You're going to need to dam up one of the upstream catch basins and you're going to have to pump around the area that you're working in. If you're going to pipe...pump...and put a discharge hose onto the antique's property, we just want them to sign off on it, like, "that's fine, it's only a temporary thing and we don't have a problem with it". That's all. I think one of the conditions that we have here tonight is that...and I guess we can talk about this, we do have here preparation and submission of a pipe replacement plan, but I guess we can talk about that as we go through it as to...

Ms. Polidoro: We have a draft resolution and one of the conditions is asking the applicant to prepare and submit a pipe replacement plan before they even start construction so that in the event they start construction and you find out that the pipe does need to be replaced they already have an approved plan. They don't have to stop work and come back to the planning board.

Chairman Dupree: For a site plan amendment which is what that would be.

Ms. Polidoro: Right, but that does require them to do some extra work now for something that may not need at all. The other option is to not require this pipe replacement plan with the understanding that if they have a problem they are going to have to come in for a site plan amendment...

Chairman Dupree: Or to possibly tie it to...

Mr. Setaro: That's what I was going to say. What happens if we said, "if determined by the applicant that the pipe under the building requires replacement or stabilizing, prepare and submit a pipe replacement plan acceptable to the planning board engineer", but like you were saying why couldn't we condition that upon...

Chairman Dupree: That condition could be moved to issuance of a building permit.

Mr. Setaro: Because they're going to go find out before they get a building permit if they're going to have to deal with the pipe.

Chairman Dupree: For the audience in general if you're interested in this. What this means is that, there are actually four parcels that were once controlled by one individual, Mr. Frangk. One was sold, that's the Hyde Park Florist and Gifts that is adjacent to this site. The other three are controlled by the applicant. The four properties, the stormwater flows into one pipe which is then discharged into the stormwater basin that is at the antique's center that is just adjacent to this, to the south. So, if there is an issue it wouldn't just affect these three parcels it would affect the drainage for Hyde Park Florist as well because that also seems to be tied into the same pipe. So, if there is a problem with the pipe we wouldn't want water backing up, creating flooding problems through the existing drainage holes, affecting both an operating business and your construction activity. If there is a way to ameliorate that

in advance, that's what we want to do. But, if it never needs to happen then...you'll discover this, in other words, once you get through us and actually get into the site, so I personally would find it acceptable to tie that to a building permit issuance just because it may never happen. I hate making people do work and spend money...I'd rather you spend it on landscaping and the prettiness of the building than this kind of work if it's just going to go to nothing, so those are my thoughts, but I'll let the rest of the Board weigh in on it. Again, you may just take a hose, it may be a matter of it just lasting just four days and you hose off any water directly into the pond, but because you'd be crossing on to someone else's property, we'd need to have some way to guarantee that they wouldn't say, "no, you can't do that" and it'd stay on your site and possibly flood.

Mr. Setaro: I'm sure if they need to do a bypass it's not going to be a problem with the adjacent owner.

Chairman Dupree: I would think the adjacent owners on both sides would be happy that this site going to be occupied again and improved aesthetically, drastically.

Mr. Brinnier: Good.

Chairman Dupree: Anything else, Mr. Brinnier?

Mr. Brinnier: Speaking of aesthetics, I did bring a sample of the shingle as well as a sample of the Hardie Board siding, the blue Hardie Board siding. I was not able to get a sample of the cultured stone. What we are going to try to do is match the existing cultured stone because there are two walls that we're going to preserve, so we'd like to just extend that, so that's our goal.

The Board examined the samples and the Chairman noted that the blue Hardie Board was a slightly darker shade than the elevation portrays. The Chairman then requested that Ms. Polidoro go over the proposed changes to the drafted resolution.

Ms. Polidoro: As drafted, what the resolution requires is for the applicant to prepare a pipe replacement plan which would just be attached to the site plan, then they could...

Ms. Dexter: Would that be good for the entire time that they are in there, so four years from now, the pipe fails, they've got it already done.

Ms. Polidoro: No, it would become part of the site plan and so once the site plan is concluded and the CO is issued than that's kind of over.

Ms. Dexter: Okay.

Ms. Polidoro: And so they would prepare this plan, then Michael could sign off on the site plan and they could pull a building permit, but it does require them to do this up front work, which they may not need. So, what Pete had suggested was not making this plan a condition of site plan approval, making it a condition of building permit approval, so they can get the plan signed, they can go out and do some investigation and then change the language so that it says, "before the building permit may be issued the applicant shall determine whether the stormwater pipe needs to be replaced. If

determined that pipe replacement is required then the applicant shall prepare a pipe replacement plan and then the same language, blah, blah”.

Ms. Dexter: And they would not have to come back for site plan amendment because it’s triggered by getting the building permit.

Ms. Polidoro: Right, that’s the work around. If the Planning Board is comfortable with that.

Chairman Dupree: So Pete would have to be satisfied with the details of the bypass plan.

Ms. Polidoro: Yes, it would be, “pipe replacement plan, acceptable to the Planning Board Engineer, including provision for a temporary by-pass of drainage flow while work is completed and identification of any temporary and permanent easements needed to complete the work. Said Pipe Replacement Plan shall become part of the approved Site Plan Set and shall be implemented”...well we’ll change that language. So, that’s what we’re discussing, whether you want to keep that condition or you want to move it to a building permit condition or whether you want to get rid of it all together and just have them come back for site plan amendment if they need it.

Ms. Dexter: No, that would throw a bigger wrench, I would think.

Ms. Kane: The building permit provision makes the most sense I think. To have to come back would just prolong the application process.

Ms. Dexter: And not to include anything would mean that they would have to do a complete amended site plan.

Mr. Devitt: I just wanted to say that our preference is to attach it to the building permit.

Ms. Dexter: Well, of course. *Laughter.*

Mr. Devitt: But not the site plan, is what I’m saying though. There is a really good chance that we may not have to do this. That’s all I’m saying.

Chairman Dupree: This has always been sort of a caveat. Pete anecdotally heard at the very beginning, when we first mentioned this, that there were problems when we had a storm surge, i.e. hurricane as well. It appeared at one point that part of the building could collapse and that it seemed to be emanating from the pipe below, that there were problems, so if you get in there and investigate with a camera and ‘go, no, it’s fine’, then you don’t need to do any of it. That’s why if we go through this it will be conditioned that way. Thank you.

The Chairman received positive comments from the Board members regarding the project.

Chairman Dupree: Just for the audience’s benefit, I want to point out that this application was made in November of 2016, and then we heard again from the applicant and had a workshop on January 4th. At the initial workshop my comments alone ran to eighteen, so there was a lot to get through, that’s why we’re here today, so even though

it seems like we're short cutting our conversations it because we've talked a lot about this already and you have indeed responded each time, so I want to thank the applicant and their representative for working together with us closely to get to where we are, that you heard so little comments except, 'It will look great!'. So, that being said, if you gentlemen don't mind, let me turn this over to the public. Would anyone like to speak about this application?

Mr. Wajda: I'm Mike Wajda, I own a property on 19 Van Dam Road. I just got here a little late, I didn't think you'd be up yet, but I caught the end of the subject of the pipes. I just want to make sure that they're given a lot of attention because I've walked that property, I've looked at the pipe. I believe the pipe's collapsed, the one main pipe. From what I can see, I'm no engineer but there is a four foot pipe which is now about 46 inches high, it looks like it's oval to me. Then, I believe there is another two foot pipe that feeds into something under that property that all spills into the pond that is in front of the Antique Center, so it needs some careful attention, what happens to that drainage system there.

Chairman Dupree: So, what I was going to say was, because, and this has been alluded to, because the building expansion is going over an already impervious area, it looks as though post development runoff is the same as predevelopment runoff. Although we'll be discussing concentration later, Mr. Setaro. Tad had some thoughts and I said you two need to work together earlier on that. Just because of the roof being different than just flat impervious, but if there is no increase in the runoff from the development that's being proposed then they'll be looking to make sure that the pipe that's there can adequately carry it because it's the same amount. That doesn't mean that there might not be periodic flooding because the size of the pipe, but it could be partially collapsed. We're not going to know until they do more investigation, but that's why we provided a provision so that the engineer, if they do need to do something will be watching what happens in the temporary or the interim phase until they can get it back to flowing again.

Mr. Setaro: Mike and I had spoken about this. Mike had spoken to one of the Planning Board Members and then I called Mike and we had a discussion on it so. We'll make sure, Mike that there is not going to be a problem.

Chairman Dupree: I think the construction could improve from what's there now if they have to replace the pipe or repair it. Either way it will improve what's been happening. Thanks for coming out as always tonight. We appreciate your comments and sharing your knowledge. Anyone else like to speak about this application? *Hearing none.* May I get a motion to close the public hearing?

MOTION: Ms. DiNapoli

SECOND: Mr. Oliver

To close the public hearing for Emergency One-4200 APR.

Aye	Ms. Kane
Aye	Mr. Oliver
Absent	Mr. Murphey
Aye	Ms. DiNapoli

Aye **Ms. Dexter**
Aye **Mr. Dupree**
Absent **Mr. Pickett**

VOICE VOTE: 5-0 Motion carried

Ms. Polidoro reviewed and discussed the approval conditions of Resolution # 16-48A with the Board. Part of this resolution will also conclude SEQR and so the Board confirmed Ms. Axelson’s review of the Part 2 EAF. The Chairman noted that because this project is a redevelopment of an existing area of disturbance, reusing much of the infrastructure and because their engineer has assured that post development runoff will be the same as predevelopment, there are only small impacts and therefore made a Negative Declaration.

Town of Hyde Park Planning Board
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**RESOLUTION TO ADOPT A DETERMINATION OF SIGNIFICANCE AND
GRANT CONDITIONAL SITE PLAN APPROVAL**

Emergency One

February 15, 2017

Moved By: Ms. Kane

Resolution: #16-48A

Seconded By: Ms. Dexter

WHEREAS, the applicant, FATM Properties, has submitted an application for site plan approval to construct and establish a health care facility on property located at 4200 Albany Post Road, on three lots identified as tax parcel nos.6064-02-968804, -984818 & -966815 in the Town Center Historic District (the “Project”); and

WHEREAS, the Project is depicted on a site plan entitled “Emergency One” prepared by William Brinnier, RA., dated December 27, 2016, last revised January 30, 2017, Sheet C1, LSP1, A2.1, and A2.2 (the “Site Plan”); and

WHEREAS, the Site Plan includes proposed signage; and

WHEREAS, a health care facility is a permitted use subject to site plan approval in the Town Center Historic District; and

WHEREAS, the applicant represents that it has the right to discharge into an existing stormwater pipe located at the southern end of the Project site

via an easement recited in a Deed recorded with the Dutchess County Clerk at Liber 1535 p. 78 and as shown on Filed Map 5821; and

WHEREAS, the Planning Board Engineer has confirmed that there will be no increase in the amount of stormwater discharged from the site; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form (“EAF”) dated January 3, 2017, pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, on January, 4, 2017, the Planning Board classified the Project as an unlisted SEQRA action and declared its intent to serve as lead agency in a coordinated project review, to which no other agency has objected; 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 for a report and recommendation, which responded on February 10, 2017 that it was a matter of local concern; and

WHEREAS, a duly noticed public hearing on the Project was held on February 15, 2017, during which all those who wished to speak were heard; and

WHEREAS, the Planning Board has reviewed the EAF provided and finds that it contains sufficient information on which to base a determination of significance, 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 determines that the Project will not result in any significant adverse environmental impacts and adopts a negative declaration.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants site plan approval to the Project, as shown on the Site Plan Set, and authorizes the Chair or his designee to sign the site plan after compliance with the following conditions:

- 1. Payment of all fees and escrow.**
- 2. Revision of the Site Plan Set to provide actual values for the existing and proposed setbacks and scale for lots 2 and 3.**
- 3. Revision of the Site Plan Set to show finished floor elevations at the corners of the proposed expanded building to properly establish related curb elevations and drainage patterns.**
- 4. Revision of the plan to correctly depict the location of the existing septic disposal system.**

5. **Approval by the Planning Board Attorney of an easement on Lot 2 in favor of Lot 1 for the existing sewer system serving Lot 1 or approval by the Planning Board of a subdivision plat to combine Lots 1 and 2.**
6. **Revision of the Site Plan Set to show the location of new water lines required by DCWWA.**
7. **Evidence acceptable to the Planning Board Attorney of a cross access easement permitting vehicular access over 4204 Albany Post Road, identified as Lot 4 on FM 5821 and 3 Van Dam Road, identified as Lot 3 on FM 5821.**
8. **Revision of the Site Plan Set to include the following note: This approval is granted on the basis of the applicant's representation that it has the right to discharge into the stormwater pipe located on the southern property boundary. Should a court determine that the applicant does not have the right to discharge into the pipe, the applicant shall return to the Planning Board for amended site plan approval.**
9. **Approval by the Dutchess County Water and Wastewater Authority for methods of water supply.**
10. **Approval by the Dutchess County Department of Health.**

BE IT FURTHER RESOLVED, that no building permit shall be issued until the applicant provides evidence that the required sewer easement has been recorded with the Dutchess County Clerk or alternatively that the approved subdivision plat merging lots 1 and 2 has been filed with the Dutchess County Clerk.

BE IT FURTHER RESOLVED, that before a Building Permit may be issued, the applicant in consultation with the Planning Board Engineer, shall determine whether the stormwater pipe needs to be replaced. If determined by the applicant that the pipe under the building requires replacement, prepare and submit a "Pipe Replacement Plan", acceptable to the Planning Board Engineer, including provision for a temporary by-pass of drainage flow while work is completed and identification of any temporary and permanent easements needed to complete the work. Said Pipe Replacement Plan shall become part of the approved Site Plan Set and shall be implemented if the drainage pipe under the building needs to be replaced.

Aye	Mr. Dupree
Aye	Ms. DiNapoli
Aye	Ms. Dexter
Aye	Ms. Kane

Absent Mr. Murphey
Aye Mr. Oliver
Absent Mr. Pickett

Voice Vote 5 Aye 2 Absent Motion Passed

Involved and Interested Agencies

NYS Department of Transportation

Dutchess County Department of Health

Dutchess County Water and Wastewater Authority

Hyde Park Fire District

Hyde Park Conservation Advisory Council

Hyde Park Police Department

WORKSHOP:

RIGHT HOMES RE-SUBDIVISION

3 lot Subdivision-lot line realignment (#16-46)

Location: Reservoir Road, Staatsburg NY 12580

Grid#: 6167-04-732397, 706377 and 714426

Chairman Dupree: The next item on the agenda is a workshop for Right Homes Re-Subdivision. I believe the applicant's representatives are here. They are seeking permission to re-subdivide an existing subdivision that had a single driveway that fed onto three lots and now they are proposing two driveways. One would have a shared driveway and one would have its own. Since we last met, Mr. Martin you made plenty of revisions.

Mr. Martin: Good evening. Ernie Martin and Jensen Tasker from KC Engineering. Also the owner/applicant is in the audience, Mr. Dziubelski. After last time we met, we kicked around a few thoughts from the Planning Board and then spoke to the owner and we decided...he was in agreement to change the plan where we have a common driveway for lots 1 and 2 for at least up until where the driveway would divide and go into the individual house sites. So that has been shown on the plan. In addition, the other concern was the conservation area. We now have it a more contiguous area than what was previously shown. So I think those were the two major things. I know there are a few other things that we need to do some housekeeping things and that, but I think this plan is more to the liking of the Board, but also to the owner.

Chairman Dupree: That's great. It's nice when we have this dialog that produces something better that both sides can agree on. Let me start with the consultants, Ms. Axelson any comments?

Ms. Axelson: I agree with Ernst that there are mostly housekeeping items and details we need, but the first two comments we have in our letter have to do with the Planning Board discussing whether the conceptual shared driveway design is acceptable at this point and also to just take a look at the open space configuration. I know that when you actually look at the open space configuration with the grading plan it just makes more sense and given surrounding properties are wooded, generally, around those boundaries. To me it makes sense, but it's really up to the Planning Board.

Chairman Dupree: When we looked at this at the agenda meeting, it has been made so it's contiguous, it's sort of a horseshoe, but I have to point out that it follows in many ways what was approved last time, where the homes and septic are, so you've done, I think the best job you can. And the way it's drawn it's next to the open space on the parcels that surround it so it creates a nice big contiguous area, per say. Thank you Ms. Axelson. Anything else? Mr. Setaro?

Mr. Setaro: My only concern would be any drainage issues from the two lots that drain onto the Utter property and again I'm sure that's something we can work out.

Chairman Dupree: I know some of this work, as you said, hasn't been done fully because you were looking for guidance from the Board. You'll be hearing that later on tonight. Ms. Polidoro, any comments?

Ms. Polidoro: I've asked for a copy of your existing open space easement or restriction, so please provide that.

Mr. Martin: From the previous subdivision? Yeah, we can get that. That reflects the current filed map, correct?

Ms. Polidoro: Correct, I wanted to read the language of the restriction to see if the Planning Board put anything special into it.

The Chairman received comments from the Planning Board Members. There was agreement that the new shared driveway was an improvement, that the open space was better and that they understand that the property has certain limitations. Ms. Dexter questioned whether the slope of driveway 2 was too steep and Mr. Setaro commented that he believed it to be within Code, but would double check.

Ms. Axelson: Just one more comment, I think that just in terms of filing maps, it's very easy for there to be a disconnect to some easement that's shown on a map and where that actual easement is and so if we can have notation specifically referring to a filed easement document that would be good in the long run.

Mr. Martin: If I can comment on that. Typically what we do, is in instances like this we when we file the map we usually file the easement at the same time. So the document is all prepared, we leave a blank, we file the map and get a number and actually the number is going to be the same number as the previous map but it's going to have a letter designation and then we just plug it in.

Chairman Dupree: Right, okay.

Ms. Polidoro: I wanted to see the easement language to see if the Planning Board had any restrictions on uses in the open space that should be carried through to this approval.

Chairman Dupree: Right. So I had a couple of questions, well just one question really. Why is the Central Hudson easement shown to stop before the property line? Doesn't it extend all the way to the end of the property line? On the map...

Mr. Martin: The Central Hudson easement runs right through the property.

Ms. Dexter: But there's some open space...

Chairman Dupree: If we go back to the issue, then I think that there's some open space area that goes through the Central Hudson easement and I don't think that that is allowed, am I right?

Ms. Polidoro: Right, that can't count as open space because they have the right to go in and clear it at any time.

Chairman Dupree: So whatever this percentage is of the total 30% needs to be reallocated from some other area, that's all. The Central Hudson easement goes right through every parcel, stern to stem so to speak, so that just needs to be reallocated. Then, procedure, in minor subdivision we accept for sketch then go right to final plat. It's minor because it's less than 5. So, again some of the Board in new with regard to subdivisions. We accept for sketch when it's really close to what it's going to look like. Sketch has, just for the audience's benefit again, sketch has no meaning under SEQR, it's just something that is within our Code, for that matter, the Town of Esopus actually accepts for sketch for site plans, which is to me unusual. It appears to me that we are ready to go for sketch, it's just a matter of you guys doing a little bit more work to make sure that the driveways aren't going to have to change, etc., when Pete's talking about the drainage. So, I think the next step would be for you to do a little bit more work and then make a new submission. Does that sound right to you Pete?

Mr. Setaro: Well, yeah. The only reason I'm hesitating is I think they have enough for sketch but that's my opinion. Then they're going to provide more details as we get towards final. I don't think anything is going to change tremendously. Is there some reason why we wouldn't grant sketch?

Ms. Polidoro: We don't have a resolution but you could always do it by vote, but the Board did refer this to the CAC for comment and plans were not submitted until a week and a half ago so the CAC has not had the opportunity yet to comment. I see that they're in the audience. That may impact whether or not you want to accept for sketch.

Chairman Dupree: That's why we delayed as well. Just to make sure that the CAC had an opportunity to review it and this isn't a public hearing but if you guys have any verbal comments you're welcome to make them at this point or you can wait and communicate the written way like you normally do. And if you'd like to go do a site visit, we can request that right now, the owner is here. I'm not sure what you'd learn right now tromping through a foot of snow. *Inaudible from CAC audience member.* You'll still have more time to take a look at it. What we'll do is schedule this for the March 1st meeting. For the record, Ms. Hieter said 'nothing jumped out at them at first blush' when they were looking through just now briefly, it's their first opportunity to see it. The CAC only meets once a month so there is a little bit of a lag time. We can schedule this for the March 1st meeting and if anything does arise and concern, I should just sort of announce in repeat, Ms. Dexter and John Bickford, who was then a Planning Board Member walked the site when this was first subdivided. When Ms. DiNapoli said it's a tough site, it's because there is a big Central Hudson easement going right through it

and there to be any habitat for Endangered, Threatened or Rare species, it looked pretty simple. The biggest concerns we had were actually site lines and creating new curb cuts because it's curvy in through there on Reservoir Road. If you guys have any concerns just send them over to us within the next two weeks. We'll hold a spot on the agenda to consider accepting for sketch and we should also probably do, unless we hear something from the CAC, we should also reaffirm SEQR. Because again in subdivision law before you open a public hearing you need to conclude SEQRA, this is different than site plan and then once you get going and Pete thinks that there is enough ready to go, we can set the public hearing then and then consider opening it, closing it and consider approval. Does that sound about right to you?

Ms. Polidoro: Were you looking for a new submission before...

Chairman Dupree: No, I think there is sufficient information to accept for sketch. I didn't want to do it tonight because the CAC may have had something to say. It was their first opportunity to take a look at it.

Ms. DiNapoli: Are we putting this on the agenda for March 1st to consider accepting for sketch.

Chairman Dupree: Yes, and we'd be looking to reaffirm SEQR before setting any public hearing. I would think we would not want to set a public hearing until we get the next round of submissions where there is a little more detail...work, yes?

Mr. Setaro: I think we should at least know what we're doing as far as the drainage goes because I'm sure that the adjoining property owner, well I don't know that, but I would assume that the adjoining property owner would be at the meeting and would express some issues with that, so I would at least like to know that Ernie's office and us are on the same page. Which I'm sure we will be, we just need to get there that's all.

Chairman Dupree: Correct. Does that sound reasonable to you guys?

Mr. Martin: Sounds reasonable.

Chairman Dupree: If you want to come back for the March 1st meeting you can but you don't have to. It will be pretty simple to accept for sketch and as soon as you're ready with the next submission then alert us and at that meeting when we review it and workshop it, we'll set the public hearing at that time.

Mr. Setaro: If you want to send over something that you're thinking about in terms of drainage, just give me a call or send something over and we'll take a look at it before you finalize it, just so we can save you some time.

Mr. Martin: Well a concept and we've kind of kicked it around the office, what we want to do.

Mr. Setaro: We want to keep it simple, but I just want to make sure we're not going to impact anyone, the owner, that's all.

Mr. Martin: I understand.

Chairman Dupree: Okay. Thank you. If you have new information, just that night even. We're not going to be able to comment on it, but you can talk to Pete about it that night and we can set a public hearing that night even if you want us to, just let us know.

Mr. Martin: I'd be happy to work with you.

ENCLAVE AT HYDE PARK

Re-Subdivision (#16-49)

Location: Cream Street at Long Branch Road

Grid #: 6263-01-465957 (1 of 79 grid #s
available upon request)

Chairman Dupree: Thank you very much. I'll see you in two weeks or not. The next item on the agenda is the Enclave at Hyde Park. To reiterate, the applicants are seeking another re-subdivision, not to dwell on this too much but this was an approved 74 lot subdivision that's in the Greenbelt, so it had a lot of density in sort of a sprawling fashion. The subdivision was created, 10 houses were built and then the economy hit and we'll say that it was foreclosed etc. The one individual now has control of the entire site and has engaged Land Resources Consultants to rethink the project and what has now emerged is what you see before you, wherein there is now a cluster subdivision. Each lot is a two family lot which is allowed in the Greenbelt, this allows them to get closer to their approved density but still substantially less. They are before the Zoning Board of Appeals looking for an area density variance, because what's allowed I believe is 36 and they're proposing 50, but again because they've brought all potential housing in into these two central spines. It appears from what I can tell, that the ZBA is looking favorably on this and we have also written a letter of recommendation that they do grant it, which you have copies of and in addition there is a 25 acre parcel being proposed back here to be used at some future point for a solar farm or solar array. As a reminder too for the audience, this portion of the roughed out road already has water and sewer connections which is why they are using just these sites. This is not just a re-subdivision, this is a site plan because in this district, the Greenbelt, multi-family, i.e. these two family houses require site plan as well as subdivision. That's about all that I've summarized from the past meetings. Let me turn it over to you guys.

Mr. Casamento: Essentially that's where we're at. We've been in front of the ZBA, we've met with them. We have a public hearing scheduled for the 22nd of March.

There was a brief discussion about the applicant being incorrectly placed on the ZBA agenda for February 22nd.

Chairman Dupree: Just as a reminder to everyone up here and the audience. The Zoning Board of Appeals, when there are two agencies involved, we have a protocol that we're the lead agency under the purposes of the State Environmental Review Act (SEQRA) and the Zoning Board of Appeals can't actually act to grant the variance request until SEQRA is concluded by the lead agency. So we were trying to do this so that you would possibly receive your variance next Wednesday when they meet, but that's not possible. So, we're prepared still to make a SEQR determination tonight. We have a Part 2 and Part 3 of the full Environment Assessment Form. Let me throw out another compliment because they are not usual, apparently from me. You did a very

good job with your full EAF, a really good job. I read through on the plane as I was going to get this tan you see here. That's my thrill, when I fly, the reading material I take. You did a really nice job. It was really thorough, you did everything that I could think of.

Mr. Casamento: Thank you. Well we worked with Pete and Liz beforehand trying to provide you both and the Board with what you would be looking for.

Chairman Dupree: That's why it's so good. They know me so well. So, part of what I'll add is that clearly you can see that the impacts are going to be less, there is less housing, less everything. That's documented in Part 1, pretty much. We did have a question about any potential impacts to archaeological resources, etc., we received I believe sign off from various agencies that that's not going to happen. This area also, I might add, is already highly disturbed, I might add because these roads were roughed out when you put in your lines for the water and the septic.

Mr. Casamento: They're actually built. Built to pavement, sub-base of the roads.

Chairman Dupree: That's right, so that's about it from our purposes. Ms. Axelson?

Ms. Axelson: You stole my thunder. That would have been a career first where I've seen an EAF that I really didn't have any comments on at all, so it's nice to be able to move forward in that regard. That being said the one thing that I look at on this thing, it's two family, it's real nice design, it's compact, you've got a clubhouse and I'm picturing empty nesters like me or young singles or young couples possibly moving into half of one of these two families and people really need to be able to walk around. Now, I know you've done a mulch trail but I'm also thinking that as people sort of advance, they may end up with or people at younger ages may need some kind of thing to aid them in their walking which really requires some kind of a hardscape. So, I don't know how you want to do it. If you want it to be sidewalks or walkways that are hard enough and wide enough for a wheelchair or walker etc. or you know a Mom with a stroller. I'm kind of throwing that at the Planning Board, but that's what I'd like to see as a planner.

Mr. Casamento: To address that, we had talked about that originally, so we kind of looked at it a little bit as well. Just to have it in our minds. I'd like to stay away from the sidewalk on the road. It's pretty uncommon for this type of thing in this area. When we pulled up several of the multifamily units throughout Hyde Park, there are no sidewalks in those communities. The one on 9, right here, there are none and they are similar style townhouses all stacked together, but there is no sidewalk there. What we are trying to provide is that kind of off the beaten path walkway connection which was similar to what was originally approved on the plan to try to keep that kind of context. I'd like to explore more with our landscape architect and look at an alternative path than asphalt through the woods, because of the nature of just trying to keep it in tone with the environment around it than putting this paved walkway winding through because we don't want to clear trees for it, we kind of want to make it meander through what's there and maybe clear some underbrush and stuff like that. We could take that and work with our landscape architect and kind of come up with a network to try and get people around basically with some type of...

Ms. Axelson: Plus it'd be a nice amenity. You know when you're going to sell these homes.

Chairman Dupree: Let me just add real quickly two things. One, when you're referring to the multifamily that's on Route 9, that's called River Ridge now and it was approved under the old Code and under the old Code site plan wasn't required so there was no requirement for walkways but I believe Ms. Kane may be saying later on, that that was a mistake because it makes her nuts. It makes her nuts that the grade change is substantial at that site and to walk down to the clubhouse, you have to walk in the middle of the road and it's actually got a lot of future development allowed or permitted. So to her I know that is something that we should rectify. I'm not trying to steal her thunder either. The other multifamily that I can think of, Pinebrook was also approved long before the Code change. That was a 25 year process before it got fully built out from what was approved. In other words, most of the multifamily doesn't have them because we didn't have the requirement back then, but that is the requirement now and I'm the one who actually said I don't think sidewalks are necessary. Initially, that was me, but I am prepared to always side with the majority. Ms. Moss has noted that in clustered subdivisions, which isn't necessarily that, we don't have a definition of it, but it looks like it and that's one of the additions there is that you should have sidewalks between these. Having said that, I also know that in the Greenbelt it pretty much argues against sidewalks. I think one of my Vice-Chairs will say that's because most of the subdivisions that are envisioned there are way far away so it would be inappropriate and you wouldn't have any way to keep them plowed, etc. We're going to hear from the rest of the Board and it sounds like you're open to considering alternatives, etc. Anything else, Ms. Axelson? Mr. Setaro any comments?

Mr. Setaro: Just a couple. I emailed with Ken about the emergency access road and we're going to have to get a meeting or they're going to have to get a meeting with the fire department just to review what the width should be. Right now they are showing as 12 feet wide. I don't think that's enough. It's probably going to have to be in the 16 foot wide range because obviously there could be the potential for two way traffic so you should get with the fire department and find out the width and depth and what it has to be and gating and all that kind of stuff. Again, it's the things that are going to have to be ironed out so that's one thing. The other thing is, once the weather gets better and we can go out there and walk around, we should just take a look at the stormwater management basins and see what has to be upgraded in them and replanted and whatever so that as you get the final you can just put the notes on there. But for the most part the infrastructure is in. You know I do want to go out again once the weather is better and look at the roads a little bit more. But the infrastructure is in and we inspected it back when it was built in '06 but the road I can tell you was constructed well and put in exactly according to plan so I don't foresee any major issue with that so. For the most part everything is in, it's just kind of cleaning up these small things here and as far as the solar farm goes, I guess that's being reserved for later. You're creating a lot, is that the deal?

Mr. Casamento: Yeah. In order to work through subdivision now, we're creating the lot. We actually have two or three vendors who are looking to provide the power. The applicant is working with the vendors, basically to try and orchestrate and make this as affordable as possible for the homeowner. His goal of the solar was to basically...we know this is a fixed income type homes and people in it so we wanted to try and make

sure that it is as close to locking in a utility rate potentially for those homeowners to further make it more appealing and saleable as well. That's part of it.

Mr. Setaro: One question I asked Victoria before and I'm not sure of the answer but we're going to go ahead and do SEQR so how does the solar farm, potential future solar farm roll into that or maybe it doesn't really play into it or anything with segmentation or I don't know so...

Ms. Polidoro: I'm not concerned about segmentation in this case because the project that's being reviewed by the Board is not contingent on the solar farm being approved, so they really are separate. This is going forward whether or not the solar farm ever comes in, but it does again raise the issue which I don't want to lose track of, what are we doing with that lot because...well what are we doing with the lot and the density for that lot.

Mr. Casamento: Sam has said before, Sam being the applicant, that he is not looking to further subdivide that in the future so we can work with language that if it doesn't go farther that it wouldn't be subdivided it would be part of the open space that ends up being...*The microphone battery went dead and room filled with static noise for a moment.*

Chairman Dupree: So let me add quickly that I've spoken to the new chair of the Zoning Board of Appeals, Mr. Bickford, who was formerly my colleague and he actually raised that issue when he read our recommendation letter. He said, if we grant them this, what happens if they don't do the solar farm, they come back and they get to add more housing, so I believe that this is going to be dealt with in the Zoning Board of Appeals. I believe that they'll be discussing this, try to figure out a way to restrict so it can't be further subdivided.

Ms. Polidoro: There was a discussion about allowing one dwelling unit so that it's not a lot that comes off the tax rolls.

Chairman Dupree: Which I think we would all be comfortable with and I believe with the solar farm versus array, as to whether or not you try to produce enough energy to go beyond the needs of this and back into the system, at what capacity etc., that's why you're working with vendors.

Mr. Casamento: Essentially what they are trying to do, Sam, the applicant is not in the business of producing solar so to go down the route of generating solar, he's looking to use it more than just what's here because it's not cost effective to have someone come in and build it just for this small amount. The community solar farm there's a threshold of approximately 2 megawatts where all of the incentives and all the documents in sizing and price comparisons seems to be, so that's what they're looking at. The 8-10 acre approximate area that they would cover and we've calculated based on that what we thought would be hard surfaces that would be in there which comes out of the density and is included in the EAF in language towards that. We obviously don't have exact specifics but we do have some language towards it in the EAF. As we work with them the vendors will narrow it down exactly what they want to do. If I may, real quick, Pete, we did meet with the fire department. We did and actually, we talked about gates, we didn't talk specifically about the width or type of material that will be on the road but

we'll further that conversation. And we do have a walk with them. They are very interested in using the existing homes as they're being demo'd, as part of a training.

Chairman Dupree: Chief Nichols told me that straight out, nine good examples there.

Mr. Casamento: So they're working with a federal, correct me if I'm wrong, some other agency that would also be involved in some of that training to come in that fire, the applicant is willing to talk further with them. We're going to go walk it again with them so they can actually see the houses, they haven't been in them.

Chairman Dupree: Can you reveal what else was discussed in terms of the meeting?

Mr. Casamento: We talked about the fire tank that's there. They felt the size of the tank that was originally there was adequate. One of the things that they'd like to do is review the connections, because there are connections that float into that. We have a 10,000 gallon stormwater tank that's offline that stays filled. So, that would be adequate for that area. They did ask us to look at fire suppression in the buildings and they were going to speak with our architect a little bit further about that, but it was nothing other than that to look at further.

Chairman Dupree: I just say that because I had a meeting with Chief Nichols and he indicated that he might be speaking to you about sprinklering and I did remind him that in this subdivision in the original approval there was the holding tank to provide water onsite initially when they first came in. It does cause a delay as they access it etc., so I guess they're going to review the connections as well.

Mr. Casamento: The connection that he was concerned about was actually when the truck comes, to know if it's full of water or empty. They want to be able to have an indicator on it, so they can do a routine drive-by and know that it's full.

Chairman Dupree: That's a great idea.

Mr. Casamento: So there was just some minor connections, externally for them to make sure that when they suck it down it doesn't cause any vacuum issues those kind of things. We just want to make sure it's installed to what they need.

Chairman Dupree: The Fire Department, I sort of view as our friends, all of them, because they open our eyes to things. There would probably be greater concern, but in terms of environmental effects this is better to cluster it. It might have different issues in terms of fire and what could happen as it moves along. You don't want someone to think they have a full tank and then shooting out air trying to fight it. Anything else from the consultants.

Ms. Axelson: I just want to add so the Board knows, when I reviewed the EAF and I prepared Part 2 and Part 3 the narrative for Part 3 that I took the solar farm into account. So as far as I'm concerned I did my review and prepared materials as though you're not segmenting and that is part of the whole action and that's based on my understanding of solar farms. You have green underneath and or stormwater run-off, some kind of infiltration type thing, you have a post in the ground, you have a tilting array panel and water runs off and goes onto the ground. So that's the way I reviewed

it. So as far as I'm concerned, if you do a Neg. Dec. tonight based on the materials I prepared that's addressed.

Ms. Polidoro: Well, I had reviewed it thinking that the solar farm was not part of it since we don't have specs for the solar farm and we're missing a lot of information. Some issues that come up in communities: what are the esthetics? Are there going to be glare issues? What are they using to treat the ground because they use certain chemical treatments to keep the weeds down? That has SEQR impacts so I don't know how the Board wants to proceed.

Chairman Dupree: You would be suggesting that we would do a separate SEQRA on the solar farm when it comes and consider it sort of a supplemental, I would take it? Because they are stand alone actions.

Ms. Polidoro: Right. They are stand alone actions. I guess Liz and I, we were talking, but I didn't understand that this was for both projects and at this point since the Board doesn't have anything on the solar farm in front of it, I would be more comfortable if you held that piece off.

Chairman Dupree: Okay. I think that's reasonable. Particularly, as it's been noted we have no specifications on it. Generally, I think for solar farms I know that there's been worries of glare, but there's not a lot of glare, they absorb the sun from what I understand in my reading.

Ms. Polidoro: Well if they're tilted a certain way, although this is...

Mr. Casamento: Well I could say there are buffers all around, it's facing south, the glare impacts are on the odd angles of the sun and in this case being down the angles would be the tree line or the tree line. There's nothing right there because of the way it's tucked away. We did a count like Liz said for the areas of disturbance in that...

Chairman Dupree: General footprint.

Ms. Polidoro: I actually believe that the DEC has proposed new SEQRA regulation that would make solar farms Type II. I don't know when you're coming back or if those will pass, so I'm not anticipating that there will be impacts it's just...

Chairman Dupree: So we'll consider this without the solar farm/array as part of the SEQR determination this evening, correct?

Ms. Polidoro: I thought Neil Alexander was going to come tonight. We did have some housekeeping on the escrow accounts, but I guess I will follow up with Neil by phone tomorrow.

Chairman Dupree: Okay. Thank you. Is this about the transference?

Ms. Polidoro: Yes.

Chairman Dupree: Ms. Kane any comments? I'm anticipating some.

Ms. Kane: First I want to start out by saying I really appreciate this project. I like the way that you've condensed everything. I like the way it's designed. I can tell the way the EAF is great. You've taken into consideration the fire road and the fire safety and there's so many good things about it, but I have to once again speak to you about the sidewalks. I'm sorry, but I think there is a difference between doing a development and creating a community and sidewalks are a part of what creates a community. If you're trying to sell to empty nesters and people who are first home kind of people, those just as Liz said, those are the people that are going to be potentially with strollers, with walkers in wheelchairs and they not only need a hard surface to be on, but they want a sense of safety and a sense of community and mulched trails in the woods are lovely but most people don't use them as a regular path of conveyance to anyplace particular. It's more, 'I'd like to go for a walk in the woods'. Something that gives them a sense of I can walk to my neighbor's house safely, I can walk to the clubhouse safely.

Mr. Casamento: So you're thinking on road sidewalk.

Ms. Kane: I really think that that's the way to go.

Chairman Dupree: Or near road.

Mr. Setaro: If we have an on road sidewalk and we specifically approve something that doesn't meet anybody's requirements for a sidewalk, to actual say it's part of the approval to say that there is a designated sidewalk that's right on the roadway, so...

Ms. Kane: Do you mean the shoulder of the road? No, I mean like on Route 9, there's road, the grass, the strip the sidewalk.

Mr. Setaro: Oh, I'm sorry.

Ms. Kane: No, I don't want people walking in the road, I don't think that's safe.

Mr. Setaro: You're talking about a true sidewalk with a grass strip between the road, okay, then we're good. My bad, I apologize.

Ms. Kane: It's fine. I just think that it's the kind of thing that will make this a community. I also think it adds value to the homes. I think that they'll be more saleable. They'll be more attractive to people. It's something that I know a lot of people look for when they're looking for a new home.

Mr. Casamento: Like we said, we'll bring it up with the owner. He's been willing to work around, so I'm sure we'll come up with a good solution.

Chairman Dupree: Be sure you use her truly eloquent opening, 'the difference between doing a development and creating a community'. That was pretty darn good.

Mr. Casamento: He'll be watching this by tomorrow morning.

Ms. Kane: I hear rumblings over here and I have to say I agree, they're talking about street trees.

Mr. Casamento: Which we have talked about adding and we are planning on adding.

Chairman Dupree: I think you have already added them. I saw your species, nice choice.

Ms. Axelson: Can I say something about street trees? In this particular case, I don't think it makes sense to have a strip with the street trees and then the sidewalk. I really think the sidewalk should be next to the road. This is smaller community and I just think in terms of maintaining those things and not having the sidewalk start to fall apart, that makes sense in this particular context. Also, it's in the context of compact development surrounded by a decent bit of open space, that's why the street trees should be there, but I don't think they should be between the road and the sidewalk. That's my opinion.

Ms. Kane: So are you saying there should be no grass strip between the sidewalk and the road?

Ms. Axelson: You could have it or not.

Chairman Dupree: No, no, you don't want to have a sidewalk be right at the curb where the cars are.

Ms. Kane: My problem with that in this climate is, I go out and I shovel my sidewalk and the plow comes by and pushes everything back onto the sidewalk. SO if you have the grass strip it acts as a buffer.

Ms. Axelson: That's fine.

Ms. Kane: Whether the trees are in the strip or the trees are in the front lawn right against the sidewalk, either one is fine with me. I know some shade and some buffer from the road makes a lot of sense.

Mr. Setaro: You know the other thing is the trees if they were going to be with in that grass strip and if they're in the right of way, then the Town owns then and I guess if we're okay with that, we're okay with that.

Chairman Dupree: No, no, no. The preferred model is, I've said it now, my fifth time I think, it's road, grass strip, 5 foot wide sidewalk then tree. If you put the tree between the walkway and the road, unless you're using dwarf fruiting trees, over time the roots, because there is no such thing as a tap root, no such thing. All roots grow laterally, sorry, that's what they do. To see how far they grow just look at the outside of the tree where the drip-line is. So they will buckle and cause the sidewalk to erode over time. If they are located further in then you just have to root prune on one side to protect the sidewalk. I do want to bring up one thing, this is proposed to be a 25 phase project, so what would happen in effect is that each time that a two family dwelling unit is built then a new sidewalk will be added, so it will be added piecemeal fashion.

Mr. Casamento: Correct.

Chairman Dupree: Also, this is an HOA that's envisioned to kind of take care of landscaping etc. so the HOA would then also have to take care of snow plowing ultimately the sidewalks. And again the first sidewalk that's in, Mr. Mermelstein would be the owner of all the other parts of the HOA so he would be paying approximately 98% and the other owner 2%. Just remember all this as we're going through that's all. Very eloquently argued, you're persuasive. Ms. Dexter comments?

Ms. Dexter: I'm definitely not eloquent. I also am strongly in favor of the sidewalks along the streets for the many reasons that Ms. Kane stated. You know, I've been to these developments that don't have them and it's not pleasant. You don't ever want to see people walking in the road with carriages and some poor person who's just had hip replacement trying to get their exercise has to walk in the middle of the road. It's not a pretty sight. I think it will be a selling feature when they see that they can walk from the cul-de-sac all the way to the clubhouse and be off the road.

Mr. Casamento: I can understand. Try to remember, it's two cul-de-sac ends, so it's 50 people potentially walking around, well multiple people in each unit...

Ms. Dexter: I was going to say, it's more than 50.

Mr. Casamento: But, I guess what I'm saying is it's not like it's an end run road user where you're going to have cars flying through and those kind of things. I would imagine you're going to have a lot of people "running around the streets and stuff like that". Still like you said, I don't disagree with the sidewalk comment, so we'll review it with the owner and as we move forward we'll go through it.

Ms. Dexter: I guess the best example I can give, it's not a subdivision, but up in Rhinebeck at the Baptist Home complex, when they built in the new independent living units, they spent a lot of time and effort figuring out...first of all they put sidewalks in and I'll tell you the people there are able to stay there a long time because they're out getting their exercise and they're safe. It's basically the same thing. It's a cul-de-sac, but again, that car comes through and you're like, "I can't move quickly".

Mr. Casamento: Understood.

Ms. Dexter: Enough of the sidewalk, when it comes to the...I have to do this for my former colleague Mr. Groeninger, is the width of the streets. And again a little concerned that someone's having a party and they're parking on the street and...

Mr. Casamento: We did add two sections of overflow parking.

Ms. Dexter: I haven't been able to really find that. *Mr. Casamento pointed out the areas for nose-in parking on the map.* Eight units and eight units, eight parking spaces and then each duplex can hold two in the garage and two in the driveway, four per unit and eight per building. Thank you. I hope that's enough. I am always thinking worst case scenario that it's July 4th and everybody's having parties and...

Mr. Casamento: There is also a community parking lot that is up next to the community house, so there is a larger "overflow lot" next to the community building as well.

Ms. Dexter: Okay, excellent.

Mr. Setaro: With the sidewalks it will make it easy for them to walk from there.
Laughter.

Mr. Casamento: Sense of community.

Ms. Dexter: And the idea of having the meters on the fire hydrants is just brilliant. On the tanks, sorry.

Mr. Setaro: We were talking about that before. Why would the tanks ever be empty? Once they're filled up, they're filled up.

Mr. Casamento: Only evaporation.

Mr. Setaro: But they're underground.

Mr. Casamento: So, they shouldn't, I don't know. If they got used.

Chairman Dupree: What if somebody comes and steals it.

Mr. Casamento: Or if they were used for another event and it takes another storm event to actually fill it.

Mr. Oliver: I can see the benefit of the sidewalks but at the same time I see the maintenance nightmare it could be down the road with where you're going to do the snow and maintaining the small little strip of grass with the salt usage. I just don't want it to look like a patch of weeds with the nice lawns. Maybe try to widen it up or bring it closer

Mr. Casamento: It is something we have to really look at in detail because the idea of this was not to push those houses back outside of the disturbed areas. The further we push back by putting sidewalks...if we give 8 feet of landing, which as I've been instructed from our landscape architect and you'd know as well, that is kind of the optimal area to get something to actually grow and deal with snow in our area. So as you start to put 8 foot, then you 5 foot, now you're 13 feet back and our houses are only 18 feet back. So now, we're having to push potentially houses back further, so we have to look at it a little more in depth with the strip, we may have to make that strip smaller, or come up with a different method of treatment with in that area so we don't have that. Obviously Sam isn't going to want to have this kind of dirty spot in between as well. That's a very good point.

Ms. DiNapoli: I think I'm still in awe of Ms. Kane's quite eloquent presentation. All I can do is mimic it. I also like the idea of the trail and there is always that fine line for requesting both, so I'm just going to throw it out there because the sidewalks are important to have on a daily basis, but on the other hand to have that sense of nature, to have that sense of peace and quiet. To have that sense of exploring when the toddlers are no longer in their strollers on the sidewalks, they can walk on the trails and discover

and I'm so glad Ms. Dexter has remembered our dear Mr. Groeninger and remembered about fire, yes, I was wondering who was taking his place. That's it.

Chairman Dupree: I would say you were equally eloquent when you talked about the sense of exploration, going on the trails, it's that kind of night tonight guys. So, I don't really have any other comments but I will just say that I will go along if the majority wants sidewalks then I will support the majority because I can see both sides. I can certainly see there is a difference between just doing a development and creating a community as was put and the idea of connectivity if you want to walk to your neighbors. If this is really aimed at seniors of which I'm shortly one, then I can see a lot of us out walking and not wanting to walk in the middle of the road. I live on a road and since I do a lot of entertaining I take up a lot of space on my road. You can barely walk when I'm having a party or fundraiser, whatever, so it is nice to have sidewalks. On the other hand, my neighborhood was developed back in the 1800s so they didn't think about sidewalks back then, but I think if we had we'd all like it because my neighborhood is quite close because we live on the river and you walk a lot to see it and you talk to each other. They do encourage real communities, real neighborhoods because I know of other neighborhoods where people tell me they never even met their neighbor because no one is out walking because they have to walk on the road and those include a couple of cul-de-sac neighborhoods. I'm thinking of Stoutenburgh and Stonegate. People don't walk the same way because there's a lot of cars going fast. It will be something for you to talk to the applicant about.

Tonight I think we're going to consider doing a SEQR assessment and I think we have a draft part 2 of the full environmental assessment form filled out by our consultant, Ms. Axelson. This was emailed to everyone earlier and we also have Part 3. I don't want to read through these we can just state that they are a part of the record, but I do want to point out that Ms. Axelson very carefully noted that there were two potential impacts which could be identified as moderate to large. One is #1e, impact to land and that Continues for more than one year or in multiple phases. That is clearly yes, since this is probably going to take a while since this is being based on market conditions and how fast things will sell. The other one that she identified...*There was a discussion with Ms. Axelson to ascertain if the Chairman had the correct revised document.* The second one noticed was impacts on surface water, #3g the proposed action may include construction of one or more outfalls for discharge of wastewater to surface water, that's true. It's already constructed, but it's not operational so it may effect in a moderate way the impacts to the discharge site. I'm sorry Anne, where was the third?

Ms. Dexter: It's #3 and #4, surface water and ground water. Is that a mistake?

Ms. Axelson: The first moderate to large is in question #1, #1e page one and then...

Chairman Dupree: I read surface water but underground water, even though it's yes, all of them are answers "no" or small, there are no more moderate to large.

Ms. Axelson: Did you look at the first page, impact on land, you already noted that?

Chairman Dupree: Yes, I said that there are two moderate to large and in the Part 3 it's explained, so Ms. Axelson explains why the impact on land while it's identified that it could be a moderate to large impact...I'll just read, "because the site is substantially

previously disturbed with utilities installed, and the plans detail remaining grading and landscaping, most of the impacts on land would be small impacts. However, construction of the 50 homes on 25 lots, related amenities and the solar farm, are proposed to be completed in 29 phases, which will likely occur over the course of several years. Accordingly, this is considered to be a moderate to large impact on land. The rationale offered in the Applicant's narrative explains why there are 29 individual phases. Then she goes on with mitigation measures that are proposed including; sedimentation control measures, erosion control measures, stabilization notes, etc. It would minimize this from being a potentially large or significant impact, keeping it in the moderate range. Impact on ground water similarly, while it will draw from an onsite well, the capacity was originally designed for 74 homes and was constructed in accordance with prior approvals. This has now been dropped down to 50". And on impacts on ground water, "the existing wastewater treatment system discharges treated effluent to NYSDEC wetland SP-52, over time there will be discharge from 50 homes. Accordingly, the generation of sanitary wastewater from 50 homes is considered to be a moderate to large impact on water resources. However, the impact of the total anticipated volume of 16,500 gallons per day (GPD) of wastewater would be mitigated initially by the fact that the homes would be constructed over time due to project phasing. The liquid wastes generated would be strictly sanitary wastewater associated with a typical residence; would be conveyed by the existing sewer collection network and treated via the existing sewer treatment facility. The existing sewer system was constructed according to required approvals. The volume of sanitary waste generated from 50 homes would be less than the originally approved project with 74 homes". And that is our justification for doing a negative declaration.

Ms. Polidoro: I just wanted to add one sentence to the description of action, based on the Board's decision to night to add, "if proposed the 25 acre solar farm would be subject to a separate SEQR review". Just so it's clear that this is limited to the project.

Ms. Dexter: Where would that get added?

Ms. Polidoro: The last sentence of the second paragraph under description of action. It mentions that a 25 acre lot to be developed as a solar farm is being created, so I am adding "if proposed the 25 acre solar farm will be the subject of a separate SEQR review". Or perhaps we should say, "once proposed"?

Chairman Dupree: Okay. Thank you.

Ms. Axelson: There are three potential large impacts, the last one was noise, question #15.

Chairman Dupree: You're right, temporary noise impacts will occur during construction. That is also addressed in part 3. I'll go straight to the conclusion, "Although noise will be generated during construction, this impact will be mitigated by the fact that it is temporary; that existing infrastructure will be used; that construction is limited to building homes; and also by the proposal to build the homes in multiple phases". So the mitigation measures are already incorporated, correct? So is everyone comfortable moving forward with the resolution tonight? Only affirmative answers were heard.

Town of Hyde Park Planning Board
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RESOLUTION TO ADOPT A SEQRA DETERMINATION OF SIGNIFICANCE
NEGATIVE DECLARATION

The Enclave (f/k/a The Meadows)

Date: February 15, 2017

Moved By: Ms. Dexter

Resolution: # 16-49A

Seconded By: Mr. Oliver

WHEREAS, the applicant, 54-Hyde LLC, has submitted an application for average density subdivision, site plan and special use permit approval to resubdivide 74 existing lots totaling 116.62 acres (as indicated on the tax parcel list) into 25 residential lots containing two-family homes (50 units), in the Greenbelt District (the “Project”); and

WHEREAS, the Project as proposed will require an area variance to allow increased density; and

WHEREAS, the Project is depicted on a plan set entitled “Subdivision / Site Plan / Special Use / Submission Set, prepared for The Enclave at Hyde Park” prepared by LRC Group, dated December 7, 2016, as last revised January 4, 2017 (the “Plan Set”); and

WHEREAS, two-family dwellings are a permitted use in the Greenbelt District subject to site plan and special use permit approval; and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form (“EAF”) dated December 7, 2016, revised January 4, 2017 pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, pursuant to Section 54-6A(29) of the Town Code, residential developments that include five or more dwelling units are a Type I action; and

WHEREAS, on December 21, 2016, the Planning Board classified the Project as a Type I action and declared its intent to serve as lead agency in a coordinated SEQRA review; and

WHEREAS, the Planning Board has reviewed the EAF provided and finds that it contains sufficient information on which to base a

determination of significance, has considered the criteria contained in 6 NYCRR 617.7, thoroughly analyzed all identified relevant areas of environmental concern, and completed parts 2 and 3 of the EAF.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby determines that the Project will not result in any significant adverse environmental impacts and adopts a negative declaration.

BE IT FURTHER RESOLVED, that the Secretary to the Planning Board is hereby directed to publish notice of the negative declaration in the Environmental Notice Bulletin and file a copy this Resolution and Parts 2 and 3 of the EAF with the Town Supervisor, all interested and involved agencies, and any person who has requested a copy.

Aye	Mr. Dupree
Aye	Ms. DiNapoli
Aye	Ms. Dexter
Absent	Mr. Pickett
Aye	Ms. Kane
Absent	Mr. Murphey
Aye	Mr. Oliver

VOICE VOTE 5 Aye 2 Absent Motion Passed

Involved and Interested Agencies

**NYS Department of Environmental Conservation
Dutchess County Department of Health
Dutchess County Department of Public Works
Hyde Park Town Board
Hyde Park Superintendent of Highways
Hyde Park Zoning Board of Appeals
Hyde Park Conservation Advisory Committee**

Chairman Dupree: So in other words, we revised the second paragraph of the beginning of the part 3 narrative. Thank you Anne for doing that so quickly and ably. Now, your next steps. So, you're here as a hybrid application because this is both subdivision and it's major subdivision as well as site plan and special use permit. We've envisioned opening public hearings on this simultaneously I believe, correct?

Ms. Polidoro: Yes.

Chairman Dupree: But we shouldn't open a public hearing I believe until the ZBA has taken its actions because if they were to deny it then it would change substantially. When would you like us...

Mr. Casamento: First of April.

Ms Polidoro: The applicant just reminder me that the Board has not accepted sketch. If that's something you wanted to do at the next meeting you could or you could just do it when you open the public meeting.

Chairman Dupree: I'm fine doing that at the next meeting or doing that before we open the public hearing. Do you a preference.

Mr. Casamento: No.

Chairman Dupree: I had actually suggested at one point accepting sketch and preliminary together because you're using something that was already approved. It's not as if we're going to say, 'no, move that road'. So, I think we can actually consider accepting for sketch and preliminary at that time and then open for public hearing. Then open the public hearing. Sorry if this is clumsy, we haven't done anything like this before, you haven't either. *Laughter.* May I get a motion to set the public hearing for April 5th?

MOTION: Ms. Kane

SECOND: Mr. Oliver

To set a public hearing for The Enclave at Hyde Park on April 5, 2017.

Aye	Ms. Kane
Aye	Mr. Oliver
Absent	Mr. Murphey
Aye	Ms. DiNapoli
Aye	Ms. Dexter
Aye	Mr. Dupree
Absent	Mr. Pickett

VOICE VOTE: 5-0 Motion carried

BIG MEADOW PROPERTY

Site Plan Approval (#2017-06)

Location: 15 Big Meadow Lane, Poughkeepsie, NY 12601

Grid#: 6163-03-078430

Chairman Dupree: The next item is the Big Meadow Property. The applicants are seeking site plan approval for the previously constructed parking area associated with a residential use at 15 Big Meadow Lane and since you're new before the Board, could you please state your names for the record.

Ms. Haight: My name is Amy Haight with the Chazen Companies.

Mr. Bardwell: I'm Kyle Bardwell from the Chazen Companies.

Chairman Dupree: Thank you. I'm going to turn it over to you to describe the nature of the application. This is the first time we're reviewing it.

Ms. Haight: The parcel has two structures on it. There are two residential units one of the structures has two dwelling units the other is a single dwelling unit. There is a total of three dwelling units. Per the Code the required parking for one and two family residential is two spaces per dwelling unit. That requires us to have 6 spaces. The maximum number of spaces allowed per the Code without site plan approval is 4 spaces, that's why we're here. All parking greater than 5 vehicles shall be marked or striped, the parking stalls. So we're here to hopefully get site plan approval to be allowed to stripe the parking lot.

Ms. Polidoro: Stripe and create because it's more than 4 spaces.

Ms. Haight: The pavement is there so we're not actually building anything.

Chairman Dupree: Well there are some issue here, so your driveway if I'm following the faint outline appears to go into the 5 foot minimum setback and that's just for parking. Your driveway is actually too close to the side of the parcel as well. Do you know what I'm referring to?

Ms. Haight: I do know what you're referring to. I thought it was just a parking setback and there is only a small portion of the parking area, the top corner.

Chairman Dupree: The driveway is in that as well so since it's already in there you'd have to either remove the asphalt or you can go to the ZBA to seek an area variance because that's a setback, there's not supposed to be anything in it.

Ms. Haight: Within the 5 feet, okay.

Chairman Dupree: I know what you're talking about, just that little tiny corner of the parking is within that 5 foot setback. You could just shave that off. In talking with Ms. Moss it's hard to see but it appears that the entire parking area goes almost right up to the property line right up through there as well.

Ms. Haight: So there is only a portion where it cuts out for the turn-around where it widens out, that's the portion that is within the 5 feet.

Chairman Dupree: It's a strip, can you see what I'm talking about? Another point, you need to justify why we're going so high above the required parking. You're proposing 16, I assume that's because it's multi-tenant in there, which is fine, but it's a lot of parking for residential. The other thing is that as long as we're going through site plan, I don't have a copy of the Code in front of me but I'd be happy to find it for you, it 108-4.5 but if you have more than 12 parking spaces you're supposed to plant islands within your parking area.

Ms. Haight: It's actually 17.

Chairman Dupree: Good, 17, you're right it's 12% of the total area, so you don't have to do that because

Ms. Polidoro: They aren't numbered, but I thought I counted 18.

Ms. Haight: We're showing 16 that's based on a bedroom count of 8 with two tenants in each bedroom, so that's 16 spaces.

Chairman Dupree: The more important question, when this was constructed did you know that the well serving the house was underneath it.

Ms. Haight: It's actually above grade, it's surrounded by boulders to protect it from traffic.

Chairman Dupree: The well head is above grade but the well is not, the water that it's sought is underneath the parking area.

Ms. Haight: Yes.

Chairman Dupree: When you originally go this through Board of Health was this proposed around the well?

Ms. Haight: There is no separation for a proposed well to asphalt or parking.

Chairman Dupree: Okay. Do you think it's a good idea to park over where you're going to drink?

Ms. Haight: The well could be 1000 feet deep, I'm not sure.

Chairman Dupree: Good point. That's why you're an engineer and I'm not. So, are you still saying you're counting 18 spots?

Ms. Polidoro: Well at least 17.

Ms. Axelson: I just need a little clarification, so there's this bolded dashed line that shows the area that you're focused on. Then there's a faint line that runs along the property line and I'm curious if that's a dirt parking area. Are there more spaces?

Ms. Haight: The faint line that's running along the property line is all paved.

Ms. Kane: Is that driveway or is that parking area?

Ms. Haight: It's a driveway.

Ms. Axelson: It's a fat driveway where you could pull over. It looks like more nose in spaces over there that's why I'm asking. I understand the whole dilemma where you want to have enough parking because you don't want people parking on the grass or on the driveway.

Ms. Polidoro: Is that supposed to be scarified and turned back into grass or is that going to stay as asphalt.

Ms. Haight: At the moment, we're proposing that it stay as asphalt, but if the Board would prefer that it be...

Chairman Dupree: A portion of it would have to be removed and reseeded, scarified, etc. unless they want to get a variance.

Mr. Setaro: Well if we're going to do that, I mean they should also really just take out the asphalt that's not going to really be used and keep just the parking area, because there is quite a bit of asphalt on this property. I mean it's not like it's all necessary. Why do we have so many parking spaces again Amy?

Ms. Haight: You have 2 residents per bedroom and a total of 8 bedrooms, so you have 16.

Mr. Setaro: Oh, that's right, it's Marist, I forgot.

Ms. Haight: It's rented currently to Marist students.

Ms. Axelson: How many more spaces are outside the bold line? It looks like you may have 5 or 6.

Ms. Haight: Well at the moment there's pavement, so park where you will, but if the intent is to remove and just have pavement for the driveway and the 16 spaces then so be it.

Mr. Setaro: Well in the last two spaces, Amy that are closest to the existing two story house, they really don't have any kind of back up area because they're right up against the edge, I mean maybe you want to consider...

Ms. Haight: You mean the spaces all the way at the end.

Mr. Setaro: Yeah, I mean there's no room for a car to back out of there and turn around. You know what I'm saying.

Ms. Haight: I do. We could...the drive aisle is 25 feet I believe, at least between the two, so...

Mr. Setaro: I don't know, it just seems...it isn't like you don't have enough area to add more parking the other way, so if you at least got rid of those at the end there. I don't know, you have to think about it I guess.

Ms. Haight: Okay.

Mr. Setaro: You really should do something to protect the well head other than just rocks, but...

Ms. Haight: Well, they are boulders, but I know what you're saying. I suggested cutting it to grade and putting a cap over it.

Chairman Dupree: That's a better idea.

Mr. Setaro: I don't think you can do that by Health Department, you've got to me a minimum of 12 inches above the grade or else they're concerned about surface water.

Chairman Dupree: 18 inches.

Ms. Kane: Contamination by whatever is on the surface water.

Inaudible from Ms. Polidoro.

Ms. Haight: Yeah, that's where the well is. It's sticking up out of the ground.

Chairman Dupree: Are these the only structures on the site, these two houses? When we use Google Earth there appears to be another structure. Was it a temporary something or other?

Ms. Haight: No, it is...that's not there now. So here is a picture taken from the driveway in the direction of that other structure. I don't know if it was a temporary trailer.

Chairman Dupree: I drove by, I didn't want to drive up. Right now the parking is higgledy piggledy. People are just parking everywhere around over there. I guess my other question is if you're using just the number of spaces for the tenants, what if they have a party or need additional parking?

Ms. Haight: The pole portion of the driveway has room to pull off and park on the side in between the property line and the...

Chairman Dupree: When we see site plans we usually see the locations of all structures but also septic, do you know where the septic is?

Ms. Haight: Yeah, we do. The septic, I believe is shown on that plan. It's down toward the bottom on the flag portion, to the back. *She pointed to the map.* Oh, it's not shown.

Chairman Dupree: What is the little symbol, which we normally see used for a sewage expansion area?

Ms. Haight: That's the electrical box.

Chairman Dupree: Ah ha. Then there is a little something down here, unlabeled as well symbol, an oval, a little pill.

Ms. Kane: Just where it says existing three story house, just below that.

Ms. Haight: Is that an oil tank?

Ms. Kane: That's far from the structure.

Ms. Dexter: Is that a gas tank, maybe?

Ms. Haight: We'll have to verify that and confirm.

Chairman Dupree: Any other comments from the consultants?

Mr. Setaro: Is there any lighting out there?

Ms. Haight: It's all building mounted, so anything on the houses.

Chairman Dupree: Well, screening under site plan is supposed to be between commercial and non-commercial uses. Do I see a commercial use here or is it a residential? That was meant rhetorically, we don't require screening between residential and residential uses.

Ms. Polidoro: It's not required under the Code, the question is whether the Planning Board wants to see screening.

Chairman Dupree: I drove by, there is already a substantial amount of trees on the Arbors actual property, it wouldn't be on theirs. If we did require screening it would have to be on theirs but that would require even more of a pulling away of existing asphalt, so I'll wait until we speak to the rest of the Board, but that seems...even during leaf off it's not that easy to see from what I can tell, but maybe I'll take a spin through there at some point. I doubt they'll notice me if there's that many cars around there.

Ms. Polidoro: Can you give permission for the Planning Board Members to go up and look.

Ms. Haight: I don't know if I can. I will verify and get back to you. I don't think it will be a problem.

Each Planning Board Member was quarried about the application. Ms. Kane encouraged them to seek the variance in order to maintain the amount of parking they presently have. Ms. Dexter expressed concerns about the safety of the well head within the parking area. Ms. Haight thought they might be able to make an island around it or add bollards. There was discussion about adding a snow storage area to the map, which Ms. Haight indicated would be best in the eastern corner due to grading. Mr. Oliver asked if they considered angled parking but Ms. Haight pointed out that it would make turning around difficult. Chairman Dupree inquired whether or not the Board still wished to send a courtesy referral to the Department of Health due to the location of the well and the possibility that it might get parking lot runoff. Ms. Haight explained that they has received DOH approval prior to the parking lot addition as well as after when the DOH returned to approval additional septic.

Ms. Polidoro: When the Health Department came was there formal parking there?

Ms. Haight: There was, it wasn't striped, it was the same configuration you see here.

Ms. Polidoro: Is it striped now?

Ms. Haight: I think there are some faint stripes.

Chairman Dupree: The last comment is the parking space between the two striped areas is that the ADA space, I'm assuming, or are those striped areas just there for fun?

Ms. Haight: Those are...it would be considered an ADA space, yes.

Chairman Dupree: Is it going to be labeled as an ADA space?

Ms. Haight: It can be.

Chairman Dupree: We can type the action tonight and then we can set a public hearing. What are you going to do about this striped area, do you want to talk to your owner or what?

Ms. Haight: Yeah, I'm going to see how the owner would like to handle it. We were going to request that a public hearing be waived.

Chairman Dupree: If you want to do that, then request it through Ms. Moss. We can't waive it without her recommendation and I can guarantee you right now, I already talked to her and she's not going to make that recommendation. I thought we would waive it too, but she said no, 'there may be members of the public and the surrounding vicinity that want to speak'. Some gentlemen is nodding behind you. The way the Code is written, we can't waive our own, Ms. Moss has to make the specific recommendation and I asked her if she would and she said no. Can you verify that Ms. Witman. Yes, that's what I thought.

Ms. Haight: We do believe it's a type 2 action. I don't know if the Board agrees.

Ms. Polidoro: Ms. Moss would also like it to go to the Board of Health that was her recommendation.

Chairman Dupree: Okay then we'll keep the resolution as written.

**Town of Hyde Park Planning Board
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**RESOLUTION CLASSIFYING THE ACTION UNDER SEQRA AND
REFERRING THE PROJECT TO THE DUTCHESS COUNTY DEPARTMENT
OF HEALTH**

Big Meadow Property

February 15, 2017

Moved By: Ms. DiNapoli

Resolution: # 2017-06

Seconded By: Mr. Oliver

WHEREAS, the applicant, Big Meadow Property Corp., has submitted an application for site plan approval to construct an eighteen space parking area on a residential lot containing a single family and two-family dwellings, located at 15 Big Meadow Lane in the Neighborhood District, identified as tax parcel no. 6163-03-078430 (the "Project"); and

WHEREAS, the project is depicted on a site plan entitled "15 Big Meadow Lane, Striping Plan" prepared by Chazen Engineering, Land Surveying & Landscape Architecture Co., dated January 30, 2017, (the "Plan Set"); and

WHEREAS, parking spaces are proposed to be located over, and in the vicinity of a well possibly providing potable water; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form ("EAF") dated January 31, 2017, pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, in accordance with SEQRA, said Board is required to determine the classification of the proposed project; and

WHEREAS, pursuant to 6 NYCRR 617.5(c)(10), construction, expansion or placement of minor accessory residential structures, is a Type II action.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby:

1. Classifies the project as a Type II action under SEQRA;
2. Refers the application to the Dutchess County Department of Health for review and recommendation regarding the parking spaces above and in the vicinity of the wellhead.

Aye	Mr. Dupree
Aye	Ms. DiNapoli
Aye	Ms. Dexter
Absent	Mr. Pickett
Aye	Ms. Kane
Absent	Mr. Murphey
Aye	Mr. Oliver

VOICE VOTE 5 Aye 2 Absent Motion Passed

MOTION: Ms. Dexter

SECOND: Mr. Oliver

To set a public hearing for Big Meadow Property on March 15, 2017.

Aye	Ms. Kane
Aye	Mr. Oliver
Absent	Mr. Murphey
Aye	Ms. DiNapoli
Aye	Ms. Dexter
Aye	Mr. Dupree
Absent	Mr. Pickett

VOICE VOTE: 5-0 Motion carried

OTHER BUSINESS:

WILLIAMS, Ann Marie and Terrence

Site Plan Waiver-Porch (#2017-07)

Location: 4 Rogers Place

Grid: 6064-08-918906

Chairman Dupree: The next item on the agenda is a request to waiver site plan for a porch replacement located at 4 Rogers Place. We have a recommendation from our Zoning Administrator. Any objections to this waiver.

Town of Hyde Park Planning Board

SITE PLAN WAIVER

Mr. Terrence Williams

4 Rogers Place

6064-08-918906

Town Code Section 108-9.4 C2

February 15, 2017
Resolution #:2017-07

Moved By: Ms. Dexter
Seconded By: Mr. Oliver

Whereas, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by Terrence Williams, for property located at 4 Rogers Place, Hyde Park, and

Whereas, the application is to obtain approval for the re-construction of the front stoop, on the front of the home in the Historic Overlay District; and

Whereas, the construction will not be visible from the Hudson River and is consistent with the residential character of the area, and

Whereas, the applicant is required to return to the Planning Board for all other changes to the property, and

Whereas, the Planning Board has reviewed the request submitted by the applicant, and has received a recommendation from the Zoning Administrator,

NOW THEREFORE BE IT RESOLVED that the Town of Hyde Park Planning Board hereby waives site plan requirements for the file entitled Williams rebuilding of the front porch regarding the specific request as submitted in the building permit application site information dated 10/20/2016.

Aye	Ms. DiNapoli
Aye	Ms. Dexter
Aye	Mr. Dupree
Absent	Mr. Pickett
Aye	Ms. Kane
Absent	Mr. Murphey
Aye	Mr. Oliver

Voice Vote 5 Aye 2 Absent Motion passed

MOTION: Mr. Dupree
SECOND: Mr. Oliver

To approve the minutes of the September 21, 2017 Hyde Park Planning Board meeting.

Aye	Ms. Kane
Aye	Mr. Oliver
Absent	Mr. Murphey
Aye	Ms. DiNapoli
Aye	Ms. Dexter
Aye	Mr. Dupree
Absent	Mr. Pickett

VOICE VOTE: 5-0 Motion carried

Historic Town of Hyde Park

**Planning Board
4383 Albany Post Road
Hyde Park, NY 12538
(845) 229-5111, Ext. 2, (845) 229-0349 Fax**

“Working with you for a better Hyde Park”

RESOLUTION DESIGNATING PLANNING BOARD VICE-CHAIRPERSON FOR THE YEAR 2017

February 15, 2017
Resolution #17-B

Moved By: Mr. Dupree
Seconded By: Ms. Dexter

NOW BE IT RESOLVED, that Chan Murphey be designated the second Vice-Chairperson of the Planning Board, authorized to conduct meetings of the Planning Board and to sign final plats and related documents, including invoices and correspondence, on behalf of the Planning Board in the absence of the Chairperson.

Aye	Ms. Kane
Aye	Ms. Dexter
Absent	Mr. Pickett
Absent	Mr. Murphey
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Mr. Dupree

Voice Vote 5 Aye 0 Abstain 2 Absent Motion passed

Date: February 15, 2017

Moved by: Mr. Dupree

Resolution #: 17-C

Seconded by: Ms. Dexter

	Project #	FitzPatrick – Traffic Consultant	Address
Park Plaza	08-07	\$3,000.00	Hydric, Inc., 54 Garden Street, Poughkeepsie, NY 12601
Hotel/Con ference Ctr	30-10	\$670.00	FAHS Construction, 2224 Pierce Creek Road, Binghamton

Aye Ms. DiNapoli
 Aye Ms. Dexter
 Aye Mr. Dupree
 Absent Mr. Pickett
 Aye Ms. Kane
 Absent Mr. Murphey
 Aye Mr. Oliver

MOTION: Mr. Dupree

SECOND: Mr. Oliver

To adjourn.

Aye Ms. Kane
Aye Mr. Oliver
Absent Mr. Murphey
Aye Ms. DiNapoli
Aye Ms. Dexter
Aye Mr. Dupree
Absent Mr. Pickett

These Minutes approved at the April 5, 2017 Meeting of the Hyde Park Planning Board by a 5-0 voice vote. Motion made by Ms. Dexter and seconded by Ms. DiNapoli. Mr. Murphey and Mr. Pickett abstained from voting.