



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

*“Working with you for a better Hyde Park”*

**DRAFT MINUTES OF THE JANUARY 4, 2023, 6:00 PM  
REGULAR MEETING  
OF THE HYDE PARK PLANNING BOARD**

**MEMBERS PRESENT: MICHAEL DUPREE – CHAIRMAN  
ANNE DEXTER - VICE CHAIR  
CHRISTOPHER OLIVER – VICE CHAIR  
JOHN GUERCIO, JR  
STEPHANIE WASSER  
ROBERT WATERS  
ANN WEISER**

**OTHERS PRESENT: KATHLEEN MOSS, HP ZONING ADMINISTRATOR  
CYNTHIA WITMAN, PB SECRETARY**

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**Chairman Dupree:** Good evening, everyone and welcome to the January 4<sup>th</sup>, 2023 meeting of the Hyde Park Planning Board. Before I go on, I want to first thank the Town Board for reappointing me as Chair, but more importantly for reappointing Chris Oliver, one of our Vice-Chairs to a new 7-year term. I want to thank Chris for being willing to serve again. Please take note of all the exits around the room in case of mishap or emergency. And now join us as we salute the *American Flag*.

*The Chair led the Pledge of Allegiance.*

## **PLEDGE OF ALLEGIANCE**

### **OTHER BUSINESS:**

#### **BELLEFIELD PHASE II SUBDIVISION**

Major Subdivision of Planned Unit Development (#2022-28)

Location: 3834 Albany Post Road and 15 West Dorsey Lane, Hyde Park, NY 12538

Grid#: 6163-01-131849

**Chairman Dupree:** So there will be some changes to the agenda tonight. The initial agenda showed a continued public hearing for Camp Victory Lake, but we discovered that that had been actually adjourned to January 18<sup>th</sup>, so that will appear on that agenda. Under ‘Other Business’, the first item would be Bellefield Phase II Subdivision. There was a meeting of various Planning Board Members, non-quorum, consultants and the applicants, that started at 2 and ended at almost 6. They will be back shortly, in the next two weeks when we continue the public hearing (for the final development plan). In the meantime, just as a quick synopsis, one of the items of discussion was that the findings statement requires that there be a voluntary donation of \$50,000.00 to the *Recreation Trust Fund* and the question emerged tonight, because there are no details in the original FEIS (Final Environmental Impact Statement), was should it be requested now to pay the \$50,000.00 in one fell swoop or should it be prorated based on the number of residential units in this first phase. Re roughly guesstimate that this is anywhere from a fifth to a fourth. If it’s a fifth, then we could require them, because it’s up to the Board to require the deposit of \$10,000.00 for each phase or to we can also ask for the full amount at this point in time. You don’t have to discuss it now. We’ll discuss that at the public hearing next week. I just wanted to let everyone know. If there are any other issues that we need to discuss, I think there might be two, I’ll email it.

**Ms. Wasser:** We could also prorate it based on the number of housing units.

**Chairman Dupree:** That’s what I meant by the number of residential units, because this is about a fifth to a fourth of what their total would be.

**Ms. Wasser:** That's all? I thought it was much greater and that phase II had the most units of housing.

**Chairman Dupree:** We're going to ask them to calculate because we don't have the number of bedrooms. That's one of the things that they're going to provide for us. In addition, you have Ms. Moss's comments on the subdivision. She's determined that it's not complete yet, so we are waiting to receive new information from them and should have that at the next meeting.

**RAPHAEL, STEPHEN**

Site Plan Waiver Approval (#2022-68)

Location: 26 Curry Lane, Hyde Park, NY 12538

Grid #s: 6064-08-879755

**Chairman Dupree:** The next item on the agenda would be a site plan waiver request by Stephen Raphael. This is at 26 Curry Lane and it's for solar panels being placed on the south side of the main building. A reminder that we just gave them a waiver for the construction of a pool. Anybody have any questions about this? *None were voiced.* Vice-Chair Dexter...

**TOWN OF HYDE PARK PLANNING BOARD**

**Stephen Raphael**  
26 Curry Lane, Hyde Park, NY  
6065-04-577087  
**SITE PLAN WAIVER**  
*Town Code Section 108-9.4 C 2*

**Date: January 4, 2023**  
**Resolution #: 2022-68**

**Moved By: Vice-Chair Dexter**  
**Seconded By: Ms. Weiser**

***Whereas*, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Stephen Raphael for the installation of rooftop solar panels on the property associated with a single-family home which requires a building permit, and,**

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

***Whereas*, the applicant is proposing to install rooftop solar panels and**

***Whereas*, the proposed addition meets the zoning code setback requirements, and**

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

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

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

**THEREFORE BE IT RESOLVED**, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the proposed changes as described in the building permit received by the Building Department December 6, 2022, and per the waiver request to the Planning Board dated December 27, 2022.

Aye	Chairman Dupree
Aye	Vice-Chair Dexter
Aye	Mr. John Guercio
Aye	Vice-Chair Oliver
Aye	Ms. Wasser
Aye	Mr. Waters
Aye	Ms. Weiser

VOICE VOTE                                  Aye- 7    Absent-0    Nay-0                  Motion Carried

**HILAND, MATTHEW**

Site Plan Waiver Approval (#2022-69)

Location: 26 Horseshoe Drive, Hyde Park, NY 12538

Grid #s: 6064-08-879755

**Chairman Dupree:** The next item on the agenda is another site plan waiver request. This is for Matthew Hiland. This is at 26 Horseshoe Drive and also for roof-mounted photovoltaic panels. This is also in the *Scenic Area of Statewide Significance*. It is not visible from the river nor the two historic sites. Anybody have any questions? *None were voiced.* Vice-Chair Oliver, this is your resolution.

**TOWN OF HYDE PARK PLANNING BOARD**

**Matthew Hiland**  
26 Horseshoe Drive, Hyde Park, NY  
6064-08-879755  
**SITE PLAN WAIVER**  
*Town Code Section 108-9.4 C 2*

**Date: January 4, 2023**  
**Resolution #: 2022-69**

**Moved By: Vice-Chair Oliver**  
**Seconded By: Mr. Guercio, Jr.**

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Matthew Hiland for the installation of rooftop solar panels on the property associated with a single-family home which requires a building permit, and,

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

*Whereas*, the applicant is proposing to install rooftop solar panels and

*Whereas*, the proposed addition meets the zoning code setback requirements, and

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

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

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

***THEREFORE BE IT RESOLVED***, that the **Town of Hyde Park Planning Board** hereby waives site plan requirements for the proposed changes as described in the building permit received by the Building Department December 5, 2022, and per the waiver request to the Planning Board dated December 22, 2022.

<b>Aye</b>	<b>Chairman Dupree</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Mr. John Guercio</b>
<b>Aye</b>	<b>Vice-Chair Oliver</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Mr. Waters</b>
<b>Aye</b>	<b>Ms. Weiser</b>

**VOICE VOTE**                      **Aye- 7   Absent-0   Nay-0   Motion Carried**

**Town Board Request for Comment**

**Chairman Dupree:** The next item on the agenda would be an authorization to send the letter that we discussed last time. The request by the Sake’ Brewery to lower their building permit renewal fees. I think I captured what you guys wanted. Has everyone had a chance to review the letter?

**Vice-Chair Dexter:** Yes, thank you. Well done.

**Mr. Waters:** Yes, thank you.

**Ms. Wasser:** And thank you to Anne Dexter for bringing up the issue of the precedent last time.

**Chairman Dupree:** Yes, because that’s what guided me in the letter itself. In addition, as I noted, I recall that when we were going through fees, that the Building Permit fees are not just the building department. They cover Tad’s work, because she has to work through this. The application fees are for when we review. Fees are supposed to cover all municipal costs and you still do work as

well, in inspecting to make sure everything's been done correctly to the site plan before a CO is authorized, I believe. Yes? At any rate, may I get a motion to authorize this to be sent over to the Town Board?

**MOTION: Vice-Chair Dexter**

**SECOND: Vice-Chair Oliver**

**To authorize the Chairman to send a response to the Town Board regarding the request from the Sake' Brewery to reduce the renewal fees for their Building Permit.**

**Aye Ms. Weiser**

**Aye Mr. Waters**

**Aye Ms. Wasser**

**Aye Vice-Chair Oliver**

**Aye Mr. Guercio**

**Aye Vice-Chair Dexter**

**Aye Chairman Dupree**

**VOICE VOTE      Aye-7   Absent-0   Nay-0      Motion Carried**

4 January 2023

Supervisor Al Torreggiani

Honorable Councilpersons Nicole Noakes, Lynn Ruggiero, John Lombardi, Don Prusakowski

Sarah Wilson, Kyle Barnett, Esquires

4383 Albany Post Road

Hyde Park, New York 12538

*Re: 5 St. Andrews Road, Building permit extension/fee reduction*

Dear Supervisor Torreggiani and distinguished Councilmembers:

Thank you for the opportunity to comment on the request made on November 23, 2022 by Michael Zarin, Esq. to reduce the renewal fee set as 75% of the original amount for the Asahi Shuzo Sake brewery. After careful discussion at our final meeting of 2022, we recommend that the Town Board consider the facts and make its own decision. We offer the following to explain:

1. Similar requests have been submitted before, including requests to waive fees entirely for non-profit enterprises. While members of this Board appreciate the time undertaken to provide estimates about the amount of work remaining and a suggested hourly rate used to assess remaining inspections by the Building and Fire Inspector, it is beyond our ability to agree that the list is comprehensive. Put simply, we are unaware whether more work remains for the Building and Fire Inspectors nor that of the Zoning Administrator who must also inspect the site before a CO is authorized. It is our understanding that site plan application fees are intended to cover the costs associated with town employees' work as well as overhead expenses during our review. But Building permit fees cover town employees' costs once a site plan has been signed and that includes Ms. Moss too.
2. The Board also notes that if the Town Board agrees to reduce the permit renewal fee, it sets a precedent whereby all construction sites that extend beyond the initial term – including residential – would then be eligible to raise similar reasoning. We believe that this

represents a magnitude of change for the Town best left to the individuals whom a majority of voters entrusted to set policies and procedures, especially those relating to municipal finances.

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

Sincerely,

Michael Dupree  
Chairman

**DESIGNATE PLANNING BOARD VICE-CHAIRS FOR 2023:**

**Chairman Dupree:** The next resolution, I'll be introducing. This is a resolution designating Vice-Chairpersons for the year 2023.

**Town of Hyde Park Planning Board**

**RESOLUTION DESIGNATING PLANNING BOARD  
VICE-CHAIRPERSONS FOR THE YEAR 2023**

January 4, 2023

Moved By: Chairman Dupree

Resolution: #23-A

Seconded By: Ms. Wasser

**NOW BE IT RESOLVED, that Anne Dexter and Chris Oliver be designated the Vice-Chairpersons of the Planning Board, authorized to conduct meetings of the Planning Board and to sign Final Plats, Site Plans and related documents, including invoices and correspondence, on behalf of the Planning Board in the absence of the Chairperson.**

Aye Chairman Dupree  
Aye Vice-Chair Dexter  
Aye Mr. Guercio  
Aye Vice-Chair Oliver  
Aye Ms. Wasser  
Aye Mr. Waters  
Aye Ms. Weiser

Voice Vote

Aye-7 Nay0 Absent-0

Motion Carried

**Chairman Dupree:** Thank you to both of you.

**WORKSHOP:**

**Assistant Dutchess County Executive, Ron Hicks to present Economic Development Strategy *POSTPONED BY MR. HICKS TO FEBRUARY 1, 2023***

**Chairman Dupree:** The next item on the agenda would have been a workshop presentation by the Assistant Dutchess County Executive, Ron Hicks. The marketing firm was unable to provide the deck that he wanted to show up here tonight, so he asked that this be adjourned for a bit or rescheduled. I said that was fine. Which leaves us asking for a motion to adjourn.

**ADJOURNMENT :**

**MOTION: Vice-Chair Dexter**  
**SECOND: Vice-Chair Oliver**

**To adjourn.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Mr. Waters</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Vice-Chair Oliver</b>
<b>Aye</b>	<b>Mr. Guercio</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

**VOICE VOTE      Aye-7   Absent-0   Nay-0                      Motion Carried**

**Chairman Dupree:** Thank you, Town Board and Tony, for airing this and publicizing it. We'll see you in two weeks.