

**HYDE PARK TOWN BOARD
SPECIAL MEETING & PUBLIC HEARINGS
MONDAY, SEPTEMBER 21, 2020 AT 6:00 P.M.**

To watch the Town Board meeting live on YouTube, please go to this link:
<https://www.youtube.com/channel/UCcb5NmRUM9SwOAL0vwcayrQ/live>

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ACCEPT MINUTES OF AUGUST 31, 2020

PUBLIC COMMENT ON RESOLUTIONS & TOWN BUSINESS ONLY

NOTE: "TIME LIMIT OF 3 MINUTES ONLY"

May be submitted via e-mail to the Town Clerk at: dmcgrogan@hydeparkny.us

If you would like to participate remotely during the public comment portion of the hearing, please go to the following link to register:

<https://www.hydeparkny.us/DocumentCenter/View/2372/Remote-Public-Hearing-Procedures-PDF>

NOTE: There will be NO gathering at the Town of Hyde Park Town Hall for this meeting or the Public Hearings.

PUBLIC HEARINGS:

1. CONTINUATION OF THE PUBLIC HEARING FOR LOCAL LAW C "A LOCAL LAW TO ENACT CERTAIN AMENDMENTS TO CHAPTER 108, ZONING, OF THE CODE OF THE TOWN OF HYDE PARK TO CREATE A NEW ZONING DISTRICT ENTITLED 'TOWN CORE' AND REVISING THE ZONING CHAPTER 108 TO RENAME 'TOWN CENTER HISTORIC DISTRICT' THE 'CORRIDOR BUSINESS ZONING DISTRICT'"
2. CONTINUATION OF THE PUBLIC HEARING ON LOCAL LAW D OF 2020 ENTITLED: "A LOCAL LAW REGULATING THE USE OF ALL-TERRAIN VEHICLES IN THE RESIDENTIAL AREAS OF THE TOWN OF HYDE PARK"
3. CONTINUATION OF THE PUBLIC HEARING ON LOCAL LAW E OF 2020 ENTITLED: "A LOCAL LAW TO ESTABLISH A COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM IN THE TOWN OF HYDE PARK"

RESOLUTIONS:

1. ACCEPT RE-AMENDED LOCAL LAW AND TOWN CORE DESIGN AND DEVELOPMENT STANDARDS AND CONTINUING LOCAL LAW ADOPTION PROCESS FOR LOCAL LAW NO. C OF THE YEAR 2020 NOW ENTITLED: "A LOCAL LAW TO ENACT CERTAIN AMENDMENTS TO CHAPTER 108, ZONING, OF THE CODE OF THE TOWN OF HYDE PARK TO CREATE A NEW ZONING DISTRICT ENTITLED 'TOWN CORE' AND REVISING THE ZONING CHAPTER 108 TO RENAME 'TOWN CENTER HISTORIC DISTRICT' THE 'CORRIDOR BUSINESS ZONING DISTRICT'"
2. ACCEPT REVISED LOCAL LAW NO. D OF THE YEAR 2020 ENTITLED: "A LOCAL LAW REGULATING THE USE OF ALL-TERRAIN VEHICLES IN THE RESIDENTIAL AREA OF THE TOWN OF HYDE PARK" AND CONTINUING THE LOCAL LAW ADOPTION PROCESS
3. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE VACATION CARRY OVER FOR TOWN OF HYDE PARK ZONING ADMINISTRATOR KATHLEEN MOSS
4. APPROVE BUDGET REVISIONS TO THE TOWN OF HYDE PARK BUDGET FOR THE PERIOD OF AUGUST 2020 BUDGET REVISIONS NUMBER 2020-08
5. APPROVE BUDGET REVISIONS TO THE TOWN OF HYDE PARK BUDGET FOR TOWN EXPENSES INCURRED ON TOWN FINANCES DUE TO THE IMPACT OF THE COVID-19 PANDEMIC FOR THE PERIOD OF AUGUST 2020 BUDGET REVISIONS NUMBER 2020-08A
6. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO AWARD THE TOWN OF HYDE PARK HIGHWAY SALT DOME ROOF REPAIR PROJECT TO TRANSITIONAL BUILDERS, INC.

7. AUTHORIZE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN HYDE PARK BASEBALL, INC. AND THE TOWN OF HYDE PARK RECREATION DEPARTMENT TO PROVIDE A YOUTH BASEBALL AND SOFTBALL PROGRAM FOR THE RESIDENTS OF THE TOWN OF HYDE PARK AS PART OF THE TOWN'S RECREATION PROGRAM FOR THE YEAR 2020

8. AUTHORIZE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN HYDE PARK SOCCER, INC., AND THE TOWN OF HYDE PARK RECREATION DEPARTMENT TO PROVIDE A YOUTH SOCCER PROGRAM FOR THE RESIDENTS OF THE TOWN OF HYDE PARK AS PART OF THE TOWN'S RECREATION PROGRAM FOR THE YEAR 2020

9. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO WAIVE THE THIRTY (30) DAY ADVANCE NOTICE OF A LIQUOR LICENSE FOR ON PREMISES CONSUMPTION FOR BUTCHY'S BBQ, INC. IN THE TOWN OF HYDE PARK

10. AUTHORIZE TOWN OF HYDE PARK TOWN SUPERVISOR TO SUBMIT THE 2020-2021 GRANT APPLICATION FOR THE JUSTICE COURT ASSISTANCE PROGRAM ("JCAP") GRANT FOR THE TOWN OF HYDE PARK JUSTICE COURT

NEW AND OLD BUSINESS

ADJOURN

***A MOTION MAY BE MADE TO ENTER EXECUTIVE SESSION**

***AGENDA SUBJECT TO CHANGE**

RESOLUTION 9:21 – 1 OF 2020

RESOLUTION ACCEPTING RE-AMENDED LOCAL LAW AND TOWN CORE DESIGN AND DEVELOPMENT STANDARDS AND CONTINUING LOCAL LAW ADOPTION PROCESS FOR LOCAL LAW NO. C OF THE YEAR 2020 NOW ENTITLED: “A LOCAL LAW TO ENACT CERTAIN AMENDMENTS TO CHAPTER 108, ZONING, OF THE CODE OF THE TOWN OF HYDE PARK TO CREATE A NEW ZONING DISTRICT ENTITLED ‘TOWN CORE’ AND REVISING THE ZONING CHAPTER 108 TO RENAME ‘TOWN CENTER HISTORIC DISTRICT’ THE ‘CORRIDOR BUSINESS ZONING DISTRICT’”

WHEREAS, the Town Board determined that in order to implement the goals and objectives expressed in the 2005 Town of Hyde Park Comprehensive Plan as amended by the 2018 Planning and Engineering Report for the Redevelopment of the Town Center (“Town Center Report”), the 2013 Hyde Park Town Board Pedestrian Study; and a Supplemental Planning Memorandum entitled: “Town Center Vision”, and in order to revitalize and redevelop the area generally surrounding the intersection of Pinewoods Road and Albany Road (Route 9), a Town Core (“TC”) Zoning District should be created by local law; and

WHEREAS, the Town Board retained the services of Nelson Pope & Voorhis, LLC, Environmental and Planning Consultants, and its partner, Bonnie Franson, AICP, CEP, PP, to assist in creating the said local law and the Town Core Zoning District Design and Development Standards as an appendix to the Zoning Code; and

WHEREAS, the said Planning Consultant has worked with an advisory committee consisting of the Town Supervisor, the Downtown Initiative Coordinator, the Town’s Planning Board Chairman, a member of the Planning Board, the Town’s Zoning Administrator, the Attorney to the Town and a Planner from DCPD; and

WHEREAS, pursuant to those efforts, a draft local law had been prepared, together with Town Core Zoning District Design and Development Standards, together with a Supplemental Memorandum entitled: “Town Center Vision”; and

WHEREAS, the purpose of the Town Core Zoning District is to acknowledge and preserve important and Town-valued historic architecture, to allow development in accordance with traditional neighborhood patterns and to encourage attractive and compatible in-fill commercial and residential development with public amenities which, hopefully, will result in destination and gathering places for Town residents; and

WHEREAS, the Town Core Zoning District Design and Development Standards are designed to guide new development by, among other things, allowing the buildings to be larger and yard setbacks to be smaller, while permitting an intensity and density of uses consistent with traditional rural downtowns in the Hudson River Valley; and

WHEREAS, the entire Town Core District will be united by consistent streetscape design and appropriate pedestrian connections; and

WHEREAS, a Supplemental Memorandum entitled: “Town Center Vision” has been prepared to be adopted as an amendment to the Comprehensive Plan; and

WHEREAS, a Part 1 of the Full EAF had been prepared by the Town's Consultants and submitted to the Town Board, together with the proposed local law and the "Town Center Vision" Memorandum; and

WHEREAS, the Town Board determined that it is the only involved agency with regard to the enactment of this local law and Comprehensive Plan amendment and that this is a Type 1 action under SEQRA; and

WHEREAS, the Town Board had reviewed the Part 1 of the Full EAF, the proposed local law, the Design and Development Standards, and the "Town Center Vision" Memorandum and determined that the said documents were acceptable for purposes of commencing the local law and Comprehensive Plan review and adoption process; and

WHEREAS, the Town Board assumed lead agency status for purposes of enactment of the said Local Law and amendment to the Comprehensive Plan; and

WHEREAS, the Town Board scheduled public hearings on the adoption of said Local Law and Design and Development Standards as an appendix to the said Local Law, together with the Town Center Vision Memorandum on April 8, 2019; May 6, 2019; June 3, 2019; July 15, 2019; August 12, 2019; September 23, 2019; October 21, 2019; November 4, 2019 and November 18, 2019; December 2, 2019 and December 16, 2019; January 6, 2020 and January 27, 2020; February 10, 2020 and February 24, 2020; March 9, 2020 and March 23, 2020; April 6, 2020 and April 20, 2020; May 4, 2020 and May 18, 2020; June 22, 2020 and July 13, 2020; and

WHEREAS, the Town Board had referred the said proposed Local Law, Design and Development Standards and the Town Center Vision Memorandum to the Hyde Park Planning Board and to the Dutchess County Department of Planning and Development for their review and comments; and

WHEREAS, since the date of the opening of the public hearing and receipt of comments from the Dutchess County Department of Planning and Development and the Hyde Park Planning Board, certain amendments have been made to the proposed Local Law and to the Town Core Zoning District Design and Development Standards by the Planning Consultant and the Advisory Committee to address those comments; and

WHEREAS, the proposed Local Law, as amended, together with the Town Core Zoning District Design and Development Standards, was presented to the Town Board in final form, as ready to continue the adoption process on August 10, 2020; and

WHEREAS, the Town Board scheduled a continuation of the said public hearing for September 21, 2020 at 6:05 p.m.; and

WHEREAS, the Town Board referred the amended Local Law to the Hyde Park Planning Board and Dutchess County Department of Planning and Development for their review; and

WHEREAS, the Town Board and its consultant have made one minor correction to the Local Law's Schedule of Use Regulations annexed to said Local Law in that they have amended the Schedule to indicate that in the Town's Historic Overlay District and Scenic Overlay District the uses allowed by right, by special use permit, or

otherwise not permitted shall be the same as the underlying zoning district, which is consistent with the existing Town Zoning Code; and

WHEREAS, the Town’s Planning Consultant and Attorney to the Town have prepared a Re-Amended Local Law with those changes to the Local Law which has been placed on the desks of the Town Board members at its September 21, 2020 meeting; and

WHEREAS, the Town Board has determined that the changes to the Schedule of Use Regulations are minor in nature and do not require a re-referral either to the Town Planning Board or to the Dutchess County Department of Planning and Development for their review.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the Re-Amended Local Law No. C of the Year 2020 and closes the public hearing on said Local Law but accepts further comments on the said Local Law for a period of ten (10) days from the close of the public hearing and further adjourns the final consideration of the Local Law and the SEQRA review of the same to the October 5, 2020 Town Board meeting at 6:05 p.m.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Marrine	_____
Councilman Schneider	_____
Supervisor Rohr	_____

TOWN OF HYDE PARK

LOCAL LAW NO. C OF THE YEAR 2020

A Local Law to enact certain amendments to Chapter 108, Zoning, of the Code of the Town of Hyde Park, to create a new zoning district entitled “Town Core” and revising the Zoning Chapter to rename “Town Center Historic District” to “Corridor Business” zoning district.

SECTION I. TITLE.

This local law shall be known as “A Local Law Enacting Certain Zoning Amendments to Chapter 108, Zoning, of the Code of the Town of Hyde Park to create the ‘Town Core’ zoning district and to rename the ‘Town Center Historic District’ to ‘Corridor Business’ zoning district.”

SECTION II. AUTHORITY.

This Local Law is enacted pursuant to the authority of Municipal Home Rule Law 10, the New York State Town law, and in accordance with Chapter 108, Article 34, Amendments. To the extent that the provisions of this Local Law are in conflict with Section 278 of the New York State Town law, the Town Board hereby asserts its intention to supersede Section 278 pursuant to Home Rule Law.

SECTION III. PURPOSE AND FINDINGS.

The purpose of these zoning amendments is to implement the goals and objectives expressed in the 2005 Town of Hyde Park Comprehensive Plan, as amended by the 2018 Planning & Engineering Report for the Redevelopment of the Town Center (“Town Center Report”), the 2013 Hyde Park Town Center Pedestrian Study, and a Supplemental Memo entitled “Town Center Vision”. It is a specific objective of the Town of Hyde Park, as set forth in the Town Center Report, to revitalize and redevelop the area generally surrounding the intersection of Pine Woods Road and Albany Post Road (Route 9) by creating the Town Core (“TC”) zoning district. The purpose of the Town Core zoning district is to acknowledge and preserve important and Town-valued historic building architecture, allow development in accordance with traditional neighborhood building patterns, and encourage attractive and compatible infill commercial and residential development with public amenities, which creates a destination and gathering place for town residents and visitors. The Town Core Design and Development Standards will guide new development. These Standards will allow buildings to be larger and yard setbacks to be smaller, and the intensity and density of uses will be consistent with traditional rural downtowns in the Hudson River Valley. The entire TC district will be united by consistent streetscape design and appropriate pedestrian connections. Because properties within the Town’s two historic cores have been removed from TCHD zoning district, the Town is further amending all references to the existing Town Center Historic District to the Corridor Business (“CB”) zoning district. Consistent with the Town’s desire to revitalize the Town Core area, two-family dwellings will be allowed in the Corridor Business district and in the newly created Town Core zoning district which are formed from the TCHD district (in which district two-family dwellings are currently prohibited). Multifamily dwellings are currently permitted in the TCHD zone, and these amendments will expand housing options and encourage introduction of residents who would reinvigorate the Town Core which adjoins the Corridor Business zone. Two-family dwellings are allowed in the Neighborhood zone and would continue to be allowed, but by special use approval, to ensure that the use remains compatible with existing one-family dwellings in the neighborhood as two-family dwellings are more intensive residential uses. Two-family dwellings would continue to be permitted in the Neighborhood Core, Hamlet, Hamlet Core, Crossroads Core, Landing, East Park Business and Neighborhood Business districts but subject to site plan approval, and further subject to special use permit where more than one two family dwelling is placed on a lot already improved by one or more one-family or one or more two family dwellings. Further, through a review and analysis of the various uses that would be allowed in the new Town Core zoning district, revisions have been made to several use definitions as set forth in this Local Law to ensure the vision for, and objectives guiding, the Town Core zoning district are met. Lastly, to preserve the integrity of the Town Core zoning district and its intended uses, a provision relating to the interpretation of prohibited uses has been added.

SECTION IV. REVISIONS TO CHAPTER 108.

Chapter 108, Zoning, of the Code of the Town of Hyde Park is hereby amended as follows:

- 1. Definitions.** Section 108-2: Article 2: Definitions, Section 108-2.2. Terms defined, is hereby amended to delete the existing definitions of “Community Residence”, “Commercial Use (General)”, “Health-Care Facility”, “Multiple Dwelling”, “Residential Care Facility”, “Town Center Historic District (TCHD)” and “Bed-and-Breakfast”, and to add the following definitions in alphabetical order:

“ARTISANAL CRAFT

A use involving a production process characterized by minimal automation, little division of labor, and conducted by a person or small number of highly skilled craftsman skilled in an applied art mostly using their hands and non-automated tools to make furniture, sculpture, clothing, jewelry, or other functional or decorative items.”

“BED-AND-BREAKFAST

An owner-occupied residence resulting from conversion of a one-family dwelling, used for providing overnight accommodations and a morning meal to not more than ten (10) transient lodgers for which compensation is paid. A bed-and-breakfast shall offer from one bedroom to four bedrooms without kitchens. A bed-and-breakfast is not deemed a home occupation and shall require site plan review and approval by the Planning Board, which shall determine, among other requirements, adequate parking.”

“COMMERCIAL USE (GENERAL)

A nonresidential use involving an occupation, employment or enterprise that is carried on for profit by the owner, lessee or licensee not otherwise specified in the use regulation. This use shall not be interpreted to include any temporary or transient overnight accommodations or permanent residences or dwellings. Also referred to herein as "general commercial use" or "commercial, general."

“COMMUNITY RESIDENCE

For purposes of this Zoning Chapter, a community residential facility shall be the equivalent of an intermediate “community residence” as defined in Section 1.03 of the New York State Mental Hygiene Law which serves no more than 14 individuals, or a family-type home for adults as defined by NYCRR, Title 18, Chapter II, Subchapter D, Part 489. A community residential facility shall not be construed to include multiple dwellings under this definition.”

“CORRIDOR BUSINESS (CB) ZONING DISTRICT

A zoning district that encompasses properties on either side of NYS Route 9 south of the Town Core zoning district, the boundaries of which are shown on the Town Zoning Map.”

“HOSPITAL, GENERAL

As per Article 28 of the NYS Public health law, a health care facility engaged in providing medical or medical and surgical services primarily to in-patients by or under the supervision of a physician on a twenty-four hour basis with provisions for admission or treatment of persons in need of emergency care and with an organized medical staff and nursing service, including facilities providing services relating to particular diseases, injuries, conditions or deformities. The term general hospital shall not include a residential health care facility, psychiatric hospital, public health center, diagnostic center, treatment center, outpatient lodge, dispensary and/or laboratory or central service facility serving more than one institution.”

“HOSPITAL OR FACILITY, PSYCHIATRIC

Inpatient services of a psychiatric center under the jurisdiction of the NY Office of Mental Health or other psychiatric inpatient facility psychiatric center, institute, clinic, ward, institution or similar facility as defined in Section 1.03 of the NYS Mental Hygiene Law.”

5. **Purpose of District – TCHD.** Amend Article 3: Establishment of Districts, Section 108-3.1.1.F Town Center Historic District is hereby deleted and replaced with the following:

“F. Corridor Business District (CB). The Corridor Business District is located along NYS Route 9 and encompasses properties located south of the TC zoning district. This zone permits a high density, scale and intensity of commercial and residential development.

(1) Purpose. The purpose of the Corridor Business District is to permit a mix of uses including diversified tourism-dependent nonresidential uses that meet tourist needs in areas convenient to major points of interest including the existing national park/historical sites, and to serve the local shopping, commercial and residential needs of Hyde Park residents in a mixed used environment. This mix of residential and commercial uses will serve to create a more vibrant center with a diversified economy consistent with the needs of a 21st century community.

(2) Existing character. The district includes those existing commercial areas that pose minimum physical and environmental constraints to development. The district encompasses existing concentrations of nonresidential uses as well as several important national historic sites.”

6. **Purpose of District - Cores.** Amend Article 3: Establishment of Districts, Section 108-3.1.1.1 Land Use districts and purposes, to amend the title of subsection “J” as follows:

“J. Core Districts: Neighborhood Core, Hamlet Core, Crossroads Core and Town Core Districts (NC, HC, CC, TC)”

7. **Bulk regulations - height.** Amend 108-4. Article 4: General Regulations, Section 108-4.4.A(3) Bulk regulations, by deleting the phrase “, except that these provisions shall not apply to the CC Zoning District” to add a new subsection “A(5)”, as follows:

“(5)The Planning Board may waive the requirements set forth in subsection A(3) herein for applications proposed in the CC and TC zoning districts, where the proposed building height will not have a significant visual impact on a designated place on the State or National Register of Historic Places, and is consistent with the intent of the zoning districts.”

8. **Bulk regulations – front yards.** Amend 108-4. Article 4: General Regulations, Section 108-4.4 Bulk regulations, existing subsection “D”, by deleting subsection “(3)” and adding a new subsection “(3)” as follows:

“Any lot having frontage on two or more streets shall provide a front yard on each such street, except that the Planning Board, during site plan review, may waive this requirement for properties in the CC and TC zoning district, where the board determines that the waiver will accomplish the intended design objectives of this district. The area within any sight triangle area reserved under the provisions of § 108-4.5C(1)(d) may be included for the purposes of satisfying such yard requirement.”

9. **Site development standards – pedestrian access and circulation.** Amend 108-4. Article 4: General Regulations, Section 108-4.5.B., Required off-street parking, as follows:

a. Delete the word “convalescent home,”.

b. Rename “medical clinic” to “medical office, professional”.

- c. Add the following parking standards, in alphabetical order in the list entitled “Common Number of Spaces for Off-Street Parking:

Community Residence	1 space per employee for the largest shift, plus 1 visitor space per 3 beds, in addition to the requirements for a one-family residence.
Residential Care Facility	0.5 spaces per unit/bed, plus 1 space per employee for the largest shift, plus 1 visitor space per 4 units/beds.

- 10. Site development standards – pedestrian access and circulation.** Amend 108-4. Article 4: General Regulations, Section 108-4.5 Site development standards, by deleting the first sentence of 108-4.5(C)(3)(d) and replacing it with the following:

“In all Hamlet, Hamlet Core, Crossroads Core, Town Core, Landing, Neighborhood Core, East Park Business, Corridor Business and Neighborhood Business Districts, the development of any lot shall provide a walkway utilizing sidewalks or an equivalent acceptable to the Planning Board along the full frontage of said lot to connect adjacent lots and to enhance and provide definition to the street providing frontage for the lot.”

- 11. Site development standards –architectural features standards - roofs.** Amend 108-4. Article 4: General Regulations, Section 108-4.5 Site development standards, by deleting 108-4.5.G (1)(d)[1] and adding a new subsection [1] as follows:

“[1] Flat roofs are inconsistent with the traditional building character of the Town and are not permitted except when allowed by the approval of the Planning Board within the Town Core zoning district, in accordance with the Town Core Design and Development Standards.”

- 12. Site development standards –architectural features standards - height.** Amend 108-4. Article 4: General Regulations, Section 108-4.5 Site development standards, by deleting 108-4.5.G (3)(b) and by adding a new subsection (b) as follows:

“(b)The height of any new building shall be within one full story of the existing buildings on adjacent lots, except that the Planning Board may allow an alternative building height within the CC and TC districts so as to be consistent with the design standards applicable to these districts.”

- 13. Historic overlay standards.** Amend 108-4. Article 4: General Regulations, Section 108-4.6.B., Historic overlay standards, by deleting it and adding the following new section 108-4.6.B:

“Places listed on the National and State Registers of Historic Places. Any use on a lot abutting such place shall obtain site plan approval for external structural alterations or construction and shall provide an open space along the common property line. Such open space shall be equal in depth to the contiguous open space on the lot designated as an historic place or 100 feet, whichever is less. Within the CC and TC zoning districts, the Planning Board may waive the open space requirements where it determines that said waiver is necessary to accomplish the goal and intent of the design guidelines set forth in 108-5.11.1, Crossroads Core District standards or 108-5.11.2, Town Center Historic District standards. ”

- 14. Drive-through facilities in CC District.** Amend Section 108-5.11.1.D, Prohibited uses, by deleting subsection (7) and replacing same with the following:

“(7) Drive-through facility;”

15. Drive-through standards applicable to CC District. Amend Section §108-5.11.1.I.(9) of the Code by deleting this section.

16. TC Standards. Delete section 108-5.11.2, Town Center Historic District standards, and replace with the following new section:

“§108-5.11.2 Town Core (TC) District standards.

A. Objective. In order to implement the goals and objectives expressed in the 2005 Town of Hyde Park Comprehensive Plan, as amended by the 2018 Planning & Engineering Report for the Redevelopment of the Town Center, the 2013 Hyde Park Town Center Pedestrian Study, and a Supplemental Memo entitled “Town Center Vision”, the Hyde Park Town Board hereby creates a new Town Core zoning district to revitalize and redevelop the area generally surrounding the intersection of Pine Woods Road and Albany Post Road (Route 9). The Town Core zoning district acknowledges and preserves important and Town-valued historic building architecture, allows development in accordance with traditional neighborhood building patterns, and encourages attractive and compatible infill commercial and residential development with public amenities, which creates a destination and gathering place for town residents. The Town Core Design and Development Standards will guide new development. These Standards allow buildings to be larger and yard setbacks to be smaller, and the intensity and density of uses will be consistent with traditional rural downtowns in the Hudson River Valley. The entire TC district will be united by consistent streetscape design and appropriate pedestrian connections.

B. Applicability.

(1) Where a determination is made that an application requires site plan, special use permit, or subdivision approval from the Planning Board, the Town Core Design and Development Standards shall apply to the following:

(a) New construction.

(b) Expansions or additions to buildings legally existing at the time of the enactment of this local law involving more than a fifty percent (50%) increase of any building area and gross square feet.

(2) Except as regulated in (B)(3) hereafter, the Planning Board, in its discretion, may require that an application comply with §III, Architectural Patterns of the Town Core Design and Development Standards, for any application which seeks an expansion or addition to a legally existing non-conforming building pursuant to Article 6 of the Town Zoning Chapter and such application involves the alteration of the existing façade of the building. The Planning Board, however, may waive any requirements in §III which it determines are not relevant or where such waiver would not be detrimental to the objectives of the Town Core Code provisions. A rationale for such waiver shall be provided by the Planning Board.

(3) A change in use of a lawfully existing building from a nonresidential use to a residential use or mixed nonresidential/residential use, shall be subject to §III, Architectural Patterns of the Town Core Design and Development Standards. The Planning Board, however, may waive any

requirements set forth in §III which it determines are not relevant or where such waiver would not be detrimental to the objectives of the Town Core Code provisions. A rationale for such waiver shall be provided by the Planning Board.

C. Design Standards. Development within the Town Core zoning district is hereby guided by the standards set forth in the Town Core Design and Development Standards, which is included as a separate Attachment to this Zoning Chapter. Unless set forth in this Section 108-5.11.2 , where there is a conflict between this Zoning Chapter and the Design and Development Standards, the latter shall prevail.

D. Prohibited uses.

(1) In order to promote and create a pedestrian and mixed use, tourism-based environment, the following uses are specifically prohibited in the TC district:

- (a) construction yard or building material supply yards;
- (b) gas stations, or the principal use of a property for four or more electric vehicle charging stations;
- (c) automotive sales and automotive repair establishments;
- (d) car wash;
- (e) any outdoor storage, where said storage exceeds 120 square feet of the lot, or 120 square feet of the use to which it is accessory where there is more than one principal use or building on a lot;
- (f) self-storage facility;
- (g) adult uses;
- (h) supportive or supervised living facility as those terms are defined in Section 1.03 of the New York State Mental Hygiene Law under this definition.

E. Pre-existing nonconforming structures.

(1) Any single-family detached dwelling legally existing on the effective date of this Zoning Chapter and located in any subarea of the Town Core zoning district shall be deemed a conforming structure and a permitted use and shall be allowed to continue.

(2) Any building in existence on the effective date of this Zoning Chapter that becomes a nonconforming structure by virtue of the adoption of this law may be continued only in accordance with Article 6, Nonconforming Uses, Structures and Lots.

F. Site plan requirements. In addition to the submission requirements set forth in Section 108-9.4 of this Zoning Chapter, the following additional information shall be submitted to the Planning Board, and the Planning Board has authority to approve same in conjunction with site plan approval:

(1) Master plan for future development. A property may not be able to achieve full build-out until such time that central sewer is made available. The Planning Board may require an applicant to prepare a conceptual master plan for the entire parcel whenever an application to subdivide or develop only a portion of a larger parcel is submitted. The development of a master plan is intended to ensure that partial development or subdivision of a parcel will not

preclude future development consistent with the purposes of the TC zoning district. Any master plan shall be developed at a sufficient level of detail to enable the Planning Board to determine that the present land use application will not impede future development in accordance with the Town Core Design and Development Standards. The Planning Board shall approve, approve with modifications, or disapprove the master plan.

- (2) Building elevations and floor plans. Building elevations which express the architectural design of any new building or building alteration shall be submitted to the board, along with information regarding the materials to be used in building construction. Floor plans shall be submitted to document the number of dwelling units, dwelling unit size, bedroom mix, or gross floor area of nonresidential space that is proposed. This submission is in addition to any renderings required by the Town Core Design and Development Standards.

G. Building type waiver permit.

- (1) Any Applicant that proposes to construct a development with a building type(s) that does not comply with a building type set forth in the Town Core Design and Development Standards may apply to the Planning Board for a Building Type Waiver Permit.
- (2) The Planning Board, in its discretion, may approve a Building Type Waiver Permit only where it finds the waiver meets the standards set forth below. The Building Type Waiver Permit shall be granted only after a public hearing is held in accordance with the procedures and public notification set forth in Section 108-8.3 of this Zoning Chapter. A decision on the Building Type Waiver Permit may be made concurrently with any site, special use permit or subdivision plan decision. The Planning Board, in its discretion, may approve the permit where it finds the following:
 - (a) The building type shall be consistent with the Purposes set forth in Section 103 of the Town Core Design and Development Standards to the maximum extent practicable;
 - (b) The waiver shall not have a detrimental impact on adjoining residential uses or the community character of same;
 - (c) The waiver is being approved to allow for the appropriate development of the Town Core zoning district consistent with the Town Core Design and Development Standards; and
 - (d) The waiver will not have a detrimental impact or impede the development of the remainder of the Town Core zoning district;

Or

- (e) The specific use is a civic facility, charitable institution, or educational institution or cultural facility specifically allowed by the Zoning Chapter within the TC district and requires a unique building form not included among those herein shown and the Planning Board finds it also meets the requirements of (a) through (d) herein.
- (3) Any decision of the Planning Board to waive the building type standards shall be set forth in writing and made part of the record. Where a Building Type Waiver Permit is granted, the land use application shall comply with the Corridor Business zoning district bulk standards set forth within 108 Attachment 2, Schedule of Bulk Regulations, of this Zoning Chapter. The

Planning Board, in its discretion, can condition its approval on adherence to other applicable requirements set forth in the Town Core Design and Development Standards.

17. Town Center Historic District Standards. Renumber Section §108-5.11.2 Town Center Historic District standards to read:

“§108-5.11.3 Corridor Business District standards”

18. Prohibited uses. Amend Article 4, General Regulations, Section 108-4.1, Applicability of regulations, to add a new subsection “D” as follows:

“D. Any use not listed specifically within the Schedule of Use Regulations shall be considered a prohibited use in all districts under this chapter. Where permitted or uses allowed by special use permit are identified by generic words or descriptions, the Zoning Administrator shall determine whether a specific use shall be construed to be part of such generic class. In making such determination, the Zoning Administrator shall consider to what extent the proposed use is similar to the class of use indicated in the District Schedule of Use Regulations. If a use is specifically listed elsewhere in the District Schedule of Use Regulations, it is excluded from a generic classification.”

19. Schedule of Use Regulations. 108 Attachment 1, Schedule of Use Regulations, is amended to rename the “Town Center Historic District” to the “Corridor Business District”, add a new column of uses for the new Town Core District, TC, and several new uses and clarify the uses that are allowed within the overlay zoning districts as follows:

ZONING 108 Attachment 1

Town of Hyde Park

Schedule of Use Regulations

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(w) = All uses in the Landing must be Water Dependent or Water Enhanced.

S* = Designates a use subject to special use permit and site plan approval. Limit of four dwelling units per building, except in the CC and TC districts, where more than four (4) dwelling units per building are permitted subject to the requirements of Section 108-5.11.1. and 108-5.11.2 and the Town Core Design and Development Standards.

S** = The use is allowed by special use permit and site plan approval, unless pre-empted by New York State Mental Hygiene Law Section 41.34 or any other section of New York State Law.

U = Uses allowed by right, by special use permit, or otherwise not permitted shall be the same as the underlying base zoning district.

	Greenbelt and Waterfront		Neighborhood and Neighborhood Core		Hamlet and Hamlet Core		Crossroads Core	Landing	East Park Business District	Neighborhood Business District	Town Core	Corridor Business	Historic Overlay District	Scenic Overlay District
	GB	WF	N	NC	H	HC	CC	L (w)	EPBD	NBD	TC	CB		
Residential uses														
One-family dwelling	P***	P***	P***	P***	P***	P***	P***	P***	P***	P***	P***	P***	U	U
Two-family dwelling	S	S	S	P**	P**	P**	P**	P**	P**	P**	P*	P*	U	U
Multiple dwelling	NP	NP	NP	S	NP	S	P*	S*	NP	NP	P*	P*	U	U
Townhouse	NP	NP	P*	P*	P*	P*	P*	P*	NP	NP	P*	NP	U	U
Community residence	S**	S**	S**	S**	S**	S**	NP	S**	S**	NP	NP	NP	U	U
Residential care facility	S	S	P*	P*	P*	P*	NP	NP	P*	P*	NP	NP	U	U
Manufactured home park	NP	NP	S	NP	S	NP	NP	NP	NP	NP	NP	NP	U	U
Apartment, accessory	S	S	S	S	S	S	S	S	S	S	S	S	U	U
Bed-and-breakfast, accessory	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	U	U
Nonresidential uses														
Adult use	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	S	U	U
Agriculture	P*	P*	P*	P*	P*	P*	NP	P*	P*	P*	NP	NP	U	U
Animal husbandry	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	NP	P*	U	U

ZONING 108 Attachment 1

Town of Hyde Park

Schedule of Use Regulations

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	Greenbelt and Waterfront		Neighborhood and Neighborhood Core		Hamlet and Hamlet Core		Crossroads Core	Landing	East Park Business District	Neighborhood Business District	Town Core	Corridor Business	Historic Overlay District	Scenic Overlay District
	GB	WF	N	NC	H	HC	CC	L (w)	EPBD	NBD	TC	CB		
Artisanal craft	NP	NP	NP	S	NP	P*	P*	P*	P*	P*	P*	P*	U	U
Camp	P*	P*	NP	NP	NP	NP	NP	S	NP	NP	NP	NP	U	U
Camp, day	P*	P*	NP	NP	NP	NP	NP	S	NP	NP	NP	NP	U	U
Cemetery	S	NP	S	NP	S	NP	NP	NP	NP	NP	NP	NP	U	U
Charitable institution	S	S	S	S	S	S	S	S	S	S	P*	P*	U	U
Civic facility	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	U	U
Commercial, general	NP	NP	NP	S	NP	P*	P*	P*	P*	P*	P*	P*	U	U
Commercial, recreation	S	S	S	S	S	S	S	S	S	NP	S	S	U	U
Community facility	S	S	S	S	S	S	S	S	S	P*	S	NP	U	U
Cultural facility	S	S	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	U	U
Day-care center	NP	NP	S	S	S	S	S	NP	S	P*	S	P*	U	U
Educational institution	S	S	P*	P*	P*	P*	P*	S	P*	P*	P*	P*	U	U
Forestry use	P	P	P	P	P	P	NP	P	P	P	NP	P	U	U
Gas station	NP	NP	NP	S	NP	S	NP	S	S	S	NP	S	U	U

ZONING 108 Attachment 1

Town of Hyde Park

Schedule of Use Regulations

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	GB	WF	N	NC	H	HC	CC	L (w)	EPBD	NBD	TC	CB		
Hospital, General	S	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	U	U
Kennel (10-acre minimum)	S	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	U	U
Light industrial	NP	NP	NP	S	NP	S	NP	NP	S	NP	NP	NP	U	U
Lodging facility	NP	NP	NP	S	NP	S	P*	S	P*	NP	P*	P*	U	U
Medical office, professional	NP	NP	NP	S	NP	P*	P*	NP	P*	P*	P*	P*	U	U
Membership club	S	S	S	P*	P*	P*	P*	S	P*	NP	P*	NP	U	U
Mining	S	S	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	U	U
Municipal	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	U	U
Nursery school	P*	P*	P*	P*	P*	P*	P*	NP	P*	P*	P*	P*	U	U
Plant nursery	S	S	S	S	S	S	NP	S	S	P*	P*	P*	U	U
Photovoltaic system, building-integrated (BIPV system)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public utility facility	S	S	S	S	S	S	S	S	S	S	S	S	U	U
Religious use	S	S	S	S	S	S	P*	NP	S	P*	P*	P*	U	U

ZONING 108 Attachment 1

Town of Hyde Park

Schedule of Use Regulations

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	Greenbelt and Waterfront		Neighborhood and Neighborhood Core		Hamlet and Hamlet Core		Crossroads Core	Landing	East Park Business District	Neighborhood Business District	Town Core	Corridor Business	Historic Overlay District	Scenic Overlay District
	GB	WF	N	NC	H	HC	CC	L (w)	EPBD	NBD	TC	CB		
Roadside stand	P*	P*	P*	P*	P*	P*	S	P*	P*	NP	S	NP	U	U
Rural event venue	S	S	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	U	U
Scrap yard	S	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	U	U
Solar farms	S	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Solar system, freestanding or ground-mounted	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Solar system, rooftop or building-mounted	P	P	P	P	P	P	P	P	P	P	P	P	P*	P*
Solar thermal system	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Telecommunications towers and facilities	S	S	S	S	S	S	S	S	S	S	S	S	U	U

NOTES:

Rooftop or building-mounted solar systems shall be permitted in all zoning districts pursuant to a solar system building permit granted by the Town's Building Inspector and Zoning Administrator, in accordance with the provisions of Chapter 130 of the Code.

ZONING 108 Attachment 1

Town of Hyde Park

Schedule of Use Regulations

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	GB	WF	N	NC	H	HC	CC	L (w)	EPBD	NBD	TC	CB		

Rooftop or building-mounted solar systems shall be permitted only in the Town’s Historic Overlay District or Scenic Overlay District subject to site plan approval by the Planning Board, in accordance with the provisions of Chapter 130 of the Code.

Freestanding or ground-mounted solar energy systems shall be permitted in all zoning districts subject to the issuance of a solar system building permit and site plan approval by the Planning Board pursuant to the provisions of Chapter 130 of the Code.

Solar farms shall be permitted only in the Greenbelt Zoning District subject to a solar system building permit and a special use permit and site plan approval by the Planning Board, pursuant to the provisions of Chapter 130 of the Code.

Building-integrated photovoltaic (BIPV) systems are permitted in all zoning districts provided they are shown on the plans submitted for the building permit application for the building containing this system approved by the Town’s Building Inspector and Zoning Administrator in accordance with the provisions of Chapter 130 of the Code.

Solar thermal systems are permitted in all zoning districts subject to the provisions of Chapter 108 of the Town Code.

Telecommunications towers and facilities are subject to the provisions of Chapter 108 of the Town Code.

20. **Schedule of Bulk Regulations.** 108 Attachment 2, Schedule of Bulk Regulations, is amended to include a column of bulk requirements associated with the new zoning district, TC, as follows:

ZONING 108 Attachment 2														
Town of Hyde Park														
Schedule of Bulk Regulations														
			Greenbelt and Waterfront		Neighborhood and Neighborhood Core		Hamlet and Hamlet Core		Crossroads Core	Landing	East Park Business District	Neighborhood Business District	Town Core District ⁽⁷⁾	Corridor Business
			GB	WF	N	NC	H	HC	CC	L (w)	EPBD	NBD	TC	CB
Height	Building	Maximum	35 ft	35 ft	35 ft	35 ft	35 ft	40 ft	40 ft	35 ft	40 ft	40 ft	⁽⁷⁾	40 ft
	Accessory structure	Maximum	22 ft	22 ft	22 ft	22 ft	22 ft	22 ft	22 ft	22 ft	22 ft	22 ft	⁽⁷⁾	22 ft
Size	Dwelling unit	Least dim.	16 ft	16 ft	16 ft	16 ft	16 ft	16 ft	16 ft	16 ft	16 ft	16 ft	⁽⁷⁾	16 ft
	Dwelling unit	Minimum floor area	400 sf	400 sf	400 sf	400 sf	400 sf	400 sf	400 sf	400 sf	400 sf	400 sf	⁽⁷⁾	400 sf
Coverage	Impervious coverage	Maximum	15% ⁶	15% ⁶	50%	70%	60%	80%	85%	90%	70%	70%	⁽⁷⁾	85%
Yards ² (setbacks)	Front ¹	Minimum	50 ft	50 ft	50 ft	30 ft	20 ft	10 ft	10 ft ⁵	10 ft	20 ft	20 ft	⁽⁷⁾	10 ft
	Side ⁴	Minimum	25 ft	25 ft	20 ft	15 ft	10 ft	10 ft	10 ft ⁵	10 ft	10 ft	10 ft	⁽⁷⁾	5 ft
	Rear	Minimum	50 ft	50 ft	30 ft	30 ft	30 ft	30 ft	25 ft	10 ft	20 ft	20 ft	⁽⁷⁾	20 ft
One shed (setbacks)	Front	Minimum	50 ft	50 ft	50 ft	30 ft	20 ft	10 ft	10 ft	10 ft	20 ft	20 ft	⁽⁷⁾	10 ft
	Side	Minimum	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	⁽⁷⁾	5 ft
	Rear	Minimum	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	⁽⁷⁾	5 ft
Scale (gsf)						6,000					40000	7500	⁽⁷⁾	65000
Maximum average density			0.4 DU/A ³ (2.5 A/DU) ³	0.4 DU/A ³ (2.5 A/DU) ³	2 DU/A	4 DU/A	4 DU/A	6 DU/A	10 DU/A	10 DU/A	8 DU/A	8 DU/A	⁽⁷⁾	8 DU/A

ZONING 108 Attachment 2

Town of Hyde Park

Schedule of Bulk Regulations

NOTES:

Refer to § 108-4.4 for further detail.

Scale. Scale limits the gross square feet of a proposed use or structure. Scale limits do not apply to one- and two-family residential use, animal husbandry, or agriculture use. The density limits noted herein shall include accessory apartments. The coverage limits noted herein shall be the maximum for all uses permitted on one lot.

Yard requirements: Such minimums shall be parallel to the applicable lot line for the full length thereof.

Landing: Any lot fronting on the Hudson River shall be permitted to construct water-dependent structures into the river, provided that U.S. Army Corps of Engineers approvals are obtained.

¹ On a corner lot, there shall be provided a side yard on the side street equal in depth to the required front yard in said district.

² Accessory structures, other than fences or walls, with a maximum height of 15 feet may be placed on a lot, provided the setback is no less than the setback required for any building for the front yard and no less than one-half the setback required for any building for the rear and side yards with a minimum setback of five feet. This does not apply to an accessory structure that contains a dwelling unit. An accessory structure that contains a dwelling unit must comply with the bulk requirements for the principal structure.

³ In the Greenbelt and Waterfront Districts, when calculating the density of acreage for a given parcel, all Federal Army Corps of Engineers and NYS DEC regulated wetlands proper as well as lands within the one-hundred-year flood hazard area shall be excluded from the total parcel acreage calculation. Where the resulting residual acreage is equal to or less than 10.0 acres, minimum average density shall be calculated on the basis of 2.0 A/DU for this residual acreage. Where the resulting residual acreage is more than 10.0 acres, the minimum average density shall be calculated on the basis of 2.5 A/DU for this residual acreage.

⁴ Townhouse. A zero-foot side yard setback is permitted for the side yard bordered by another attached dwelling unit.

⁵ Front yard in the CC zoning district. The front and side yards may be reduced to 0 feet, subject to the CC standards.

⁶ For solar farms approved pursuant to § 130-8 of the Town Code, the maximum impervious coverage shall be 25% instead of 15% as listed in the schedule.

⁷ The bulk regulations for the TC zoning district are set forth in the Town Core Design and Development Standards. Where a Building Type Waiver Permit has been approved by the Planning Board, the bulk regulations set forth for the Corridor Business District, as set forth in this Attachment 2, Schedule of Bulk Regulations, shall apply.

21. Zoning District Map revision. Section 108-3.2, Zoning Map, shall be revised as shown on the attached to create and show the boundaries of the TC zoning district.

22. Zoning District Map revision. The map legend listing the zoning districts at Section 108-3.2, Zoning Map, shall be revised to delete “TCHD, Town Center Historic District”, and replace it with the following: “CB, Corridor Business”

SECTION V. SEVERABILITY.

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection or other portion, or the proscribed Application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect.

SECTION VI. CONFLICT WITH OTHER LAWS.

Where this Law differs or conflicts with other Laws, rules and regulations, unless the right to do so is pre-empted or prohibited by the County, State or federal government, the more restrictive or protective of the Town and the public shall apply.

SECTION VII. EFFECTIVE DATE.

This Law shall become effective upon filing with the New York State Secretary of State.

SECTION VIII. AUTHORITY

This Local Law is enacted pursuant to the Municipal Home Rule Law. This Local law shall supersede the provisions of the Town Law to the extent it is inconsistent with same, and the extent permitted by the New York State Constitution, the Municipal Home Rule Law, or any other applicable statute.

RESOLUTION 8:21 – 2 OF 2020

RESOLUTION ACCEPTING REVISED LOCAL LAW NO. D OF THE YEAR 2020 ENTITLED: “A LOCAL LAW REGULATING THE USE OF ALL-TERRAIN VEHICLES IN THE RESIDENTIAL AREA OF THE TOWN OF HYDE PARK” AND CONTINUING THE LOCAL LAW ADOPTION PROCESS

WHEREAS, the Town Board had received numerous complaints from citizens and the Police Department, concerning the proliferation of unreasonably loud and disruptive recreational operation of ATVs in the residential areas of the Town of Hyde Park; and

WHEREAS, the Town of Hyde Park Police have advised the Town Board that appropriate regulations are required to regulate the use of these vehicles; and

WHEREAS, the Attorney to the Town, at the request of the Town Board, drafted a proposed Local Law regulating the use of all-terrain vehicles in residential areas of the Town of Hyde Park and the law had been reviewed by the Police Department and the Town Board and had been found to be acceptable for purposes of commencing the local law adoption process; and

WHEREAS, this action has been determined to be a Type II action under SEQRA which does not require environmental review; and

WHEREAS, the Town Board commenced the local law adoption process for Local Law No. D of the Year 2020 entitled: A Local Law Regulating the Use of All-Terrain Vehicles in the Residential Areas of the Town of Hyde Park”; and scheduled a public hearing on the adoption of said Local Law for August 10, 2020; and

WHEREAS, the Town Board opened the public hearing on August 10, 2020 and received certain comments from members of the public regarding the same; and

WHEREAS, the Town Board directed the Attorney to the Town to amend the proposed Local Law to address some of the comments and concerns expressed at the public hearing; and

WHEREAS, a revised Local Law has been drafted and presented to the Town Board; and

WHEREAS, the Town Board has reviewed the revised proposed Local Law and determined to continue the local law adoption process with the Local Law as revised.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the revised Local Law No. D of the Year 2020 entitled: “A Local Law Regulating the Use of All-Terrain Vehicles in the Residential Area of the Town of Hyde Park” and continues the public hearing on said Local Law until October 5, 2020 at 6:10 p.m.; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to give such notice of the continuation of said public hearing as may be required by law.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Marrine	_____
Councilman Schneider	_____
Supervisor Rohr	_____

TOWN OF HYDE PARK

LOCAL LAW NO. D OF THE YEAR 2020

**A LOCAL LAW REGULATING THE USE OF ALL-TERRAIN VEHICLES
IN THE RESIDENTIAL AREAS OF THE TOWN OF HYDE PARK**

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

SECTION 1. TITLE.

This Local Law shall be entitled: “A Local Law Regulating the Use of All-Terrain Vehicles in the Residential Areas of the Town of Hyde Park”.

SECTION 2. PURPOSE AND AUTHORITY.

The proliferation of the unreasonably loud and disruptive recreational operation of ATVs in the residential areas of the Town of Hyde Park, which operation is not of such nature, intensity, duration and repetition as to be detrimental to the life, health, repose and safety of the public, has reached such proportions that the Town Board, pursuant to the authority of §10 of the Municipal Home Rule Law, Vehicle and Traffic Law §2404(6), and the New York Constitution, Article IX, in order to preserve, protect and promote public health, safety and welfare has determined to adopt restrictions on the use of ATVs on private property near residences in the Town of Hyde Park. The Town of Hyde Park finds that the current and repeated recreational operation of non-exempt ATVs on private property near residences within the Town of Hyde Park creates irritating dust, fumes and noise, interferes with quiet, peaceful repose and normal residential activities, and constitutes a public nuisance to the residents of the Town of Hyde Park; and the purpose of this law is to prohibit recreational operation of ATVs on private property in close proximity to residences in the Town of Hyde Park.

SECTION 3.

The Town of Hyde Park Code, Chapter 104, is hereby amended to create a new Article VIII, entitled: "Regulation of All-Terrain Vehicles in Residential Areas of the Town of Hyde Park".

“§104-21. DEFINITIONS.

ATV

Any all-terrain vehicle as defined in §2281 of the Vehicle and Traffic Law of the State of New York.

RESIDENCE

Any dwelling or dwelling unit located in the Town of Hyde Park as defined in §108-2.2, Definitions of the Zoning Law of the Town of Hyde Park.

§104-22. PROHIBITED ACTS.

It shall be unlawful:

- A. For any person to operate non-exempt ATVs upon public property without written consent of the agency in whose name the title to the land rests;
- B. To operate non-exempt ATVs on private property other than private property owned by the non-exempt ATV operator or the operator's immediate family without the written consent of the owner(s) of such private property. Such written consent must be dated and signed by the record owner(s) of the private lands where the ATV is being used, and must be carried on the person of an ATV operator at all time the ATV is being operated;
- C. To operate a non-exempt ATV between 8:00 p.m. and 9:00 a.m.;
- D. To operate non-exempt ATVs that do not comply with the requirements and regulations of the Department of Motor Vehicles of the State of New York, including insurance and registration of such vehicles;
- E. No person shall operate any non-exempt ATV vehicle in the Town of Hyde Park upon private real property within 500 feet of a residence other than a residence on which the ATV is being operated at any time, regardless of whether such vehicle is licensed, unlicensed, registered or unregistered by the New York State Department of Motor Vehicles, unless such use is exempt;
- F. To operate an ATV on public or private property in such a way as to harass, worry or disturb farm animals, domestic animals or wildlife;
- G. To operate any ATV within the Town of Hyde Park on private property without a properly functioning muffler system which meets the muffler standards specified in New York State Vehicle and Traffic Law §2406(1)(b);
- H. To operate an ATV near any public roadway so that the operation of such ATV creates a hazard to traffic;
- I. To operate an ATV in a repetitive or continuous manner that is disturbing or bothersome to nearby property owners, by reason of resulting noise, dust or other conditions arising from the operation of such vehicles.
- J. To operate an ATV that is not in safe operating condition. All ATVs must have original operating equipment specified and supplied by the manufacturer or replacement equipment that is functionally equivalent to the specifications of the manufacturer of the ATV;

- K. To operate an ATV on any private street or right-of-way in the Town without the written consent of the owner of the private street or right-of-way. Such written consent must be dated and signed by the record owner(s) of the private street or right-of-way where the is being operated, and must be carried on the person of the ATV operator at all times the ATV is being operated;
- L. To operate an ATV in a careless, reckless, or negligent manner that may endanger the safety of any person, including the operator himself, or the property of any person.
- M. To operate an ATV while under the influence of alcohol or drugs in violation of §1192 or 1192(a) of the Vehicle and Traffic Law;
- N. For a parent or guardian to authorize or knowingly permit a child under 16 years of age to operate an ATV in violation of any provision of this Chapter; and
- O. For the owner or any other person in possession of an ATV to authorize or knowingly permit a child under 16 years to operate such ATV in violation of any provision of this Chapter.

**§104-23. USE OF PROPERTY FOR OPERATION OF NON-EXEMPT
ATVs PROHIBITED.**

No owner, resident, or person in control of private real property within the Town of Hyde Park shall use or permit the use of any ATV on such real property unless such use is exempt.

§104-24. EXEMPTIONS.

The following uses of ATVs are exempt from the provisions of this Article:

- A. The operation of publically owned and emergency vehicles and ATVs by public officers, public officials or emergency personnel in the course and scope of their duties.
- B. The operation of any ATV for the purpose of repairing or servicing it, or for the otherwise lawful maintenance, plowing, construction, repair, remodeling or grading of any structure or real property.

§104-25. GENERAL REGULATIONS.

- A. The operator and passenger of an ATV shall wear a helmet and goggles or face shields that are approved by the Department of Motor Vehicles of the State of New York for such use.
- B. No person operating an ATV shall engage in racing or reckless operation.
- C. No person operating an ATV shall carry any other person as a passenger except where designated for such purpose on the vehicle and equipped for such purpose by the manufacturer.

§104-26. ENFORCEMENT.

Duly sworn police officers of the Town of Hyde Park and other duly sworn law enforcement officers with jurisdiction in the State of New York are empowered to enforce this Chapter. Law enforcement officers shall from time to time check the registration and insurance documents for an ATV being operated in the Town of Hyde Park. Law enforcement officers shall be authorized to stop any ATV that is being operated on private property for the purpose of determining if the operator possesses the required written consent of the property owner(s) to operate an ATV on such private property.

§104-27. IMPOUNDMENT.

- A. A Law enforcement officer may impound an ATV if:
 - 1. The identity of the operator or owner of the ATV is unknown to the officer;
 - 2. The operator of the ATV has no proof of consent of the owner of the land to operate the same on said private property.
 - 3. The operator is in violation of any provision of this Chapter.
 - 4. The ATV is involved in an accident causing personal injury or death while operated in violation of this Chapter; or
 - 5. The ATV is required as evidence of a crime.

- B. The period of impoundment for the ATV shall be for such period of time as is necessary for investigation by the law enforcement officers, which shall include use of the vehicle as evidence in any judicial proceeding. Any person wishing to have an ATV released from impoundment must make application before the appropriate court. The ATV shall be released upon court order. Upon receipt of said court order by the Police Department, the ATV shall be released by the Town of Hyde Park Police Department upon payment by the owner of an impoundment fee of \$250, plus any removal and storage fees incurred by the Police Department, which sum shall be payable to the Town Clerk.

- C. The Town of Hyde Park Police Department, upon the order of the Chief of Police or his duly authorized subordinate may, without court order, release such ATV if deemed to have no further need of the vehicle for evidence or as part of an investigation, after payment of the impoundment fee and removal and storage fees.

§104-28. APPEARANCE TICKET.

Any law enforcement officer is authorized to issue appearance tickets for violations of this Chapter to operators and owners of ATVs and may file an accusatory instrument with the Town Justice Court pursuant to the rules contained in the Criminal Procedure Law.

§104-29. PENALTIES FOR OFFENSES.

- A. Any person convicted of a violation of this article shall be liable for a penalty of up to \$500 for a first violation; of not less than \$750 for a second violation committed within one year of the date of the commission of the first violation, and not less than \$750 nor more than \$1,000 for a third violation committed within one year of the date of the commission of the first violation. Each incident is considered a separate violation.

- B. Any person convicted of a fourth or subsequent violation of this article within one year of the date of the commission of the first violation shall be guilty of an unclassified misdemeanor and subject to a penalty of a fine of \$1,000 or 15 days in jail or both.”

SECTION 4. SEVERABILITY.

In the event that any section, paragraph, sentence, clause or phrase of this article is held invalid or unconstitutional by any court of competent jurisdiction, the invalid or

unconstitutional portions of this article shall be deemed severed from the article and shall in no way affect the validity of the rest of this article.”

SECTION 5. SUPERSESSION.

This local law is hereby adopted pursuant to the provisions of the New York State Municipal Home Rule Law and §10 of the New York State Statute of Local Governments. It is the intent of the Town Board to supersede any provisions of the New York State Law to the extent that they may be inconsistent with the provisions of this Local Law.

SECTION 6. EFFECTIVE DATE.

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

RESOLUTION 9:21 - 3 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE VACATION CARRY OVER FOR TOWN OF HYDE PARK ZONING ADMINISTRATOR KATHLEEN MOSS

BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize Town of Hyde Park Zoning Administrator, Kathleen Moss to carry over up to 45 hours of accrued vacation time which she was unable to use prior to her anniversary date of October 16, 2020, and that said carry over vacation time must be used no later than April 16, 2021.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Marrine	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 9:21 - 4 OF 2020

RESOLUTION APPROVING BUDGET REVISIONS TO THE TOWN OF HYDE PARK BUDGET FOR THE PERIOD OF AUGUST 2020 BUDGET REVISIONS NUMBER 2020-08

WHEREAS, the Town Comptroller recommends certain budget revisions to the Town of Hyde Park Budget based on various department requests and/or the Town Comptroller’s review and analysis of Expenditures versus Budget.

NOW, THEREFORE, BE IT RESOLVED, that the following itemized revisions be authorized and approved by the Town of Hyde Park Town Board for August 2020 identified as Budget Revisions Number 2020-08.

REVISION NUMBER	ACCOUNT NUMBER	ACCOUNT TITLE & EXPLANATION	INCREASE DOLLARS	DECREASE DOLLARS
<u>GENERAL FUND</u>				
#2020-08-01	01.1110.107	Justice, Other Compensation	1,137.93	
	01.1110.118	Justice Health Insurance Buyout	1,547.00	
	01.1110.821	Justice Medical Insurance		2,684.93
		<i>- Adjust for Payout of Terminated Employee and Allocation for New Employee Benefits</i>		
#2020-08-02	01.1420.490	Boards Counsel	2,000.00	
	01.1990.400	Contingency		2,000.00
		<i>- ZBA Use of Attorney Exceed Budget</i>		
#2020-08-03	01.1621.101	Custodian Regular Pay	2,440.00	
	01.1621.811	Custodian Social Security	270.00	
	01.1010.107	Special Compensation		2,710.00
		<i>- To Recognize the Increase in Work Hours</i>		
#2020-08-04	01.1621.230	PCF Improvements	33,692.00	
	01.1990.400	Contingency		8,692.00
	01.2681	Insurance Recovery Assets	25,000.00	
		<i>- Use of Insurance Proceeds to Repair PCF</i>		
#2020-08-05	01.3120.450	Police Vehicle Maintenance	20,000.00	
	01.1990.400	Contingency		20,000.00
		<i>- Estimate for Six Months Repairs of Vehicles</i>		

REVISION NUMBER	ACCOUNT NUMBER	ACCOUNT TITLE & EXPLANATION	INCREASE DOLLARS	DECREASE DOLLARS
<u>GENERAL FUND CONT'D</u>				
#2020-08-06	01.5010.200	Highway Supt., Office Equipment	330.00	
	01.5010.410	Highway Supt., Supplies		130.00
	01.5010.480	Highway Supt., Conferences		200.00
		<i>- To Allocate Funds for Office Printer</i>		
#2020-08-07	01.5132.410	Highway Garage Supplies	450.00	
	01.5132.210	Highway Garage Improvements		450.00
		<i>- To Cover Deficit and Future Expenses</i>		
#2020-08-08	01.7020.420	Rec. Adm., Cell Phone	212.00	
	01.7020.400	Rec. Adm., Office General Expense		212.00
		<i>- To Fund the Monthly Cell Phone Coverage</i>		
#2020-08-09	01.7111.400	Hackett Hill Park, Repairs	1,600.00	
	01.7116.410	Beck Park, Supplies	46.00	
	01.1990.400	Contingency		1,646.00
		<i>- Add Pavers to Disc Golf Course and Repair 2 Water Curb Valves</i>		
#2020-08-10	01.9950.900	Transfer to Capital Fund #43	50.00	
	01.1990.400	Contingency		50.00
		<i>- To Transfer Additional Support to ZEV Project</i>		
<u>HIGHWAY FUND</u>				
#2020-08-11	05.5110.412	Guiderails	6,269.00	
	05.5020.400	Engineering Services		1,000.00
	05.5110.107	Other Comp. Absences		708.81
	05.5110.421	Cell Phone		272.15
	05.5120.400	Maintenance of Bridges		1,000.00
	05.5130.160	Meal Allowance		305.00
	05.5140.200	Brush and Weeds Equipment		1,140.04
	05.5142.160	Meal Allowance		1,420.00
	05.9050.800	Unemployment		423.00
		<i>- To Allocate Funds for Guiderails to be Installed on Beck Road</i>		
<u>RECREATION TRUST</u>				
#2020-08-12	07.9950.900	Transfer to Capital Fund #72	45,000.00	
	07.9909	Use of Fund Balance	45,000.00	
		<i>-To Support Dinsmore Park Project</i>		

REVISION NUMBER	ACCOUNT NUMBER	ACCOUNT TITLE & EXPLANATION	INCREASE DOLLARS	DECREASE DOLLARS
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CAPITAL PROJECTS

ZEV

#2020-08-13	43.5030	Transfer In	50.00	
	43.4000.480	ZEV Other Expense <i>- To Pay for Misc. Expense</i>	50.00	

HIGHWAY RESURFACING

#2020-08-14	58.5112.480	Highway Resurfacing, Other	76.31	
	58.5112.400	Highway Resurfacing, Paving <i>- To Pay the Cost of Legal Ad for Borrowing</i>		76.31

DRAINAGE IMPROVEMENT

#2020-08-15	60.8000.440	Engineering	4,193.74	
	60.8000.200	Improvements <i>-Reallocate Project Costs to Engineering</i>		4,193.74

SEWER DISTRICT

#2020-08-16	80.8130.470	Sewer, Legal	3,000.00	
	80.8130.460	Sewer, Engineer	1,406.18	
	80.8130.480	Sewer, Other	976.28	
	80.8130.430	Sewer, Map, Plan & Report <i>- To Re-Allocate Budget for Actual Expense and Eminent Domain Legal Advice</i>		5,382.46

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Marrine	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 9:21 - 5 OF 2020

RESOLUTION APPROVING BUDGET REVISIONS TO THE TOWN OF HYDE PARK BUDGET FOR TOWN EXPENSES INCURRED ON TOWN FINANCES DUE TO THE IMPACT OF THE COVID-19 PANDEMIC FOR THE PERIOD OF AUGUST 2020 BUDGET REVISIONS NUMBER 2020-08A

WHEREAS, the Town Comptroller recommends certain budget revisions to the Town of Hyde Park Budget based on review by the Town Comptroller due to the impact of the COVID-19 pandemic on the Town's finances.

NOW, THEREFORE, BE IT RESOLVED, that the following itemized revisions be authorized and approved by the Town of Hyde Park Town Board for August 2020 identified as Budget Revisions Number 2020-08A.

REVISION NUMBER	ACCOUNT NUMBER	ACCOUNT TITLE & EXPLANATION	INCREASE DOLLARS	DECREASE DOLLARS	
<u>GENERAL FUND</u>					
#2020-08-100	01.2001	Membership Fees		8,000.00	
	01.2002	Day Camp Fees		86,000.00	
	01.2007	Pool Gate Fees		2,000.00	
	01.2009	Concession Sales		2,000.00	
	01.2010	Specialty Camp Fees		8,000.00	
	01.2011	Use of Facility		5,000.00	
	01.2012	Celebration Income		200.00	
	01.2025	Swim Lessons		4,000.00	
	01.2089	Other Rec. Fees		1,000.00	
	01.3889	State Youth Aid		5,000.00	
	<hr/>				
		01.7140.100	Camp Personal Services		72,507.00
		01.7140.150	Specialty Camp		1,500.00
		01.7140.400	General Expenses		4,500.00
		01.7140.410	Camp Supplies		1,087.50
		01.7140.480	Camp Training Expense		600.00
		01.7140.490	Concession Expense		1,202.03
		01.7140.811	Social Security		5,662.27
		01.7140.812	Retirement		1,000.00
		01.7180.113	Pool Seasonal Staff		20,000.00
		01.7180.401	Pool Supplies		256.54
		01.7180.450	Pool Extra Services		284.08
		01.7180.480	Pool Permits		250.00
		01.7180.812	Pool Retirement		500.00

REVISION NUMBER	ACCOUNT NUMBER	ACCOUNT TITLE & EXPLANATION	INCREASE DOLLARS	DECREASE DOLLARS
<u>GENERAL FUND CONT'D.</u>				
	01.7270.113	Concerts, PT Labor		1,000.00
	01.7270.440	Concerts, Rentals		1,000.00
	01.7270.450	Concerts, Band Contracts		5,550.00
	01.7270.490	Concerts, Misc. Expense		11.00
	01.7270.811	Concerts, Social Security		76.00
	01.7310.112	Youth Swim Seasonal		3,000.00
	01.7310.116	Youth Program Seasonal		1,000.00
	01.7310.811	Youth Social Security		213.58

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick _____
Councilman Ray _____
Councilman Marrine _____
Councilman Schneider _____
Supervisor Rohr _____

RESOLUTION 9:21 – 6 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO AWARD THE TOWN OF HYDE PARK HIGHWAY SALT DOME ROOF REPAIR PROJECT TO TRANSITIONAL BUILDERS, INC.

WHEREAS, the Town Engineer and Highway Superintendent have advised the Town Board that the Salt Dome Roof at the Town of Hyde Park Highway Department is in need of significant repairs; and

WHEREAS, the total project cost is projected to be between \$25,000 - \$30,000; and

WHEREAS, the Town Engineer with the assistance of the Town Highway Superintendent sent out four RFP's to local contractors to perform the structural repairs as per the Town's Procurement Policy; and

WHEREAS, there was only one proposal received from Transitional Builders, Inc. in the amount of \$28,700 which was within the range for the projected project cost; and

WHEREAS, the Town and Town Engineer have worked with Transitional Builders, Inc. in the past and found their work to be highly acceptable and reasonably priced; and

WHEREAS, the Town Supervisor and Town Comptroller agree that it would be in the best interests of the town to proceed with the repairs to the Town of Hyde Park Highway Salt Dome Roof.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the proposal of Transitional Builders, Inc. in the amount of \$28,700 for the Town of Hyde Park Highway Salt Dome Roof Repair Project; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute the appropriate contract in accordance with the proposal, subject to the approval of the Town Comptroller and the Attorney to the Town and to execute such other and further documents as may be necessary to move forward with the project.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick _____
Councilman Ray _____
Councilman Marrine _____
Councilman Schneider _____
Supervisor Rohr _____

RESOLUTION 9:21 - 7 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN HYDE PARK BASEBALL, INC. AND THE TOWN OF HYDE PARK RECREATION DEPARTMENT TO PROVIDE A YOUTH BASEBALL AND SOFTBALL PROGRAM FOR THE RESIDENTS OF THE TOWN OF HYDE PARK AS PART OF THE TOWN’S RECREATION PROGRAM FOR THE YEAR 2020

WHEREAS, Hyde Park Baseball, Inc. has, in the past, run a Youth Baseball and Softball Program for the residents of the Town of Hyde Park as part of the Town’s Recreation Program; and

WHEREAS, the Town of Hyde Park Recreation has determined that the said program benefits the residents of the Town of Hyde Park and is an integral part of the Town’s Recreation Program; and

WHEREAS, Hyde Park Baseball, Inc. has proposed to run the Youth Baseball and Softball Program for the residents of the Town of Hyde Park as part of the Town’s Recreation Program for 2020 at an annual cost of \$3,750.00; and

WHEREAS, the Town of Hyde Park Recreation Budget has allocated the sum of \$3,750.00 for this purpose; and

WHEREAS, said contract provides, in relevant part, that the Town will be named as an additional insured on Hyde Park Baseball, Inc.’s liability insurance coverage in the amount of \$1,000,000.00; and

WHEREAS, the Town Board, the Attorney to the Town and the Town’s Recreation Director have reviewed the financial documentation and the proposed contract provided by the Town of Hyde Park Baseball, Inc. and have found the same to be in all respects satisfactory.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the Town of Hyde Park Supervisor to execute an agreement between Hyde Park Baseball, Inc. and the Town of Hyde Park Recreation Department to provide for the running of a Youth Baseball and Softball Program for the residents of the Town of Hyde Park as part of the Town’s Recreation Program at a cost of \$3,750.00 for the fiscal year 2020.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Marrine	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 9:21 – 8 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN HYDE PARK SOCCER, INC. AND THE TOWN OF HYDE PARK RECREATION DEPARTMENT TO PROVIDE A YOUTH SOCCER PROGRAM FOR THE RESIDENTS OF THE TOWN OF HYDE PARK AS PART OF THE TOWN'S RECREATION PROGRAM FOR THE YEAR 2020

WHEREAS, Hyde Park Soccer, Inc. has, in the past, run a Youth Soccer Program for the residents of the Town of Hyde Park as part of the Town's Recreation Program; and

WHEREAS, the Town of Hyde Park Recreation has determined that the said program benefits the residents of the Town of Hyde Park and is an integral part of the Town's Recreation Program; and

WHEREAS, Hyde Park Soccer, Inc. has proposed to run the Youth Soccer Program for the residents of the Town of Hyde Park as part of the Town's Recreation Program for 2020 at an annual cost of \$2,900.00; and

WHEREAS, the Town of Hyde Park Recreation Budget has allocated the sum of \$2,900.00 for this purpose; and

WHEREAS, said contract provides, in relevant part, that the Town will be named as an additional insured on Hyde Park Soccer, Inc.'s liability insurance coverage in the amount of \$1,000,000.00; and

WHEREAS, the Town Board, the Attorney to the Town and the Town's Recreation Director have reviewed the financial documentation and the proposed agreement provided by the Town of Hyde Park Soccer, Inc. and have found the same to be in all respects satisfactory.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the Town of Hyde Park Supervisor to execute an agreement between Hyde Park Soccer, Inc. and the Town of Hyde Park Recreation Department to provide for the running of a Youth Soccer Program for the residents of the Town of Hyde Park as part of the Town's Recreation Program at a cost of \$2,900.00 for the fiscal year 2020.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Marrine	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 9:21 - 9 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO WAIVE THE THIRTY (30) DAY ADVANCE NOTICE OF A LIQUOR LICENSE FOR ON PREMISES CONSUMPTION FOR BUTCHY'S BBQ, INC. IN THE TOWN OF HYDE PARK

WHEREAS, Butchy's BBQ, Inc., intends to file an application for its New York State Liquor License for a Liquor, Wine & Beer License for their restaurant at 815 Violet Avenue, Hyde Park, New York 12538; and

WHEREAS, pursuant to New York State Alcoholic Beverage Control Law Section 110(b), an Applicant must give the municipality thirty (30) days' notice of the pending liquor license application unless the municipality consents to waive the thirty (30) day requirement; and

WHEREAS, the Town Board has determined that in this case, the waiver of the thirty (30) day waiting requirement is appropriate and it would not result in a detriment to the health, safety, and welfare of the Town and its citizens.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby waive the thirty (30) day notice period for Butchy's BBQ, Inc., 815 Violet Avenue, Hyde Park, New York, 12538 allowing an earlier submission of the liquor license application; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to send a letter to the New York State Liquor Authority indicating the Town's waiver.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Marrine	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 9:21 - 10 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO SUBMIT THE 2020-2021 GRANT APPLICATION FOR THE JUSTICE COURT ASSISTANCE PROGRAM (“JCAP”) GRANT FOR THE TOWN OF HYDE PARK JUSTICE COURT

WHEREAS, the Justice Court Assistance Program (“JCAP”) was established in 1999 to provide some State assistance to Town and Village Courts; and

WHEREAS, since the release of the Unified Court Systems Action Plan for Justice Courts in November 2006, the program has been significantly expanded; and

WHEREAS, the maximum JCAP award is \$30,000 and may be used for a variety of purposes, including office and security equipment, and courtroom renovations; and

WHEREAS, the Town Board and the Town Comptroller shall reserve the right to approve the expenditures of those monies awarded to the Justice Court.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the Town Supervisor to sign and submit a grant application for the 2020-2021 Justice Court Assistance Program (“JCAP”) Grant requesting up to the maximum amount available for the Justice Court of the Town of Hyde Park.

**MOTION:
SECOND:**

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick _____
Councilman Ray _____
Councilman Marrine _____
Councilman Schneider _____
Supervisor Rohr _____