

MINUTES OF THE SPECIAL MEETING, PUBLIC HEARING AND WORKSHOP OF  
THE HYDE PARK TOWN BOARD, HELD AT TOWN HALL, 4383 ALBANY POST  
ROAD, HYDE PARK, NEW YORK, 12538, ON MONDAY, SEPTEMBER 18, 2017  
AT 7:00 PM

PRESENT:

SUPERVISOR AILEEN ROHR  
COUNCILWOMAN EMILY SVENSON  
COUNCILMAN DAVID RAY  
COUNCILMAN JOSEPH MARRINE  
COUNCILMAN KENNETH SCHNEIDER  
ATTORNEY TO THE TOWN WARREN S. REPLANSKY  
TOWN CLERK DONNA MCGROGAN

Supervisor Rohr called the meeting to order with the Pledge of Allegiance to the flag.

MOTION: Councilman Schneider  
SECOND: Councilman Ray

That the minutes of the August 28, 2017 Town Board meeting, as submitted by the Town Clerk, be approved.

VOICE VOTE: 5 – 0 CARRIED

MOTION: Councilman Schneider  
SECOND: Councilman Marrine

To open the Public Hearing.

VOICE VOTE: 5 – 0 CARRIED

Town Clerk Donna McGrogan read the public hearing notice regarding a Local Law amending Chapter 108 of the Town Code to Permit Craft Breweries, Distilleries, Wineries and Food Manufacturing Facilities, as it appeared in the newspaper.

Attorney to the Town, Warren Replansky, explained the intent of the law and feels that passage of the law will be beneficial to the town.

Councilwoman Svenson explained that the law will define the Zoning designation.

Public Comment:

Ron Hicks, Assistant County Executive for Dutchess County, thanked the Town Board for taking this pro-active approach to attract different industries to Dutchess County.

MOTION: Councilman Schneider  
SECOND: Councilman Ray

To close the Public Hearing

VOICE VOTE: 5 – 0 CARRIED

Attorney to the Town, Warren Replansky, reviewed the full environmental assessment form.

The Town Board entered workshop and discussed the following:

- 1) National Park Service/Public Announcement/Rate Increases
- 2) Highway

MOTION: Councilman Schneider

SECOND: Councilman Ray

To add resolution 9:18 – 6 of 2017, a resolution scheduling a public hearing to discuss the intended use of Community Development Block Grant funds for 2018.

VOICE VOTE: 5 – 0 CARRIED

PUBLIC COMMENT ON RESOLUTIONS ONLY: none

#### **RESOLUTION 9:18 – 1 OF 2017**

#### **RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO AUTHORIZE DUTCHESS COUNTY TO PERFORM ON BEHALF OF THE TOWN OF HYDE PARK THE COMPLETION OF THE LOCAL UPDATE OF CENSUS ADDRESSES REVIEW (LUCA) FOR THE UPCOMING 2020 CENSUS**

**WHEREAS**, In preparation for the 2020 Census, the United States Census Bureau recently mailed an invitation to participate in the Local Update of Census Addresses (LUCA) to all Highest Elected Officials; and

**WHEREAS**, LUCA is a once-a-decade opportunity for local designated representatives to review the addresses that will be used to conduct the Decennial Census; and

**WHEREAS**, In order to reduce the burden on local governments and avoid duplication of effort in participating in LUCA, Dutchess County is offering to conduct the LUCA review on behalf of the Town of Hyde Park; and

**WHEREAS**, The County will utilize Geographic Information Systems (GIS), to review and update the Census Bureau's address list for all municipalities, comparing it with address information maintained by Dutchess County and New York State's Street and Address Maintenance (SAM) Program.

**NOW, THEREFORE, BE IT RESOLVED**, The Town Board of the Town of Hyde Park hereby authorizes Dutchess County to conduct the Local Update of Census Addresses (Luca) on behalf of the Town of Hyde Park

MOTION: Councilwoman Svenson

SECOND: Councilman Ray

VOICE VOTE: 5 – 0 CARRIED

#### **RESOLUTION 9:18 – 2 OF 2017**

#### **RESOLUTION ADOPTING LOCAL LAW NO. 2 OF 2017 ENTITLED "A LOCAL LAW AMENDING CHAPTER 108 OF THE TOWN CODE TO PERMIT CRAFT BREWERIES, DISTILLERIES, WINERIES AND FOOD MANUFACTURING FACILITIES"**

**WHEREAS**, the Hyde Park Town Board has observed an increased interest and resurgence in artisanal foods and craft and other small-scale

brewing, winery and distillery operations throughout the state. The Town Board notes that New York State's Craft New York Act, signed in 2014, has reduced alcohol producers' requirements and restrictions in an effort to develop the craft beverage industry within the State. This funding source and legislative support and increased demand for craft beer, alcohol and wine, micro-alcohol establishments and breweries, can serve as catalysts to municipalities' business area revitalization, as well as a stimulus for commercial and tourism activities. The Town is home to the world class Culinary Institute of America ("CIA"), many of whose graduates settle in the Dutchess County area to work in, operate and own restaurants and food related businesses. The CIA also attracts tourists to the Town to visit the Institute and its many restaurants. Hyde Park has several former retail facilities and properties that can be repurposed for craft breweries, wineries, distilleries and food manufacturing facilities. The Town's Comprehensive Plan encourages the promotion of tourism and tourism related businesses as a way of increasing the Town's commercial tax base. An amendment to the Town's zoning law to increase opportunities for food and beverage related tourism and to provide opportunities for job creation through modest scale food and beverage manufacturing within the Town would be in the best interests of the Town and its taxpayers and consistent with the Town's Comprehensive Plan; and

**WHEREAS**, the Town Board has requested its legal consultants to draft a proposed local law which would amend Chapter 108 of the Town Code to permit craft breweries, distilleries, wineries and food manufacturing facilities as general commercial uses; and

**WHEREAS**, the Town's consulting attorneys have drafted a proposed local law, which has been submitted to the Town Board members and reviewed by them and determined to be acceptable for purposes of commencing the local law adoption process; and

**WHEREAS**, the Town Board is the only involved agency in the local law adoption process; and

**WHEREAS**, the Attorney to the Town has prepared a Part 1 of the Full Environmental Assessment Form for the Board's review and approval; and

**WHEREAS**, the Town Board duly scheduled and noticed a public hearing on the adoption of said Local Law on August 28, 2017 at 7:00 p.m.; and

**WHEREAS**, the Town Board declared itself to be lead agency for purposes of SEQRA review, accepted Part 1 of Full EAF and conducted an uncoordinated review of this action and, after review of the Full EAF, determined that this action did not have the potential for significant environmental impacts and that a Negative SEQRA Declaration should be declared; and

**WHEREAS**, the Town Board duly forwarded this proposed Local Law to Dutchess County Department of Planning and Development, which responded that this is a matter of local concern; and

**WHEREAS**, the Town Board duly referred this action to the Hyde Park Planning Board for its review in accordance with the requirements of the Town Code and the Town Planning Board has recommended that the Local Law, in its present form, be adopted; and

**WHEREAS**, the Town Board opened the public hearing on August 28, 2017, heard the public on said Local Law and continued the public hearing to September 18, 2017 and closed the public hearing on that date.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby adopts Local Law No. 2 of 2017 entitled "A Local Law Amending Chapter 108 of

the Town Code to Permit Craft Breweries, Distilleries, Wineries and Food Manufacturing Facilities”; and

**BE IT FURTHER RESOLVED**, that the Town Board directs the Town Clerk to file said Local Law with the Department of State, as required by law, and to file notice of the negative SEQRA declaration in the Environmental Notice Bulletin, as required by law.

MOTION: Councilman Ray  
SECOND: Councilwoman Svenson

ROLL CALL VOTE BY TOWN CLERK

Councilwoman Svenson	Aye	
Councilman Ray	Aye	
Councilman Marrine	Aye	
Councilman Schneider	Aye	
Supervisor Rohr	Aye	CARRIED

**Town Of Hyde Park  
Local Law No. 2 of 2017**

**A LOCAL LAW AMENDING CHAPTER 108 OF THE TOWN CODE TO  
PERMIT CRAFT BREWERIES, DISTILLERIES, WINERIES AND  
FOOD MANUFACTURING FACILITIES**

**BE IT ENACTED** by the Town Board of the Town of Hyde Park as follows:

Section 1. Legislative Intent and Purpose.

The Hyde Park Town Board has observed an increased interest and resurgence in artisanal foods and craft and other small-scale brewing, winery and distillery operations throughout the state. The Town Board notes that New York State’s Craft New York Act, signed in 2014, has reduced alcohol producers’ requirements and restrictions in an effort to develop the craft beverage industry within the State. This funding source and legislative support and increased demand for craft beer, alcohol and wine, micro-alcohol establishments and breweries, can serve as catalysts to municipalities’ business area revitalization, as well as a stimulus for commercial and tourism activities. The Town is home to the Culinary Institute of America (“CIA”), many of whose graduates settle in the Dutchess County area to work in, operate and own restaurants and food related businesses. The CIA also attracts tourists to the Town to visit the Institute and its many restaurants. Hyde Park has several former retail facilities and properties that can be repurposed for craft breweries, wineries, distilleries and food manufacturing facilities. The Town’s Comprehensive Plan encourages the promotion of tourism and tourism related businesses as a way of increasing the Town’s commercial tax base. An amendment to the Town’s zoning law to increase opportunities for food and beverage related tourism and to provide opportunities for job creation through modest scale food and beverage manufacturing within the Town would be in the best interests of the Town and its taxpayers and consistent with the Town’s Comprehensive Plan.

Section 2. Section 108-2.2 of the Town Code, entitled, “Definitions”, is hereby amended to include the following new definitions:

Craft brewery, winery, distillery and/or food manufacturing facility – An establishment which produces on the premises beer, wine, cider, vinous beverages, spirits or edible goods for off-and/or on-site consumption in accordance with New York State Liquor Authority, Department of Health and other applicable agency regulations. Such an establishment shall include a public component: such as a tasting room, restaurant and/or a retail establishment. A craft brewery, distillery, winery and/or food manufacturing facility shall be classified as a “general commercial use” for zoning purposes notwithstanding the definition of “light industrial use” as contained in the Town Code.

Tasting Room – a portion of a craft brewery, distillery, winery or food manufacturing facility that allows customers to taste samples of beer, cider, alcoholic spirits, vinous beverages or edible goods manufactured on the premises. A tasting room may include the sale of such products in addition to related items, marketing events and/or entertainment.

Winery – an establishment which is primarily used for the manufacture of vinous beverages for on-site distribution and/or on-site consumption in accordance with New York State Liquor Authority, Department of Health and other applicable agency regulations.

Section 3. Section 108-4.5B(1) of the Zoning Law, entitled “Required off-street parking”, is hereby revised by replacing the use “restaurant or food dispensing facility” with the use “restaurant, winery or food/beverage manufacturing or dispensing facility” to read as follows:

Restaurant, winery or food/beverage manufacturing or dispensing facility	1 space per 50 square feet for patron use; 2 spaces per 3 employees
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#### Section 4. Severability

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstance, and the Town Board of the Town of Hyde Park hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

#### Section 5. Authority

This local law is enacted in accordance with the powers vested in the Town by the Municipal Home Rule Law and is intended to supersede any inconsistent provisions in the New York State Town Law.

#### Section 6. Effective Date

This local law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

### **RESOLUTION 9:18 – 3 OF 2017**

#### **RESOLUTION AMENDING RESOLUTION 8:28 AUTHORIZING DIANE CULLEN RECREATION LEADER TO CARRY OVER ACCRUED VACATION TIME**

**WHEREAS**, Resolution 8:28 authorized Diane Cullen, Recreation Leader to carry over 4 hours of accrued vacation time; and

**WHEREAS**, it should have stated that she was able to carry over 28 hours of vacation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Hyde Park does hereby authorize Recreation Leader, Diane Cullen, to carry over up to 28 hours of accrued vacation time which she was unable to use prior to August 31, 2017, and that said carry over vacation time must be used no later than February 28, 2018.

MOTION: Councilman Marrine  
SECOND: Councilman Schneider

VOICE VOTE: 5 – 0 CARRIED

**RESOLUTION 9:18 – 4 OF 2017**

**RESOLUTION AUTHORIZING KATHLEEN MOSS, ZONING ADMINISTRATOR, TO ATTEND THE DUTCHESS COUNTY SWCD CONTRACTOR EROSION AND SEDIMENT CONTROL TRAINING**

**WHEREAS**, Kathleen Moss, the Town Zoning Administrator took this class back in 2010 and now her training certification has expired; and

**WHEREAS**, she needs to become recertified and needs to take the Dutchess County SWCD Contractor Erosion & Sediment Control Training on September 20, 2017 in Millbrook, NY in order to become recertified; and

**WHEREAS**, the Town Board deems it appropriate and beneficial for the Zoning Administrator to attend this training to become recertified; and

**WHEREAS**, said conference registration will be paid for in full by Kathleen Moss where in turn she will be reimbursed by the Town of Hyde Park as instructed by the Comptroller's office.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board hereby authorizes the Zoning Administrator to attend the Dutchess County SWCD Contractor Erosion & Sediment Control Training September 20, 2017 in Millbrook, NY; and

**BE IT FURTHER RESOLVED**, The Town Board authorizes reimbursement in the amount of \$85 for the registration fee to Kathleen Moss as well as reimbursement for travel and any additional necessary business expenditures deemed appropriate and reasonable.

MOTION: Councilman Schneider

SECOND: Councilman Marrine

VOICE VOTE: 5 – 0 CARRIED

**RESOLUTION 9:18 – 5 OF 2017**

**RESOLUTION AUTHORIZING KATHLEEN MOSS, ZONING ADMINISTRATOR, TO ATTEND THE 17<sup>TH</sup> ANNUAL SOUTHEAST NEW YORK STATE STORMWATER CONFERENCE AND TRADE SHOW**

**WHEREAS**, Kathleen Moss, the Town Zoning Administrator, would like to attend the 17<sup>th</sup> Annual New York State Stormwater Conference and Trade Show in Beacon, NY with said conference being held on October 18<sup>th</sup>, 2017; and

**WHEREAS**, the Town Board deems it appropriate and beneficial for the Zoning Administrator to attend this conference where continuing education and lectures will be provided to enhance the skills of the Zoning Administrator in performing her duties for the Town of Hyde Park; and

**WHEREAS**, said conference will be paid for in full by the Dutchess County MS4 Committee.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board hereby authorizes the Zoning Administrator to attend the 17<sup>th</sup> Annual New York State Stormwater Conference and Trade Show in Beacon, NY on October 18<sup>th</sup>, 2017.

MOTION: Councilwoman Svenson

SECOND: Councilman Ray

VOICE VOTE: 5 – 0 CARRIED

**RESOLUTION 9:18 – 6 OF 2017**

**RESOLUTION SCHEDULING A PUBLIC HEARING TO DISCUSS THE INTENDED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR 2018**

**WHEREAS**, the Town of Hyde Park intends on participating in the Dutchess County Community Development Consortium for fiscal year 2018; and

**WHEREAS**, federal regulations require that the Town of Hyde Park hold a public hearing to discuss the intended use of Community Development Funds.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park shall hold a public hearing on the intended use of 2018 Community Development Funds on October 2, 2017 at 7:05 p.m. at the Town of Hyde Park Town Hall located at 4383 Albany Post Road, Hyde Park; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to publish notice of such public hearing as required by law.

MOTION: Councilman Ray  
SECOND: Councilwoman Svenson

VOICE VOTE: 5 – 0 CARRIED

NEW BUSINESS:

Supervisor Rohr invited everyone to the Fall Fest this Saturday, September 23<sup>rd</sup>, from 1 – 5 pm.

MOTION: Councilman Schneider  
SECOND: Councilman Ray

To adjourn meeting

VOICE VOTE: 5 – 0 CARRIED

Meeting adjourned at 7:45PM.

Respectfully submitted,

Donna McGrogan  
Town Clerk

