



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 MAY 3, 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
 VICTORIA KANE
 CHRISTOPHER OLIVER
 ROBERT WATERS-ALTERNATE

MEMBER ABSENT: DIANE DI NAPOLI

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

TABLE OF CONTENTS	PAGE #
JEFFREY GROVES ESTATES	2
SMALL WORLD-80 WEST DORSEY	3-9
1636 ROUTE 9G	9-11
HYDE PARK TOWN CENTER NORTH-MAVIS TIRE	11
HUTCHINS-STAATSBURG STORAGE	11-12
CARRIAGE TRAILS AT TOWNE CENTRE	12
RINSCHLER, ERIC	12-13
APPROVAL OF MARCH 15, 2017 MINUTES	13-14

Chairman Dupree: Good evening ladies and gentlemen and welcome to the May 3rd meeting of the Hyde Park Planning Board. Please take notice of exits around the room in case of emergency and now join us as we salute the Stars and Stripes. *Chairman Dupree commenced the Pledge of Allegiance.*

Thank you. The first item on the agenda this evening is a new public hearing for Jeffrey Groves Estates. The applicants are seeking a one year extension to commence substantial construction on the site plan portion. As a reminder to everyone in the audience, when this application was originally approved it was for a 9 single-family lot subdivision as well as 45 town homes. May I get a motion to open the public hearing?

NEW PUBLIC HEARING:

JEFFREY GROVES ESTATES

1 Year Extension to Commence Substantial Construction (#68-12)

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: Mr. Murphey

SECOND: Ms. Kane

To open the public hearing for Jeffrey Groves Estates.

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

VOICE VOTE: 6-0 Motion carried

Mr. Kaufman: Louis Kaufman for the applicant North Cross, the owner of Jeffrey Groves Estates. Just for the record, it's 38 town houses on that lot, so 47 total.

Chairman Dupree: Mr. Kaufman you're here because you're still working with Dutchess County Water and Wastewater Authority on what exactly is going to be installed for the sewage facility.

Mr. Kaufman: Yes, we've found an efficient system, a package system that is easier to install. It's going to be less intrusive and it's got all the good stuff. Now it has to be placed upon the site by the engineer, which we have now found and he's working his way through it. Mr. Setaro knows the firm and the engineer and I have little notes and

if you needed to explain where he's at...suffice to say, it looks like we're finally getting it in place, on board and...get started here.

Chairman Dupree: Do you still intend on coming back to the Board to re-subdivide so that you have a few more town homes and get rid of the single family homes? I'm not tying you to...

Mr. Kaufman: We understand, we thought that was the better way to go...we're market driven in many ways, so now we're wondering if maybe the nine lots would work okay. We always felt that they were a little distant, but maybe that's nicer. Here's the bottom line, I'm going as planned unless I come back. That's it. The site plan you know is the site plan you're getting.

Chairman Dupree: Thank you. Are there any comments from the consultants? The Board? Would anyone from the public like to speak about this application?

Public Comment from Mr. Hugo Corvera of 12 Mountain View Road.

Mr. Corvera: I'm Hugo Corvera. I live at 12 Mountain View and your buildings are right in my backyard. I actually wanted to know more information about buffering distance between my house and what would actually go there to a...

Chairman Dupree: Let me answer that because he's not required to answer you, we are. There is no buffering required because they are all residential uses. Under the Hyde Park Code if there is a commercial use or a non-residential use, then there is required to be some sort of screening and it's up to the Planning Board to decide if there is sufficient opacity and how much it blocks. Residential to residential there is nothing required. It would just be whatever the owners of the sites want to put up for landscaping, basically.

Ms. Kane: That being said though, there are set-backs required in our Code, so it's not like there is going to be a house right up on your lot line. There are certain distances from the back and the sides.

The Chairman invited Mr. Corvera to make an appointment to come by the Planning Board Office to review the site plan for this Subdivision. He also explained the approval process to Mr. Corvera and the fact that the DEC wetlands on this property were recertified a couple of year ago. There were no further public comments.

MOTION: Mr. Murphey

SECOND: Mr. Oliver

To close the public hearing for Jeffrey Groves Estates.

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

Aye Mr. Pickett

VOICE VOTE: 6-0 Motion carried

**RESOLUTION TO GRANT ONE YEAR EXTENSION OF ALL DEADLINES
PURSUANT TO SECTION 108-9.6(a) OF THE TOWN CODE**

JEFFREY GROVES ESTATES

**Date: May 3, 2017
Resolution: #68-12E**

**Moved by: Mr. Pickett
Seconded by: Mr. Murphey**

WHEREAS, on March 6, 2013, the Planning Board reapproved North Cross, LLC's final site plan approval for a townhouse development known as "Jeffrey Groves Estates" located on 25.17 acres in the Neighborhood District, identified as tax map parcel nos. 6167-03-330194 and 6167-03-398168, as represented on the map set entitled "Jeffrey Groves Estates," prepared by Fuss & O'Neill of New York, P.C., dated October 24, 2005, last revised August 3, 2007; and

WHEREAS, pursuant to Section 108-9.6(a), "a site plan shall be void and the building permit, if any, shall be revoked if substantial construction is not started within one year and the entire project or phase is not completed within two years of signing of the site plan;" and

WHEREAS, pursuant to Section 108-9.6(b) "the Planning Board may, at its discretion, after conducting a public hearing, grant an extension to an approved site plan. The applicant shall submit a written request 30 days prior to the site plan date of expiration, requesting an extension for a specified time and the reason therefore"; and

WHEREAS, by e-mail dated March 23, 2017, the applicant has requested an additional extension of time in which to commence and complete construction; and

WHEREAS, a duly noticed public hearing was held on May 3, 2017 during which all those who wished to speak were heard.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants a one year extension pursuant to Section 108-9.6(a) of the Code, of the time in which the applicant must commence construction to and including June 14, 2018 and the time in which to complete construction to and including June 14, 2019; and

There will be no written or verbal notification from the Planning Board office to the applicant at such time as the extension expires. Any request for an extension of the deadlines set forth herein must be submitted to the Planning Board at least 30 days in advance of said dates.

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

Voice Vote 6-0 Motion Carried

SMALL WORLD-80 WEST DORSEY

Special Use Permit & Site Plan Application to reconstruct a two family dwelling (#2017-09)

Location: 80 West Dorsey Lane

Grid #6163-01-454558

Chairman Dupree: The next item on the agenda is a new public hearing for what is known as Small World at 80 West Dorsey. May I get a motion to open the public hearing?

MOTION: Mr. Murphey

SECOND: Mr. Oliver

To open the public hearing for Small World-80 West Dorsey.

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

VOICE VOTE: 6-0 Motion carried

Chairman Dupree: As a reminder the applicants are seeking both a Special Use Permit as well as Site Plan. In this instance there are two 2-family residences on the site, under our current Code, in the district, this makes a prior non-conforming use. Because under our Code, the use has not lapsed over a year, it can be rebuilt, even though it's non-conforming, which would be the 2-family house. In addition, the applicant is seeking a special use permit to do a slight increase, expansion on the

upper floor. Note again that the footprint for the burnt down building is not changing, there is just a bit of a reconfiguration of the overall space. Mr. Berta let me turn it over to you.

Mr. Berta: Good Evening Mr. Chairman and Members of the Board. I'm not sure what I can add after your wonderful description of the project. It is a building that has been damaged by fire. It was an existing non-conforming that's been there for a while and the increase...the current structure is more of a Cape Cod, so what we're looking to do is increase and raise the walls up to make it more of a 2 story. The second floor is going to be set back a little bit from the front, so it will soften it so it won't be a big 2 story wall that will be sitting right on Dorsey Lane. The footprint is slightly smaller than the existing footprint that's there. It will be going in the exact same spot. We will be adding buffering, a garbage enclosure in the rear, with some buffering around it to help ease the look of that. The fence that is partially down right now, in between the two properties and any of the vegetation that's there will be put back up to maintain the screening. Any additional screening that we deem as needed...we'll determine that hopefully during construction or after the house is up. The property itself will remain as is. We're not looking at blacktopping, or external lighting. Any lighting that's for the driveway will be on motion sensors, so it's not going to be on and off at any point in time. It's more of a convenience lighting for when someone pulls in.

Chairman Dupree: Thank you very much. I'll point out that that's sort of voluntary buffering again because it's all residential uses on either side of you. As the old saying goes, 'fences make great neighbors'. Let me start with the consultants, Mr. Setaro any comments?

Mr. Setaro: The only comment or question we had was the number of bedrooms, but that's going to stay the same, so that won't impact the county health department.

The Chairman offered the floor to Ms. Polidoro and the Board Members and received no comments, he then offered the floor to the public for comment.

Ms. Polanska: I am the owner of 82 West Dorsey Lane. My name is Alexandra Polanska and because I am not very familiar with the terms we're talking about. I'm Polish nationality, my son will be speaking for me.

Mr. Polansky: Michael Polanski. So this rebuilding, we had just gotten more of via the letter, so we're here. It's nice to see that the building is going to be repaired because we've been looking at it for a while and it's no sight, so that's nice, that's a good thing. The existing property...

Ms. Polanska: We lived there for over 30 years. There was always some kind of problem with the narrow driveway, which is very, very narrow. It is also my concern that the septic system originally built for the second house a little bit further down there, is on my property. Yes, it is and that should be fixed.

Chairman Dupree: I have to look at the plans, do you have a copy of the plans?

Ms. Polidoro: I do, it says approximate location in the back, although it does show a box over here. It's not labeled.

Mr. Berta: If I may, I have been able to find any record of any septic so we went by where the pipes go out and approximate cleanouts that we found. If we had to we could do some exploratory to find out because obviously if the septic is on the neighbor's property it can't be there.

Chairman Dupree: No, and the Department of Health doesn't approve septic on somebody else's lot.

Ms. Polanska: I don't know how this has happened, but it is there.

Mr. Berta: Do you remember when it was last cleaned out?

Ms. Polanska: It was dug up.

Chairman Dupree: Are you saying the box is actually on your property?

Mr. Setaro: That septic system may have been replaced when the Deceasars may have lived there and I may have met you out there a couple of times in the past. I think that when the Deceasars owned it, they may have replaced the septic in the back. I don't know exactly where it is, but if you feel that it's on your property then that is something that we should look at in some fashion.

Mr. Berta: Absolutely, I agree with that as well.

Mr. Murphey: Do you know how wide it shows the driveway?

Mr. Setaro: I'm going to guess it's about 11 feet maybe based upon the dimensions of the plan.

Chairman Dupree: Can you describe what the problems are that you're referring to with the narrow driveway?

Ms. Polanska: This actually on the map, looks like property is a perfect rectangle or parallel line, but actually it's not like that. The driveway is curved, right.

Chairman Dupree: It shows it being curved. Right in through here, it curves and leads in the gravel in the back.

Ms. Polanska: So the septic is right here.

Mr. Setaro: It's not going to be wide enough for two way traffic, but most driveways aren't.

Ms. Polanska: No, it's absolutely not two way traffic.

Mr. Setaro: Its 10 feet at the narrowest spot.

Chairman Dupree: Are you saying that the septic is somewhere back in through here?

Ms. Polanska indicated an area on the map.

Mr. Setaro: That could be the tank maybe that goes to the field.

Ms. Polanska: They dig each time, each time it's full, they dig on my property. It's never fixed. If that will be fixed, I would appreciate it.

Chairman Dupree: We're going to look into it. We won't be looking into it, but the applicant's representatives will be.

Ms. Polanska: Thank you.

Mr. Berta: If the septic tank is on your property we'll definitely take a look at it and if we have to move it, we will.

Mr. Setaro inquired about the water drainage on the Polanska property since stormwater remediation was done. They indicated that it is less, but it remains an issue when there is a heavy rain.

Chairman Dupree: Victoria and Pete, we should continue the public hearing until we find out where the septic system is located. Do you think you can get this done by the next meeting, so we can adjourn to the next meeting?

Mr. Berta: I'll see if I can make it happen. To be honest with you, because we weren't changing the bedroom count, we didn't do a lot of diligence on the septic because there were no changes proposed. Again, we went by the...so we'll take a look at it now. Now, we'll do our diligence.

Chairman Dupree: I often say that Planning Board can't solve neighborly disputes, but in this case this is something that maybe we can at least resolve to find out exactly where it's located.

Mr. Berta: Absolutely. If the septic tank is located on their property, we have no choice, but we have to move it.

Chairman Dupree: Thank you. You're very reasonable. May I get a motion to continue the public hearing to May 17th?

MOTION: Mr. Murphey

SECOND: Mr. Oliver

To adjourn the public hearing for Small World-80 West Dorsey to May 17, 2017.

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

Aye **Mr. Pickett**

VOICE VOTE: 6-0 Motion carried

Mr. Berta inquired about the demolition permit that he applied for months ago with the building department. Ms. Polidoro reminded him that they are approaching the one year limit to rebuild a non-conforming structure, so he should follow up on that permit. He stated that the permit either has been picked up or is waiting to be, but he will call the owner to follow to get that work started. Mr. Polanski requested a copy of the plans from Mr. Berta and he complied.

1636 Route 9G

Site Plan Approval-Exterior Modification (#2017-10)
Location: 1636 Route 9G
Grid #6166-04-838469

Chairman Dupree: The next item on the agenda is a new public hearing for 1636 Route 9G. The applicants are seeking approval for an exterior modification to an existing structure. This is for long time locals, the former carpet store that has been sitting empty since and the applicants are proposing to re-clad it and make some landscaping changes as well.

MOTION: Mr. Murphey

SECOND: Mr. Oliver

To open the public hearing for 1636 Route 9G.

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

VOICE VOTE: 6-0 Motion carried

Mr. Whitman: Good evening all. By now I'm sure you're familiar with our drawings and plans, windows and changes, which are all in there. You've all see copies?

Chairman Dupree: We have.

Mr. Whitman: Nothing else has changed.

Chairman Dupree: What I should say for the benefit of anyone from the public who hasn't had a chance to look at the application. It's a renovation where they'll be triple glazed windows, there will be different walls. Right now there is a limited number of entrances and now there'll be four. It's designed for four offices. There is new signage and as I pointed out earlier there is new landscaping, etc. and if I can say this

correctly I think you're going for sort of an industrial esthetic. It seems appropriate for the age of the building as well as your architecture in general. In addition, since the last application we have a new sign, which looks to me pretty much in keeping with what you're proposing there. It's really cool looking, I think. That's just my opinion. Let me start from the left with the consultants. Any comments Mr. Setaro, Ms. Polidoro?

Mr. Setaro: No, we talked about sealing and striping the lot and I see that that got added and I think that's going to be good. I stopped by there late last week and the lot is actually not in bad shape in the front. If you just clean up the cracks and seal them, it should be good for quite a while. The only thing that's weird is you show the approximate well and then...

Mr. Whitman: Under the lot. That's where we think the well is.

Mr. Setaro: Oh, so it's not sticking up?

Mr. Whitman: No, it's not sticking up. Okay.

Ms. Polidoro: So the new plans that came in show tenant panels for 2 of the tenant spaces and then locations for the other 2 so we just added a note in the resolution saying that you're approving the 2 tenant panels but they'll have to come back for approval of the other tenant spaces. Once you find some tenants. The second item just has to do with a planter on Partridge Hill Road. According to the plan, it just sticks out a little bit into the right of way and so at least scooch it back in or get a letter from the Town Board or something from the Highway Superintendent saying that it can stay there.

Mr. Whitman: That is just a grassy area that exists. It's not really a planter. There is no timber there.

Ms. Polidoro: Well, it says timber planter to remain on the plans. The condition is on there. You can take care of it however you see fit.

Mr. Whitman: I'll make sure it's gone.

Chairman Dupree: I just want to point out, I should have done this at the beginning, in every business district we're required to put in sidewalks, but it's been the Board's practice that where design speeds of the roadway is 55 and above. Unless there is a really safe way to put a sidewalk back in, we try not to have them unless there was a neighborhood that would utilize this to get around. In your instance you wrote a request for a waiver and the Board will be evaluating that tonight, but in advance I am inclined to be in favor of it. You're creating now a sidewalk essentially in front of the building where one doesn't exist because of the planter there, so if people wanted to walk around, say from the apartments behind they could just come up by your building and go around down to the southern uses. And you've also proposed trees where a sidewalk would go so I think speaking for myself I would rather see the trees there to soften the environment rather than having a sidewalk there. Just wanted to put that in for the record. Any comments, Mr. Oliver?

Mr. Oliver: I would suggest changing the street tree variety. I think the Japanese Maple will be a little bit low and might block vision for cars and be damaged by the snow. So maybe go with October Glory or Red Maple and also if you go onto NYS DOT's website they have a whole list of their approved street trees and you can pick anything out of there.

Mr. Whitman: Is this approved by Central Hudson, when they come and chop them down anyway?

Mr. Oliver: They'll prune them. They won't chop them down as long as they're an approved specimen.

Chairman Dupree: Doesn't your utility line come from the west side of 9G?

Mr. Whitman: I know they come down Partridge Hill but I don't really know where the poles are across the street, or not.

Chairman Dupree: They showing a utility pole on the north side of the property. That's the reason why I asked. I didn't take pictures, but I didn't think there was one running right along the western edge or boundary.

Mr. Whitman: They come down Partridge Hill, on the northern side of Partridge Hill.

Chairman Dupree: Right, so what I'm saying, where your trees are, if...Chris's comment is that the Japanese Maple is not on the DOT approved list, but if you have overhead wires, I would rather you put the Japanese Maple in as it ages limb it up or something because otherwise you're going to have that unfortunately cut out by Central Hudson and they have the right to do that. October Glory is on their list but it is a really tall tree, so...

Ms. Polidoro: Are there smaller trees on the DOT list?

Mr. Oliver: Yeah. Mine main fear with the Japanese Maple is that they're going to break if you have snow from the DOT plows, because the branches are very brittle, they'll snap.

Mr. Whitman: I didn't want to put anything too high that they will chop.

Mr. Oliver: The other comment was about the new sign. Have you guys thought about doing a tenant panel sign or did you want to keep the number.

Ms. Whitman: We thought about a tenant panel sign but getting everyone's graphics to make sense together, it wasn't working so just the number is enough. They'll see the tenants on the façade.

Mr. Oliver: Thank you.

Chairman Dupree: I'll ad that we had a quick offline meeting, a few of us, with the applicants to discuss the sign because you'll remember the first tenant sign the panels were vertical and the names would have had to run vertical as well and that's not easy

to read so it's a little more bold just to have just a vertical column that has the address. They are also looking not for traditional retail tenants, but looking more for complementary uses to architect. For example the new tenant is going to be someone who displays window styles there. If everything works out they will all be building trade uses where it would be more destination or appointment. Either way it's a good point.

Mr. Murphey: Would it be classified as a shopping center?

Chairman Dupree: It is a shopping center because there are more than 4 entrances together.

Mr. Murphey: So there has to be some sign coordination.

Chairman Dupree: The signs are all coordinated by the doors. They are all the exact same size, width, look, everything. Their free-standing sign will not have tenant panels it will just have the address, that's it.

Ms. Dexter: I'm just looking forward to seeing that building redone. I love your concepts, it's just going to be so refreshing seeing it spruced up and brand new looking. The street trees, I think are going to be really good. I'm just looking forward to it.

Mr. Murphey: I echo Anne's feelings. It's going to be very nice.

Ms. Kane: I also am looking forward to it. I just want to piggy back on what Chris was saying about the trees. Partridge Hill does have a lot of residences and with the low trees I wouldn't want to block sight lines because people do drive very quickly on that stretch of 9G. So just keep that in mind when you're choosing what trees to put in there.

There was no public comment.

MOTION: Mr. Murphey

SECOND: Mr. Oliver

To close the public hearing for 1636 Route 9G.

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

VOICE VOTE: 6-0 Motion carried

RESOLUTION TO GRANT SITE PLAN APPROVAL

1636 LLC - Façade Renovation

May 3, 2017

Moved By: Mr. Murphey

Resolution: #2017-10A

Seconded By: Mr. Oliver

WHEREAS, the applicant, 1636 LLC, has submitted an application for site plan approval, including signage, to make exterior alterations to an existing commercial structure on a 1.21 acre lot containing located at 1636 Route 9G in the Neighborhood Business District, identified as tax parcel no. 6166-04-838469 (the "Project"); and

WHEREAS, the Project is depicted on a site plan entitled "Addition and Renovation" prepared by Kathryn Whitman Architecture dated March 22, 2017, last revised May 3, 2017 (the "Site Plan Set"); and

WHEREAS, the applicant is proposing to construct the Project in two phases, both of which are being approved at this time; and

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

WHEREAS, on April 5, 2017, the Planning Board classified the Project as a Type II action pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, the Project was referred to the Dutchess County Department of Planning and Development, which responded on April 27, 2017 that it was a matter of local concern with comments and suggested that: 1) the existing curb cuts be narrowed; 2) the applicant clarify whether the planters will stay or be removed; 3) a handicapped space be delineated; and 4) revision of the freestanding sign for readability; and

WHEREAS, the applicant has revised the Site Plan in response to the County's comments; and

WHEREAS, pursuant to Section 108-4.5C(3), development of any lot in the Neighborhood Business District shall include a sidewalk along the full frontage of said lot; and

WHEREAS, pursuant to Section 108-4.5 of the Town Code, site development standards are mandatory rules subject to modification by the Planning Board; and

WHEREAS, by letter dated May 2, 2017, the applicant has requested a waiver from the requirement to install a sidewalk along the front of the property; and

WHEREAS, the Planning Board has reviewed the locations for the individual tenant panels and the proposed tenant panels for the tenant spaces identified as "A" and "B", the warehouse space and the free-standing sign; and

WHEREAS, the Planning Board has reviewed the locations for the individual tenant panels for tenant spaces identified as "C" and "D" but the individual signs will need to be submitted to the Planning Board for review once tenants are identified; and

WHEREAS, a duly noticed public hearing was held on May 3, 2017, during which all those who wished to speak were heard.

NOW THEREFORE BE IT RESOLVED, that the Planning Board makes the following findings with respect to the requested modifications of the site development standards:

- 1. The Site is located on a corner and there are no nearby businesses located south of the Site. None of the businesses to the north of the Site have sidewalks and a sidewalk on the Site would be severely underutilized.**
- 2. There are no potential adverse impacts to surrounding properties from the modification of the sidewalk requirement. The speed limit in the area is 55 miles per hour and the sidewalk would not connect to any nearby businesses.**

BE IT FURTHER RESOLVED, that the Planning Board grants the requested modification to eliminate the requirement for a sidewalk at this time. This decision may be reconsidered for future site plan amendments.

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 to include a note stating that the parking lot will be resurfaced and restriped.**

3. DOT conceptual approval of proposed street trees.
4. Revision of the Site Plan Set to remove the portion of the timber planter located off-site on Partridge Hill Road or evidence of a license, permit or other approval from the Town of Hyde Park for the encroachment.
5. Revision of the Site Plan Set to replace the Japanese Maples with a species on the Department of Transportation list as approved by the Zoning Administrator.

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

Voice Vote 6-0 Motion Carried

WORKSHOP:

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.

RESOLUTION DETERMINING SIGNIFICANCE

Hyde Park Town Center North - Mavis

Date: May 3, 2017

Moved By: Ms. Dexter

Resolution: #16-15B

Seconded By: Mr. Oliver

WHEREAS, the applicant, N & N Hyde Park LLC, has submitted an application for site plan approval to partially redevelop an existing shopping center with a new “Mavis” auto repair shop, located at 4280 Albany Post Road, tax parcel no.6065-04-919007, in the General Business District (the “project”); and

WHEREAS, the project is depicted on a site plan entitled “Hyde Park Town Center - North” prepared by Berger Engineering and Surveying, dated June 1, 2016, last revised March 28, 2017 (the “site plan”); and

WHEREAS, general commercial uses are permitted with site plan review in the District; and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form (“EAF”) dated February 9, 2016, amended June 01, 2016, August 3, 2016 and March 1, 2017, pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, on July 6, 2016, the Planning Board classified the action as a Type I action in accordance with the New York State Environmental Quality Review Act (“SEQRA”) and declared its intent to serve as lead agency, to which no other agency has objected; and

WHEREAS, the Planning Board has reviewed the EAF provided and all available information concerning the potential impacts of the proposed project and found that the Planning Board has sufficient information on which to base a determination of significance; and

WHEREAS, the Planning Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern.

NOW THEREFORE BE IT RESOLVED, that for the reasons set forth in Parts 1, 2 and 3 of the EAF and the attached Notice of Determination of Significance, the Planning Board hereby adopts a negative declaration, finding that the project as proposed will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared.

BE IT FURTHER RESOLVED, that the Planning Board hereby directs the secretary to the Planning Board to send the attached Notice of Determination of Significance to the Environmental Notice Bulletin for publication and to make all other required filings.

Aye **Mr. Dupree**
Absent **Ms. DiNapoli**
Aye **Ms. Dexter**
Aye **Ms. Kane**
Aye **Mr. Murphey**
Aye **Mr. Oliver**
Aye **Mr. Waters**

Voice Vote 6-0 Motion Carried

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

STAATSBURG-HUTCHINS STORAGE

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

RESOLUTION TO GRANT SITE PLAN AMENDMENT APPROVAL

Hutchins-Staatsburg Storage LLC

Date: May 3, 2017

Moved By: Ms. Dexter

Resolution: # 16-24C

Seconded By: Ms. Kane

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, additional signage, and exterior alterations including painting of the garage doors (the "Project"); and

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

WHEREAS, the applicant has proposed to paint two existing pull-up doors kelly green, to match the proposed sign decals; and

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

WHEREAS, the applicant has received the following area variances from the Zoning Board of Appeals in connection with the Project:

Section 108-24.2 C(2)(b), changing the maximum number of wall signs for any business with a separate external entry from 2 to 6 wall signs (Staatsburg Storage);

Section 108-24.2 C(2)(b), changing the total sign area maximum per business from 100 sq. ft. to 159 sq. ft. (total of all Staatsburg Storage wall signs and the primary tenant panel on the free standing sign);

Section 108-24.2 F(2)(a), changing the maximum size of any graphic from 10 inches in any direction to a rectangular graphic for Staatsburg Storage on the primary tenant panel on the free standing sign to 26" x 17"; and

Section 108-24.2 F(2)(a), changing the maximum size of any graphic from 10 inches in any direction concerning the graphic size of two (2) wall panels to 96" x 48" and changing the graphic size on the remaining two (2) panels from 13" x 13" (as relaxed by the Planning Board) to 96" x 48"; 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 Set"); and

WHEREAS, on April 19, 2017, the Planning Board classified the Project as a Type II action under the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, the Project was referred to the Dutchess County Department of Planning and Development, which responded on May 2, 2017, that it was a matter of local concern with comments and requested that the applicant consider: 1) eliminating the extra tenant panel sign; 2) reversing the proposed color scheme; 3) removing the business website address; 4) redesigning the sign structure to be a monument sign; and 5) adding plantings and flowers around the sign base; 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; and

WHEREAS, on April 19, 2017, the Planning Board resolved to waive the requirement for a public hearing.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants Site Plan amendment 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 to add the 911 address on the 7th tenant panel on the free-standing sign.**

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

Voice Vote

6-0

Motion Carried

OTHER BUSINESS:

CARRIAGE TRAILS AT TOWNE CENTRE

1 Year Extension of time to commence and complete construction of an approved Site Plan (16-96)

Location: 1269 Route 9G

Grid #: 6165-01-340743 & 6165-01-368580

MOTION: Ms. Kane

SECOND: Ms. Dexter

To set a public hearing on May 17th, 2017 to consider an extension of time to complete construction for Carriage Trails at Towne Centre.

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

VOICE VOTE: 6-0 Motion carried

RINSCHLER, ERIC

Site Plan Waiver-rear deck (2017-18)

Location: 33 Horseshoe Drive

TOWN OF HYDE PARK PLANNING BOARD

**Eric Rinschler
6064-12-851746
33 Horseshoe Drive
SITE PLAN Waiver
Town Code Section 108-9.4 C 2**

**May 3, 2017
Resolution #: 2017-18**

**Moved By: Mr. Pickett
Seconded By: Mr. Murphey**

***Whereas*, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Eric Rinschler, 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 construct a deck off the rear of the home, and

Whereas, the proposed changes are minor in nature, and

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

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

***THEREFORE BE IT RESOLVED*, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the proposed changes as described in the building permit received by the building department April 28, 2017, and per the request to the planning board dated April 28, 2017.**

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

Voice Vote 6-0 Motion Carried

MOTION: Ms. Dexter

SECOND: Ms. DiNapoli

To approve the Minutes for the March 15, 2017 Planning Board Meeting.

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

VOICE VOTE: 5-0 Motion carried

MOTION: Ms. Dexter

SECOND: Mr. Oliver

To adjourn.

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

VOICE VOTE: 6-0 Motion carried

DRAFT