



## 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"*

### **DRAFT MINUTES OF THE APRIL 19, 2017 PUBLIC HEARING/REGULAR MEETING OF THE HYDE PARK PLANNING BOARD**

MEMBERS PRESENT: MICHAEL DUPREE, CHAIRMAN  
ANNE DEXTER - VICE CHAIR  
CHAN MURPHEY-VICE CHAIR  
BRENT PICKETT  
DIANE DI NAPOLI  
VICTORIA KANE  
CHRISTOPHER OLIVER  
ROBERT WATERS-ALTERNATE

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

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**Chairman Dupree:** Good evening everyone and welcome to the April 19th meeting of the Hyde Park Planning Board. Please take note of exits around the room in case of emergency and now join me as we pledge allegiance to the American Flag. *Chairman Dupree commenced the Pledge of Allegiance.*

Thank you everyone. The first item on the agenda is the continued public hearing for Hyde Park Town Center North-Mavis Tire.

CONTINUED PUBLIC HEARING:

**HYDE PARK TOWN CENTER NORTH**  
**Site Plan Approval – Tire Repair (#16-15)**  
**Location: 4280 & 4274 Albany Post Road**  
**Grid #s: 6065-04-919007 & 933017**

*Mr. Pickett, being recused from this application, stepped off the dais and was replaced by the alternate, Mr. Waters.*

**MOTION:** Mr. Murphey  
**SECOND:** Mr. Oliver

**To re-open the public hearing for Hyde Park Town Center North-Mavis Tire.**

<b>Aye</b>	<b>Ms. Kane</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Aye</b>	<b>Mr. Murphey</b>
<b>Aye</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Ms. Dexter</b>
<b>Aye</b>	<b>Mr. Dupree</b>
<b>Aye</b>	<b>Mr. Waters</b>

**VOICE VOTE: 7-0 Motion carried**

*Ms. Libolt and Mr. Boice reviewed the most recent plan modifications. Most notable were the relocation of the showroom entrance and ADA parking to the west side of the building, the addition of faux barn doors to both the west side and east sides of the building, the sound study results and an updated landscaping plan which includes a 10 foot dual faced clock in the park's center.*

*The Chairman received comments from the Board and consultants.*

*There were no additional comments from the public.*

*The applicants will return on May 3<sup>rd</sup> for a workshop.*

**MOTION:** Ms. DiNapoli  
**SECOND:** Mr. Oliver

**To adjourn the public hearing for Hyde Park Town Center North-Mavis Tire to May 17, 2017.**

<b>Aye</b>	<b>Ms. Kane</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Aye</b>	<b>Mr. Murphey</b>
<b>Aye</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Ms. Dexter</b>
<b>Aye</b>	<b>Mr. Dupree</b>
<b>Aye</b>	<b>Mr. Waters</b>

**VOICE VOTE: 7-0 Motion carried**

*Mr. Waters stepped off the dais and Mr. Pickett returned to his seat on the Board.*

**ENCLAVE AT HYDE PARK**

Re-Subdivision, Site Plan and Special Use Permit (#16-49)  
Location: Cream Street at Long Branch Road  
Grid #: 6263-01-465957 (1 of 79 grid #s available upon request)

**MOTION:** Mr. Murphey

**SECOND:** Ms. Kane

**To re-open the public hearing for the Enclave at Hyde Park.**

<b>Aye</b>	<b>Ms. Kane</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Aye</b>	<b>Mr. Murphey</b>
<b>Aye</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Ms. Dexter</b>
<b>Aye</b>	<b>Mr. Dupree</b>
<b>Aye</b>	<b>Mr. Pickett</b>

**VOICE VOTE: 7-0 Motion carried**

*Vice Chair Dexter moved to accept the following resolution 16-49B as read by Planning Board Attorney, Victoria Polidoro. Seconded by Ms. Kane. Vote was unanimously in favor.*

**RESOLUTION TO GRANT CONDITIONAL PRELIMINARY PLAT APPROVAL**

**The Enclave (f/k/a The Meadows)**

**Date: April 19, 2017**

**Moved By: Ms. Dexter**

**Resolution: #16-49B**

**Seconded By: Ms. Kane**

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) and a clubhouse (with separate lots for water and sewer service) in the Greenbelt District (the "Project"); and

WHEREAS, the Project is located at Cream Street, Hyde Park, within the Greenbelt Zoning District, and identified as Tax Grid Numbers:

6263-01-421992; 6263-01-434997; 6264-03-450016; 6264-03-461019; 6264-03-472018; 6264-03-482018; 6264-03-493018; 6264-04-504018; 6264-04-514015; 6264-04-519001; 6264-04-527007; 6264-04-531018; 6264-04-544020; 6264-04-557014; 6264-04-558001; 6263-02-561984; 6263-02-545992; 6263-02-546977; 6263-02-533980; 6263-02-522978; 6263-02-518952; 6263-02-528952; 6263-02-539954; 6263-02-549959; 6263-02-563961; 6263-02-567946; 6263-02-566931; 6263-02-553932; 6263-02-544928; 6263-02-534925; 6263-02-523927; 6263-02-511927; 6263-02-518911; 6263-02-522891; 6263-02-533893; 6263-02-543897; 6263-02-552902; 6263-02-562910; 6263-02-575913; 6263-02-568880; 6263-02-559875; 6263-02-549869; 6263-02-538869; 6263-02-517869; 6263-02-514859; 6263-02-509847; 6263-01-495841; 6263-01-484840; 6263-01-472842; 6263-01-460847; 6263-01-459862; 6263-01-460878; 6263-01-473883; 6263-01-480868; 6263-01-492864; 6263-01-495876; 6263-01-498899; 6263-01-487905; 6263-01-478912; 6263-01-470921; 6263-01-493926; 6263-01-493938; 6263-01-494949; 6263-01-495959; 6263-01-496975; 6263-02-505989; 6263-01-490992; 6263-01-473998; 6263-01-460995; 6263-01-446983; 6263-01-438961; 6263-01-431973; 6263-01-433937; 6263-01-447937; 6263-02-675871; 6263-01-465957; 6263-02-543968; 6263-01-436890; 6263-02-585865 (the "Site"); and

WHEREAS, the "Meadows Subdivision" was previously approved as a 74-lot subdivision comprising 116.74 acres as shown on FM 11697A dated May 23, 2007, and as amended by FM 11697B, dated February 5, 2008; and

WHEREAS, 25 acres of the Meadows Subdivision is being set aside for potential use as a commercial Solar Farm which will be separately evaluated once proposed; and

WHEREAS, by resolution dated March 22, 2017, the Zoning Board of Appeals granted the applicant variance to change the average density in the Greenbelt District from 2.5 acres per dwelling unit to 1.41 acres per dwelling unit; 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 the subdivision plat is included as Sheet SP-1 and SP-2 (the "Subdivision Plat"); 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 February 15, 2017, the Planning Board, serving as lead agency in a coordinated SEQRA review, adopted a negative declaration, determining that the project would not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement would not be prepared; and

WHEREAS, pursuant to Section 277 of Town Law and Section 96-8 of the Town Code, before the Planning Board may approve a subdivision plat containing residential units, such subdivision plat shall also show, when required by such board, a park or parks suitably located for playground and other recreational purposes; and

WHEREAS, such land for parks and other recreational purposes may not be required until the Planning Board makes a finding that a proper case exists for requiring that a park or parks be suitably located for playgrounds or other recreational purposes within the town; and

WHEREAS, the Planning Board has determined that a proper case exists for requiring parks or recreation land to be suitably located on the plat but that such land cannot be property located within the plat; and

WHEREAS, the applicant has previously paid the recreation fee for 74 lots for the Meadows Subdivision as shown on FM 11697A, which is now being resubdivided as part of the Project, and the Planning Board acknowledges that prior payment of the fee for 74 lots, albeit at a lower fee amount, satisfies the current requirement to pay the recreation fee for 25 lots and 50 dwelling units; and

WHEREAS, a duly noticed public hearing on the Subdivision Plat was opened on April 5, 2017 and closed on April 19, 2017, during which all those who wished to speak were heard.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby accepts the sketch plan and grants preliminary approval to Subdivision Plat subject to the following conditions:**

- 1. Payment of all fees and escrow.**
- 2. Department of Health approval for methods of water supply and sewage disposal.**
- 3. Dutchess County Department of Public Works conceptual approval of all curb cuts.**
- 4. Revision of the Subdivision Plat to include signature blocks for all owners including the water-works corporation.**
- 5. Revision of the Subdivision Plat to relocate the visitor parking spaces outside of the road right-of-way.**
- 6. Revision of the Subdivision Plat to include a note that the clubhouse lot is for an “assembly area” and not residential use per Section 108-4.5J of the Zoning Law.**
- 7. Revision of the Subdivision Plat to provide for an 18-20 foot wide emergency road and clarify on which parcel the emergency road will be located.**
- 8. Revision of the Subdivision Plat to indicate that Long Branch Road, Valley Ridge Court and Treeline Court will be offered for dedication to the Town.**
- 9. Revision of the Subdivision Plat to include sidewalks in the right-of-way that comply with the Town Highway Specifications or documentation that a waiver from the Highway Specifications has been obtained.**
- 10. Approval of the street names by Dutchess County E-911 or successor organization.**
- 11. Revision of the Subdivision Plat to include a tabular summary of all proposed lots, rights-of-way, open space areas and easements (including the emergency access road) with columns for proposed lot area, name, type, description, use, ownership, maintenance, governing legal instrument, etc.**

- 12. Provision of additional details on the ownership of the common areas and open space areas, including any restrictions on usage.**
- 13. Inclusion of a separate plan sheet showing the existing lot lines and proposed lot lines.**
- 14. Revision of the Subdivision Plat to include a bulk table and a note identifying the variances granted for the Project.**
- 15. Approval by the Town Engineer of road specifications, grading, drainage, erosion and sedimentation control, stormwater management, utilities, etc.**
- 16. Posting of a performance guaranty for completion of the roads, and drainage improvements in an amount acceptable to the Town Engineer and in form, substance and manner of execution acceptable to the Attorney to the Town.**
- 17. Posting of a performance guaranty for completion of the sewage treatment plant in an amount acceptable to the Town Engineer and in form, substance and manner of execution acceptable to the Attorney to the Town.**
- 18. Submission of a maintenance guaranty in form, substance and manner of execution acceptable to the Attorney to the Town for maintenance of the roads and stormwater drainage areas.**
- 19. Confirmation that the sewer-works corporation is still in full force and effect and in good standing and holds clear title to the existing and proposed sewer lot.**
- 20. Confirmation that the water-works corporation is still in full force and effect and in good standing and holds clear title to the existing water lot.**
- 21. Approval by the Planning Board Attorney of deeds from the water-works corporation to the owner of the proposed solar lot and to the HOA for all areas to be conveyed. Approval of merger deeds and evidence of recordation with the Dutchess County Clerk shall be required prior to issuance of a building permit for any improvement on any lot on the Subdivision Plat.**
- 22. Approval by the Planning Board Attorney of an entity to own the common areas, such as a homeowner's association or condominium**

association. Evidence from the Attorney General that the entity has received treatment under CPS-7 or been approved shall be required prior to issuance of a building permit for any improvement on any lot on the Subdivision Plat.

23. Approval by the Attorney to the Town of an offer of cession and deed for the proposed town roads, drainage easements and snow easements, together with proof by a title company certified to do business in the state of New York that the owner has clear unencumbered title to all land subject to the offer of cession. The applicant shall provide documentation that all existing offers of cession relating to the Meadows Subdivision have been accepted or rejected by the Town or otherwise legally superseded.
24. Approval by the Planning Board Attorney of a deed restriction over the open space area limiting its uses pursuant to Section 96-9E(3) of the Subdivision Law.
25. Formation of a drainage district by the Town of Hyde Park or evidence that the Town denied a valid petition for formation of a drainage district. If the drainage district is not formed, approval by the Planning Board Attorney of a Stormwater Maintenance agreement.

**BE IT FURTHER RESOLVED**, that should final approval be obtained, the following shall be required prior to issuance of a building permit on any lot on the Subdivision Plat:

1. Evidence that all deeds, easements, restrictive covenants and offers of cession have been duly recorded with the Dutchess County Clerk.
2. Approval of the homeowners or condominium association by the Attorney General.

Pursuant to Section 96-14A(9) of the Code, preliminary plat approval shall expire six months after the date of this resolution if the applicant has not submitted a complete application for final plat approval.

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



**Aye Mr. Oliver**  
**Aye Mr. Pickett**

**VOICE VOTE 7-0 Motion Carried**

**MOTION:** Mr. Murphey  
**SECOND:** Ms. DiNapoli

**To close the public hearing for Subdivision only for the Enclave at Hyde Park.**

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

**VOICE VOTE: 7-0 Motion carried**

**MOTION:** Ms. Kane  
**SECOND:** Mr. Oliver

**To adjourn the public hearing for Site Plan and Special Use Permit for the Enclave at Hyde Park to June 21, 2017.**

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

**VOICE VOTE: 7-0 Motion carried**

**WORKSHOP:**

**STAATSBURG-HUTCHINS STORAGE**

Site Plan Amendment  
Location: 4920 Albany Post Road  
Grid # 133200-6066-02-891661

**RESOLUTION TYPING ACTION AND REFERRING THE APPLICATION TO  
THE DUTCHESS COUNTY DEPARTMENT OF PLANNING AND  
DEVELOPMENT**

## Hutchins-Staatsburg Storage LLC

**Date: April 19, 2017**

**Moved By: Ms. DiNapoli**

**Resolution: # 16-24B**

**Seconded By: Mr. Oliver**

WHEREAS, the applicant, 4920 LLC, has submitted an application for site plan amendment approval to change the classification of the property located at 4920 Albany Post Road, identified as Tax Grid No. 6066-02-891661 (the "Site"), in the Neighborhood Business District, to a "shopping center" which involves internal alterations to tenant spaces and to add additional signage; and

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

WHEREAS, the site contains two existing dwelling units which will remain as part of the site's use; and

WHEREAS, the project is depicted on an amended site plan entitled "Hutchins-Staatsburg Storage," prepared by Tinkleman Architecture PLLC, dated September 2, 2015, last revised April 4, 2017 (the "Site Plan"); and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form ("EAF") dated February 23, 2015; and

WHEREAS, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), said Board is required to determine the classification of the proposed action; and

WHEREAS, pursuant to 6 NYCRR § 617.5(c)(1), maintenance or repair of buildings involving no substantial changes are Type II actions; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, projects located within 500 feet of a state highway must be referred to the Dutchess County Department of Planning and Development for a report and recommendation thereon; and

WHEREAS, pursuant to Section 108-9.4C(2), the Planning Board may waive a public hearing upon the recommendation of the Zoning Administrator in the case of minor changes in existing conditions requiring a building permit; and

WHEREAS, by letter dated April 13, 2017, the Town Zoning Administrator recommended the public hearing requirement be waived since this matter has been scrutinized during two public hearings previously.

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

- 1. Classifies the project as Type II under SEQRA.**

2. Directs its secretary to refer the application to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.
3. Waives the requirement for a public hearing upon the recommendation of the Zoning Administrator.

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

**VOICE VOTE                      7-0                      Motion Carried**

*The Chairman instructed the Planning Board Secretary to request an expedited review from Dutchess County Planning so that Hutchins-Staatsburg Storage can return for the May 3rd meeting.*

**RIVERVIEW RE-SUBDIVISION-LANDINGS-ANDROS**

Minor Re-Subdivision (32017-11)  
 Location: 2, 4 & 6 Dock Street  
 Grid#: 6065-04-574191, -566197, -548172

*The Applicant, Mr. Andros presented his proposed lot line revision to Riverview Subdivision. He believes this will increase his options for selling parcels. There was significant discussion between the Board, Consultants and Applicant regarding road frontage, actual accessibility to the parcels, build-ability and use.*

**OTHER BUSINESS:**

**REGINA COELI CHURCH**

Sign Permit Recommendation (#2017-15)  
 Location: 4337 Albany Post Road  
 Grid#: 6065-20-773154

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

**4337 Albany Post Road**  
**Free Standing Sign**  
**Parcel 6065-20-773154**

**Date: April 19, 2017**

**Moved By: Ms. Kane**

**Resolution: #2017-15**

**Seconded By: Mr. Murphey**

**WHEREAS**, Paul Beichert of Timely Signs has been granted permission by Fr. Michael Morris, pastor of Regina Coeli church to apply for a replacement sign, and

**WHEREAS**, a complete submittal of an application for replacing the free standing sign associated with Regina Coeli Church, located on Albany Post Road has been made, and

**WHEREAS**, the sign has been designed to be code compliant; now therefore

**BE IT RESOLVED**, the Board hereby recommends the Zoning Administrator issue the sign permit for Regina Coeli Church, based on the drawing by Timely Signs,, latest revision date: 4/3/2017.

\_\_\_\_\_  
**Michael Dupree, Chairman**

- Aye Mr. Dupree**
- Aye Ms. Dexter**
- Aye Mr. Pickett**
- Aye Ms. Kane**
- Aye Mr. Oliver**
- Aye Mr. Murphey**
- Aye Ms. DiNapoli**

**VOICE VOTE        7-0        Motion Carried**

**COVEVIEW ESTATES**

Final Plat Approval Major Subdivision (57-06)  
Location: Primrose Hill Road, Rhinebeck, NY  
Grid #: 6168-04-542263 Hyde Park and 6168-00-630360 Rhinebeck

*After the annual renewal fees for the application had been paid, the attorney for the applicant, Neil Alexander appeared before the Board and indicated that he intends to start to work on the legal issues that were conditions to reach final plat approval. He will contact the Board when they have something new to present.*

**JEFFREY GROVES ESTATES**

Site Plan Extension of Site Plan Approval (#49-02)  
Location: 19 & 31 North Cross Road  
Grid #s: 6167-18-279187, 6167-18-280190, 6167-18-281192, 6167-18-282195, 6167-18-283197, 6167-18-284200, 6167-18-287205, 6167-18-288209, 6167-18-290211, 6167-18-291213, 6167-18-293215, 6167-18-294218, 6167-18-298223, 6167-18-300196, 6167-18-302225, 6167-18-303199, 6167-18-304201, 6167-18-304226, 6167-18-306202, 6167-18-307226, 6167-18-308204, 6167-18-309227, 6167-18-310206, 6167-18-312229, 6167-18-314210, 6167-18-318210, 6167-18-318230, 6167-18-320211, 6167-18-322212, 6167-18-322230, 6167-18-324231, 6167-18-325213, 6167-18-326170, 6167-18-327231, 6167-18-328190, 6167-18-328214, 6167-18-329233, 6167-18-334233, 6167-18-337234, 6167-

18-356197, 6167-18-361162, 6167-18-380159, 6167-18-383173, 6167-18-385145, 6167-18-397167, 6167-18-398188, 6167-18-403149, 6167-18-414150, 6167-18-425174

**MOTION:** Ms. DiNapoli

**SECOND:** Mr. Oliver

**To set a public hearing for Jeffrey Groves Estates for May 3, 2017.**

<b>Aye</b>	<b>Ms. Kane</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Aye</b>	<b>Mr. Murphey</b>
<b>Aye</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Ms. Dexter</b>
<b>Aye</b>	<b>Mr. Dupree</b>
<b>Aye</b>	<b>Mr. Pickett</b>

**VOICE VOTE: 7-0 Motion carried**

**LEVINE, RONALD**

Site Plan Waiver-Pool (#2017-16)

Location: 54 Beadart Rd

Grid#: 6065-20-755044

**Ronald Levine**

6065-20-755044

**54 Beadart Place**

**SITE PLAN Waiver**

*Town Code Section 108-9.4 C 2*

**April 19, 2017**

**Resolution #: 2017-16**

**Moved By: Mr. Murphey**

**Seconded By: Ms. Dexter**

**Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Ronald Levine, for minor changes on the property associated with a single family home requiring a building permit, and,**

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

**Whereas, the applicant is proposing to legitimize an in ground pool, and**

**Whereas, the proposed changes are minor in nature, and**

**Whereas, Section 108-9.4 C 2, allows the Planning Board to waive the site plan procedures for minor changes requiring a building permit, and**

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

**THEFORE BE IT RESOLVED**, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the proposed changes as described in the building permit received by the building department February 15, 2017, and per the request to the planning board dated April 11, 2017.

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

**VOICE VOTE 7-0 Motion Carried**

**MOTION:** Ms. Dexter  
**SECOND:** Ms. Kane

**To authorize the Chairman to send the following letter to the Town Board regarding the Town of Hyde Park Local Law A of 2017.**

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

**VOICE VOTE: 7-0 Motion carried**

19 April 2017

Supervisor Aileen Rohr, Town of Hyde Park  
Councilpersons Emily Svenson, David Ray, Joe Marrine, Ken Schneider  
4383 Albany Post Road  
Hyde Park, New York 12538

*Re: Proposed Local Law A Amending §108-33.5 of the Town of Hyde Park Code*

Dear Supervisor Rohr and distinguished Councilmembers:

Thank you for the opportunity to comment on proposed Local Law A, amending the scheduling of public hearings associated with requests for area variances for single-family residential uses.

In general, we applaud elected officials' efforts to streamline the review process, whether for applications to the Planning Board or Zoning Board of Appeals. In this specific instance, proposed Local Law A would permit the Chairperson of the ZBA (rather than the ZBA as a whole) to set a public hearing for variance requests solely involving single family residences.

After careful consideration of all facts, we recommend you adopt the law as proposed and offer the following in support:

1. The proposed law establishes thresholds which must be met prior to the Chairperson's solitary action. He or she must first determine that the application is complete and ready for review; that the application does not require review or comment from the ZBA's engineering and legal consultants; and the Zoning Administrator must concur.
2. Under the current code, all variance requests are treated the same. At the ZBA's first meeting, the application is discussed, typed, required referrals are made and a public hearing is set. With Local Law A's adoption, the Zoning Administrator and Chairperson would essentially agree that variance requests for single family residences could skip the period that normally elapses from the initial "workshop" meeting to the public hearing. This would clearly expedite the review of such applications, and save Hyde Park homeowners a month in waiting for a decision to approve or deny.
3. The public is still afforded the opportunity to speak, simply on an accelerated basis (which is also dependent on when the application is submitted). As noted in the law, "all other requirements for the scheduling of the public hearing, as set forth in §108-33.5, be followed." This means that before the Chairperson can set a hearing, there still must be time to provide notice to adjoining property owners and advertise in the town's paper of record.

Please do not hesitate to contact me if you require further information.

Sincerely,



Michael Dupree  
Chairman

**MOTION:** Ms. DiNapoli

**SECOND:** Ms. Kane

**To adjourn.**

<b>Aye</b>	<b>Ms. Kane</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Aye</b>	<b>Mr. Murphey</b>
<b>Aye</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Ms. Dexter</b>
<b>Aye</b>	<b>Mr. Dupree</b>
<b>Aye</b>	<b>Mr. Pickett</b>

**VOICE VOTE: 7-0 Motion carried**